THE UNIVERSITY OF ALABAMA®

2021 Annual Campus Security and Fire Safety Report

INTRODUCTION

Welcome. The Public Safety area of the University of Alabama works to help you maintain your personal safety and to protect your property by providing police, environmental safety services, security, access control and emergency preparedness. By sharing information, we hope you can reduce your chances of becoming a crime or accident victim. We believe that an informed community is a safer community.

Each year, UAPD publishes the Annual Campus Security and Fire Safety Report, which includes crime and fire statistics and outlines UA security and fire safety policies and procedures. This 2021 release of the Annual Security Report contains campus Clery crime statistics from the calendar years 2018, 2019, and 2020. This report is prepared by UAPD and its Clery Compliance Coordinator, with input and cooperation from the Title IX Coordinator, the Office of Student Conduct, The Student Health Center, the Women and Gender Resource Center, Housing and Residential Communities, the Division of Strategic Communications, the Office of Emergency Preparedness, the Office of the Dean of Students, the Office of Environmental Health and Safety, the Alcohol and Other Drug (AOD) Biennial Review Work Group, and other campus partners. Please take the time to familiarize yourself with this report so you can become an informed member of our community and contribute to the University's efforts to create and maintain a safe environment in which we all can live, study, work and play. Remember: Always use good safety sense and don't hesitate to contact UAPD whenever you need assistance or more information about the services they provide.

You may request a printed copy of this report from the University Police Community Services Division by writing University Police, Attention: Clery Compliance Coordinator, Box 870180, Tuscaloosa, AL 35487-0180; or by e-mailing ua.police@ua.edu or by calling 205-348-8361.

A Report of the Three Most Recent Years' Crime Statistics

In accordance with the federal regulations of the Campus Security Act, the University of Alabama publishes *both* crime statistics for the three most recent calendar years *and* UA security-related policies and procedures. This information is distributed each year to enrolled students and current employees and is also made available to prospective employees and students. The University Police Department's Safer Living Guide informs our prospective and current students, faculty, and staff of the general procedures for reporting crimes both on and off campus and includes tips on preventing theft of property and crimes of violence, including physical and sexual assaults.

In compliance with 1998 amendments to the Campus Security Act (now known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act) and Department of Education regulations, the crime statistics published in this report illustrate: 1) the reporting of crime categories as specified below, 2) the reporting of specified hate crimes by category of bias against the victim (race, gender, religion, sexual orientation, ethnicity, national origin, gender identity and disability) and, 3) the reporting of violation arrests and referrals for campus disciplinary action as specified below. Each of these statistical categories are further broken down by geographic area: **On-Campus** (includes **On-Campus Residential** facilities), **Non-Campus** property; and **Public Property** (includes property within campus or immediately adjacent to it). See Crime Statistics Caveats for more information.

The University Police Department makes annual requests to the Tuscaloosa City Police Department for crime statistics taken from the **public areas** within campus or immediately adjacent to campus to be included in the Annual Campus Security and Fire Safety Report. Annual good faith requests for applicable crime statistics are also made to law enforcement agencies with jurisdiction over non-campus buildings or property. For more information see Crime Statistics Caveats for definitions of non-campus buildings and properties.

The Annual Campus Security and Fire Safety Report includes crime statistics for the following *categories of crimes,* as reported to UAPD, other UA campus security authorities, and appropriate law enforcement authorities: criminal homicide (murder, non-negligent manslaughter & negligent manslaughter); sex offenses (sexual assault, which includes rape, fondling, incest, statutory rape); robbery; aggravated assault; burglary; motor vehicle theft; arson; dating violence; domestic violence; and stalking. The report also includes statistics of hate crimes associated with these offenses and associated with larceny/theft, simple assault, intimidation, and destruction/damage/vandalism of property or other crimes involving bodily injury. Also included are statistics for the following categories of **violation arrests** and **referrals for campus disciplinary action***:* liquor law violations, drug law violations, and weapons law violations.

A Guide to University of Alabama Annual Security and Fire Safety Report

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Reporting On-Campus Crimes and Other Emergencies

To maximize safety on campus, the University Police Department strongly encourages anyone with knowledge about any crime, suspicious activity, or unsafe actions or conditions on campus (either as a witness or as a victim) to make an immediate report to the University Police in person or by telephone. Reporting does not mean you must take legal action; however, it may help law enforcement stop further incidents as well as help them keep the community informed about criminal activity.

To make a report in person, go to the University Police Department located at 1110 Jackson Ave., Tuscaloosa, AL 35487. To make a report by phone, call 205-348-5454 and describe the situation to the communications operator. In emergency situations, including fires and medical emergencies, call 911 or UAPD at 205-348-5454. All 911 calls made from **campus phones** go directly to UAPD; all **cell phone** 911 calls are routed to UAPD through a local 911 center. CSA's can also make a report online for data collection purposes at the CSA Reporting Link.

UA students requiring non-emergency medical care may contact the Student Health Center at 205-348-6262. Students seeking counseling services may contact the Counseling Center at 205-348-3863, the Psychology Clinic at 205-348-5000, or the Women and Gender Resource Center at 205-348-5040.

UA employees requiring non-emergency medical care or counseling may contact the University Medical Center at 205-348-1770 or any of the DCH Health System facilities, e.g., DCH Regional Medical Center at 205-759-7111 and the Northport Medical Center at 205-333-4500. UA employees who are victims of interpersonal relationship violence (sexual assault, dating or domestic violence, stalking, etc.) may also contact the Women and Gender Resource Center at 205-348-5040 for counseling and advocacy.

Refer to the Title IX and Sexual Misconduct Policy Section H. Reporting Procedures, Confidentiality, and Rights for specific reporting procedures regarding victims of sexual offenses, including but not limited to sexual assault, dating violence, domestic violence and stalking.

UAPD Response to a Crime Report

When you report a crime to UAPD, a UA police officer will meet with you, listen to what happened, and, if appropriate, make a preliminary report. Next, investigators will review the report and conduct a follow-up investigation. If a suspect is found and you decide to press charges, information will be presented to a warrant magistrate, who decides if there is probable cause to arrest the suspect. If there is, you will be asked to sign the arrest warrant, which UA Police officers will serve. A court date will be set and you may have to be present to testify.

For more specific information regarding law enforcement's response to instances of sexual assault, domestic violence and dating violence and stalking, see Appendix VII to this report: Title IX and Sexual Misconduct Policy (Section N. Criminal Investigations, and Appendix 6 – Detailed Information about Criminal Investigations).

If you are uncomfortable making a criminal report to UAPD but would like to help ensure the most accurate accounting of all criminal incidents on or around campus or at University events occurring on Non-Campus Property, we encourage you to report the criminal incident to one of the University of Alabama Campus Security Authorities (CSAs) listed in the section Additional Sources of Statistical Information.

If You Don't Want to Make a Police Report and/or Take Legal Action

UAPD encourages you to report criminal activity even if you don't want to take legal action in order to help maintain accurate statistical records. UAPD is responsible for preparing the University's Annual Campus Security and Fire Safety Report and for compiling the crime statistics included in the report. A Clery Crime Reporting form is available on UAPD's Clery website. The information you report may require UAPD to issue a Timely Crime Alert/UAPD Campus Safety Advisory if it is determined that the circumstances warrant such action. See Confidential Reporting regarding other ways in which to make voluntary, confidential reports of crimes for inclusion in crime statistics. Reports made to Campus Security Authorities (CSAs) are also included in crime statistics. (See Additional Sources of Statistical Information below).

Reporting Off-Campus Crimes and Other Emergencies

Victims or witnesses to criminal activity occurring off campus should contact the agency that has jurisdiction:

- Tuscaloosa Police Department at 205-349-2121
- Northport Police Department at 205-339-6600
- Tuscaloosa County Sheriff's Office at 205-752-0616
- Alabama State Troopers at 205-553-5531

University Police officers can assist in notifying other law enforcement agencies.

Student Organization Facilities: The University of Alabama is unaware of any off-campus building or property owned or controlled by a student organization that is officially recognized by The University of Alabama, and the University itself operates no off-campus student organization facilities. All student organizations recognized by The University of Alabama are located on campus and are therefore served by UAPD. If you believe a crime has been committed within an on-campus student organization building, report the incident to UAPD at 205-348-5454.

Off-Campus Housing: The only off-campus housing managed as part of UA's on-campus community is several apartments at The Lofts at City Center, a privately-owned apartment community located at 1345 10th Avenue East in Tuscaloosa, which ended during the 2018 year, but was re-established in fall 2020 as part of a COVID-19 relocation plan for UA students to create isolation/quarantine space on campus. UAPD routinely patrol the East Edge apartments, a privately-owned apartment community located in close proximity to the University Police Department and respond to calls for the purpose of reporting statistics and for prevention. If you believe a crime has occurred at East Edge apartments, contact UAPD at 205-348-5454.

Fringe Areas of Campus: While the Tuscaloosa Police have primary jurisdiction and responsibility in all areas off-campus within the city limits, UAPD can and do respond to many incidents that occur in close proximity to campus. UAPD has a Fringe Patrol Division dedicated to providing additional law enforcement presence around the perimeter of campus. UA Police regularly meet with and communicate with local law enforcement regarding the occurrence of crimes in the fringe areas. If you believe a crime has occurred in close proximity to campus, please report the crime to the City of Tuscaloosa Police Department at 205-349-2121. UAPD collects statistics from other local jurisdictions and includes these reported incidents in the Crime Statistics when they are submitted and clearly show that a Clery reportable incident has occurred on appropriate UA geography.

Daily Crime Logs/Summary of Criminal Incidents

UAPD maintains a Daily Crime Log, which contains a list of the previous 60 day's crime reports made to UAPD. The crime log summaries include each incident's general location, type, date, time, and disposition of the complaint. UAPD crime logs are available for public viewing, 24 hours a day, in the lobby of the Police Department or online. Identities of individuals involved in the report are not available in the daily crime log.

An entry to the crime log or an addition to an entry is made within two business days of the report, unless the disclosure is prohibited by law or would jeopardize the confidentiality of the victim. Information may be withheld if there is clear and convincing evidence that the release of information would jeopardize an ongoing criminal investigation or the safety of an individual, cause the suspect to flee or evade detection, or result in the destruction of evidence. Once the adverse effect is no longer likely to occur, the information is timely added to the crime log. Reports made by CSAs that do not result in police investigation or a police report, are still part of the daily log and maintained in an additional document by the Clery Compliance Coordinator within UAPD.

Timely Crime Alerts/UAPD Campus Safety Advisories

If a serious or unique crime has occurred on our campus or on what Clery defines as immediately adjacent public property or non-campus property, and the circumstances warrant it (as in the case of a violent crime against a person or a major property crime), a special, **timely crime alert** (entitled UAPD Campus Safety Advisory) is prepared and distributed. These advisories are designed to give students and employees a timely notification of crimes that will aid in the prevention of similar crimes and enable people to protect themselves and heighten their safety awareness. Sometimes, a UAPD Campus Safety Advisory provides information that leads to an arrest and conviction of the perpetrator. The University Police will issue a UAPD Campus Safety Advisory when a crime that represents a potential serious or continuing threat to the campus community is reported to any of the local law enforcement agencies or other crime reporting sources. In such situations, every attempt will be made to distribute a UAPD Campus Safety Advisory as soon as reasonably possible after pertinent information about the crime is available. The University Police Department's cooperative working relationship with local and state law enforcement agencies facilitates communication about crime reported to outside law enforcement agencies that, likewise, may warrant timely issuance of an Advisory. UAPD Campus Safety Advisories are placed on the University Police web site. Students, faculty and/or staff are notified via email of the advisory posting, which may also be published by other means determined appropriate under the circumstances (e.g. prominently posted at on-campus locations frequented by students and employees). While not required by the Clery Act, some incidents that happen off campus in non-Clery geography, but may potentially impact members of the campus community, occasionally warrant notification. Those non-Clery notifications are sent through a Public Safety Notice email, which are sent out through the UA Division of Strategic Communication, in partnership with UAPD and other local law enforcement agencies.

Missing Residential Student Policy and Procedure

The following paragraphs contain the University's Missing Residential Student Policy and official notification procedures concerning missing UA students who reside in on-campus housing, in accordance with the requirements of the Higher Education Opportunity Act of 2008 (HEOA). These procedures promote the safety and welfare of members of the University community through compliance with HEOA requirements.

Policy

This policy is designed to guide a collaborative response if a residential student is determined to be missing for 24 hours. The term "residential student" refers to any student living in a residence hall, Greek House, campus-owned apartment, or campus-leased apartment. Residential students are required either to complete the Missing Student Contact Information Form in MyBama, which includes an individual to contact in the event of a missing person, or to check an opt-out box prior to registering for classes each term. Every 90 days, residential students are prompted to update this Missing Student Contact information form in their MyBama account. This confidential student contact information is available only to authorized campus officials and may not be disclosed except to UAPD in furtherance of a missing person investigation.

Procedures

Students, employees, or other individuals should report that a residential student is potentially missing to Housing and Residential Communities (HRC) at 205-348-6676 and/or to UAPD at 205-348-5454. Reports received by HRC are immediately referred to UAPD. Thereafter, HRC and UAPD will begin a concurrent review of the situation. If the residential student is determined to be missing by UAPD, then within the next 24 hours UAPD will notify the individual identified by the student on their Missing Student Contact Information Form. In addition, if the student is under 18 years old and is not emancipated, the student's custodial parent or guardian will also be notified.

Emergency Response, Notification and Evacuation Procedures

Purpose

The safety and well-being of students, faculty, staff, and visitors is a high priority for the University. Should a significant emergency or dangerous situation develop that presents an immediate threat to the health or safety to persons on campus, University personnel will immediately respond, evaluate, and confront the threat. Upon confirmation that a threat exists, the University will provide an emergency notification and updates as appropriate to the University community. A public version of the University's Emergency Operation Plan can be found on the Emergency Procedures webpage.

Overview

The University of Alabama's Emergency Operation Plan directs the University Police (UAPD) to respond and manage campus emergencies with oversight by the Emergency Management Policy Group (EMPG). The EMPG is made up of key University officials representing senior leadership positions.

The Division of Strategic Communications is responsible for emergency notification and crisis communication; for redundancy, UAPD and the Office of Emergency Management will serve as a backup to Strategic Communications.

Emergency Notification

> **An emergency notification is an urgent official communication regarding a significant emergency or dangerous situation that may compromise the health and safety of members of the campus community. Typically an emergency notification is provided without delay upon confirmation of an immediate or impending threat and empowers the recipient to take appropriate action to minimize injury or loss of life.**

In the event of a campus emergency, UAPD along with other appropriate response agencies (e.g. fire department, gas company, etc.) will immediately respond and investigate the threat. If a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or employees is confirmed, UAPD will notify Strategic Communications (24/7), who will initiate an emergency notification to the campus community using some or all of the following systems depending on the circumstance: University of Alabama website; UA Alerts (email, phone calls, and text messages using an external system); Campus PA system (internal and/or external); Internal campus e-mail system; UA Home Page; Print/Broadcast Media; Social Media (Twitter @UA_Safety); Digital Signage; VoIP telephones; Desktop Alerts; UA Safety App; and 92.5 FM UA Info Radio.

An exception to this policy may occur in those instances where the notification will, in the professional judgment of the EMPG, UAPD, or Incident Command, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Once the incident has concluded, Strategic Communications will use the same systems to broadcast an "All Clear" notification or information regarding the resolution of the emergency.

In special circumstances, UAPD or the Office of Emergency Management may trigger an emergency notification to the campus community via UA Alerts or the Campus PA System. In the event an alert is triggered, UAPD will notify Strategic Communications; Strategic Communications will then assume responsibility for further communications.

Emergency Response and Notification Process

1. **UAPD and other appropriate agencies respond to a reported emergency, evaluate the situation, and confirm there is a campus immediate threat**
2. **UAPD and other appropriate response agencies assess whether the threat is area-specific or campus-wide**
3. **UAPD notifies Strategic Communications**
4. **Strategic Communications drafts or selects pre-scripted message**
5. **Strategic Communications activates emergency notification systems**
6. **UAPD coordinates with Strategic Communications and provides updated information when available**
7. **Strategic Communications posts updates or communicates "All Clear" as appropriate**

Crisis Communication

> **Crisis communication is the continued or ongoing update of information regarding a significant emergency or dangerous situation.**

After the initial emergency notification, continued or updated crisis communications will take place on the University's website (www.ua.edu), social media, and through the local media (radio, television).

Students, faculty, and staff are directed to monitor the website and local media for updated crisis information. This will also enable the larger community to receive emergency information.

Determining Appropriate Segment of Community

In many instances, an emergency notification will include the entire campus population (students, faculty, and staff). However, during holidays, weekends or other periods outside of normal business hours, or under circumstances where the nature of the emergency supports an area-specific notification, the notification may go to only those persons who are believed to be affected. In this situation, UA Alerts could be utilized to notify a particular segment of the community (e.g. students only) and the Campus PA system could be utilized to notify occupants of a particular building or buildings where the system is deployed.

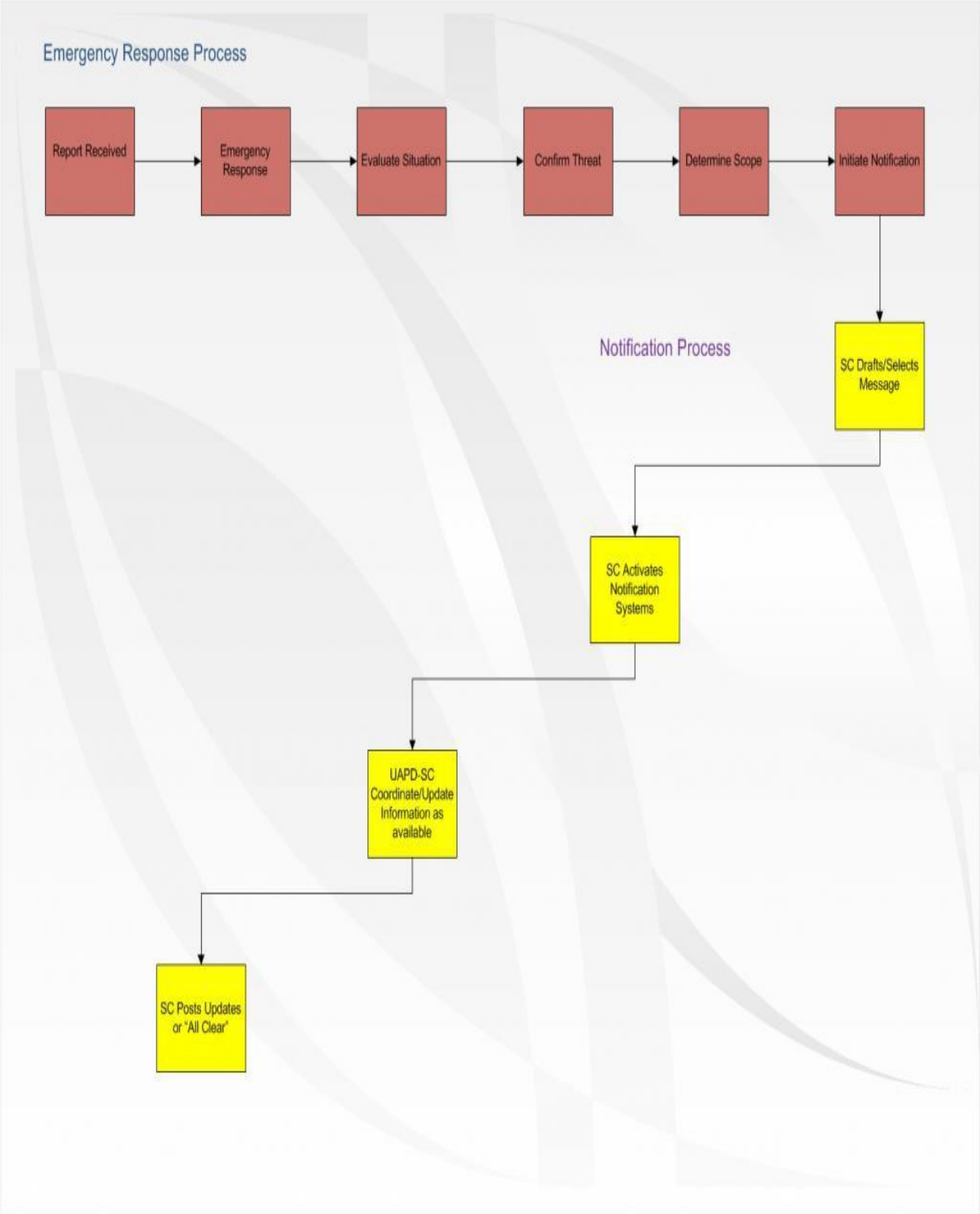
Content and Timing of Notification

Strategic Communications is responsible for drafting and approving emergency messages and crisis communication; Strategic Communications will determine, without delay, the content of the notification and initiate the notification system. To expedite the notification process, Strategic Communications has drafted pre-scripted emergency messages for possible campus emergencies. These messages are posted within UA Alerts and the Campus PA system so that they can be immediately accessed and dispatched.

Should an unexpected emergency occur, Strategic Communications will quickly draft and disseminate an appropriate emergency message.

In special circumstances, UAPD or the Office of Emergency Management may draft and disseminate an appropriate emergency message.

Procedure Diagram



Evacuation Procedures

In the event a building evacuation is required, the fire alarm, campus PA system, or emergency personnel will notify occupants to leave the building. A yearly fire drill with a required building evacuation is conducted by the Office of Environmental, Health, and Safety (EHS) for campus buildings. The drill is documented by EHS and includes the date, time, and description of the drill.

Should a campus evacuation be required, UAPD will notify the EMPG under normal circumstances. Depending on the scope of the incident, the EMPG will order a partial or full campus evacuation as necessary.

In special circumstances, UAPD may order a building, area, or campus evacuation directly.

When an evacuation is ordered, affected students, faculty, and staff will be required to leave the evacuated area. In the event of a full campus evacuation, UAPD will work with UA Parking and Transportation to assist motorists leaving campus. See the Campus Evacuation information for additional details. If a prolonged evacuation is required, the Red Cross may be requested to shelter those students who are unable to return home and need assistance.

Testing

The Division of Strategic Communications will test the UA Alerts system monthly by sending a test message to the entire campus community. The test will be documented and include the date, time, and notification results. In conjunction with this test, Strategic Communications will publicize the web addresses of the Annual Campus Security and Fire Safety Report and the Office of Emergency Management. Both websites contain the University's emergency response, notification, and evacuation procedures. Strategic Communications will also annually test the Campus PA system.

The University conducts exercises, at least annually, that test emergency and evacuation procedures. These exercises adhere to Homeland Security Exercise and Evaluation Program requirements and involve relevant offices and personnel on campus. These exercises are documented and the information is stored within The Office of Emergency Management.

COVID-19 Emergency Notification Spring 2020 Through Fall 2021

In spring 2020, UAPD sent an Emergency Notifications to students and staff through UA's regular notification system and created a banner at the top of UA's home page that states: "**Information and updates about our response to Covid-19**. For more information, visit healthinfo.ua.edu." This Coronavirus website, which continues to be updated frequently, provides information for students, faculty/staff, and parents and families; provides guidance on what to do if one tests positive, has symptoms, or has been exposed; has details about UA's COVID Testing, COVID Training, contains links to FAQs, Campus Messages, COVID-19 Resources, and Decision Tree; has links to Alabama Department of Public Health, Centers for Disease Control and Prevention, World Health Organization; and contains links to government directives from City of Tuscaloosa, State of Alabama, and Federal Guidance. The website has links to Vaccine FAQs, a Resources page with FAQs, Campus Events, COVID Conversations, Prevention and PPE, Flyers and Graphics, Public Service Announcements, Remote Teaching and Learning,

and Building Signage. The website also has links to an online COVID Support Request Form, and COVID Support Hotline, and the University of Alabama System COVID-19 Dashboard.

Additional Sources of Statistical Information

UAPD has developed, and periodically reviews, procedures to include in reported crime statistics and for the purpose of making timely crime alerts, reports of required crimes made to Campus Security Authorities. CSAs at UA include employees of UAPD; other individuals and third party vendors who are responsible for campus security; the University's Title IX Coordinator and Deputy Coordinator; Title IX Investigators; designated harassment resource persons; and any officials of the University who have significant responsibility for student and campus activities. UAPD requires potential CSAs to receive online training regarding their crime reporting obligations, and requires approved third-party vendors providing security or monitoring entrances to UA campus or facilities at special events/game days to provide to their employees assigned to the UA campus necessary information explaining their responsibility to report crimes brought to their attention. Approved security vendors are identified on the Risk Management website. A Clery Crime Reporting Form (See Appendix II) is available to CSAs to assist in the collection of crime statistics. For reporters not wishing to utilize the online form to submit incident information, they can utilize the University's Centralized Reporting Channels.

Although all CSAs are required to report crimes for inclusion in the statistics, UAPD regularly collects crime statistics data from the following CSAs, either directly or indirectly, through a centralized reporting channel that may collect incident reports from colleagues within their campus area, and report those to UAPD through the CSA online reporting form. A list of contacts used for centralized reporting channels is available at Appendix V. Counselors in the Women and Gender Resource Center also provide de-identified data as noted below. Faculty members working strictly in their role as an on-campus faculty member are not considered CSAs, and are not obligated to report Clery incidents, but they may still do so. Faculty members working in a different capacity, such as an organization adviser, are considered CSAs and must report Clery incidents to UAPD.

Confidential Reporting to Pastoral and/or Professional Counselors/ Voluntary Confidential Reporting

Under the law, campus pastoral and professional counselors, when acting as such, **are not** considered to be a CSA and **are not** required to report crimes for inclusion in the annual disclosure of campus crime statistics. As a matter of policy, however, The University of Alabama encourages its counselors at the Women and Gender Resource Center, if and when they deem it appropriate, to inform the persons they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. All verified and unverified confidential reports of sexual offenses that meet the reporting criteria as determined by UAPD and that are made to the Women and Gender Resource Center staff are included in UA campus crime statistics (see Title IX and Sexual Misconduct Policy for more information about UA policies and procedures concerning sexual offenses). Crimes reported to campus pastoral and other professional counselors, including but not limited to those at the Counseling Center, Psychology Clinic, Autism Spectrum Disorders Clinic, Capstone Family Therapy Clinic, University Medical Center or Student Health Center are not included unless the victim chooses to report to one of the other CSAs.

Submission of UA Crime Statistics to Federal Agencies

In October 2000, the University of Alabama Police began submitting crime statistics online to the Department of Education. Annually, we contribute crime statistics to the Uniform Crime Report published yearly by the Federal Bureau of Investigation by submitting data to the Alabama Criminal Justice Information Center. This detailed statistical report is available each year at academic and public libraries. It is also available online at FBI UCR site.

Obtaining Information About Registered Sex Offenders

Adult criminal sex offenders who must register with law enforcement officials must notify those officials of their enrollment or employment at institutions of higher education within the state. That information should then be forwarded to campus police of the school or institution of higher education where the adult criminal sex offender is employed, carries on a vocation or is a student. In accordance with the Campus Sex Crimes Act of 2002, the University must notify the UA community of where this information can be obtained. To request information regarding registered sex offenders, including those employed, carrying on a vocation or enrolled at the University of Alabama, write the University Police Community Services at PO Box 870180, Tuscaloosa, AL 35487-0180 or email at ua.police@ua.edu or call at 205-348-8361. Additional information regarding the location of sex offenders in your area may be accessed at the following links:

- Alabama Law Enforcement Agency (select "Search the Alabama Sex Offender Registry" link)
- Tuscaloosa County Sheriff's Office (select "Search for offenders in your area")
- City of Tuscaloosa FAQ on Where can I get information about sex offenders? (which links to the Tuscaloosa County Sheriff's Office Sex Offender Database)

Security of and Access to Campus Facilities

The UA campus is made up of a variety of facilities, primarily student residences and academic/administrative buildings. Some student residence halls have entrance desks that are staffed by resident assistants during open hours. The entrance desks of Tutwiler Hall, Marty Burke Hall, Lakeside East, Presidential Village I & II, Ridgecrest South Community and Bryant Hall are generally staffed 24 hours a day, however COVID-19 precautions temporarily altered some housing procedures. Ongoing Housing and Residential Community COVID-19 updates can be found at the HRC website. Due to COVID-19, access to on campus housing has been restricted to building residents until further notice. Only residents are allowed in their housing facilities, except employees, security personnel, and other individuals with a valid and essential reason. These restrictions apply to living spaces in all on-campus housing facilities, and sorority and fraternity living spaces with exceptions for members to access the house for meals or organized meetings.

In the daytime, there is open access to academic and administrative buildings, with the exception of UA recreation facilities at which users must present membership cards. Academic and administrative facilities are locked before and after their business hours. Students and staff who have access to administrative/academic buildings for after-hours work must lock the exterior

doors behind them after they enter, and they are encouraged to follow all personal safety precautions outlined in the Safer Living Guide.

Security Considerations in the Maintenance of Campus Facilities

1. **Security Resources:** Under the guidance of UAPD, the Security Resources team patrols and monitors campus grounds including residential and non-residential campus buildings.
2. **Electronic Alarm Systems:** A computer-based electronic monitoring system located at UAPD Department communications center monitors a comprehensive network of door-control, duress/intrusion-detection, and fire-alarm systems within campus facilities.
3. **Architectural Design:** UAPD Division of Community Services may provide input into the design of new and renovated campus facilities as it relates to physical and electronic security systems.
4. **Security/Health and Safety Surveys**: For University departments who request assistance, security surveys are conducted by Police Department sworn personnel. Health and safety surveys are conducted by Environmental Health and Safety.
5. **Grounds and Building Perimeter Surveys:** The University works to see that the indoor and outdoor lighting on campus contributes to safety. Anyone who observes an outdoor light that is not working is encouraged to report the outage to University Facilities by calling 205-348-6001.
6. **Security Vendors:** The University utilizes security vendors to provide an enhanced security presence on campus for special events, the protection of property, and for other functions as needed. Campus organizations, other parties hosting on-campus events, or whenever security is deemed necessary, must utilize a University-approved security vendor. Any security vendor that works on campus is required to be licensed by the Alabama Security Regulatory Board and must receive training on the University's social event guidelines, facility use restrictions and the proper protocol to report actual or suspected criminal acts. The Office of Risk Management oversees the Security Vendors Program.
7. **Additional safety guidelines imposed in relation to the COVID-**19 precautions can be found at the University's Covid-19 Health Information Page.

UAPD's Law Enforcement Authority and Arrest Powers

UAPD provides full police and environmental safety services to the campus community. The University Police force consists of sworn officers with full arrest powers who are on duty 24 hours a day, seven days a week, and are certified by the state of Alabama. These police officers are vested with all the powers, authority, and responsibilities of any police officer of the state on property owned or operated by the University, or in any circumstance in which an arrest by a police officer without a warrant is authorized by law.

In November 1998, UAPD became fully accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA). The three-year accreditation was granted after an extensive review of UAPD's policies, procedures, management, operations, and support services. CALEA's approval of UAPD for accreditation symbolizes a high degree of professionalism and a strong commitment to excellence within its program. UAPD has maintained CALEA accreditation since 1998 through a series of continuing reviews; the department was last awarded a certificate of advanced accreditation in August 2020.

UAPD's Working Relationships with State and Local Law Enforcement Agencies

By statute, UAPD is responsible for the investigation of all alleged criminal offenses on the University of Alabama campus and on all property either owned or leased by the University of Alabama. Therefore, the department does not maintain any agreements or memoranda of understanding with other state and local law enforcement agencies specifically regarding the investigation of campus crime. However, UAPD cooperates fully with local and state law enforcement agencies in cases that involve both on and off campus jurisdictions or when the resources of an agency other than UAPD can be used to facilitate the resolution of an investigation. Local police agencies and University Police exchange information on a regular basis, routinely work together during UA sporting and other community events and maintain a written mutual aid agreement where each agrees to provide assistance to other agencies upon request. University Police officers participate in the West Alabama Narcotics Task Force, which enforces all narcotics violations in Tuscaloosa County, in the Tuscaloosa County Violent Crimes Unit, which is responsible for investigating all serious crimes against persons in the county, and the West Alabama Human Trafficking Task Force, which is responsible for investigating sexual assaults and human trafficking. These cooperative efforts enable the University Police to work with, and for, UA students and employees in situations that occur on and off campus.

Prompt and Accurate Reporting of Crimes

As noted in the sections Reporting *On-Campus* Crimes and Other Emergencies and Reporting *Off-Campus* Crimes and Other Emergencies, UAPD encourages anyone with knowledge of a crime, on or off campus, to report it to UAPD. In order to maximize safety on campus and aid in prompt investigations, we ask that you report to UAPD any incident that may qualify as criminal homicide (murder, non-negligent manslaughter & negligent manslaughter); sex offenses (sexual assault, which includes rape, fondling, incest, statutory rape); robbery; aggravated assault; burglary; motor vehicle theft; arson; dating violence; domestic violence; and stalking. We also ask that you report hate crimes associated with these offenses and associated with larceny/theft, simple assault, intimidation, destruction/ damage/ vandalism of property or other crimes involving bodily injury. If the report meets compliance requirements under federal law, those crimes will be included in the statistics reported in the Annual Campus Security and Fire Safety Report.

Types, Frequency, and Descriptions of Crime Prevention Programs

The University uses various mechanisms to inform students and employees about the prevention of crime. UAPD publishes the Safer Living Guide, which provides information on how to report criminal activity as well as practical steps students and employees can take to prevent theft of property and more serious crimes of violence, including physical and sexual assault, dating violence, domestic violence and stalking. This publication emphasizes that crime and accident prevention starts with the individual, and that becoming informed about the University's safety procedures and services outlined in the guide is a good first step toward preventing crime.

Specifically, this guide:

- provides guidance on emergency notifications, steps to take to enhance personal safety in critical situations;
- identifies who to contact to report a crime, obtain law enforcement or medical assistance, handle a fire emergency, report concerning or threatening behaviors;
- discusses several campus safety initiatives, including the following:
    - an After-Dark Walking Route map containing enhanced lighting paths on campus, and who to contact on campus if an outdoor light on campus is not working;
    - Locations of campus Blue Phones
    - how to access the "Walk on the Bright Side Map" to locate the 150+ bright blue emergency phones, which are directly linked to UAPD;
    - the purpose of UAPD Campus Safety Advisories;
    - UA's Dangerous Weapons and Firearms Policy
- sets forth practical and easy-to-implement safety tips for on-the-road traveling, visits to public places, and residential living;
- lists contact information to report Title IX concerns and refers to UA's UAct website for information on how to report to law enforcement and other UA officials in different situations;
- provides several sexual misconduct risk reduction and prevention tips and tips to prevent or report harassment and retaliation (including when it occurs online and/or on social media);
- provides tips to protect personal property and prevent identity theft and what to do when property-related crimes occur;
- highlights Operation ID**,** a UAPD service that offers engraving tools for use by the University community to mark personal property for identification purposes in case of burglary, theft or robbery;
- describes how to get help for several student health and wellness issues, including alcohol and substance use disorder, addiction prevention, mental health, suicide prevention, gambling;
- provides information on how to get around campus, including tips on driving, parking, UA's motor assistance program, bicycle safety, pedestrian safety, and rules regarding personal mobility devices;
- provides tips on how to recognize safe, off-campus apartments through our Off-Campus Housing resources

- gives advice on how to comply with local and state laws by abiding by traffic, parking, and public nuisance laws and/or city ordinances; and
- provides resources for additional safety resources and training, including how to obtain information about registered sex offenders.

The Safer Living Guide is widely distributed to the campus community and can be accessed online.

UAPD also offers a variety of crime prevention/safety education programs to UA students and employees. These programs include, but are not limited to, the following:

- **Safety-related initiatives**: the UA Safety App is a free mobile app with safety information and resources.
- **Active Shooter Training**: UAPD released a campus specific active shooter training video to familiarize campus community members on response in that type of scenario.
- **Safety Presentations:** These address all issues of personal safety including: alcohol/drug use disorder, robbery, sexual assault, dating and domestic violence, stalking and hazing awareness; prevention of sexual offenses, such as sexual assault, dating and domestic violence, stalking, and property crimes; travel, holiday and spring break safety tips, state/ local laws; fire, weather and workplace safety, etc. Safety Presentations accompanied by brochures and other printed materials, are made to the following groups:
    - **Parents of New Students** - annually
    - **New Student Orientation** – annually
    - **Residence Hall Students** - upon request
    - **Other Campus Groups or Organizations** - *such as UA employees, nursing students, students with disabilities, international students, student government, specific campus organizations and intercollegiate athletes*, upon request.
- **Printed Crime Prevention Materials:** Printed crime prevention materials such as the Safer Living Guide are described above and widely distributed at safety presentations and at various on-campus locations.
- **Crime Prevention Publicity:** Crime prevention articles and related materials are periodically published as necessary, in campus publications. The Division of Student Life and Strategic Communications send out email information on crime prevention.
- **Rape Awareness, Education, and Prevention:** The University of Alabama Women and Gender Resource Center and the Community Oriented Police program provide sexual assault, dating and domestic violence and stalking awareness, education, and prevention presentations to the University community throughout the year.
- **Crime Stoppers:** UAPD participates in the monthly local Crime Stoppers program wherein callers may anonymously give information concerning crimes and receive monetary rewards for their help.
- **Community Oriented Policing Program (COP):** Upon request by University divisions, departments, and organizations, University Police officers attend meetings to provide up-to-date crime prevention information, and to hear the concerns of University community members about crime and safety issues. These officers also offer safety programming to their respective campus communities.
- **UAPD Web Site:** UAPD maintains a website for quick and up-to-date information on police, fire safety, and emergency procedures. The University community is encouraged

to take a few minutes to browse this site. If you have any questions, call the University Police Department at 205-348-5454.

- **Community Awareness Programs:** Members of UAPD are active participants in University and community sponsored awareness programs, such as the University's annual health fairs, Get on Board Day, and door to door campaigns to connect with some nearby off-campus residents. One purpose of these programs is to inform the University community about the many resources available to them through various University departments on campus.

Policy Regarding Weapons on Campus

Illegal or unauthorized possession of firearms, ammunition, explosives, other weapons, or dangerous chemicals on University property is a violation of the *UA Dangerous Weapons & Firearms Policy*. For more information on the Policy and available temporary storage of weapons to avoid a policy violation, please see *Dangerous Weapons and Firearms Policy*.

Policy Regarding the Possession, Use, and Sale of Alcoholic Beverages and Illegal Drugs and Enforcement of State Underage Drinking Laws and Federal and State Drug Laws

The possession, sale, or furnishing of alcohol and illegal drugs on the University of Alabama campus is governed by the applicable UA policies and laws noted below. To help maintain a healthy educational and work environment, UA requires its employees and students to abide by all policies and laws governing alcohol and other controlled substances, and provides educational and rehabilitative counseling to its students, staff, and faculty.

Applicable Policies

The University's *Drug Free Campus and Workplace Policy*, applicable to students and employees, is available at the UA Policy site and governs the use and consumption of alcohol. The policy applies to all members of the University community, including all full-time and part-time students, all full-time and part-time regular and temporary and contingent on-call employees, including faculty, administration, and all exempt and non-exempt staff, and all volunteers, student employees and interns. It applies to behavior that occurs on the University campus, on property owned or controlled by the University, or at University-sponsored or University-supervised activities. The Policy incorporates descriptions of the legal sanctions under State and City Alcohol Penalties, State Penalties for Drug Violations, federal drug scheduling and penalties and federal trafficking penalties for the unlawful possession or distribution of illicit drugs and alcohol; a description of employee alcohol and substance misuse resources, a description of student alcohol and substance abuse resources, that includes any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs, a description of Health Risks Associated with Use of Controlled Substances and Misuse of Alcohol; and disciplinary sanctions for students and employees for violations of the policy.

The University's *Drug Free Campus and Workplace Policy* works in conjunction with: 1) the University's *Approved Alcohol Venue Policy*, which contains the most updated approval process and rules associated with responsible use and serving of alcohol at approved designated on-campus locations, and 2) the *Alcohol and Other Drug Policy for Students*, which: a) contains information about standards of conduct associated with alcohol and illegal drug use for students; b) a summary of the federal, state and local alcohol and other drugs laws and links to the Drug Free Campus and Workplace Policy, the Code of Student Conduct, Social Event Planning

Guidelines, Housing and Residential Communities Living Standards pertaining to alcohol use and drugs; c) the Approved Alcohol Venue Policy noted above; d) counseling, medical and mental health resources available for students; and f) information on alcohol poisoning signs, effects of blood alcohol concentration and tips for lowering drinking risks.

Enrolled students are provided a summary of the above policies each semester through an email attachment. Employees are provided a paper copy of the summary of the policies each fall semester, with new employees receiving an email with an attachment summarizing the policy within a reasonable time after their hire. Individuals without access to the web, or those who prefer a printed copy of these policies and appendices, may contact The Department of Health Promotion and Wellness, Room L224 Student Health Center, Box 870360, Tuscaloosa, AL 35487-0360, 205-348-7961 or via email at shc@ua.edu.

Prohibited Conduct for Employees: *Drugs:* The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance by any employee of UA while they are at work for the University or at another site where the employee is carrying out assigned duties, is prohibited. The term "controlled substance" refers to any chemical substance whose distribution and/or use is controlled or prohibited by some law or statute, or whose distribution and/or use is permitted by a prescription issued by a licensed practitioner. *Alcohol:* To help provide employees with a safe, productive work environment, the possession, distribution, or consumption of alcoholic beverages is not permitted on the work site or on other University property during normal working hours, unless such occurs in the course of an authorized business or special University function that includes alcoholic beverages or where consumption was otherwise approved by the University. By extension, no employee may report to work while under the influence of alcohol.

Prohibited Conduct for Students: Students are required to uphold the Code of Student Conduct, The Drug Free Campus and Workplace Policy, the Approved Alcohol Venue Policy, the *Alcohol and Other Drug Policy for Students*, and the federal, state and local laws. In addition to complying with all drug/alcohol laws, the following summarizes essential rules students are required to abide by:

- *Illegal Consumption of Alcohol/Underage Drinking Laws*: Individuals under 21 years of age are not permitted to consume alcohol or be in possession of alcohol. Underage possession of alcohol paraphernalia (which includes but is not limited to empty beer cans or bottles, shot glasses, etc.) is prohibited and considered a violation of policy. Individuals 21 years of age and older may consume alcohol in designated areas on campus in a safe and responsible manner.
- *Improper Identification:* It is unlawful and a violation of University policy to use or possess identification that makes an individual appear older or misrepresents an individual as someone else.
- *Strength of Alcohol:* The consumption of any alcohol stronger than 80 proof is not permitted by students on campus.
- *Serving/Distribution/Procurement of Alcohol:* Alcohol shall not be served or provided to individuals under 21. It is also a violation of University policy to knowingly allow an individual under the age of 21 to consume alcohol. Finally, the University prohibits UA students from serving someone alcohol who is visibly intoxicated, and/or pressuring an individual to use alcohol.
- *Designated Locations Regarding the Use of Alcohol:* According to the Approved Alcohol Venue Policy, the following locations on The University of Alabama campus have been designated as sites where alcoholic beverages may be appropriately served to adult

groups: President's Mansion, Paul Bryant Conference Center, Paul W. Bryant Museum, Ferguson Center, Alumni Hall, Gorgas House, University Club, and Smith Hall. Under certain circumstances or for certain University-wide events, the President, Provost and/or Vice Presidents of the University may designate other sites as appropriate for the service of alcoholic beverages. All of these locations require individuals to follow the appropriate guidelines, and individuals must receive approval prior to the event.

- *Use of common sources or tap systems:* Common source and "tap" systems are prohibited except when licensed. This includes, but is not limited to, kegs, beer balls, and punch bowls being used to serve alcohol.
- *Drinking Games:* Drinking games are prohibited on campus. The paraphernalia used to administer drinking games or assist the user in ingesting alcohol at a fast rate are also prohibited.
- *Off-campus alcohol use:* Student organizations who host a social event off-campus must comply with the Social Event Planning Guidelines. Students who violate federal, state and local laws off campus are still held accountable to the Office of Student Conduct.
- *Driving Under the Influence:* Driving under the influence of alcohol or drugs is strictly prohibited on the University of Alabama campus and by students of the University of Alabama.
- *Tailgating:* Tailgating is a time-honored tradition at the University of Alabama. To keep this tradition alive and thriving, it is important that individuals adhere to the *Approved Alcohol Venue Policy*. Unattended tents and coolers are subject to inspection; any alcohol found will be confiscated. Public intoxication will not be tolerated; violators are subject to arrest.
- *Illegal Drugs:* Illegal drugs are prohibited on University property.
- *Medications:* Prescription drugs are permitted on campus if accompanied by an authentic medical prescription. The use and/or distribution of legal medication outside the parameters of the medical authorization is prohibited.
- *Contraband:* Drug paraphernalia, use, possession, sale, distribution and manufacturing are prohibited (except as permitted by law and policy).

Requirement to Comply with Federal, State, and Local Laws & University Policy

All members of the University community have a personal responsibility to adhere to all applicable federal, state, and local laws and ordinances, and all policies concerning the use of alcohol or other drugs, including but not limited to the *Approved Alcohol Venue Policy*, the Code of Student Conduct, and applicable faculty and employee handbook standards of conduct. In addition to criminal penalties associated with convictions, a drug conviction under state or federal law may make a student ineligible for federal financial aid (loans, grants, work study) if the drug-related offense was committed while the student was receiving aid. (For information on how long a student is ineligible or on how to regain eligibility, refer to the Federal Student Aid website). In addition, an employee or student may have their driver's license suspended for six months if convicted of a drug offense, and up to five years for a fourth DUI conviction. Adults who authorize a party at a residence they control and allow the party to continue with persons under age 21 illegally possessing or consuming alcohol without taking reasonable action to prevent it expose themselves to a $3,000 fine and up to six months in jail. Finally, in addition to criminal penalties, civil monetary damages are available if injuries are caused by a minor who has consumed alcohol through the Alabama Civil Damages Act and/or Alabama Dram Shop Act. A more complete summary of the federal and state penalties and laws enforced by the University and law enforcement are referenced in the Drug Free Campus and Workplace Policy and are accessible on the AOD Prevention website.

Disciplinary Sanctions

Various disciplinary procedures are applicable to faculty, staff, and students. Violations of the standard of conduct will be dealt with on a case-by-case basis, with the imposition of discipline appropriate to the severity of the violation. For each group in the University community, there are certain common sanctions that can be applied in an appropriate case. These sanctions include letters of reprimand, probation, and in the most serious cases, severance of ties with the University through expulsion or termination of employment. Opportunity for referral to an appropriate rehabilitation program occurs, particularly if the violation is a first offense. Referral for prosecution undoubtedly occurs only for the most serious violations.

Employees: Employees who violate the *Drug Free Campus and Workplace Policy* will be held accountable for their behavior and will be subject to appropriate disciplinary action, consistent with the Faculty Handbook or Employee Handbook (to the extent applicable), other applicable University policy and with local, state and federal law. A more complete list of possible sanctions appears in the *Drug Free Campus and Workplace Policy*, and includes, but is not limited to mandatory counseling, mandatory participation in an appropriate rehabilitation program, a warning, a reprimand, strict probation, unpaid suspension from employment, termination of employment, and/or referral to the proper law enforcement authorities for prosecution.

Students: Students who violate any provision of the *Drug Free Campus and Workplace Policy* or Alcohol and Other Drug Policy for Students will be held accountable for their behavior and will be subject to appropriate disciplinary action, consistent with local, state, and federal law, and the provisions of the Code of Student Conduct. Such action may include but is not limited to mandatory counseling, a reprimand and warning, loss of privileges, no-contact orders, disciplinary probation, community service or other work assignments, fines, restitution, attendance at alcohol and substance use disorder classes or other educational assignments, suspension, expulsion, banning from campus, and/or referral to the proper law enforcement authorities for prosecution. Common sanctions for students are publicized by the Office of Student Conduct.

The University also houses the Collegiate Recovery and Intervention Services (CRIS), which has created a structured, healthy community where recovering students can thrive academically and socially while actively pursuing their recovery. The Collegiate Recovery Community provides students an opportunity to bond together in an alcohol and drug free environment.

Alcohol and Other Drugs Biennial Review.: The University has an Alcohol and Other Drugs Biennial Review Work Group made up of representatives from various divisions of the campus. This group meets regularly and ensures that current students and employees are provided notice of the University's *Drug Free Campus and Workplace Policy* at least annually. In compliance with federal law, this work group also reviews the University's AOD education and prevention programs (discussed in the next section) on a biennial basis to determine their effectiveness, to implement any needed changes, and to ensure that disciplinary sanctions are consistently enforced. Members of the public may request a printed copy of the current biennial review report from the Office of the Vice President for Student Life by writing the Vice President for Student Life, Attention: Administrative Assistant, Box 870116, Tuscaloosa, AL 35487-0116; or by e-mail at studentlife@ua.edu or by calling 205-348-6670.

Description of Drug Use and/or Substance Use Disorder Education Programs

The University's principal approach to issues of alcohol and substance use disorder entails a wide range of education, prevention, and assistance activities conducted within its academic curricula; educational programs to inform individuals of the effects and consequence of using alcohol or other substances, and comprehensive counseling programs for faculty, staff, and students. Each vice president has been delegated the responsibility for coordinating University drug use disorder education, prevention, and intervention activities serving individuals employed or functioning in their division. The campus has created a department of Student Health and Wellbeing within the Division of Student Life that includes, among other units, Collegiate Recovery and Intervention Services and Health Promotion and Wellness. Evidence-based practices are encouraged where they exist, and emerging best practices are promoted to determine effectiveness on the campus.

The AOD Biennial Review Work Group periodically surveys the campus community to update the University's list of drug use and/or substance use disorder education programs. Effective Fall 2015, an Alcohol and Other Drug Prevention Program website was launched. The purpose of the website is to better communicate to the campus community the compilation of policy statements addressing drugs and alcohol and the wide range of prevention programs, focusing on education, environment and enforcement. Additional treatment programs and recovery support information is available through the Collegiate Recovery and Intervention Services. For more information on the University's numerous prevention and education programs, please visit the Alcohol and Other Drug Prevention Program website. This website also contains a link to the written notices of the Drug-Free Campus and Workplace Policy and Alcohol and Other Drug Policy for Students, which are distributed each semester to students and annually to employees, and contains a link to information about the biennial review conducted to determine the effectiveness and consistency of policy enforcement and to identify and implement any changes needed to the University's Alcohol and Other Drugs Prevention Program.

The University recognizes that alcohol and substance use disorders are illnesses that are not resolved easily by personal effort but may require professional assistance and treatment. Faculty, staff, and students are encouraged to take advantage of the preventive, diagnostic, referral, and counseling services available through the University, noted in the *Drug Free Campus and Workplace Policy* and *Alcohol and Other Drug Policy for Students*, and noted on the Alcohol and other Drug Prevention Website.

Title IX and Sexual Misconduct Policy

The University of Alabama is committed to providing an environment free from sexual misconduct, which among other things, includes sexual assault, sex or gender-based harassment, exploitation, dating and domestic violence, stalking, as well as discrimination based on sex, gender, sexual orientation, gender identity, gender expression, pregnancy, and related retaliation (collectively referred to as "Prohibited Conduct"). The University expects individuals who live, work, teach, study within, or visit this community to contribute positively to the environment and refrain from behaviors that threaten the freedom or respect that every member of our community deserves. The University's full Title IX and Sexual Misconduct, which includes procedures that are followed in cases of Prohibited Conduct is available online, and in Appendix VII of this Annual Security Report. This policy is subject to updates as procedures and directives may change. The online version will continue to be the most up-to-date version of the policy.

The University provides both primary and ongoing prevention and awareness programs that collectively communicate the prohibition against the Prohibited Conduct as defined in the policy. These programs describe safe and positive options for bystander intervention, risk reduction, and other relevant matters. Multiple departments across campus provide ongoing awareness, bystander intervention, and prevention campaigns for the campus community to benefit from. (See Section O and Appendix 7 to Title IX and Sexual Misconduct Policy for examples of prevention, education, and awareness efforts).

The University of Alabama takes allegations of Prohibited Conduct seriously and is committed to taking immediate action to combat Prohibited Conduct, prevent its recurrence, and remedy its effects. The University will address all allegations of Prohibited Conduct, of which it has actual knowledge, with a prompt, thorough, and impartial inquiry to determine what is more likely than not to have occurred and to take appropriate steps to resolve the situation and determine an equitable resolution. Conversations with the Title IX Office are kept as private as possible and may only be shared on a need to know basis as permitted by FERPA, or as required by law or to carry out the purposes of Title IX regulations or a Sexual Misconduct investigation, including the conduct of any active review, investigation, hearing or judicial proceeding, review/appeal, or resolution of matters within the scope of Title IX or the Policy. Notwithstanding federal privacy rules regarding students (FERPA), the University is required to disclose in writing to the alleged victim of a crime of violence or a non-forcible sex offense, the final results of any disciplinary proceeding conducted by the University against a student Respondent who is the alleged perpetrator of such crime or offense. If the alleged Complainant is deceased as a result of such crime or offense, the next of kin of such Complainant will be notified. The final results of the disciplinary proceeding involving a student include the violation committed (UA rules, policy, or code sections violated and any essential findings supporting the conclusion), any sanctions assigned to the Respondent by the University, and whether remedies will be provided by the University to the Complainant.

University disciplinary proceedings may be instituted against a student or employee cited for a violation of a law that is also a violation of the Policy, the Code of Student Conduct, or other campus policies if both violations result from the same factual situation, without regard to the pendency of civil litigation in court or criminal arrest and prosecution. At the University's discretion, proceedings under the Policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.

In addition to being forbidden by the Policy, Prohibited Conduct may be a violation of federal or state criminal law. The University encourages individuals to immediately report criminal activity to UAPD or local law enforcement.

Immediate reporting of crimes greatly enhances law enforcement's ability to collect and maintain evidence. For information about pursuing a criminal complaint, please contact UAPD at (205) 348-5454. The Title IX Coordinator or WGRC may provide assistance or support to an individual voluntarily choosing to file a criminal complaint.

For all reports of Prohibited Conduct, the University will take prompt and reasonable action to provide supportive measures to all parties involved. (See Appendix 4 and 5 to Title IX and Sexual Misconduct Policy for Complainant and Respondent Supportive Measures). A Complainant is not required to file a Formal Complaint, report the incident to law enforcement, or pursue criminal charges to receive assistance with University resources, which includes

assistance with supportive measures from either the Title IX Coordinator or, if the Complainant desires confidentiality, from the WGRC Victim Advocate.

Crime Statistics Caveats

I. Reports From Non-Law Enforcement & Note About Robbery

- Certain Crime Statistics may include information reported to University authorities other than police and where the subject chose not to make a police report; see Additional Sources of Statistical Information.
- The statistics for the crime of robbery may include multiple-victim reports.

II. Geography

- **On-Campus Residential** statistics are a subset of the **On-Campus** statistics. (For a map of the property considered On-Campus for crime statistics reporting purposes, see Appendix B to the Campus Security Report.)
- **Public Property** includes all public property (including thoroughfares, streets, sidewalks, and parking facilities) that is within the campus, or immediately adjacent to and accessible from the campus.
- **Non-Campus Property** includes university owned, leased or controlled locations not reasonably contiguous to the main UA Campus and frequently used by students for an educational purpose at any time during the years in the three-year reporting period (2018, 2019, 2020). In addition, this includes locations for which the University has a written agreement for the use of space for its students, or where the University makes repeated use of a location or sponsors student trips of a longer duration away from the campus and for which there is an agreement for the use of that space. These statistics associated with certain trips made by students are requested by UAPD from other law enforcement agencies with jurisdiction over the location of the trips. These other law enforcement agencies are not required by law to respond; however, a good faith effort is made to obtain statistics and include them in the Non-Campus statistics when they are provided.

III. Crime Definitions

- Definitions of each of the Clery reportable crimes are set forth on the Campus Security Authority Reporting Form for Criminal Offenses and Hate Crimes, accessible online and attached as Appendix III and Appendix IV to the Campus Security Report.

IV. VAWA Reporting Crimes, Hate Crime Statistics and Unfounded Crimes

- Pursuant to the Violence Against Women Reauthorization Act (VAWA) amendment to the Clery Act, statistics for these new reporting crimes are included for the entire 2018, 2019 and 2020 calendar year statistics.
- In 2018, there were three incidents reported as Clery hate crimes: one involved a vandalism, one involved intimidation, and one involved a crime involving bodily injury. In 2019, there were two incidents classified a hate crimes, involving intimidation. One was based on the victim's race, the other based on the victim's sexuality. In 2020 there were 3 incidents reported as Clery hate crimes: one involving bodily injury and two involving intimidation.

- Unfounded Crimes. Federal regulations permit an institution to withhold a reported crime from its crime statistics where law enforcement has investigated a reported crime and, based on the results of a full investigation and evidence, have made a formal determination that the crime report is false or baseless or that the crime reported was not in fact, completed or attempted in any manner. The recovery of stolen property, the low value of stolen property, the refusal of a victim to cooperate with the prosecution, and the failure to make an arrest do not "unfound" a crime report. A case is not designated as unfounded if no investigation was conducted or the investigation was not completed or if the investigation simply failed to prove that a crime occurred (this would be an inconclusive or unsubstantiated investigation). The reported crime is included on UA's crime log, and if determined to be "unfounded," the crime log will be updated within 2 business days of that determination. This report includes the following information on how many crimes were "unfounded" as defined above, and withheld from crime statistics because of that conclusion:
    - In 2018, UAPD had two reports of motor vehicle theft, determined to be unfounded; two reports of burglary determined to be unfounded.
    - In 2019; UAPD had no unfounded Clery crimes.
    - In 2020, UAPD had one report of assault determined to be unfounded

- Crimes reported as occurring in 2018-2020 on the University's non-campus property also include incidents reported by other law enforcement agencies, and may have occurred outside of campus, outside of the country, and like other Clery reportable incidents may not have involved any University of Alabama students or staff.
- Crimes are counted in the calendar year in which they are reported to the appropriate personnel. Some crimes included in the statistics for the years 2018-2020 have included crimes that were reported to have occurred in years prior.

THE UNIVERSITY OF ALABAMA

UNIVERSITY POLICE

Criminal Offenses	ON CAMPUS			RESIDENCE HALLS a subset of on-campus			NON-CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	28	28	19	23	26	18	0	1	0	0	1	0
Fondling	6	4	4	6	4	3	4	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	4	3	1	1	0	0	0	0	0	0	0	0
Aggravated assault	4	6	1	3	3	1	0	0	0	0	0	0
Burglary	31	26	24	26	24	22	1	0	1	0	0	0
Motor vehicle theft	1	1	5	0	0	0	1	0	0	0	0	0
Arson	0	0	2	0	0	2	0	0	0	0	0	0
Dating Violence	23	19	18	12	16	15	0	0	0	1	0	1
Domestic Violence	5	3	1	2	0	0	0	0	1	0	0	0
Stalking	3	3	1	0	1	0	0	0	0	0	0	0

Hate Offenses	ON CAMPUS			RESIDENCE HALLS			NON-CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	1	1	2	1	1	1	0	0	0	0	1	0
Destruction/Damage/Vandalism of Property	1	0	0	1	0	0	0	0	0	0	0	0
Any other crime involving bodily injury	1	0	0	1	0	0	0	0	0	0	0	1

THE UNIVERSITY OF ALABAMA

UNIVERSITY POLICE

Arrests	ON CAMPUS			RESIDENCE HALLS a subset of on-campus			NON-CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
Liquor law violations	2	1	0	0	0	0	0	1	0	0	1	0
Drug law violations	83	59	37	64	42	29	0	0	0	4	6	3
Weapon law violations	0	5	1	0	0	0	0	0	0	0	1	0
Disciplinary Actions/Judicial Referrals	ON CAMPUS			RESIDENCE HALLS			NON-CAMPUS			PUBLIC PROPERTY		
	2018	2019	2020	2018	2019	2020	2018	2019	2020	2018	2019	2020
Liquor law violations	1120	1195	1022	1007	1087	974	0	0	0	4	3	4
Drug abuse violations	175	131	65	158	127	56	0	0	0	4	1	1
Weapon law violations	1	2	2	1	1	0	0	0	0	0	0	0

Appendix II: Clery Campus Security Authority Reporting Form

Clery CSA Reporting Form

The Clery Campus Security Authority Reporting Form, is a web-based reporting form where the information submitted is securely protected and stored. The information requested on the form is:

- ✓ **CSA Name and Title**
- ✓ **Time and Date of the Incident**
- ✓ **Location of the Incident (On campus, Off Campus, or On Campus Residential)**
- ✓ **Specific Location of the incident (additional information such as address, building name, intersection)**
- ✓ **Involved parties**
- ✓ **Type of Clery Incident**
- ✓ **If there was hate bias involved**
- ✓ **A brief incident description**
- ✓ **Information on if any additional offices or agencies were notified of the incident**

The reporting form can be accessed via desktop or mobile device. If you are unable to access the form for any reason, you can send incident information directly to the UAPD at ua.police@ua.edu. See the below screen shots of the form as a reference.

THE UNIVERSITY OF ALABAMA®

Clery Campus Security Authority Reporting Form

This report is for campus security authority officers to report incidents on or around the campus, in compliance with the Jeanne Clery Act.

If this is an emergency situation or something that may require immediate attention, please call the University of Alabama Police Department at 205-348-5454 or 911.

Submissions from this form are for Clery documenting purposes, and are not police reports.

Clery incident definitions are available at UAPD's web site

CSA Information

According to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, The University of Alabama must collect certain campus crime statistics. This law applies to certain crimes or policy violations reported to any identified Campus Security Authority or similar campus official.

Enable additional features by logging in.

CSA Name:

Your position/title:

Phone Number:

Your email address:

Nature of this report (Required):

Requested Response (Required):

Date of incident (Required): mm/dd/yyyy

Time of incident:

Location of incident (Required): Please select a location ...

Specific location:

Involved Parties

Involved parties would be anyone who was involved in the act, a victim of the act, or a witness to the act. Please complete all fields to the best of your ability. Individuals may remain anonymous if they wish.

Name or Organization | Select Gender | Select Role | Phone number

Email address | Campus or local address

Add another party

Questions

This questions will help us better understand what occurred and the nature of any follow-up needed as well as how to report the incident for Clery purposes.

Check the box(es) that best indicates the crime you are reporting. As needed, refer to the crime definitions listed in the above link: (Required)

- [ ] Murder
- [ ] Manslaughter
- [ ] Robbery
- [ ] Burglary
- [ ] Motor Vehicle Theft
- [ ] Aggravated Assault
- [ ] Rape
- [ ] Fondling
- [ ] Statutory Rape
- [ ] Incest
- [ ] Arson
- [ ] Dating Violence
- [ ] Stalking

Was the above reported crime committed because of a bias/prejudice toward the victim(s) (Required)

- [ ] No
- [ ] Yes

Type of bias?

- [ ] Race
- [ ] Gender
- [ ] Religion
- [ ] Sexual Orientation
- [ ] Ethnicity
- [ ] Origin
- [ ] Disability

The following crimes need to be reported *ONLY* if the victim of the reported crime was/were targeted specifically because of bias/prejudice against them. Please check if any of these crimes were committed specifically because of bias/prejudice against the victim(s)

- [ ] Simple Assault
- [ ] Larceny
- [ ] Intimidation
- [ ] Vandalism
- [ ] Any other crime involving bodily injury'

Type of bias?

- [ ] Race
- [ ] Gender
- [ ] Religion
- [ ] Sexual Orientation
- [ ] Ethnicity
- [ ] Origin
- [ ] Disability

Please describe the incident(s) as it occurred (Required)

To the best of your knowledge, were any of the following offices or agencies notified of the incident? (Required)

- [ ] No other known agencies or offices notified
- [ ] University of Alabama Police Department
- [ ] Tuscaloosa Police Department
- [ ] Northport Police Department

Appendix III: Clery Crimes and Definitions

REPORTABLE CRIMES[1]

Criminal Homicide - Murder & Non-negligent Manslaughter: the willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults with intent to kill, suicides, accidental deaths, and justifiable homicides are excluded.

Criminal Homicide - Negligent Manslaughter: the killing of another person through gross negligence.

Sex Offenses - Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Sexual assault is an offense that meets the definition of rape, fondling, incest or statutory rape as defined below.

A. **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration, by a sex organ of another person, without the consent of the victim.

B. **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

C. **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

D. **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

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.

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 that could and probably would result in a serious personal injury if the crime were successfully completed).

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 a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

---

1 The definitions for murder, rape, robbery, aggravated assault, burglary, motor-vehicle theft, weapons law violations, drug law violations and liquor law violations are from the SRS User Manual from the FBI's UCR Program. The definitions of fondling, incest, and statutory rape are excerpted from the NIBRS User Manual.

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 joy riding.)

***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: The term "dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the following factors:

(i) The length of the relationship
(ii) The type of the relationship, and
(iii) 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: The term "domestic violence" includes a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the 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, 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 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: 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.

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. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or professional treatment or counseling.

DISCIPLINARY REFERRALS[2]

Weapon Law Violations: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This includes all attempts to commit any of the aforementioned.

Drug law Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of certain controlled substances.

Liquor Law Violations: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including drunkenness or driving under the influence.

[2]The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include, but are not limited to, opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadones, spice); and dangerous non-narcotic drugs (barbiturates, Benzedrine); amphetamine derivatives.

Appendix IV: Hate Crimes

HATE CRIMES

A hate crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. We are also required to report statistics for hate crimes by the type of bias for the following classifications: murder/non-negligent manslaughter, sex offenses (rape, fondling, incest, statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, destruction/damage/vandalism of property, intimidation and simple assault or other crimes involving bodily injury to any person.[4]

Larceny: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, motor vehicle theft, attempted motor vehicle theft, etc. are excluded.

Destruction/ Damage/ Vandalism of Property*:* To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property, without the consent of the owner or person having custody or control of it.

Intimidation*:* To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

Additional Information on Hate Crimes: If a hate crime occurs where there is an incident involving intimidation, vandalism, larceny, simple assault or other crimes involving bodily injury to any person, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document. A bias-related (hate) crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. For example, a subject assaults a victim, which is a crime. If the facts of the case indicate that the offender was motivated to commit the offense because of his bias against the victim's race, sexual orientation, etc. the assault is then also classified as a hate crime.

Type of Bias:

Race	Religion	Ethnicity	National Origin	Gender
Sexual Orientation		Disability	Gender Identity	

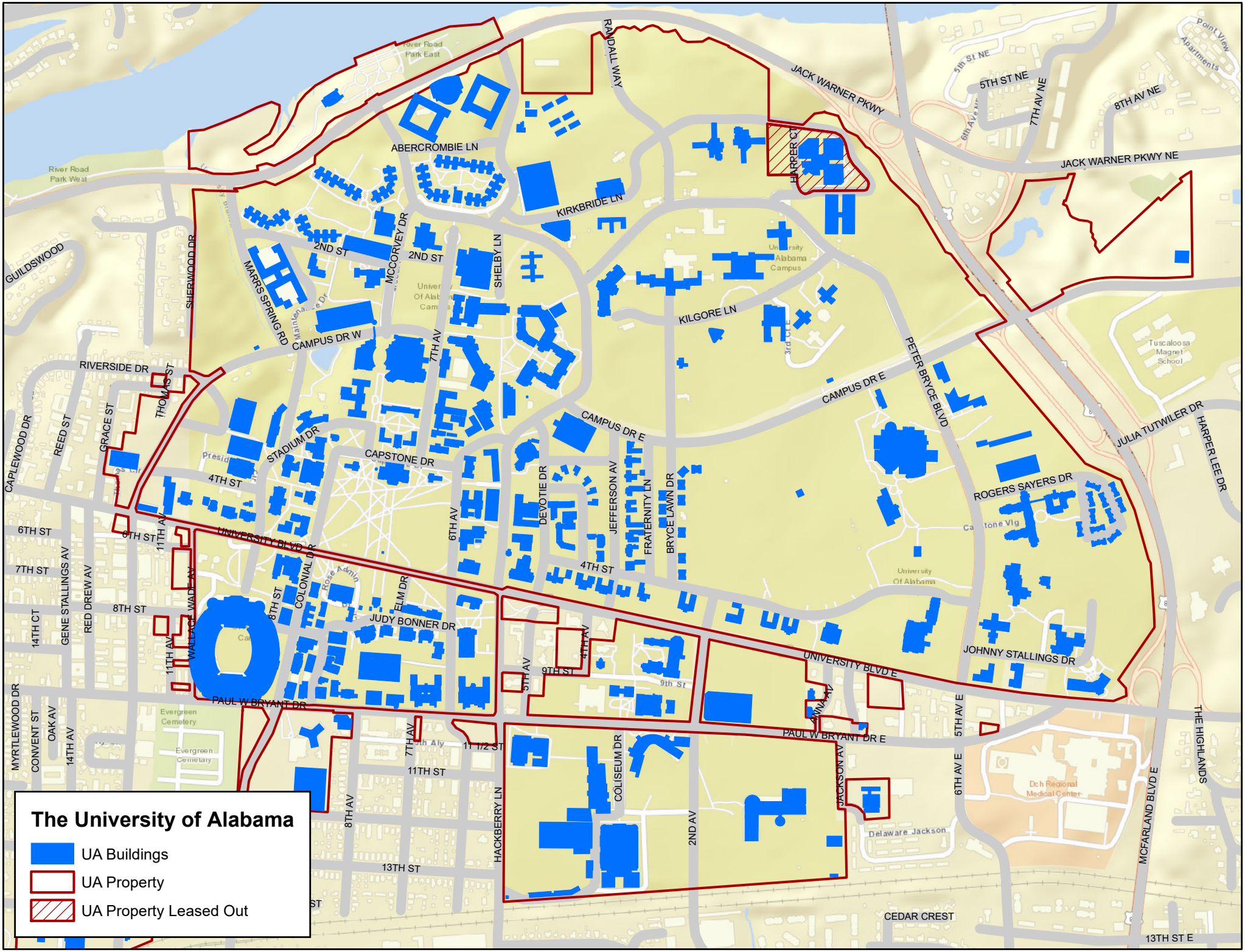
4The definitions of larceny-theft (except motor vehicle theft), simple assault, intimidation, and destruction/damage/vandalism of property are the "Hate Crime Data Collection Guidelines and Training Manual" from the FBI's UCR Program.

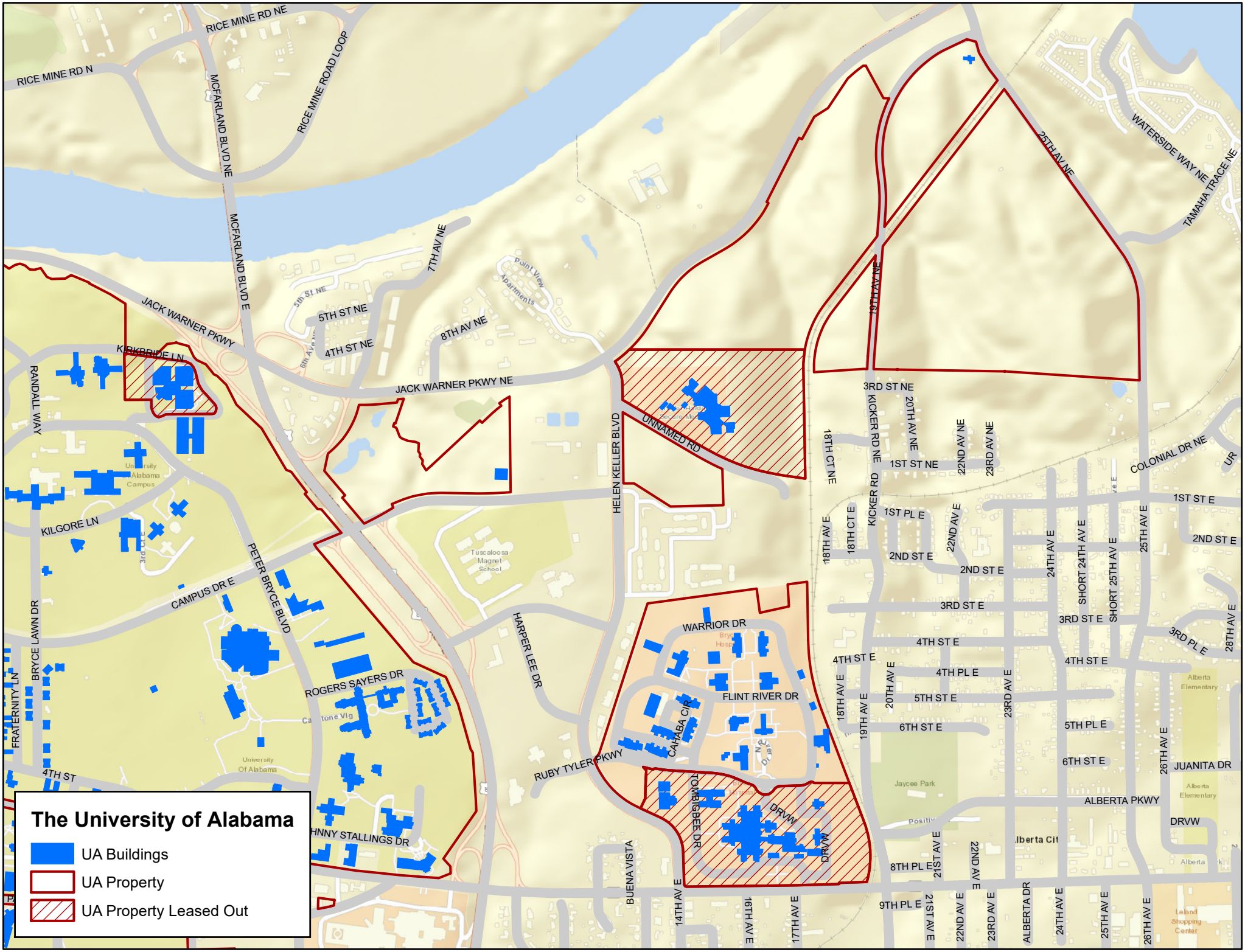
Appendix V: Departmental Campus Security Authority Partners

CENTRALIZED REPORTING PROCESS PARTNER

CSAs that do not wish to use the provided online reporting form can also provide the incident information to a listed CSA from your functional area and they will then provide the information to UAPD Clery Compliance Coordinator. (Phone area codes are 205 unless otherwise noted)

Area:	Name:	Phone:
Residence Life	**Desirae Washington**	348-6264
Intercollegiate Athletics	**Tiffini Grimes**	348-3461
Dean of Students (Student Life)	**Stacy Jones**	348-2461
Student Organizations	**Rosalind Moore-Miller**	348-6796
Women and Gender Resource Center	**Nesha Smith**	348-5040
Recreation Center	**Brooke Turner**	348-1337
Student Conduct Office	**Katrina Smelley**	348-0211
Study Abroad Programs	**Carolina Robinson**	348-5313
All Reporting UAPD	**ua.police@ua.edu**	347-0547
Academic Affairs	**Luoheng Han**	348-8336
UA Gadsden Center	**Email Contact**	256-546-2886


The University of Alabama
UA Buildings
UA Property
UA Property Leased Out
JACK WARNER PKWY
JACK WARNER PKWY NE
5TH ST NE
7TH AV NE
8TH AV NE
RANDALL WAY
ABERCROMBIE LN
KIRKBRIDE LN
HARPER CT
KILGORE LN
CAMPUS DR E
CAMPUS DR W
PETER BRYCE BLVD
JULIA TUTWILER DR
HARPER LEE DR
ROGERS SAYERS DR
JOHNNY STALLINGS DR
UNIVERSITY BLVD E
UNIVERSITY BLVD
PAUL W BRYANT DR
PAUL W BRYANT DR E
CAPSTONE DR
STADIUM DR
4TH ST
6TH ST
7TH ST
8TH ST
9TH ST
11TH ST
13TH ST
11 1/2 ST
JUDY BONNER DR
COLONIAL DR
ELM DR
DEVOTIE DR
JEFFERSON AV
FRATERNITY LN
BRYCE LAWN DR
COLISEUM DR
HACKBERRY LN
2ND AV
JACKSON AV
5TH AV E
6TH AV E
MCFARLAND BLVD E
THE HIGHLANDS
CEDAR CREST
13TH ST E
RIVERSIDE DR
THOMAS ST
GRACE ST
REED ST
CAPLEWOOD DR
GUILDSWOOD
SHERWOOD DR
MARRS SPRING RD
MCCORVEY DR
SHELBY LN
2ND ST
7TH AV
6TH AV
5TH AV
4TH AV
11TH AV
8TH AV
WALLACE WADE AV
GENE STALLINGS AV
RED DREW AV
14TH CT
MYRTLEWOOD DR
CONVENT ST
OAK AV
14TH AV
Tuscaloosa Magnet School
Dch Regional Medical Center
Delaware Jackson
Evergreen Cemetery
River Road Park West
River Road Park East
Point View Apartments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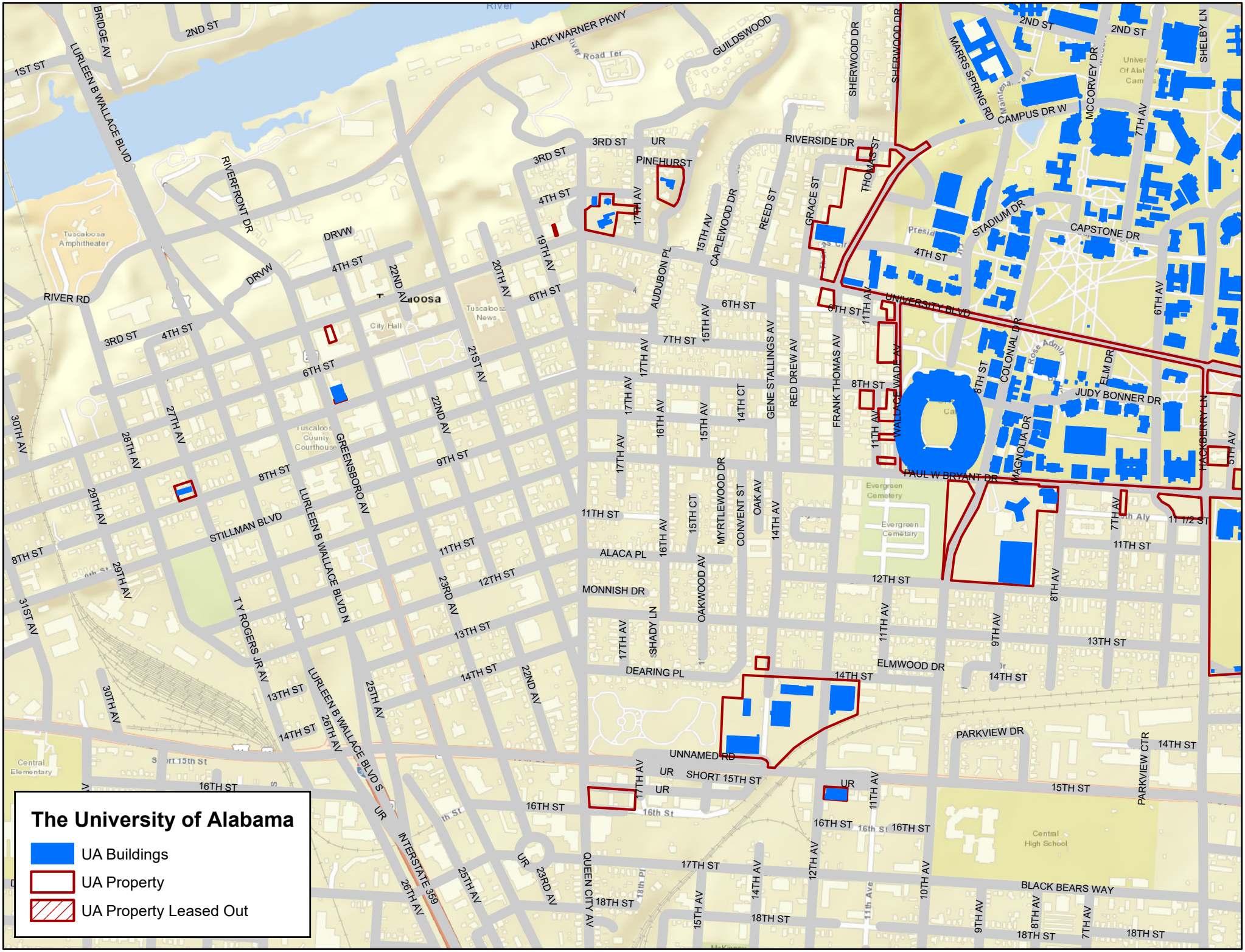
RICE MINE RD N
MCFARLAND BLVD NE
RICE MINE ROAD LOOP
MCFARLAND BLVD E
7TH AV NE
5TH ST NE
4TH ST NE
8TH AV NE
JACK WARNER PKWY
JACK WARNER PKWY NE
KIRKBRIDE LN
RANDALL WAY
KILGORE LN
CAMPUS DR E
PETER BRYCE BLVD
BRYCE LAWN DR
FRATERNITY LN
4TH ST
ROGERS SAYERS DR
HARPER LEE DR
HELEN KELLER BLVD
UNNAMED RD
WARRIOR DR
FLINT RIVER DR
CAHABA CIR
RUBY TYLER PKWY
TOMBIGBEE DR
DRVW
BUENA VISTA
14TH AV E
16TH AV E
17TH AV E
19TH AV NE
25TH AV NE
WATERSIDE WAY NE
TAMAHA TRACE NE
3RD ST NE
KICKER RD NE
20TH AV NE
22ND AV NE
23RD AV NE
18TH CT NE
1ST ST NE
COLONIAL DR NE
18TH AV E
18TH CT E
1ST PL E
22ND AV E
1ST ST E
2ND ST E
24TH AV E
SHORT 24TH AV E
SHORT 25TH AV E
25TH AV E
3RD ST E
3RD PL E
28TH AV E
4TH ST E
4TH PL E
20TH AV E
23RD AV E
19TH AV E
5TH ST E
6TH ST E
5TH PL E
6TH ST E
26TH AV E
JUANITA DR
ALBERTA PKWY
Jaycee Park
Alberta Elementary
8TH PL E
21ST AV E
22ND AV E
9TH PL E
ALBERTA DR
Leland Shopping Center
The University of Alabama
UA Buildings
UA Property
UA Property Leased Out


The University of Alabama
UA Buildings
UA Property
UA Property Leased Out
JACK WARNER PKWY
BRIDGE AV
LURLEEN B WALLACE BLVD
1ST ST
2ND ST
RIVERFRONT DR
RIVER RD
DRVW
3RD ST
4TH ST
6TH ST
7TH ST
8TH ST
9TH ST
11TH ST
12TH ST
13TH ST
14TH ST
15TH ST
16TH ST
17TH ST
18TH ST
UR
PINEHURST
GUILDSWOOD
SHERWOOD DR
MARRS SPRING RD
CAMPUS DR W
MCCORVEY DR
SHELBY LN
RIVERSIDE DR
THOMAS ST
GRACE ST
REED ST
CAPLEWOOD DR
AUDUBON PL
STADIUM DR
CAPSTONE DR
UNIVERSITY BLVD
COLONIAL DR
ELM DR
JUDY BONNER DR
MAGNOLIA DR
PAUL W BRYANT DR
WALLACE WADE AV
FRANK THOMAS AV
GENE STALLINGS AV
RED DREW AV
HACKBERRY LN
Tuscaloosa Amphitheater
City Hall
Tuscaloosa News
Tuscaloosa County Courthouse
Evergreen Cemetery
Central Elementary
Central High School
GREENSBORO AV
STILLMAN BLVD
LURLEEN B WALLACE BLVD N
LURLEEN B WALLACE BLVD S
T Y ROGERS JR AV
INTERSTATE 359
ALACA PL
MONNISH DR
DEARING PL
UNNAMED RD
SHORT 15TH ST
QUEEN CITY AV
MYRTLEWOOD DR
CONVENT ST
OAKWOOD AV
SHADY LN
ELMWOOD DR
PARKVIEW DR
PARKVIEW CTR
BLACK BEARS WAY

TITLE IX AND SEXUAL MISCONDUCT POLICY

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Appendix 1 – PROCESSING OF REPORTS OF PROHIBITED CONDUCT UNDER TITLE IX PROCESS
Appendix 2 – PROCESSING OF REPORTS OF PROHIBITED CONDUCT UNDER SEXUAL MISCONDUCT PROCESS
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Appendix 4 – COMPLAINANT SUPPORTIVE MEASURES
Appendix 5 – RESPONDENT SUPPORTIVE MEASURES
Appendix 6 – DETAILED INFORMATION ABOUT CRIMINAL INVESTIGATIONS
Appendix 7 – PREVENTION, EDUCATION, AND AWARENESS EFFORTS

A. COMMITMENT

The University of Alabama ("the University" or "UA") is committed to providing an environment free from sexual misconduct which, among other things identified in Section D.1. and **Appendix 3** to this Policy, includes sexual assault, sex or gender-based harassment, exploitation, dating and domestic violence, stalking, as well as discrimination based on sex, gender, sexual orientation, gender identity, gender expression, pregnancy, and related retaliation (collectively referred to as "Prohibited Conduct"). The University expects individuals who live, work, teach, study within, or visit this community to contribute positively to the environment and refrain from behaviors that threaten the freedom or respect that every member of our community deserves. Unless ultimately proven otherwise pursuant to the standards and processes of this Policy, individuals accused of Prohibited Conduct are presumed to be not responsible for any alleged violation. Individuals who are found to be in violation of this Policy, however, will be subject to corrective action up to and including termination from employment or expulsion from the University.

Among other things, this Policy defines Prohibited Conduct, prohibits related retaliation; provides reporting requirements for designated University employees; identifies reporting procedures for individuals who have knowledge of an alleged violation; explains the difference between University conduct and criminal investigations; identifies the UA offices to whom a Complainant may report alleged violations in confidence to obtain supportive measures without an investigation, explains University supportive measures, emergency removals and other support

services, sets out procedures for addressing potential Prohibited Conduct, and details the University's comprehensive prevention, education, and awareness plan.

This Policy and Procedures are guidelines that the University intends to use for Prohibited Conduct. The University reserves the right to amend or alter the conditions and terms contained in this Policy and its Appendices as it deems necessary. The University will attempt to give notice of changes of information, policy, and procedure to students and employees. Inquiries as to whether the information contained herein is the current policy and procedure for processing of reports of Prohibited Conduct should be made to the Title IX Office.

B. JURISDICTION AND APPLICATION OF POLICY

This Policy applies to:

- Allegations of Prohibited Conduct by UA students or employees regardless of whether the alleged violation occurred on campus[1] or off-campus, but only if the off-campus conduct has the potential for continuing adverse effects on or creating a hostile work or learning environment for students, employees or third-parties while on campus;[2]
- Allegations of Prohibited Conduct, including those committed by non-students or non-employees, that occur on campus or at any location involving a University education program or activity (including, but not limited to, University-sponsored study abroad[3], research, online, or internship programs).

The jurisdiction of this Policy may limit the scope of or prevent an investigation into alleged conduct of a community member, third party, or campus visitor that occurs off-campus or on-campus alleged conduct by a community member, third party, or campus visitor where the University does not exercise substantial control over both the Respondent and the context in which the conduct occurred.[4] Likewise, the full spectrum of possible sanctions/remedies, resources, and accommodations may be limited in situations involving a community member, third party, or campus visitor that fall outside of the Policy's jurisdiction. The procedures that apply to the resolution of an allegation of Prohibited Conduct will depend on whether the Prohibited Conduct is also subject to the Title IX Regulations.[5] For more detailed information, please review Sections D.1., J, and **Appendices 1 & 2**.

With regard to allegations of Prohibited Conduct as outlined herein, this Policy shall supersede all other policies and procedures set forth in other University policies and/or handbooks. If the accused individual has dual status (i.e. the accused individual is both an employee and student), the Title IX Coordinator or designee (hereinafter "Title IX Coordinator") will determine the appropriate procedure(s) to be applied pursuant to this Policy. The Policy and the applicable procedures in effect on the date of the alleged incident will be applied with regard to what is considered Prohibited Conduct, unless clearly established law requires use of the current applicable procedures. If an investigation involves multiple reports of Prohibited Conduct, where it would be appropriate to consider all reports with regard to a totality of the circumstances analysis, the Policy in effect as of the date of the most recent alleged Prohibited Conduct will be applied.

[1] Campus includes any University-owned or leased property and streets or pathways contiguous to University property.
[2] If a Respondent is no longer affiliated with the University when the report of Prohibited Conduct is received, the University may not conduct an investigation into the allegations, but reserves the right to document the report and address the allegations with the Respondent prior to Respondent returning to UA as a student, employee, or campus visitor.
[3] With regard to all study abroad programs, UA has jurisdiction to investigate allegations of Prohibited Conduct where the Respondent is a UA student or employee.
[4] For purposes of this Policy, an individual's status as a University graduate, alumni, or donor does not afford the University jurisdiction over that individual solely based on that status.
[5] 34 C.F.R. part 106.

This Policy shall be administered by the Office of Equal Opportunity and Title IX Programs (hereinafter "Title IX Office").

C. GRIEVANCE PROCESSES

This Policy utilizes two grievance processes: the Title IX Process and Sexual Misconduct Process. These processes are described in more detail in **Appendices 1 and 2** respectively. The determination regarding which process will be utilized is based on the allegations in the Formal Complaint and the factors as described below:

1. Title IX Process

Allegations of Prohibited Conduct meeting the below criteria, as alleged in a Formal Complaint, will be addressed pursuant to the Title IX Process (Appendix 1):

- Incident(s) occurring against a person in the United States and within a University education program or activity;
- The Complainant is participating in or attempting to participate in the University's education program or activity at the time of filing the Formal Complaint; and
- The Formal Complaint includes at least one allegation of Title IX Prohibited Conduct that constitutes Sexual Assault/Rape, Sexual Assault/Fondling, Dating/Domestic Violence, Title IX Sexual Harassment,or Stalking as defined below.

2. Sexual Misconduct Process

The Sexual Misconduct Process (Appendix 2) addresses incidents of Prohibited Conduct that that do not fall within the requirements of the Title IX Process, but otherwise meet the definition of Sexual Misconduct Prohibited Conduct and the jurisdictional requirements as outlined in Section B above. In situations where Prohibited Conduct meets both the requirements of the Title IX Process and Sexual Misconduct Process, the Title IX Process will apply.

Allegations of Prohibited Conduct meeting all of the below criteria, as alleged in a Formal Complaint, may be addressed pursuant to the Sexual Misconduct Process:

- None of the allegations contained in the Formal Complaint constitute Title IX Prohibited Conduct;
- The allegations, if proved, would constitute Sexual Misconduct Prohibited Conduct as defined in D.1.; and
- The University has jurisdiction pursuant to Section B above.

D. RELEVANT DEFINITIONS

1. Prohibited Conduct Defined (UA Definitions)

For purposes of this Policy, conduct that is deemed, by a preponderance of the evidence (which means more likely than not the alleged conduct occurred), to be sex or gender-based and meet the definitions of any of the types of Prohibited Conduct identified in the chart below or in **Appendix 3** to this Policy (whether defined by UA, or by state (AL) or federal (FED) laws, as amended from time to time), constitutes a violation of this Policy.[6]

[6] The chart included within this section of the Policy sets forth UA's definitions of Prohibited Conduct. **Appendix 3** contains a chart that combines UA's definitions of Prohibited Conduct with corresponding definitions under federal (FED) and Alabama (AL) laws, all of which constitute Prohibited Conduct covered by this Policy.

Allegations of Prohibited Conduct will be addressed through either the Title IX Process or the Sexual Misconduct Process. Prohibited Conduct will be considered either Title IX Prohibited Conduct or Sexual Misconduct Prohibited Conduct, as defined in the tables below. If the Prohibited Conduct constitutes Title IX Prohibited Conduct, the process and procedures outlined in **Appendix 1** apply. If the Prohibited Conduct constitutes Sexual Misconduct Prohibited Conduct, the process and procedures outlined in **Appendix 2** apply.

A person whose sex or gender-based conduct violates the federal or state criminal statutes as established by a preponderance of the evidence need not be criminally charged or convicted for their conduct to be deemed a violation of this Policy. In addition, to the extent federal or state laws addressing sex or gender-based conduct that could be deemed Prohibited Conduct are added or amended, it will be considered a violation of this Policy if an individual engages in such conduct (as proven by a preponderance of the evidence), even if the definitions in **Appendix 3** have not been updated to reflect the most recent federal or state language.

TITLE IX PROHIBITED CONDUCT

Under Title IX, Sexual Harassment includes Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Title IX Sexual and Gender-Based Harassment, as defined below.

INTIMATE PARTNER VIOLENCE: DATING AND DOMESTIC 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 Complainant.
(i) The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, 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 is a felony or misdemeanor crime of violence committed—
(A) By a current or former spouse or intimate partner of the Complainant;
(B) By a person with whom the Complainant shares a child in common;
(C) By a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner;
(D) By a person similarly situated to a spouse of the Complainant 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 Complainant 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. [7]

Examples of such acts include, but are not limited to:
- Physical contact to the Complainant causing an injury;
- Destruction or damage to the Complainant's property;
- Physical contact done for the purpose of harassing or alarming the Complainant.

STALKING

Stalking is 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.

The term "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.

Examples of such acts include, but are not limited to:
- Following an individual without a reasonable justification for being in a particular area or takinga particular route;
- Lying in wait;

[7] Paragraph E only applies to Title IX Prohibited Conduct.

- Any other act done for the purpose of trying to find an individual or learn information about thatindividual's location and/or activities over the individual's stated objections.

Stalking, as it is defined in this Policy, includes "cyber-stalking," a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, phones, texts, or other similar devices or forms of contact.

"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.

SEXUAL ASSAULT[8]

Sexual Assault/Rape (Nonconsensual Sexual Penetration) is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant. Attempts or assaults to commit sexual assault/rape are also included; however, statutory rape and incest are excluded.

Sexual Assault/Fondling (Nonconsensual Sexual Contact) is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity. For purposes of this definition, "private body parts" include an individual's genitalia, breasts, groin, or buttocks.

Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape is sexual intercourse with a person who is under the statutory age of consent. The age of consent is determined by the applicable age of consent for the jurisdiction where the alleged sexual intercourse occurred. In Alabama, the age of consent is 16 years old.

CONSENT

The term "consent" used when describing different types of prohibited acts of sexual misconduct under UA's Title IX and Sexual Misconduct Policy (such as sexual assault/rape) means a clear willingness to participate in the sexual act (e.g., clear communication through words or actions). While consent may be expressed by words or by actions, it is highly recommended that consent be expressed and obtained verbally. Non-verbal consent expressed through actions may lead to confusion and potential for misunderstandings.

It is the responsibility of the initiator of any sexual activity to obtain their partner's consent.

Consent to a sexual act is not freely given if the individual is not able to give consent, or if consent is obtained by force, deception, or coercion. A lack of resistance, verbal or physical, does not grant consent. Previous consent does not grant consent to future sexual acts. Consent can be withdrawn at any time during a sexual act.

Inability to give consent includes situations where an individual is:

a. Incapacitated due to alcohol, drugs, or other substances including, but not limited to, prescriptionmedication.
    i. *Determining consent when alcohol or other drugs are involved*: In incidents involving alcohol, drugs, or other substances, the totality of the circumstances are analyzed to determine whether the use of alcohol, drugs, or other substances caused an inability to give consent. Whether a Respondent knew or reasonably should have known of the Complainant's ability to give consent will be considered. An individual's use of alcohol, drugs, or other substances does not diminish that individual's responsibility to obtain consent if that individual is the one who initiates sexual activity. Incapacitation is a state beyond drunkenness or intoxication. Incapacitation is a state where an individual cannot make a rational, reasonable decision because they lack the capacity to give consent.

[8] The Title IX regulations define the term "sexual assault" as an offense classified as a forcible or nonforcible sex offense under the Uniform Crime Reporting system of the Federal Bureau of Investigation. 20 U.S.C. § 1092(f)(6)(A)(v). Refer to Appendix 3 for the UCR definitions of forcible and nonforcible sex offenses.

Some factors considered to determine whether an individual is incapacitated due to alcohol, drugs, or other substances and therefore not able to give consent include, but are not limited to: whether the individual became sick due to intoxication, the individual's ability to communicate and/or slurred speech, the individual's coordination (ex. ability to walk, dress/undress, perform simple tasks), and any other action that would be indicative of a decreased level of cognitive functioning. The existence of any one of these factors may support a finding of incapacitation, and thus the inability to consent to sexual activity. The mere presence of alcohol, drugs, or other substances does not equate to an inability to give consent. Stated differently, it is possible for an individual to have alcohol, drugs, or other substances in their system and not be incapacitated.

b. Unconscious, asleep, or in a state of shock.
c. Under the age of consent as defined by the jurisdiction in which the act occurred, which, in Alabama, is less than 16 years of age.
d. Mentally or physically impaired and not reasonably able to give consent.

"Coercion" for purposes of this Policy is the use of expressed or implied threats or intimidation for the purpose of obtaining sexual favors, which would place a reasonable person in fear of immediate harm. Threatening or intimidating behavior may include emotional abuse, threats to reputation, public humiliation, threats to others and possessions (including pets), or financial harm, among others.

"Force" for purposes of this Policy is the use of physical violence or intimidation to overcome another person's free will.

TITLE IX SEXUAL OR GENDER-BASED HARASSMENT[9]

Sexual Harassment[10] includes conduct on the basis of sex, which may include unwelcome sexual advances, requests for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, or otherwise, when the conditions outlined in (1) and/or (2), below, are present.

Gender-based Harassment includes unwelcome harassment directed at an individual and based on gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions outlined in (1) and/or (2), below, are present.

(1) An employee conditioning the provision of an aid, benefit, or service of the University on anindividual's participation in unwelcome sexual conduct (often referred to as "quid pro quo" harassment);or

(2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity (often referred toas "hostile environment" harassment). In evaluating conduct, the University will consider the totality of known circumstances, including, but not limited to:

- The frequency, nature and severity of the conduct;
- Whether the conduct was physically threatening;
- Whether the incident involved severe humiliation rather than was merely offensive;
- The effect of the conduct on the Complainant's mental or emotional state;
- Whether the conduct was directed at more than one person;
- Whether the Complainant was offended by the conduct;
- Whether the conduct arose in the context of other discriminatory conduct;
- Whether the conduct unreasonably interfered with the Complainant's educational or work performance and/or University programs or activities; and
- Whether the conduct implicates concerns related to academic freedom or protected speech.

[9] Reports of Title VII Sexual and Gender-Based Harassment will be addressed under UA's Equal Opportunity and Discriminatory Harassment Policy.

[10] Under Title IX, Sexual Harassment includes Sexual Assault, Dating Violence, Domestic Violence, Stalking, and Title IX Sexual Harassment. Charges for allegations of these types of Prohibited Conduct will be based on the specific definitions herein and the specific conduct alleged.

SEXUAL MISCONDUCT PROHIBITED CONDUCT

INTIMATE PARTNER VIOLENCE: DATING AND DOMESTIC 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 Complainant.
(i) The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, 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 is a felony or misdemeanor crime of violence committed—
(A) By a current or former spouse or intimate partner of the Complainant;
(B) By a person with whom the Complainant shares a child in common;
(C) By a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner; or
(D) By a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Examples of such acts include, but are not limited to:
- Physical contact to the Complainant causing an injury;
- Destruction or damage to the Complainant's property;
- Physical contact done for the purpose of harassing or alarming the Complainant.

INTIMATE PARTNER VIOLENCE: HARASSING COMMUNICATIONS

Intimate Partner Violence (Harassing Communications) is excessive communications, including any attempt to unreasonably, intentionally, and repeatedly make contact with the Complainant over their stated objections, committed by a person who has been in a romantic or intimate relationship with the Complainant. Communication must be considered severe and/or pervasive from both a subjective and an objective standpoint.

For purposes of this definition, the existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

STALKING

Stalking is 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.

The term "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.

Examples of such acts include, but are not limited to:
- Following an individual without a reasonable justification for being in a particular area or taking a particular route;
- Lying in wait;
- Any other act done for the purpose of trying to find an individual or learn information about that individual's location and/or activities over the individual's stated objections.

Stalking, as it is defined in this Policy, includes "cyber-stalking," a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, phones, texts, or other similar devices or forms of contact.

"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.

SEXUAL ASSAULT

Sexual Assault/Rape (Nonconsensual Sexual Penetration) is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant. Attempts or assaults to commit sexual assault/rape are also included.

Sexual Assault/Fondling (Nonconsensual Sexual Contact) is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity. For purposes of this definition, "private body parts" include an individual's genitalia, breasts, groin, or buttocks.

SEXUAL EXPLOITATION

Sexual exploitation is taking or attempting to take non-consensual or abusive sexual advantage of another for one's own advantage or benefit or to benefit a person other than the one being exploited.

Examples of sexual exploitation include, but are not limited to:

- Causing or attempting to cause the incapacitation of another individual for sexual purposes;
- Electronically recording, videoing, photographing, or transmitting sexual sounds or images of another individual against that person's will or without their consent;
- Allowing a third-party to observe sexual acts without all parties' consent;
- Prostituting another individual;
- Exposing one's genitals, without consent, for the purpose of sexual gratification;
- Intentionally exposing another's genitals or intimate body parts without their consent;
- Engaging in voyeurism (e.g., watching private sexual activity without the consent of the participants or viewing another person's intimate parts (including genitalia, breasts, or buttocks) in a place where that person would have a reasonable expectation of privacy);
- Possessing and/or disseminating child pornography; or
- Knowingly exposing another individual to a sexually transmitted disease/infection or HIV without their consent.

CONSENT

The term "consent" used when describing different types of prohibited acts of sexual misconduct under UA's Title IX and Sexual Misconduct Policy (such as sexual assault/rape) means a clear willingness to participate in the sexual act (e.g., clear communication through words or actions). While consent may be expressed by words or by actions, it is highly recommended that consent be expressed and obtained verbally. Non-verbal consent expressed through actions may lead to confusion and potential for misunderstandings.

It is the responsibility of the initiator of any sexual activity to obtain their partner's consent.

Consent to a sexual act is not freely given if the individual is not able to give consent, or if consent is obtained by force, deception, or coercion. A lack of resistance, verbal or physical, does not grant consent. Previous consent does not grant consent to future sexual acts. Consent can be withdrawn at any time during a sexual act.

Inability to give consent includes situations where an individual is:

e. Incapacitated due to alcohol, drugs, or other substances including, but not limited to, prescription medication.
   i. *Determining consent when alcohol or other drugs are involved*: In incidents involving alcohol, drugs, or other substances, the totality of the circumstances are analyzed to determine whether the use of alcohol, drugs, or other substances caused an inability to give consent. Whether a Respondent knew or reasonably should have known of the Complainant's ability to give consent will be considered. An individual's use of alcohol, drugs, or other substances does not diminish that individual's responsibility to obtain consent if that individual is the one who initiates sexual activity. Incapacitation is a state beyond drunkenness or intoxication. Incapacitation is a state where an individual cannot make a rational, reasonable decision because they lack the capacity to give consent. Some factors considered to determine whether an individual is incapacitated due to alcohol, drugs, or

other substances and therefore not able to give consent include, but are not limited to: whether the individual became sick due to intoxication, the individual's ability to communicate and/or slurred speech, the individual's coordination (ex. ability to walk, dress/undress, perform simple tasks), and any other action that would be indicative of a decreased level of cognitive functioning. The existence of any one of these factors may support a finding of incapacitation, and thus the inability to consent to sexual activity. The mere presence of alcohol, drugs, or other substances does not equate to an inability to give consent. Stated differently, it is possible for an individual to have alcohol, drugs, or other substances in their system and not be incapacitated.

f. Unconscious, asleep, or in a state of shock.
g. Under the age of consent as defined by the jurisdiction in which the act occurred, which, in Alabama, is less than 16 years of age.
h. Mentally or physically impaired and not reasonably able to give consent.

"Coercion" for purposes of this Policy is the use of expressed or implied threats or intimidation for the purpose of obtaining sexual favors, which would place a reasonable person in fear of immediate harm. Threatening or intimidating behavior may include emotional abuse, threats to reputation, public humiliation, threats to others and possessions (including pets), or financial harm, among others.

"Force" for purposes of this Policy is the use of physical violence or intimidation to overcome another person's free will.

NON-TITLE IX SEXUAL OR GENDER-BASED HARASSMENT

Harassment is (1) unwelcome abusive or hostile behavior, (2) that is discriminatory on the basis of sex, sexual orientation, gender identity, gender expression, (3) targeted at a particular individual, and (4) the conditions in either (1) or (2) below are present:

(1) An employee or a student[11] conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct (often referred to as "quid pro quo" harassment); or

(2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and/or objectively offensive that it effectively denies a person equal access to the University's education program or activity (often referred to as "hostile environment" harassment). In evaluating conduct, the University will consider the totality of known circumstances, including, but not limited to:

- The frequency, nature and severity of the conduct;
- Whether the conduct was physically threatening;
- Whether the incident involved severe humiliation rather than was merely offensive;
- The effect of the conduct on the Complainant's mental or emotional state;
- Whether the conduct was directed at more than one person;
- Whether the Complainant was offended by the conduct;
- Whether the conduct arose in the context of other discriminatory conduct;
- Whether the conduct unreasonably interfered withthe Complainant's educational or work performance and/or University programs or activities; and
- Whether the conduct implicates concerns related to academic freedom or protected speech.

SEXUAL OR GENDER-BASED DISCRIMINATION

In addition to the Prohibited Conduct outlined herein, unlawful discrimination on the basis of sex, sexual orientation, gender identity, gender expression, and pregnancy is prohibited by this Policy.

FAILURE TO COMPLY

[11] If a student is accused under section (1) of this definition, this would include those situations where the student has a power differential over another student. Allegations of quid pro quo harassment against a student will be addressed as Sexual Misconduct Prohibited Conduct. Allegations of quid pro quo harassment against an employee, which also meet the jurisdictional requirements, will be addressed as Title IX Prohibited Conduct.

Failure to comply means a failure to comply with directions of University officials, who include, but are not limited to, any employee of the Title IX Office or the Office of Student Conduct, or law enforcement officers acting in performance of their duties.

For purposes of this Policy, failure to comply includes a failure to comply with a No Contact Order or other directive issued by the Title IX Office or the Office of Student Conduct in response to a report of alleged Prohibited Conduct where the individual's failure to comply directly impacts the other party or parties to the No Contact Order.[12]

RETALIATION (OR RETALIATORY HARASSMENT)

Retaliation is any action that a reasonable person would expect to have the effect of intimidating, threatening, coercing, or discriminating against a person for engaging in a legally protected activity, such as alleging Prohibited Conduct, harassment, or illegal discrimination; filing a complaint; assisting or participating in an investigation of such complaint; refusing to participate in any manner in an investigation, hearing, or other proceeding; opposing an allegation of Prohibited Conduct; or advocating for others' Title IX or Title VII rights.

This Policy prohibits retaliation in the form of harassment, intimidation, threats, or coercion, or in the form of any materially adverse harm that would dissuade a reasonable student, employee, or third party from filing a complaintor participating in a Prohibited Conduct related investigation.

Examples of retaliatory actions could include suspension, demotion, or termination in the employment context; lowering a grade or dismissing a student from a program; or maliciously and purposefully interfering with, threatening, or damaging the academic or professional career of another individual before, during, or after the investigation and resolution of a report of conduct prohibited by this Policy.

The following actions do not constitute retaliation:

- Bringing a conduct charge against a person for making a materially false statement in bad faith inthe course of a proceeding, provided a determination regarding responsibility, alone, is not sufficient to conclude that any party has made a materially false statement in bad faith;
- The exercise of rights protected under the First Amendment (except that speech that amounts to intimidation, threats, or coercion for the purpose of chilling the exercise of a person's rights under this Policy is not protected);
- Mutual restrictions on contact between the parties;
- Consistently advising the parties and participants in any proceeding of the consequences of makingfalse statements;
- Warning a Respondent that retaliation is prohibited and informing the Respondent of the consequences of retaliating against the Complainant, as part of a supportive measure provided for Complainant;
- Warning the parties not to discuss or disseminate the allegations in a manner that constitutes retaliation or unlawful tortious conduct.

This list is not exhaustive, as there may be other actions that do not constitute retaliation under this Policy.

2. Other Relevant Definitions

Actual Knowledge—The University has actual knowledge only when the University's Title IX Coordinator or other employees of the Title IX Office (collectively "the Title IX Office")have notice of the Prohibited Conduct or the allegations of Prohibited Conduct, except that actual knowledge is not met when the only individual with actual knowledge is the Respondent. For purposes of this Policy, the Title IX Coordinator and other employees of the Title IX Office are the only University officials who have authority to institute corrective measures under this Policy.

[12] If a party to a No Contact Order fails to comply with the No Contact Order in a manner that does not impact the other party or parties to the No Contact Order, the Office of Student Conduct will determine what appropriate actions, if any, should be taken against a student in accordance with the Code of Student Conduct and the Title IX Office will recommend to appropriate University officials what appropriate actions, if any, should be taken in accordance with the Employee and/or Faculty Handbooks.

Awareness Programs—Community-wide or audience-specific programming, initiatives, and strategies that increase the audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

Bystander Intervention—Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of sexual assault/rape, dating violence, domestic violence, or stalking. Bystander intervention includes recognizing situations of potential harm, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. For more information about bystander intervention, see UA's UAct website on Intervention Training..

Complainant—An individual who is alleged to be the victim of alleged Prohibited Conduct in violation of this Policy.

Designated Harassment Resource Persons— University employees who have been designated by each college and other administrative units to receive complaints of illegal harassment and related retaliation. They should promptly report all allegations of Prohibited Conduct to the Title IX Office. These employees do not have authority to institute corrective measures on behalf of the University. A current list of these persons can be found on the Equal Opportunity website.

Designated Responsible Reporting Official— The following employees of UA are required to report allegations of Prohibited Conduct to the Title IX Office: Designated Harassment Resource Persons, Human Resources Business Partners (for employee reports only), Supervisors (for employee reports only), professional staff in the Office of Student Conduct (for student reports only), and UAPD. These employees do not have authority to institute corrective measures on behalf of the University.

Education Program or Activity—Includes the University's operations; and locations, events, or circumstances over which the University exercises substantial control over both the Respondent and the context in which the Prohibited Conduct occurs. For Title IX Prohibited Conduct, this includes any building owned or controlled by a student organization that is officially recognized by the University.

Employee—An employee is an individual who receives compensation for work or services for which the University has the right (whether or not it exercises the right) to supervise and control the manner of performance as well as the result of the work or service. For purposes of this Policy, University faculty, staff,[13] and student employees are considered "employees." Volunteers and independent contractors are not considered "employees."

Formal Complaint—A document filed by a Complainant[14] or signed by the Title IX Coordinator alleging Prohibited Conduct against a Respondent and requesting that the University investigate the allegation of Prohibited Conduct. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party to an investigation.

Hearing Administrator—The Hearing Administrator is the University official who shall be responsible for the administration of hearings under the Title IX Process, including, but not limited to, overseeing the Title IX hearing process and appointing a Decision-Maker to participate in Title IX Formal Hearings. For cases involving student Respondents, the Hearing Administrator will be the Executive Director of the Office of Student Conduct (or

[13] For purposes of this Policy, staff includes post docs, researchers, and medical residents.
[14] A document filed by a Complainant means a document or electronic submission that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint.

designee). For cases involving staff Respondents, the Hearing Administrator will be the Director of Human Resources (or designee). For cases involving faculty Respondents, the Hearing Administrator will be the Associate Provost for Faculty Affairs (or designee).

Investigator—An investigator is the Title IX Coordinator or the Coordinator's designee that takes the lead in an investigation of any complaint involving a potential violation of this Policy. One or more investigators may be assigned to investigate each complaint. The Title IX Coordinator and designees are considered to be Conduct Investigators (as defined in the Code of Student Conduct) in a complaint investigation involving a student Respondent, which may include input/assistance from the Office of Student Conduct. A complaint investigation involving a faculty/staff Respondent may include input/assistance from Designated Harassment Resource Persons and/or Human Resource Business Partners.

Official with Authority—Officials who have authority to institute corrective measures on behalf of the University. Employees in the Title IX Office are the only officials with authority for the University. Ongoing Prevention and Awareness Campaigns—Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault/rape, and stalking, using a range of strategies with audiences throughout the University. Ongoing prevention and awareness campaigns are offered by several departments on campus and are described in more detail in Section N and **Appendix 7** to this Policy.

Primary Prevention Programs—Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to prevent sexual assault/rape, domestic violence, dating violence, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions. Primary prevention programs are provided to all new students and employees and are described in more detail in Section N and **Appendix 7** to this Policy. For students, online training is the primary prevention program.

Proceeding—All activities related to a non-criminal resolution of an institutional disciplinary complaint including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings. "Proceeding" does not include communications and meetings between officials and Complainants concerning supportive measures to be provided to a Complainant.

Risk Reduction—Options designed to decrease incidents of Prohibited Conduct and bystander inaction, and to increase empowerment for victims/Complainants in order to promote safety and to help individuals and communities address conditions that facilitate violence.
Respondent—An individual who has been reported to be the perpetrator of alleged Prohibited Conduct in violation of this Policy.

Student— A student includes anyone admitted to the University and (a) registered for or pursuing undergraduate, graduate, or professional studies or courses at the University, both full-time and part-time, as well as persons attending classes on campus or off-campus; (b) not currently registered or enrolled for a particular term but who has a continuing relationship with the University; or (c) enrolled or participating in a University-sponsored program, including, but not limited to, orientation and study abroad programs.

Supervisor—A University employee empowered to take tangible employment actions against the employees who report to them, i.e., to effect a significant change in employment status, such as hiring, firing, failing to promote,

reassignment with significantly different responsibilities or a decision causing a significant change in benefits. A supervisor is not someone who merely has the right to direct a co-worker's labor.

E. TITLE IX COORDINATOR

The University has a designated Title IX Coordinator who shall oversee implementation and enforcement of this Policy, compliance with applicable rules and regulations, and coordination of communications between campus and community partners. The Title IX Coordinator may be reached at (205) 348-5496 or titleix@ua.edu. The Title IX Coordinator's office is currently located in 2418 Capital Hall. For detailed directions, please visit the Title IX Office website.

F. AMNESTY FOR PERSONAL INGESTION OF ALCOHOL OR OTHER DRUGS

The University of Alabama community views the safety of our students as a top priority. A student who is under the influence of alcohol or drugs at the time of an incident should not be reluctant to seek assistance or participate in an investigation for that reason. The University will not pursue disciplinary violations against a student for their improper use of alcohol or drugs (e.g., underage drinking) if the student makes a good faith report of Prohibited Conduct or participates in a Title IX investigation. The Title IX Coordinator (or designee) may, however, refer a student to substance abuse counseling depending on the circumstances of the individual situation. For more information, please see the University's Medical Emergency Assistance Policy.

G. PROHIBITION ON RETALIATION

The University of Alabama prohibits retaliation by its employees, students, or agents against an individual who exercises their rights pursuant to any provision of Title IX, Title VII, the Campus SaVE Act, or this Policy. The University encourages students, faculty, and staff to express freely, responsibly, and in an orderly way opinions and feelings about any problem or complaint of Prohibited Conduct, illegal discrimination, or harassment. Retaliation against persons who in good faith oppose or complain about Prohibited Conduct, illegal discrimination or harassment is prohibited.

Any employee or student who retaliates against an individual in violation of the law and/or this Policy is subject to disciplinary action, up to and including termination from employment or dismissal as a student from the University.[15]

H. REPORTING PROCEDURES, CONFIDENTIALITY, AND RIGHTS

The University of Alabama takes allegations of Prohibited Conduct seriously and is committed to taking immediate action to combat Prohibited Conduct, prevent its recurrence, and remedy its effects. The University will address all allegations of Prohibited Conduct, of which it has actual knowledge, with a prompt, thorough, and impartial inquiry to determine what is more likely than not to have occurred and to take appropriate steps to resolve the situation and determine an equitable resolution.

[15] The University's Code of Student Conduct, Code of Ethical Conduct, Equal Opportunity, Nondiscrimination, and Affirmative Action Policy, and Equal Opportunity and Discriminatory Harassment Policy each articulate UA's prohibition against retaliation. The investigatory and disciplinary process followed for a retaliation claim depends upon which policy has been allegedly violated. The process for claims of retaliation arising out of allegations under this Policy will be the Sexual Misconduct Process (**Appendix 2**).

A Complainant has the option to speak with UAPD or law enforcement about the alleged Prohibited Conduct. A Complainant may also (or in the alternative) notify the Title IX Office of the alleged Prohibited Conduct. The Title IX Office can also assist the Complainant with contacting law enforcement if the Complainant would like to file a formal criminal complaint. The initial decision to report the alleged Prohibited Conduct to anyone ultimately rests with the Complainant.[16]

1. Reporting Procedures

a. Mandatory Reporting of Child Abuse to UAPD

For child protection purposes, a child is any person under 18 years of age. A freshman student, a "dual enrolled" high school student, or a summer camp participant, among others, may fall into the category of a "child." Alabama law imposes a mandatory reporting duty of known or suspected child abuse or neglect on certain individuals, including all University employees, who must report to The University of Alabama Police Department (UAPD). University policy implementing the law also encourages students, volunteers, and representatives as well as third-party vendors and their employees, representatives, or volunteers that contract for use of University facilities with responsibilities that involve interaction with children to report (orally and then in written form) known or suspected child abuse to UAPD. Sexual abuse, which is one element of the more comprehensive term "abuse" under the Alabama law, includes actual or attempted rape, molestation, sexual exploitation, etc. To review a complete copy of the University's policy and procedures relating to reporting potential child abuse, including how to report to UAPD, please review the Child Abuse Reporting Policy and Procedures.

b. Prompt Reporting

The University strongly encourages all individuals to report alleged incidents of Prohibited Conduct or related retaliation to the Title IX Office and, when appropriate, to law enforcement agencies. Prompt reporting of alleged Prohibited Conduct allows the University to take steps toward ending the Prohibited Conduct, preventing its recurrence, and remediating its effects. Complainants, Respondents, witnesses, or others reporting possible Prohibited Conduct are encouraged to preserve all information and tangible material relating to the incident. Examples include electronic information (e.g., emails, text messages, etc.), photographs, clothing, bedding, and medical information. With regard to criminal investigations, preservation of the evidence (such as clothing, bodily fluids, and other physical evidence) will strengthen the investigations, which may result in a greater likelihood of holding the accused accountable.[17] A delay in reporting may also limit the University's ability to address inappropriate behavior, as Respondent(s) and/or pertinent witnesses may no longer be affiliated with the University.[18] There is no time limit on reporting or filing complaints of violations of this Policy; however, as noted above, prompt reporting is encouraged and delays in reporting may affect the investigation and evaluation of the report.

c. Information Not Required to Be Reported to Title IX Office

Individuals should not feel compelled to report information to the Title IX Office disclosed at public awareness events (e.g., Take Back the Night, protests, etc.) or during an individual's participation in a climate survey, focus group, or Institutional Review Board-approved human subject research protocol (i.e., IRB research). A report to the Title IX Office is also not required if the information is disclosed as

[16] Even if a Complainant elects not to report alleged Prohibited Conduct to UAPD, law enforcement, or the Title IX Office, they may still pursue resources that allow for "Confidential" reporting as outlined in **Appendix 3**.
[17] Please see Section 3 of **Appendix 6** to this Policy for additional guidance relating to preservation of evidence.
[18] See Footnote 2.

part of a routine academic experience (e.g., classroom discussion, writing assignment, research project, etc.) unless the reporting party clearly states that they want a report to be made or are seeking assistance.

d. Reports to Title IX Office Constitute Actual Knowledge to UA
In order to take appropriate action, the University must have actual knowledge of alleged Prohibited Conduct or related retaliation. The University only has actual knowledge of alleged Prohibited Conduct when a report is made to the Title IX Office. Consequently, any individual who believes they have experienced or witnessed Prohibited Conduct or related retaliation is encouraged to report the behavior to the Title IX Office.

e. Designated Responsible Reporting Officials Required to Report to Title IX Office
Human Resources Business Partners (for employee reports only),[19] Supervisors (for employee reports only),[20] professional staff in the Office of Student Conduct (for student reports only),[21] Designated Harassment Resource Persons, and UAPD are Designated Responsible Reporting Officials, and are required to promptly report all allegations of Prohibited Conduct to the Title IX Office. The University only has actual knowledge when these Designated Responsible Reporting Officials report allegations of Prohibited Conduct to the Title IX Office. When a Complainant contacts a Designated Responsible Reporting Official, , that UA employee should make a reasonable effort to advise the Complainant or other reporting party about (1) their duty to inform the Title IX Coordinator about the incident (e.g., the names of the individuals involved; the time, place, and location; etc.), (2) the option of the Complainant or other reporting party to request that the Respondent not be informed of the identity of the Complainant (but that request may limit the University's ability to end the inappropriate conduct, prevent its recurrence, and remediate its effects), (3) the Complainant's right not to pursue a formal criminal report with law enforcement, and (4) the fact that the Complainant or other reporting individual may share the information on a confidential basis with professional mental health counselors on campus or the Women & Gender Resource Center.

f. Reports to Other Employees, Students, & Visitors Do Not Constitute Actual Knowledge:
Reports to all other University employees[22], students, and visitors are not considered reports to the Title IX Office and, therefore, do not give the University actual knowledge of Prohibited Conduct. These employees, students, and visitors, however, are encouraged to advise the Complainant of the role of the Title IX Office and/or confidential reporting channels and/or are encouraged to share information with the Title IX Office. Individuals with a recognized confidentiality privilege (see more information regarding confidential reporting in Section H.2.a. herein) are not required to report to the Title IX Office. However, these individuals are encouraged, in appropriate circumstances, to recommend that the Complainant contact the Title IX Office.

g. Contact Information for Title IX Office and Designated Responsible Reporting Officials
Contact information for the Title IX Office and Designated Responsible Reporting Officials and law enforcement can be found below and on the UAct website.

[19] A current list of HR Partners and their contact information is located at on the Human Resources website.
[20] See Section D.2. above for definition of Supervisor.
[21] Contact information for the Office of Student Conduct is available at on the Student Conduct website.
[22] Other entities (i.e., NCAA or NSF, etc.) may impose reporting requirements based on the employee's affiliation with that entity. The University does not have actual knowledge of Prohibited Conduct or allegations of Prohibited Conduct based on reporting requirements of other entities or third parties.

i. *Contact Information for the Title IX Office.* All employees in the Title IX Office, including the Title IX Coordinator and Investigators, can receive all allegations of Prohibited Conduct. Contact information for the Title IX Coordinator is:

2418 Capital Hall, Tuscaloosa, AL 35487
(205) 348-5496
titleix@ua.edu

Additional contact information for other staff in the Title IX Office can be found on the Title IX Office website.

ii. *Contact Information for Reporting to Law Enforcement.* The University encourages individuals to immediately report acts or threats of Prohibited Conduct that may be considered criminal in nature to the University of Alabama Police Department (UAPD) or local police authorities. All law enforcement agencies can be contacted by calling Emergency 911. UAPD may be contacted directly at 1110 Jackson Ave., Tuscaloosa, AL 35487; by visiting their website; or by calling (205) 348-5454.

With respect to reports occurring in Gadsden at the UA Gadsden Center, individuals should contact Emergency 911 or the Gadsden Police Department at 90 Broad St., Gadsden, AL 35901, (256) 549-4578.

The Title IX Office is available to assist a Complainant with reporting to UAPD or local law enforcement; however, a Complainant is not required to report to law enforcement. The University may not receive notice of an alleged incident following a report to local law enforcement (e.g., the Tuscaloosa Police Department, the Northport Police Department, or the Tuscaloosa County Sheriff's Office). Therefore, to give the University actual knowledge, individuals who have contacted law enforcement are encouraged to also report to the Title IX Office.

iii. *Contact Information for Designated Responsible Reporting Officials.* Allegations made to the following offices and individuals should be promptly reported by these employees to the Title IX Office.:

- The Office of Student Conduct professional staff can receive complaints of Prohibited Conduct when the Respondent is a University student. Contact information for the Office of Student Conduct is available at Student Conduct's Contact Us website.
- Designated Harassment Resource Persons are designated by each college and other administrative units and can receive any allegation of Prohibited Conduct and are then required to report those allegations to the Title IX Office. A current list of these officials can be found at the Equal Opportunities Program website l.
- Human Resources Business Partners can also receive complaints of ProhibitedConduct involving a University employee or student employee. A current list of HR Business Partners and their contact information is located on the HR Business Partners website.
- Supervisors, as defined in Section D.2, should report any instances of alleged Prohibited Conduct they learn about involving a University employee under their supervision to the Title IX Office. Consult the UA directory for contact information.

2. Confidentiality/Privacy with Regard to University Officials

Conversations with the Title IX Office are kept as private as possible and may only be shared on a need to know basis as permitted by FERPA, or as required by law or to carry out the purposes of Title IX

regulations or a Sexual Misconduct investigation, including the conduct of any active review, investigation, hearing or judicial proceeding, review/appeal, or resolution of matters within the scope of Title IX or this Policy. University employees assisting with a Title IX or Sexual Misconduct matter are expected to safeguard private information in accordance with applicable laws (including, but not limited to, FERPA, HIPAA, and other privacy laws).[23] Complainants are advised that requests for confidentiality will limit the University's efforts to end the inappropriate conduct, prevent its recurrence, and remediate its effects. However, information about incidents of alleged Prohibited Conduct must be shared with relevant administrators if the Title IX Coordinator determines that the University needs to take action, such as emergency removals, to address an immediate threat to the physical health or safety of any students or other individuals arising from the allegations of Prohibited Conduct. Relevant factors that will be considered include, but are not limited to, credible evidence of Respondent's prior Prohibited Conduct, the seriousness of the alleged incident, risk of additional misconduct, and the use of a weapon. In all cases, the request for confidentiality by the person initiating the conversation is given consideration.

a. Confidential Reporting: University employees who qualify for the confidentiality privilege by law cannot reveal the information to any third party except when an applicable law or a court order requires or permits disclosure of such information.. These "Confidential Employees" may include (but are not necessarily limited to) all employees of the Women & Gender Resource Center (WGRC), the University Counseling Center, the Student Health Center, University Medical Center, the Psychology Clinic, the Autism Spectrum Disorders Clinic, the Capstone Family Therapy Clinic, the University of Alabama School of Law clinics, and qualified news reporters in accordance with ALA. CODE § 12-21-142. Such individuals are prohibited from breaking confidentiality unless (i) given permission to do so by the person who disclosed the information; (ii) there is an imminent threat of harm to self or others; (iii) the conduct involves suspected abuse or neglect of a person under the age of 18; or (iv) otherwise required or permitted by law or court order. The University is not deemed to have actual knowledge of alleged Prohibited Conduct based on a report to employees of these offices. A Complainant who wishes to receive supportive measures, but who desires confidentiality should contact the WGRC Victim Advocate (see **Appendix 3** to this Policy).

b. Confidential Clery Act Reporting: If a Complainant desires confidentiality and is certain they will not pursue criminal action, they are encouraged to contact the WGRC, which has been designated by the University as the office to confidentially receive information for inclusion in crime statistics and assist Complainants in understanding options, including free counseling, exploring legal and judicial remedies, and procedures to report crimes on a voluntary, confidential basis for inclusion in UA's crime statistics (without revealing personally identifiable information). Note: All confidential reports of sexual offenses that meet the Clery reporting criteria as determined by UAPD and that are made to the WGRC are included in UA campus crime statistics. Crimes reported to campus pastoral and other professional counselors or physicians or mental health professionals or others to whom a confidentiality privilege applies by law are not included unless the Complainant has chosen to report separately to a Campus Security Authority as defined by federal law.

c. Anonymous Reports: May be made via The Compliance and Fraud Hotline by visiting the hotline website or calling 1-866-362-9476. The University is not deemed to have actual knowledge when an anonymous report is made to this hotline. The extent of any inquiry of an anonymous report will depend, in part, on the extent of the information provided.

[23] A Complainant is advised about a student's right under FERPA to request to inspect and review certain information about the allegations if the information directly relates to the student and the University maintains the record.

d. Online Reports: Online reports may be made by visiting the UAct website and completing the online incident form.

3. Confidentiality/Privacy within the Investigation

Individuals involved in Prohibited Conduct investigations and proceedings are encouraged to exercise discretion with regard to sharing of information about the Prohibited Conduct report or information obtained as part of the investigation and/or proceedings to safeguard the integrity of the process and avoid the appearance of retaliation. While discretion is important, Complainants and Respondents are not restricted from discussing and sharing information with others who may support or assist them during the process. Information provided by the Title IX Investigator to the parties as part of an investigation should not be disseminated or discussed in a manner that constitutes retaliation or unlawful tortious conduct, such as defamation or breach of privacy.

The University may not access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, or other recognized paraprofessional which are made and maintained in connection with provision of treatment to the party unless the University obtained that party's voluntary, written consent to do so for any proceeding under the Title IX and Sexual Misconduct Policy. If a Complainant or Respondent provides sensitive medical records as part of an investigation or subsequent hearing or review/appeal, the parties must have an equal opportunity to inspect and review information that is directly related to the allegations in the Formal Complaint.

4. Rights of Complainants and Respondents

In addition to all other rights conferred by this Policy, the parties have the following rights:

a. Complainant's Rights[24]
Students or employees reported to be the victim/Complainant of alleged sexual assault/rape, domestic violence, dating violence, or stalking have the following rights:

- To be informed of available options for making a report;
- To be notified that the Complainant is not required to make a statement or otherwise provide information relevant to the investigation; however, the University will be limited in its ability to respond without the Complainant's cooperation;
- To be advised of the Complainant's right to simultaneously file a criminal complaint and a Formal Complaint with UA and to be advised of the University's prohibition on retaliation against an individual who exercises their rights under Title IX, Title VII, the Campus SaVE Act, or this Policy;
- To decline to notify law enforcement authorities unless the report involves known or suspected child abuse[25];
- To be assisted by campus authorities, if requested, when reporting a crime to law enforcement;
- To promptly receive information regarding the availability of University and community supportive measures including those listed in **Appendix 3**. If the Complainant requests such supportive measures and if they are reasonably available, they will be provided regardless of

[24] These rights apply when the Prohibited Conduct falls within the protections of the Violence Against Women Act (VAWA). In addition, ALA. CODE § 15-23-62 through 84 provides for Crime Complainant's Rights with regard to criminal proceedings in the State of Alabama. For a summary of those rights, please visit the website of the Attorney General's Office.
[25] See Section H.1.a.

whether the Complainant chooses to file a Formal Complaint or report the crime to law enforcement;

- To request from the Title IX Coordinator that the University issue and enforce a mutual No Contact Order when the University has jurisdiction to enforce a No ContactOrder;
- To a thorough and impartial investigation of a Formal Complaint ifapplicable/appropriate;
- To be accompanied by a support person/advisor at all University proceedings relevant to the investigation and hearing process, if applicable[26] and subject to the limitations outlined herein;[27]
- Subject to the limitations set forth herein, to be notified of significant actions and proceedings relevant to the University investigation and hearing process;
- To be given a reasonable opportunity, subject to the discretion of the Title IX Coordinator (or designee), to review evidence directly related to the allegations in the Formal Complaint prior to any final resolution being made, if applicable[28] and subject to limitations pursuant to privacy laws (FERPA, etc.), and to be given an opportunity to respond;
- To identify individuals with information directly related to the allegations in a Formal Complaint as witnesses and to be given the opportunity to recommend relevant questions to be asked to the other party and witnesses;
- To be notified of the appeal process and whether an appeal is available;
- To be notified in writing when final results become available;
- To have access to published policies regarding Prohibited Conduct and University disciplinary procedures, including the possible range of sanctions/remedies; and
- To be notified that information and materials the University obtains during its investigation into allegations of Prohibited Conduct may be disclosed to law enforcement or others in response to a valid subpoena.

b. Respondent's Rights

Students or employees reported to be accused of alleged sexual assault/rape, domestic violence, dating violence, or stalking have the following rights:

- To a notice of the allegations, or Code of Conduct charges (if applicable), an opportunity to respond to allegations, and access to policy statements regarding the investigation process and possible sanctions/remedies;
- To receive information regarding University and community supportive measures (including those listed in **Appendix 4**);
- To request from the Title IX Coordinator that the University issue and enforce a mutual No Contact Order when the University has jurisdiction to enforce a No ContactOrder;
- To a thorough and impartial investigation of a Formal Complaint ifapplicable/appropriate;
- To be accompanied by a support person/advisor at all University proceedings relevant to the investigation and hearing process, if applicable[29] and subject to the limitations outlined herein[30];
- Subject to the limitations set forth herein, to be notified of significant actions and proceedings relevant to the University investigation and hearing process;

[26] For additional information, see **Appendix 1** and **Appendix 2**.
[27] For additional information, visit the Title IX Office's website.
[28] For additional information, see **Appendix 1** and **Appendix 2**.
[29] For additional information, see **Appendix 1** and **Appendix 2**.
[30] For additional information, visit the Title IX Office's website.

- To be given a reasonable opportunity, subject to the discretion of the Title IX Coordinator (or designee), to review evidence directly related to the allegations prior to any final resolution being made, if applicable[31] and subject to limitations pursuant to privacy laws (FERPA, etc.), and to be given an opportunity to respond;
- To identify individuals with information directly related to the allegations in a Formal Complaint as witnesses and to be given the opportunity to recommend relevant questions to be asked to the other party and witnesses;
- To be notified of the appeal process and whether an appeal is available;
- To be notified in writing when final results become available;
- To have access to published policies regarding Prohibited Conduct and University disciplinary procedures, including the possible range of sanctions/remedies;
- To be notified that Respondent is not required to make a statement or otherwise provide information relevant to the investigation. However, the investigation may continue and a decision regarding responsibility may be made based on the available statements and evidence;
- To be notified that information and materials the University obtains during its investigation into allegations of Prohibited Conduct may be disclosed to law enforcement or others in response to a valid subpoena.

I. POTENTIAL CONFLICTS OF INTEREST / BIAS

Matters related to this Policy should be handled by people, such as the Title IX Coordinator, investigator, decision-maker, or any person designated by the University to facilitate an informal resolution process, free of any actual conflicts of interest and biases for or against any party. Any person exercising investigative or decision-making authority under this Policy, who believes they may have a conflict of interest or bias that would prevent them from impartially exercising their authority, shall disclose the potential conflict/bias to the Title IX Coordinator (or designee) as soon as practicable after it is discovered. Arrangements will then be made to designate a conflict/bias-free alternative decision-maker in the case at issue. Furthermore, if the Complainant or the Respondent believes a person exercising investigative or decision-making authority under this Policy has a conflict of interest or bias relating to the Complainant or Respondent that would prevent the person from exercising their authority impartially, the Complainant or Respondent may make a prompt objection to the Title IX Coordinator (or designee) within five (5) calendar days of becoming aware of the potential conflict. If the Complainant or the Respondent believes the Title IX Coordinator has a conflict of interest or bias, such objection should be made to the Assistant Vice-President for Finance and Operations (or designee). Regardless of the time period, such objection must occur before the Title IX Coordinator, Assistant Vice-President, or designee makes a final determination under the Policy. If the objection as to a conflict or bias is made with respect to the Decision-Maker, Chairperson, or a member of a Conduct Body, such objection must occur before the scheduled hearing. If the Title IX Coordinator, Assistant Vice-President, or designee determines that the objection is reasonable, the challenged person will be replaced. The decision of the Title IX Coordinator, Assistant Vice-President, or designee regarding a challenge will be final.[32]

When the Title IX Coordinator signs a Formal Complaint, that action does not place the Title IX Coordinator in a position adverse to the Respondent. In that instance, the Title IX Coordinator is initiating an investigation based on

[31] For additional information, see **Appendix 1** and **Appendix 2**.

[32] Knowledge of or acquaintance with the Complainant, Respondent, or witnesses in a matter; awareness of a matter; participation as a consequence of one's official role in events surrounding a matter; and/or participation in the investigation process prior to the formal disciplinary process does not automatically result in the finding of a disqualifying conflict; however, such factors may be considered in determining if a conflict exists.

allegations of which the Title IX Coordinator has been made aware. Likewise, deciding that allegations warrant an investigation does not automatically result in the finding of a disqualifying conflict or bias.

J. FORMAL COMPLAINTS AND PROCESSING REPORTS OF PROHIBITED CONDUCT

Reports of Prohibited Conduct will receive prompt attention under either the Title IX Process (**Appendix 1**) or the Sexual Misconduct Process (**Appendix 2**). A Formal Complaint must be filed by the Complainant or signed[33] by the Title IX Coordinator in order to initiate the informal or formal procedures described in **Appendix 1** and **Appendix 2**. The Title IX Coordinator may consolidate Formal Complaints against more than one Respondent or by more than one Complainant against one or more Respondents or by one party against the other party where the allegations of Prohibited Conduct arise out of the same facts or circumstances.

1. Determining If Title IX Process or Sexual Misconduct Process Applies

Upon receipt of the Formal Complaint, the Title IX Coordinator will determine whether the Formal Complaint must/may be dismissed under the Title IX Process and/or the Sexual Misconduct Process. The Title IX Coordinator will conduct an assessment of the information provided in the Formal Complaint for the sole purpose of determining whether the alleged conduct, if substantiated, would constitute Prohibited Conduct under this Policy. After this initial assessment, the Title IX Coordinator may take the following actions:

- If the allegations contained in the Formal Complaint would, if substantiated, constitute Title IX Prohibited Conduct as described in Section D.1, the Coordinator shall initiate an investigation, as described in **Appendix 1**, of the allegations. If processing of the Formal Complaint continues as described in **Appendix 1**, the Coordinator shall dismiss the Formal Complaint pursuant to the processes described in **Appendix 2** - Sexual Misconduct Process.
- If the allegations contained in the Formal Complaint would not, if substantiated, constitute Title IX Prohibited Conduct as described in Section D.1., the Coordinator shall dismiss the Formal Complaint from the Title IX Process. If appropriate, the Coordinator may proceed with an investigation of the Formal Complaint as described in **Appendix 2** - Sexual Misconduct Process.
- If the Formal Complainant is not dismissed under either the Title IX Process or the Sexual Misconduct Process, and the Title IX Coordinator deems the Formal Complaint appropriate for the Informal Resolution Process, the Title IX Coordinator may, upon the consent of the parties, refer the matter to the Informal Resolution Process as described in **Appendix 1** or **Appendix 2**. Otherwise, the Title IX Coordinator will proceed with formal resolution as described in **Appendix 1** or **Appendix 2**.

2. Basis for Title IX Coordinator's Dismissal of a Formal Complaint

a. Mandatory Dismissal

Title IX Process: A Formal Complaint under the Title IX Process must be dismissed at any point in the process if any of the following conditions apply:

- The alleged Prohibited Conduct would not, assuming the allegations to be true, constitute Title IX Prohibited Conduct (defined to include sexual assault, dating/domestic violence, stalking and Title IX sexual harassment as defined in Section D.1. of this Policy);
- The alleged Prohibited Conduct did not occur in a University educational program or activity; or

[33] When the Title IX Coordinator believes that with or without the Complainant's desire to participate in formal procedures, a non-deliberately indifferent response to the allegations requires an investigation, the Title IX Coordinator will have the discretion to initiate formal procedures by signing the Formal Complaint.

- The alleged Prohibited Conduct did not occur against a person in the United States.

Sexual Misconduct Process: A Formal Complainant under the Sexual Misconduct Process must be dismissed if:

- The allegations contained in the Formal Complaint would not constitute Prohibited Conduct under this policy, if proved; or
- It is determined that the allegations contained in the Formal Complaint were false.

b. Discretionary Dismissal

In addition, at any time prior to a hearing, the Title IX Coordinator may dismiss a Formal Complaint that is proceeding under either the Title IX Process or Sexual Misconduct Process if any of the below conditions are met:

- Complainant notifies the Title IX Coordinator in writing that Complainant would like to withdraw the Formal Complaint or any allegations under the jurisdiction of the Title IX Process or the Sexual Misconduct Process;
- Respondent has disassociated from the University; or
- Specific circumstances prevent the University from collecting evidence sufficient to reach a determination as to the Formal Complaint or allegations under the jurisdiction of the Title IX Process or the Sexual Misconduct Process therein (for example, where Complainant has ceased participating in the process).

3. Notification of Dismissal of a Formal Complaint and Review/Appeal Rights

Upon dismissal of a Formal Complaint, the Title IX Coordinator shall send written notice of the dismissal to both parties simultaneously that includes the reason(s) for the dismissal, and the options for appeal with regard to dismissals under the Title IX Process. There are no appeal options for either party for dismissal of a Formal Complaint under the Sexual Misconduct Process.

The determination regarding dismissal becomes final either on the date the parties are provided with the written determination of the result of an appeal or, if no review/appeal is filed, the date on which the appeal would no longer be considered timely. Once a determination that the decision regarding dismissal of a Formal Complaint is final, the Complainant cannot file a Formal Complaint under this Policy concerning the same alleged conduct.

K. SUPPORTIVE MEASURES

For all reports of Prohibited Conduct, the University will take prompt and reasonable action to provide supportive measures to all parties involved. A Complainant is not required to file a Formal Complaint, report the incident to law enforcement, or pursue criminal charges to receive assistance with University resources, which includes assistance with supportive measures from either the Title IX Coordinator or, if the Complainant desires confidentiality, from the WGRC Victim Advocate.[34] The need for University supportive measures varies based on the facts of the specific incident and the individual's needs. The Title IX Coordinator may implement supportive measures for the Complainant and/or Respondent upon request and if such action is reasonably available. In addition to what is set forth in this Section and **Appendices 4 & 5**, other supportive measures may be available based on specific circumstances. Moreover, the University may take action without a request from either party if

[34] With reports of confidentiality, the WGRC Victim Advocate may request assistance from the Title IX Coordinator, but such assistance does not constitute actual knowledge to the University of an incident.

the University determines doing so is in the best interests of a student, employee, or the University community. The Title IX Coordinator, or if confidentiality is desired, the WGRC Victim Advocate, should be contacted for additional information. Examples of potential supportive measures that may be available are generally outlined below. For more detailed information on available supportive measures, please see **Appendix 4**(Complainant Supportive Measures) and **Appendix 5** (Respondent Supportive Measures).

- Access to counseling services and assistance in setting up initial appointments
- Imposition of a mutual No Contact Order
- Advocacy support to obtain orders of protection within the criminal justice system
- Change in work schedule or job assignment
- Change in student's campus housing or assistance with safe housing
- Emergency numbers for on- and off-campus law enforcement, and how the University can assist in notifying law enforcement if desired
- Voluntary leave of absence
- Providing academic support services, such as tutoring, change in class schedule, rescheduling exams and assignments, and/or alternative course completion options
- Any other non-punitive measure that may be reasonably tailored to the involved individuals to achieve the goals of this Policy.

L. EMERGENCY REMOVALS AND ADMINISTRATIVE LEAVE

1. Emergency Removals for Student Respondents

a. In certain circumstances, the University may impose an emergency removal to remove a student Respondent from the University's educational program or activity prior to a determination regarding responsibility. This removal shall be undertaken once an individualized safety and risk analysis determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Prohibited Conduct justifies removal.
b. Emergency removals may include, but are not limited to, a full or limited emergency removal from campus activities, removal from University housing, removal from University sponsored events, and/or restriction on access to University facilities and programs.
c. The Respondent may request a review of the emergency removal in writing within two (2) calendar days of the issuance of any emergency removal. Such request should be submitted to the Conduct Administrator. Reasonable efforts will be made to hold such a review of the emergency removal within five (5) calendar days of the receipt of the request for review to determine if the removal should continue, as issued, through the remainder of the conduct process. If the student submits a timely review request, the review may be held beyond thisfive (5) calendar day period if scheduling issues exist.
d. At any requested review, information will be presented in support of any challenged removal. The student may offer statements or other information to rebut any grounds offered in support of the emergency removal. Except as limited herein, the Respondent has the right to be assisted during the review process by any advisor they may choose, at their own expense. The advisor may be an attorney. An advisor has no right to speak or participate directly in any aspect of the emergency removal review process. The Respondent must speak on their own behalf. An advisor's failure to comply with these participation limitations may cause the advisor to be removed from the proceeding.
e. The decision following the review of the emergency removal will be final.
f. Failure to timely and properly request a review of the emergency removal will result in the emergency removal continuing during the pendency of the investigation and final conclusion of any hearing and review/appeal proceedings, unless otherwise modified.

2. Administrative Leave for Faculty/Staff Respondents

a. In certain circumstances, the University may place a faculty or staff Respondent on administrative leave during the pendency of a formal investigation prior to a determination regarding responsibility.
b. For additional information regarding the processes and procedures applicable to administrative leave, if any, refer to the Faculty Handbook for faculty Respondents and the Employee Handbook for staff Respondents.

M. DISHONEST, MALICIOUS, OR FRIVOLOUS ACCUSATIONS

A complaint of alleged Prohibited Conduct may not be substantiated, but a lack of corroborating evidence should not discourage a person from reporting an alleged incident and seeking relief under this Policy. All reports should be made in good faith, meaning the individual making the report has a reasonable belief that the reported statements are true and relate to a potential violation of University policy.

A bad faith report is one that is intentionally dishonest, frivolous, or malicious or contains materially false allegations. When a report is made in bad faith, the bad faith report may deter other individuals from filing good faith reports, unnecessarily expend University and law enforcement resources, distract University and law enforcement officials from investigating good faith reports, and cause harm to the alleged accused and the community. It is a violation of University Policy to report intentionally dishonest, frivolous, or malicious allegations of Prohibited Conduct or to submit materially false allegations.[35] If a complaint is brought in bad faith as demonstrated by a preponderance of the evidence, disciplinary action may be taken against the person making the complaint. It is not considered retaliation for the University to impose disciplinary action against an individual who makes a materially false allegation in bad faith or who knowingly provides materially false information in bad faith during an investigation and review process, as determined by a preponderance of the evidence. In addition to violating this Policy, a person filing a bad faith report of Prohibited Conduct may be in violation of other University policies or state law.

N. CRIMINAL INVESTIGATIONS

University disciplinary proceedings may be instituted against a student or employee cited for a violation of a law that is also a violation of this Policy, the Code of Student Conduct, or other campus policies if both violations result from the same factual situation, without regard to the pendency of civil litigation in court or criminal arrest and prosecution. At the University's discretion, proceedings under this Policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.

In addition to being forbidden by this Policy, Prohibited Conduct may be a violation of federal or state criminal law. The University encourages individuals to immediately report criminal activity to UAPD or local law enforcement. Immediate reporting of crimes greatly enhances law enforcement's ability to collect and maintain evidence. For information about pursuing a criminal complaint, please contact UAPD at (205) 348-5454. The Title IX Coordinator or WGRC may provide assistance or support to an individual voluntarily choosing to file a criminal complaint.

[35] For students, see Section III.A.(1) of the Code of Student Conduct. For faculty and staff, see Section 19.2 of the Employee Handbook and Chapter 3, Section II of the Faculty Handbook.

Please see **Appendix 6** to this Policy for more detailed information about (1) reporting to law enforcement and the interplay with the Title IX investigation; (2) the procedures followed after a report of a sexual offense is made to UAPD; and (3) the importance of taking steps to preserve evidence.

O. PREVENTION, EDUCATION, AND AWARENESS

The University of Alabama is committed to providing preventive, informative, and supportive programming for all members of the University community. Among other things, the University's comprehensive education and awareness plan consists of the following: implementation of this Policy; educational programming that addresses all aspects of Prohibited Conduct; the University's response to allegations of Prohibited Conduct; and University-provided support systems to remediate the effects of Prohibited Conduct.

The objectives of the comprehensive education and awareness plan are to:

- Widely disseminate this Policy to the University community through email communications, publications, websites, training programs, and other appropriate channels of communication.
- Identify conduct that is considered a violation of this Policy by defining sexual harassment, sexual assault/rape, (including consent), sexual assault/fondling, sexual exploitation, other sexual offenses, intimate partner (dating/domestic) violence, and stalking (see Definitions in Section D above and **Appendix 3** to this Policy).
- Create multiple reporting options and inform students, employees, and community members of those options to encourage reporting.
- Educate students, employees, and community members about University disciplinary procedures.
- Inform students, employees, and community members of available University supportive measures.
- Provide safe and positive options for bystander intervention.
- Provide information regarding risk reduction, general safety recommendations, and the warning signs of abusive behaviors.

Please see **Appendix 7** to this Policy for more detailed information on some of the prevention, education, and awareness programs the University offers.

P. FREE SPEECH AND ACADEMIC FREEDOM

The University is committed to free and open inquiry and expression for all members of its community. The University is dedicated to the promotion of lively and fearless freedom of debate and deliberation, but also to the protection of that freedom when others attempt to restrict it.

In cases of alleged Prohibited Conduct, the protections of the First Amendment and applicable state law must be considered if issues of speech or expression are involved. Free speech rights apply in the classroom (e.g., classroom lectures and discussions) and in all other education programs and activities (e.g., speakers on campus; campus debates, school plays and other cultural events; and student newspapers, journals, and other publications). In addition, free speech rights apply to the speech of students, faculty and staff.

Moreover, in regulating the conduct of its students, faculty, and staff to prevent or redress discrimination prohibited by Title IX and other non-discrimination laws, great care must be taken not to inhibit open discussion, academic debate, and expression of personal opinions, particularly in the classroom. Nonetheless, speech or conduct of a harassing, sexual, or hostile nature that occurs in the context of educational instruction may exceed the protections of academic freedom and constitute prohibited harassment if it meets the definition of Prohibited Conduct and (1)

is reasonably regarded as non-professorial speech (i.e. advances a personal interest of the student or faculty member as opposed to furthering the learning process or legitimate objectives of the course), or (2) lacks an accepted pedagogical purpose or is not germane to the academic subject matter.

This Policy shall be implemented in a manner that recognizes the importance of rights to freedom of speech and expression.

Q. PRESERVATION OF RECORDS

The Title IX Coordinator, Human Resources, and/or the applicable grievance body will maintain for a period of seven (7) years (at a minimum) all records related to the following: all Formal Complaints, including the investigation and disposition, any disciplinary sanctions imposed, any remedies and/or supportive measures provided to the Complainant, any audio or audio/visual recording or transcript of the live hearing, any appeal and results, any information resolution and the results therefrom, and all materials used to train Title IX Coordinators, Title IX Investigators, Decision-Makers, members of a Conduct Body, any person who makes a final determination pursuant to this Policy, and any person who facilitates a voluntary informal resolution process.

The date of the record's creation begins the seven (7) year period. All records maintained pursuant to this provision are considered confidential and subject to applicable state and federal privacy laws.

* * *

In the event of any conflict between the written Policy and the version found on the University's website, the Title IX and Sexual Misconduct Policy found on the University's Title IX website will govern. The Title IX and Sexual Misconduct Policy does not create a contract or quasi-contract between the University or any University employee and any individual that may be affected by the Policy. Further, although the policies contained herein are intended to reflect current rules and policies of the University, users are cautioned that changes or additions may have become effective since the publication of this material. In the event of a conflict between this Policy and Board rules, current statements of Board policy contained in the Bylaws, Rules, official minutes, and other pronouncements of the Board or Chancellor, or superseding law, shall prevail.

REVISED: August 20, 2015
August 16, 2016
August 23, 2017
August 22, 2018
October 1, 2019
August 14, 2020
October 26, 2020

Office of the Vice President of Finance and Operations

Signed: DocuSigned by: Cheryl Mowdy DC7FC10D23404E0... 10/26/2020

Cheryl Mowdy
Assistant Vice President for Finance and Operations

APPENDIX -1-

APPENDIX -1-

PROCESSING REPORTS OF PROHIBITED CONDUCT UNDER TITLE IX PROCESS

A. Dismissal of Formal Complaint under Title IX Process, Referral to Sexual Misconduct Process, and Review/Appeal of Dismissal

Upon receipt of the Formal Complaint, the Title IX Coordinator will determine whether the Formal Complaint must be dismissed under the Title IX Process or must be dismissed entirely.

A Formal Complaint under the Title IX Process must be dismissed at any point in the process if any of the following conditions apply:

- The alleged Prohibited Conduct would not constitute Title IX Prohibited Conduct (sexual harassment, sexual assault, dating/domestic violence, or stalking as defined in Section D.1. of this Policy) if proved;
- The alleged Prohibited Conduct did not occur in a University education program or activity; or
- The alleged Prohibited Conduct did not occur against a person in the United States.

A Formal Complaint under the Title IX Process may be dismissed at any point in the process if any of the following conditions apply:

- The Respondent has disassociated from the University;
- The Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations under the jurisdiction of the Title IX Hearing Process therein; or
- Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations under the jurisdiction of the Title IX Hearing Process therein.

Both parties can seek a review/appeal of a dismissal of the Formal Complaint under the Title IX Process by following the process outlined in Section B.5.a. below.

A dismissed Formal Complaint under the Title IX Hearing Process may be addressed under the Sexual Misconduct Process. For additional information regarding the Sexual Misconduct Process, see Appendix 2.

B. Resolution of Formal Complaints Under Title IX Process

Once the determination is made that the Formal Complaint can proceed under the Title IX Process, the Formal Complaint may generally be resolved through the informal or formal procedures described below, or a Complainant's actions may trigger the University to take Limited Action in response to a report of Prohibited Conduct. The choice of where to begin rests with the Title IX Coordinator or designee who will, when possible, consult with the Complainant before making this determination. Ultimately, the choice of how to proceed with a report of Prohibited Conduct lies with the Title IX Coordinator. When the Title IX Coordinator believes that with or without the Complainant's desire to participate in formal procedures, a non-deliberately indifferent response to the allegations requires an investigation, the Title IX Coordinator will have the discretion to initiate formal procedures by signing the Formal Complaint. For more information, review Section B.1. below. A Formal Complaint must be filed by the Complainant or signed by the Title IX Coordinator in order to initiate the informal or formal procedures described below.

The Title IX Coordinator may consolidate Formal Complaints against more than one Respondent or by more than one Complainant against one or more Respondents or by one party against the other party where the allegations of Prohibited Conduct arise out of the same facts or circumstances. If a report is filed with the Title IX Coordinator that is not subject to this Policy, the Title IX Coordinator may refer the report to the appropriate University official.

Reports of Prohibited Conduct received by the Title IX Office that fall within the Title IX Process may be handled according to the following paths:

1. Limited Action Under Title IX Process

Limited Action may be taken in response to a report of potential Prohibited Conduct in the following situations:

- The Complainant requests that the report of Prohibited Conduct not bedisclosed to the Respondent;
- The Complainant does not identify the Respondent;
- The Complainant declines to respond[1] to communications from the Title IX Office staff prior to or after a Formal Complaint is filed;
- The Complainant requests that the University not investigate the incident or end an ongoing investigation; or
- The Complainant requests that no disciplinary action be taken against the Respondent.

When a Complainant's actions potentially trigger a Limited Action response, the Title IX Coordinator (or designee) will give full consideration to any request from the Complainant. When possible, a Complainant's express request for Limited Action will be honored. If Limited Action is taken, no record of the complaint will be entered in the Respondent's official personnel file or Office of Student Conduct record. However, the Title IX Coordinator's Office will record the facts of the complaint and the Limited Action taken in response as part of its internal records.

If a Formal Complaint has been filed and Limited Action is later taken, the Formal Complaint will be dismissed. If the decision is made to take Limited Action, the University may take action to end any inappropriate conduct, prevent its recurrence, and remediate its effects. Steps taken by the University may include offering supportive measures to the Complainant, providing targeted training/prevention programming, and/or imposing other non-punitive remedies as appropriate. A Complainant who has not filed a Formal Complaint and whose actions have triggered a response of Limited Action may elect to pursue informal or formal resolution in the future if the University has jurisdiction over the Respondent and if such procedures are available to the Complainant.

There are times when the Title IX Coordinator (or designee), after considering the alleged facts known at the time of the report, cannot proceed with only Limited Action due to the University's commitment to provide a safe and non-discriminatory environment for the entire campus community, including the Complainant. If the Title IX Coordinator (or designee) determines that the matter is sufficiently grave or poses a safety risk to the University community, then the Title IX Coordinator may sign a Formal Complaint, or take other appropriate action. Factors to be considered by the Title IX Coordinator (or

[1] A Complainant may decline to respond to communications from the Title IX Office staff by either explicitly stating that they do not want to respond, by not responding to communications, or by otherwise not participating in the process.

designee) to determine when to move forward with something other than Limited Action include, but are not limited to, the following:

- The alleged behavior is part of a persistent pattern by the Respondent;
- Allegations of the Respondent's prior Prohibited Conduct based on credible evidence;
- The risk of additional Prohibited Conduct perpetrated by the Respondent;
- The nature of the alleged offense, including the seriousness of the alleged incident of Prohibited Conduct and/or whether the Prohibited Conduct involved the use of a weapon; and
- Whether the University can pursue the investigation without the participation of the Complainant.

When a Complainant declines to file a Formal Complaint, the University may be limited in its ability to meaningfully investigate and respond to a report of Prohibited Conduct. In such instances, the Title IX Coordinator may sign a Formal Complaint to initiate informal or formal procedures[2] based on its independent collection of relevant information to which it has access, including statements from witnesses, social media posts, surveillance video footage, physical evidence, and other sources that may corroborate or contradict available information.

2. Informal Procedures and Resolution for Formal Complaints Under Title IX Process

If a Formal Complaint is filed, the parties may request to resolve the Complaint through informal procedures. Informal Resolution is not an appropriate method to resolve Title IX Formal Complaints involving a student Complainant and employee Respondent. If the Formal Complaint is resolved informally, no record of the complaint will be entered in the Respondent's official personnel file or Office of Student Conduct record. However, the Title IX Office will record the facts of the complaint and the resolution achieved as part of its internal records.

A party, after receiving notice of all relevant allegations, potential Policy violations, and the options for processing a Formal Complaint under this Policy, may request that the University agree to resolve the Prohibited Conduct through Informal Resolution, which would not involve a full investigation and adjudication. All parties must agree to participate voluntarily in the Informal Resolution process and the University must deem that the matter to be potentially resolved is appropriate for Informal Resolution. The University may gather information necessary through interviewing individuals and other evidence gathering in an effort to determine if the report is appropriate for Informal Resolution. At any time during the Informal Resolution process, either party may change their mind and proceed with a formal investigation or the Complainant may request to withdraw the Formal Complaint. The University may also decide to proceed with a formal investigation and withdraw its approval for the process at any time during the Informal Resolution process. If additional potential Policy violations are revealed during the Informal Resolution process, the University may withdraw its approval for the process and proceed with a formal investigation or the University, with the consent of the parties, may continue the Informal Resolution process and resolve the additional potential Policy violations. If a report of Prohibited Conduct is resolved by Informal Resolution, the resolution will be deemed final. Should the Informal Resolution result in terms or conditions being imposed on one or both parties, a failure to subsequently adhere to those terms or conditions as written may subject the offending party to a Failure to Comply charge.

To proceed with Informal Resolution, the Title IX Coordinator will first provide the parties with written notice that includes the following information:

[2] If the University determines to proceed with Formal Procedures without the Complainant's cooperation, the Complainant may receive notice of the outcome and have the right to request a review/appeal as stated herein.

- A description of the allegation(s) in the Formal Complaint;
- The requirements of the Informal Resolution process, including the circumstances under which the University precludes the parties from resuming a Formal Complaint arising from the same allegations;
- Any consequences resulting from participating in the Informal Resolution process, including the records that will be shared and maintained; and
- Any party's right to, at any time prior to agreeing to a resolution, withdraw from the Informal Resolution process and resume the formal process with respect to the Formal Complaint.

Factors the University will consider when determining whether a report of Prohibited Conduct is suitable for Informal Resolution include, but are not limited to, the following:

- The nature of the alleged offense;
- The dynamics of power or control commonly associated with the alleged offense and/orwith the parties involved;
- The Respondent's prior known conduct;
- Whether there would be a continuing safety threat to the campus community after resolution of the specific report of Prohibited Conduct;
- Whether multiple parties are involved;
- Whether the resolution proposed is designed to eliminate, prevent, and address thereported Prohibited Conduct;
- Any other factor deemed relevant by the Title IX Coordinator in the interest of overall campus safety or safety of the parties involved.

A party may end Informal Resolution at any time until a resolution is final and move to the formal process outlined below. Once the Informal Resolution process is final, neither party can request to proceed with the formal process outlined below, and the Complainant cannot file or resume a Formal Complaint arising from the same allegations. Neither party has a right to appeal the outcome of the Informal Resolution process.

3. Formal Investigation and Resolution Procedures Under Title IX Process

The formal investigation procedures are triggered when a Formal Complaint is filed by the Complainant or signed by the Title IX Coordinator. All meetings, discussions, and/or hearings that may occur as part of this formal process are closed to the general public.

a. Time Frames for Title IX Process

Formal Complaints will be resolved as promptly as practicable after the Formal Complaint is made. The University will provide the parties with periodic updates as it deems appropriate and with timely notice of meetings at which either or both the Complainant and Respondent may be present, and will provide both parties with timely and equal access to any information that is utilized in the decision-making process.

The time frames set forth herein may vary, but reasonable efforts will be made to conclude the process as follows:

- An investigation of a Formal Complaint under the Title IX Process within ninety (90) business days from the time a Notice of Allegations letter is sent to the Respondent;

- Any Informal Resolution within sixty (60) business days of the Complainant's request;[3]
- A Formal Hearing within sixty (60) business days from the issuance of the Investigative Report;
- Any reviews/appeals within sixty (60) business days from the issuance of a Decision-Maker's Written Hearing Determination;
- Any reviews/appeals within fourteen (14) business days of the Title IX Coordinator's issuance of a dismissal of a Formal Complaint.

Extenuating circumstances could require the process to extend beyond the time frames set herein, and the University will determine in its discretion if such circumstances exist and will notify the Complainant and Respondent of the delay and the reason for the delay. Potential reasons for requiring additional time for resolution of the process include, but are not limited to the following: to ensure the integrity and completeness of the investigation, to comply with a request by law enforcement, the complexity of the investigation, the severity and extent of the alleged conduct, University closings or limited operations, breaks, holidays, summer terms, to accommodate the delays by witnesses or the parties, pandemics or public health crises, and factors outside the University's control.

b. Equal Opportunity and Access and Reasonable Accommodations

To the extent not already provided for by existing disciplinary procedures, the Complainant and the Respondent are entitled to the same opportunities to be heard, to present evidence, and to access pertinent information during the investigation and conduct process as appropriate. Both the Complainant and Respondent will be updated on the status of the investigation and the outcome of any proceeding in an equitable manner. Supportive measures and/or emergency removals (as described in Section L below and **Appendices 4 & 5** to this Policy) may be implemented to help protect the health and/or safety of the Complainant, Respondent, witnesses, and/or other members of the University community.

Students and employees may request reasonable accommodations with regard to their participation in a Title IX Prohibited Conduct Investigation or access to the supportive measures provided by the Title IX Office. Students or employees must self-identify if they need reasonable and appropriate accommodations to participate in an investigation or obtain access to the supportive measures provided by the Title IX Office and documentation of the reasonable accommodations required should be provided through the process outlined by the Office of Disability Services (for students) or the Human Resources ADA Coordinator (for employees).[4]

c. Standard of Proof for Title IX Process

The standard used to determine whether the Respondent is responsible for Prohibited Conduct is preponderance of the evidence, which means more likely than not that the alleged conduct occurred and said conduct is in violation of this Policy.[5] Unless ultimately proven otherwise pursuant to the standards and processes of this Policy, individuals accused of Title IX Prohibited Conduct are presumed to be not responsible for any alleged violation.

[3] If the Informal Resolution process is requested, all other time frames are tolled as of the date of the request.
[4] The Office of Disability Services is located at 1000 Houser Hall and may be reached at (205) 348-4285 (Voice) or (205) 348-3081 (TTY). The Human Resources ADA Coordinator is located at 1001 HR Administration Building and may be reached at (205) 348-7733 or emarbutt@fa.ua.edu.
[5] This standard will apply to all charges, including any that incorporate or reference a state or federal criminal law.

d. Formal Investigation Procedure under the Title IX Process

The formal investigation procedure followed pursuant to the Title IX Process is determined by the Respondent's role with the University:

i. Formal Complaint against student Respondent

Formal Complaints wherein a student is the Respondent are investigated by the Title IX Office in conjunction with the Office of Student Conduct. All matters involving incidents of Title IX Prohibited Conduct allegedly committed by a student will be handled in a manner consistent with the requirements, accommodations, procedures, and processes outlined in this Policy and Appendix.[6] Hearings and reviews/appeals for Formal Complaints against a student involving Prohibited Conduct are discussed in detail below.

ii. Formal Complaint against faculty or staff Respondent

Formal Complaints wherein a faculty or staff member is the Respondent are investigated by the Title IX Office, alone or in conjunction with Designated Harassment Resource Persons and/or, if applicable, Human Resource Business Partners. All matters involving incidents of Title IX Prohibited Conduct allegedly committed by a faculty or staff member will be handled in a manner consistent with the requirements, accommodations, procedures, and processes outlined in this Policy and Appendix.[7] Hearings and reviews/appeals for Formal Complaints against a faculty or staff member involving Prohibited Conduct are discussed in detail below.

iii. Formal Complaint against community member/third party/campus visitor Respondent

Consistent with the jurisdiction of this Policy, in instances where a Formal Complaint is received against a community member/third party/campus visitor[8] (not a student or employee) related to alleged Prohibited Conduct occurring at any location involving a University education program or activity, the Title IX Coordinator (or a designated investigator) may conduct an investigation.[9] A conclusion by the appropriate Decision-Maker that Prohibited Conduct in violation of this Policy has occurred may subject the community member/third party/campus visitor to disciplinary action. For the sake of clarity, community members/third parties/campus visitors are also not entitled to any of the rights afforded to Respondents pursuant to this Policy.

e. Formal Investigation Title IX Process

i. *Discussion with Complainant*—The investigator(s) will conduct an initial meeting withthe Complainant. During this initial meeting, the investigator(s) and the Complainantwill

[6] Certain terms used in this Policy may also be defined in the Code of Student Conduct. To the extent there is an inconsistency between the substance of this Policy and the Code of Student Conduct related to the handling of Prohibited Conduct allegations covered by this Policy, the terms of this Policy will control.

[7] To the extent there is an inconsistency between the substance of this Title IX Prohibited Conduct Policy and Procedure and the University's Equal Opportunity and Discriminatory Harassment Policy and Procedure related to the handling of sexual or gender based harassment allegations against University employees, the terms of this Policy will control.

[8] For purposes of this Policy, an individual's status as a University graduate, alumni, or donor does not afford the University jurisdiction over that individual solely based on that status.

[9] When the Respondent is not a student or employee, the process that will be followed depends upon whether UA exercises substantial control over the Respondent and the specific context in which the Prohibited Conduct occurred. If UA exercises substantial control over both the Respondent and the specific context of the Prohibited Conduct, the Title IX Process will apply. Otherwise, the Sexual Misconduct Process will be utilized. Whether UA exercises substantial control is a fact-specific inquiry determined in the sole discretion of the Title IX Coordinator.

discuss available University supportive measures as well as the rights and options for filing a Formal Complaint under this Policy and for pursuing criminal charges. The investigator(s) will obtain as much information as possible during the initial meeting about the alleged incident, including witness names and any available evidence. The Complainant will also have the opportunity to raise issues or otherwise suggest specific questions directly related to the investigation for the investigator(s) to ask of the Respondent or any potential witnesses, provided the questions are directly related to the allegations and appropriate. The investigator(s) reserves the right to alter the wording of any proposed question. The Complainant may, at any time during the investigation process, request that the investigation end and the University will try to accommodate this request, which may result in a dismissal of the Formal Complaint. However, if the alleged conduct presents an issue of overall campus safety and/or is sufficiently grave, the investigation may continue if the Title IX Coordinator signs the Formal Complaint.

ii. *Notice of Allegations and Discussion with Respondent*— Notice of the Formal Complaint, with allegations of Title IX Prohibited Conduct, is deemed to have been properly provided when written notification of the allegations and alleged violations of the Code of Student Conduct, Employee Handbook, or Faculty Handbook is sent to the Complainant's and Respondent's assigned University of Alabama email address, delivered via Certified Mail to their last known address, or personally delivered to the them. University-issued email is the University's primary means of communication with students and employees. Students and employees are responsible for all communication delivered to their University-issued email address.

An effort will be made to set the initial investigative meeting with the Respondent at least seven (7) calendar days after delivery of the written notification of the alleged violation(s). Pre-scheduled meetings are scheduled around a student's academic schedule. Should a student wish to reschedule an appointment or meet sooner than the designated time, they should make such request in a timely manner. The University will make a reasonable effort to accommodate student scheduling conflicts but will not permit unreasonable delays in the investigation process. Students and employees are advised to keep their most current local address, permanent address, and local telephone number (or cell phone number) updated in the myBama records system.

At the initial investigative meeting, the allegations will be discussed with the Respondent. The investigator(s) and the Respondent will discuss the Respondent's rights as well as available University supportive measures while the investigation is pending. The Respondent will be given the opportunity to respond to the allegations and offer evidence directly related to the allegations and/or potential witnesses. The Respondent will also have the opportunity to raise issues or otherwise suggest specific questions for the investigator(s) to ask of the Complainant or any potential witnesses, provided the questions are directly related to the allegations and appropriate. The investigator(s) reserves the right to alter the wording of any proposed question. The Respondent is not required to make a statement or otherwise provide information relevant to the investigation. A Respondent's failure to make a statement shall not be used an as admission of responsibility during the formal investigative procedure. However, the process will continue and a decision regarding responsibility may be made based on the available statements and evidence at the formal hearing.

iii. *Other Evidence*—The investigator(s) will make reasonable attempts to contact and interview individuals who are identified as witnesses with information relevant to the allegations of Prohibited Conduct. The investigator(s) may elect to limit the number of witnesses whose sole purpose is to provide character information, as duplicative evidence is not relevant. The investigator(s) may also elect not to interview witnesses unlikely to have information directly related to the allegations as determined in the sole discretion of the investigator(s). The investigator(s) will make reasonable attempts to obtain other directly related evidence available from the parties, witnesses, or other University departments.

1. Complainant's Prior Sexual Behavior: For reports involving sexual assault/rape, evidence of the Complainant's sexual predisposition or prior sexual behavior is not relevant if it is offered to prove that the Complainant engaged in other sexual behavior or to prove the Complainant's sexual predisposition. Evidence of specific instances of sexual behavior by the Complainant may be offered to show:
    - Sexual encounters between the Complainant and the Respondent for purposes of establishing consent; or
    - That a person other than the Respondent was the source of semen, injury, or other physical evidence.

2. Complainant's Prior False Allegations: Evidence that the Complainant made prior bad faith, materially false allegation(s) of Prohibited Conduct may be offered as evidence of Complainant's credibility. For purposes of this Policy, a prior bad faith, materially false allegation is one that has been adjudicated as false by a court of law or other body adjudicating a claim of Prohibited Conduct, including proceedings conducted by the University, as defined by this Policy.

3. Respondent's Prior Prohibited Conduct: Evidence that the Respondent has been adjudicated as responsible for an allegation(s) of Prohibited Conduct that is similar in nature may be directly related to the allegation(s) in that it could prove motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, or lack of accident (all indicia of Respondent's credibility). For purposes of this Policy, adjudications include those by a court of law or other body adjudicating a claim of Prohibited Conduct, including proceedings conducted by the University, as defined by this Policy.

iv. *Parties' Review of Evidence*— Once the investigator(s) has made reasonable attempts to obtain all inculpatory evidence (that may support a finding or conclusion that Respondent engaged in Prohibited Conduct) and exculpatory evidence (that may support a finding or conclusion that a Respondent did not engage in Prohibited Conduct), student and employee Complainants and Respondents will be given a reasonable opportunity to review and respond to the evidence obtained during the investigation. The investigator(s) will send each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The parties will have ten (10) calendar days to submit a written response, including suggesting specific questions relevant to the investigation for the investigator(s) to ask of the other party or any potential witnesses, which the investigator(s) will consider prior to submitting the investigation file for completion,.

v. *Respondent Disassociation from the University*— If a Respondent voluntarily withdraws from the University, fails to re-enroll for a subsequent semester, is no longer employed by the University or otherwise is no longer associated with the University after an investigation is initiated but before an Investigative Report is issued or, if properly requested, before a hearing is fully conducted, the Title IX Coordinator may dismiss the Formal Complaint. For student Respondents, a hold will be placed on the Respondent's record that prevents them from registering or enrolling at the University in the future. The Respondent may be prohibited from entering campus or attending campus-sponsored events. The Respondent's Conduct Record/personnel file may indicate that they disassociated from the University after a complaint was asserted and pending disciplinary review. Resolution of the case and permission from the Title IX Office will be required before a disassociated Respondent is permitted to return to the University.

vi. *Investigative Report*—Following the investigation, and provided the Formal Complaint has not been dismissed, the Title IX Coordinator (or designee), in consultation with relevant campus partners, will prepare an Investigative Report that summarizes the relevant evidence. For cases that fall within the Title IX Process jurisdiction, the Investigative Report will not include a determination regarding responsibility or recommended sanctions/remedies or employment actions. The Investigative Report will be issued in an electronic format to both parties and their advisor(s), if any.

4. Title IX Hearing Procedures/Process

a. Scheduling a Formal Hearing and Pre-Hearing Meeting

Following the issuance of an Investigative Report, the case will automatically be referred to a live formal hearing, unless the parties agree to resolve the Formal Complaint through Informal Resolution.

Once the Investigative Report is issued and the case is referred to the live formal hearing, both parties must have an advisor for the sole purpose of conducting cross-examination on behalf of that party. The advisor can be selected by the parties and may be an attorney. If the parties do not have an advisor, the University will provide an advisor for the live formal hearing.

The Title IX Coordinator will schedule separate pre-hearing meetings with the parties and their advisor(s). Attendance is mandatory for both the parties and their advisor(s). The meeting is to discuss processes for the live formal hearing and appropriate decorum. Each party must notify the Title IX Coordinator (or designee) at least seven (7) calendar days prior to the pre-hearing meeting if they will be accompanied by an advisor of their choice and at their own expense at the live formal hearing.

b. Decision-Maker

The Hearing Administrator will appoint a trained Decision-Maker. The Hearing Administrator (or designee) shall make inquiries of the prospective Decision-Maker to ascertain whether the Decision-Maker has any conflict of interest or bias for or against the Complainant or Respondent that would prevent them from rendering an impartial decision, thereby precluding the Decision-Maker from serving. The identity of the Decision-Maker shall be provided to both the Respondent and the Complainant and their respective advisors prior to the hearing.

The Decision-Maker will be responsible for conducting the hearing, including determining relevancy of questions and evidence, maintaining proper decorum, and making a determination regarding Respondent's responsibility for the allegation(s) of Prohibited Conduct.

c. Hearing Process[10]
   i. *Closed Hearings:* Hearings shall be closed to the public. Admission of any person, other than a parties' chosen or appointed advisor, shall be at the discretion of the Decision-Maker. The Decision-Maker also has the discretion to remove any person from the hearing at any time when they deem it necessary.
   ii. *Evidence:* All evidence each party wishes to be considered by the Decision-Maker should be presented to the investigator(s) during the investigation process. If evidence is not provided to the investigator during the investigation process, then presentation of those materials during the hearing is at the discretion of the Decision-Maker, but generally will only be allowed based on new information not known during the investigation process. Further, all materials that the investigator, Complainant, or Respondent want the Decision-Maker to consider must be submitted to the Hearing Administrator (or designee) at least ten (10) calendar days prior to the hearing. The Hearing Administrator (or designee) will provide the submitted materials to the Decision-Maker. Any materials submitted and/or discovered fewer than ten (10) calendar days before the hearing may only be considered at the sole discretion of the Decision-Maker.
      - For information regarding admissibility of evidence of Complainant's prior sexual behavior, Complainant's prior bad faith allegations, and Respondent's prior Prohibited Conduct, refer to Section B.3.e.iii of this Appendix 1.
   iii. *Written Response to Investigative Report:* The Investigative Report issued following the Title IX Office's initial investigation will be included in the materials submitted to the Decision-Maker for review prior to the hearing. Complainant and/or Respondent may submit a written response to the Investigative Report. Such written response must be submitted to the Hearing Administrator (or designee) at least ten (10) calendar days prior to the hearing. The Hearing Administrator (or designee) will provide the submitted materials to the Decision-Maker and make the materials available for inspection by the Complainant and Respondent at least seven (7) calendar days prior to the hearing, consistent with FERPA or other regulation governing the disclosure of education records.
   iv. *Witnesses:* The Complainant and the Respondent have the right to request witnesses to be available for the hearing, subject to the discretion of the Decision-Maker. The Hearing Administrator (or designee) will send the Complainant and the Respondent a list of potential hearing witnesses. Each party must provide a list of additional potential hearing witnesses to the Hearing Administrator (or designee) at least ten (10) calendar days prior to the hearing. The Hearing Administrator (or designee) will provide the witness list(s) to the Conduct Body and all relevant parties involved in the matter at least seven (7) calendar days prior to the hearing. Any hearing witness requested must have been identified and accessible to the investigator during the investigation process. If a witness is not provided to the investigator during the investigation process, then presentation of that witness during the hearing is at the sole discretion of the Decision-Maker and generally will only be allowed based on new information not known during the investigation process.
   v. *Direct Examination by Decision-Maker:* The Decision-Maker will conduct all direct examination of parties and witnesses. The parties' advisors may not conduct direct examination and are limited to cross-examination of the parties and witnesses.

[10] Further procedures governing the Title IX Process are available on the Title IX Office website.

vi. *Cross-Examination by Parties' Advisors:* Following direct examination by the Decision-Maker, the parties' advisors may ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such questioning must be conducted directly, orally, and in real time by the parties' advisor and never by a party. Only relevant questions may be asked of a party or witness, and duplicative questions, including those asked and answered, are considered irrelevant. Before a Complainant, Respondent, or witness answers a question, the Decision-Maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Decision-Maker's determination regarding a question's relevancy is considered final and may not be challenged during the hearing by the parties or their advisors.

- If a party or witness does not submit to cross-examination at the live hearing, the Decision-Maker must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the Decision-Maker cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer questions.
- Documents and records may not be relied on to the extent they contain the statements of a party or witness who has not submitted to cross-examination. This rule, however, does not apply to a situation where the evidence involves intertwined statements of both parties (e.g., a text message or email thread) and one party refuses to submit to cross-examination.

vii. *Record of Hearing:* A record of all hearings before a Decision-Maker will be created. The record shall be the property of the University. Parties and their advisors shall not make their own recording of the hearing. Upon request, the record will be available for review or inspection as appropriate.

d. Notification of Written Hearing Determination and Final Outcome

After the hearing, the Decision-Maker shall determine whether the evidence presented at the hearing supports a finding that the alleged Prohibited Conduct more likely than not occurred, and this decision will be provided concurrently to both parties in a written Hearing Determination. If the Decision-Maker concludes that the evidence presented at the hearing supports a finding that the alleged Prohibited Conduct more likely than not occurred, the Hearing Determination will also include any disciplinary sanctions imposed and whether remedies will be provided to the Complainant as a result of the finding.

Notwithstanding federal privacy rules regarding students (FERPA), the University is required to disclose in writing to the alleged victim of a crime of violence or a non-forcible sex offense, the final results of any disciplinary proceeding conducted by the University against a student Respondent who is the alleged perpetrator of such crime or offense. If the alleged Complainant is deceased as a result of such crime or offense, the next of kin of such Complainant will be notified. The final results of the disciplinary proceeding involving a student include the violation committed (UA rules, policy, or code sections violated and any essential findings supporting the conclusion), any sanctions assigned to the Respondent by the University, and whether remedies will be provided by the University to the Complainant

5. Reviews/Appeals Under Title IX Process

a. Review/Appeal of Dismissal of Formal Complaint under Title IX Process

Both parties may seek a review/appeal of a dismissal of a Formal Complaint under the Title IX Process based on any of the following grounds:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding dismissal was made, that could affect the outcome of the matter; or
- The Title IX Coordinator or investigator(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

Any such request for a review/appeal must be submitted within three (3) calendar days of the issuance of the decision dismissing the Formal Complaint. Upon receipt of the request for review/appeal, the Title IX Coordinator will notify each party of the review/appeal. The parties will have five (5) calendar days from the issuance of this notice to submit a written statement in support of, or challenging, the dismissal of the Formal Complaint under the Title IX Process. The dismissal, the request for review/appeal, and the parties' written statement (if any) will be considered by the review/appeal Decision-Maker. The review/appeal Decision-Maker will issue a written decision describing the result of the review/appeal and the rationale for the result.

b. Review/Appeal Following Formal Hearing

Following a hearing, both the Complainant and Respondent have a right to seek a review/appeal of the Decision Maker's determination with regard to a finding of responsibility or non-responsibility and/or the imposed sanctions/remedies. A review/appeal may be requested on any of the following grounds:

- Procedural irregularity that affected the outcome of the matter;
- To determine if the sanction(s) imposed were grossly disproportionate to the violation(s) committed;
- New evidence that was not reasonably available at the time the determination regarding responsibility was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, or investigator(s), or Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

If a party is seeking a review/appeal, they must submit that request in writing on the form available through the Title IX Office website within seven (7) calendar days of the issuance of the determination and/or sanction(s). If either party requests a review/appeal, any accompanying sanction(s) will be on hold and will not take effect until the determination is final. If seven (7) calendar days pass without a party timely and properly requesting a review/appeal, the determination and/or sanction(s) will be deemed final.

When one party files a request for review/appeal, the other party will be notified of the request in writing by the Title IX Office. Both parties will be given an opportunity to submit a written statement to the Title IX Office in support of, or challenging, the responsibility determination from the formal hearing. Such submission must be made within seven (7) calendar days of the notification of the request for review/appeal.

The Decision-Maker for the review/appeal will be different from anyone who made the determination regarding responsibility or dismissal and must not be either the investigator or the

Title IX Coordinator. The Decision-Maker will be free from conflict of interest and bias and receive appropriate training.

Following the review/appeal, the Decision-Maker will issue a written decision describing the result of the review/appeal and the rationale for such result. This decision will be final and provided simultaneously to both parties.

Any additional processes or procedures applicable to reviews/appeals will be available on the Title IX website.

6. Sanctions/Remedies

Following a determination of responsibility pursuant to the applicable investigation or hearing or review/appeal procedures as discussed herein, the University may impose a range of sanctions/remedies as identified below. Sanctions/remedies imposed will be determined on the basis of the facts of each case and a Respondent's prior conduct history. Additional details regarding any disciplinary process and potential sanctions/remedies may be found in the current Code of Student Conduct, Employee Handbook, or Faculty Handbook. Sanctions/remedies will take effect once the decision is considered final. Sanctions/remedies may include, but are not limited to, any one, or any combination of the ones, listed below.

a. Student as the Respondent

Sanctions/remedies imposed against students are dictated by the Code of Student Conduct. A student found responsible for violation of this Policy is subject to sanctions/remedies up to and including expulsion from the University.[11] Lesser disciplinary sanctions/remedies include warning, probation, loss of privileges, no contact order, campus ban/no trespass warning from UAPD, campus access limitations, residence hall suspension or transfer/expulsion, educational assignment, fines, restitution, community service, University suspension, referral to proper law enforcement authorities for prosecution, or other discretionary sanction(s) as deemed appropriate by the Office of Student Conduct. A current list of potential student sanctions/remedies is outlined in the Code of Student Conduct found on the Office of Student Conduct's website.

b. Faculty as the Respondent

A determination that a violation of this Policy has occurred shall subject a faculty member to appropriate disciplinary action subject to the current Faculty Handbook. Appropriate sanctions/remedies will be based on such factors as severity, frequency, and degree of deviation from expectations in this Policy. Possible sanctions/remedies may include, but are not limited to, a no contact order, mandatory counseling or referral to the Employee Assistance Program, oral or written reprimand or warning; reassignment to other duties (including removal from future teaching or research or ineligibility to apply for or receive research funds); removal from extracurricular activities, committee assignments, or administrative assignments; restriction on travel abroad or domestic travel; loss of travel or research funds; loss of privileges of rank; reassignment of workspace; placement of a faculty member under the direct supervision of a specified administrator with a specific plan for remediation and for a specific period of time; transfer or reassignment; loss of summer teaching employment for those on less than 12-month contracts; restitution; fines or penalties; loss of merit raises; loss of benefits for a stated period of time (e.g., "regular" or "merit" increase in salary); loss of eligibility for promotion for a stated period of time; revocation of tenure

[11] Expulsion as a sanction/remedy recommendation requires a unanimous decision.

and/or dismissal of a tenured faculty member for adequate cause; dismissal of a tenure-track (probationary) faculty member for adequate cause, before the end of the term specified by the Faculty Handbook; dismissal of a renewable contract faculty member before the end of the term specified in a contract or appointment letter between the University and the faculty member; suspension, with or without pay, of a faculty member from service for a stated period; reduction of a faculty member's rank (demotion); reduction of an academic year salary before the end of that academic year; . campus ban/no trespass warning from UAPD, prohibition on further employment or volunteer activity at the University, loss of University benefits for retirees and referral to proper law enforcement authorities for prosecution. A current list of potential faculty sanctions/remedies is outlined in the Faculty Handbook.

c. Staff as the Respondent

A determination that a violation of this Policy has occurred shall subject a staff member to appropriate disciplinary action pursuant to the current Employee Handbook found on the Human Resources website. The University has adopted a philosophy of progressive discipline. However, one violation of this Policy could result in termination of employment. Appropriate sanctions/remedies will be based on such factors as severity, frequency, and degree of deviation from expectations in this Policy. Possible sanctions/remedies may include, but are not limited to, no contact order, verbal counseling, written counseling or warning, official reprimand, mandatory counseling, mandatory attendance at the Employee Assistance Program, educational assignment, fines, restitution, paid or unpaid administrative leave, reassignment of responsibilities, ineligibility to receive raise or promotion, suspension of annual merit increase, decrease in salary, suspension, demotion, transfer, termination of employment, campus ban/no trespass warning from UAPD, prohibition on further employment at the University, loss of University benefits for retirees, and referral to proper law enforcement authorities for prosecution. A current list of potential staff sanctions/remedies is outlined in the Employee Handbook.

d. Community Member/Third Party/Campus Visitor as the Respondent

A determination as set forth herein that a violation of this Policy has occurred may subject a community member/third party/campus visitor to appropriate sanctions/remedies, which may include, but are not limited to, no contact order, verbal counseling, written counseling or warning, mandatory counseling, educational assignment, fines, restitution, prohibition on employment or volunteer activities at the University, campus ban/no trespass warning from UAPD, ineligibility for programs open to various groups, notification to the entity with which the community member/third party/campus visitor is associated, and referral to proper law enforcement authorities for prosecution. UA's ability to enforce any such sanctions/remedies may be limited based on, among other things, UA having no direct control over, connection, relationship, or affiliation with the community member/third party/campus visitor.

APPENDIX -2-

APPENDIX -2-

PROCESSING REPORTS OF PROHIBITED CONDUCT UNDER SEXUAL MISCONDUCT PROCESS

A. Referral of Formal Complaint to the Sexual Misconduct Process

After a Formal Complaint has been dismissed under the Title IX Process and that decision is final, the Title IX Coordinator or designee may proceed with initiating an investigation under the Sexual Misconduct Process as described below.

A Formal Complaint under the Sexual Misconduct Process must be dismissed if:

- The allegations contained in the Formal Complaint would not constitute Prohibited Conduct under this Policy, if proved; or
- It is determined that the allegations contained in the Formal Complaint were false.

Aside from those situations where a Formal Complaint under the Sexual Misconduct Process must be dismissed, the choice of how to proceed with a report of Prohibited Conduct lies with the Title IX Coordinator. It is in the Title IX Coordinator's discretion to determine whether to proceed with an investigation of a Formal Complaint under the Sexual Misconduct Process, proceed with Informal Resolution of a complaint, take Limited Action, or dismiss the Formal Complaint. When appropriate, the Title IX Coordinator or designee will consult with the Complainant before making this determination. A decision to dismiss a Formal Complaint under the Sexual Misconduct Process is final. Claims of sexual or gender-based harassment or discrimination under Title VII will follow the procedures set forth in the Equal Opportunity and Discriminatory Harassment Policy.

B. Resolution of Formal Complaints Under the Sexual Misconduct Process

Once the determination is made that the Formal Complaint will proceed under the Sexual Misconduct Process, the Formal Complaint may generally be addressed through Limited Action, Preliminary Procedures/Support Measures, Informal procedures, or Formal procedures as described below.

1. Limited Action Under the Sexual Misconduct Process

Limited Action may be taken in response to a report of alleged Prohibited Conduct in the following situations:

- The Complainant requests that the report of Prohibited Conduct not be disclosed to the Respondent;
- The Complainant does not identify the Respondent;
- The Complainant declines to respond[1] to communications from the Title IX Office staff prior to or after a Formal Complaint is filed;
- The Complainant requests that the University not investigate the incident or end an ongoing investigation;
- The Complainant requests that no disciplinary action be taken against the Respondent; or
- Other circumstances as deemed appropriate by the Title IX Coordinator.

When a Complainant's actions trigger a Limited Action response, the Title IX Coordinator (or designee) will give full consideration to a request from the Complainant. When possible, a Complainant's express

[1] A Complainant may decline to respond to communications from the Title IX Office staff by either explicitly stating that they do not want to respond, by not responding to communications, or by otherwise not participating in the process.

request for Limited Action will be honored. If Limited Action is taken, no record of the complaint will be entered in the Respondent's official personnel file or Office of Student Conduct record. However, the Title IX Office will record the facts of the complaint and the Limited Action taken in response as part of its internal records.

If a Formal Complaint has been filed and Limited Action is later taken, the Formal Complaint will be dismissed. If the decision is made to take Limited Action, the University may take action to end any inappropriate conduct, prevent its recurrence, and remediate its effects. Steps taken by the University may include offering supportive measures to both parties, providing targeted training/prevention programming, and/or imposing other non-punitive remedies as appropriate.

2. Preliminary Procedures and Supportive Measures

Prior to filing a Formal Complaint, the Title IX Coordinator may institute any of the following preliminary procedures or supportive measures to gather additional information regarding potential allegation(s) of Prohibited Conduct, to prevent future incidents of Prohibited Conduct, or provide support to the parties. These procedures are considered non-punitive and non-disciplinary in nature. If preliminary procedures are utilized, no record of the allegation(s) will be entered in the Respondent's official personnel file or Office of Student Conduct record. However, the Title IX Coordinator's Office will record the facts of the allegation(s) and the procedures utilized as part of its internal records.

a. Preliminary Inquiry: The Title IX Coordinator may conduct a preliminary inquiry to determine if the allegations fall under this Policy and consider the best path forward. The Title IX Coordinator may speak with Complainant, witnesses, and/or gather other information to make a determination regarding whether to proceed with a Formal Complaint. If, in the sole discretion of the Title IX Coordinator or designee, there is insufficient information to move forward with a Formal Complaint and Complainant does not sign a Formal Complaint, the Title IX Office will close its inquiry. The Title IX Office may offer supportive measures as it deems appropriate based on the information learned in the preliminary inquiry. The University reserves the right to reopen an inquiry or move forward with a Formal Complaint at any time.

b. Informal Discussion with Title IX Office: The Title IX Office may notify the Respondent of the allegation(s), paying appropriate attention to a Complainant's request for confidentialityand Respondent's rights should a Formal Complaint be filed in the future. The Title IX Coordinator may take whatever steps short of disciplinary sanctions that they deem appropriate to address the allegation(s). Examples include providing supportive measures to both parties, notifying Respondent of the Title IX Coordinator's knowledge of a criminal report, or other circumstances as deemed appropriate by the Title IX Coordinator.

c. Mutual No Contact Order: If reasonable, the Title IX Office may issue a mutual No Contact Order at the request of either party or in the Title IX Coordinator's discretion. It is not considered punitive when the issuance of a mutual No Contact Order is done as an Informal Procedure or supportive measure.

3. Informal Procedures and Resolution for Formal Complaints under Sexual Misconduct Process

After a Formal Complaint is filed, the parties may request to resolve the Complaint through informal procedures. If the Formal Complaint is resolved informally, no record of the Complaint will be entered in Respondent's official personnel file or Office of Student Conduct record unless otherwise determined as part of the terms of the resolution. The Title IX Office will record the facts of the Complaint and the resolution achieved as part of its internal records.

A party, after receiving notice of the Formal Complaint, potential Policy violations, and the options for processing a Formal Complaint under this Policy, may request that the University agree to resolve the Prohibited Conduct through Informal Resolution. All parties must agree to participate voluntarily in the Informal Resolution process and the University must deem that the matter to be potentially resolved is appropriate for Informal Resolution. The University may gather information necessary through interviewing individuals and other evidence gathering in an effort to determine if the report is appropriate for Informal Resolution. At any time during the Informal Resolution process, either party may change their mind and proceed with a formal investigation or the Complainant may request to withdraw the Formal Complaint. The University may also decide to proceed with a formal investigation and withdraw its approval for the process at any time during the Informal Resolution process. If additional potential Policy violations are revealed during the Informal Resolution process, the University may withdraw its approval for the process and proceed with a formal investigation or the University, with the consent of the parties, may continue the Informal Resolution process and resolve the additional potential Policy violations. If a report of Prohibited Conduct is resolved by Informal Resolution, the resolution will be deemed final. Should the Informal Resolution result in terms or conditions being imposed on one or both parties, a failure to subsequently adhere to those terms or conditions as written may subject the offending party to a Failure to Comply charge. Neither party has a right to appeal the outcome of the Informal Resolution process.

Factors the University will consider when determining whether a report of Prohibited Conduct is suitable for Informal Resolution include, but are not limited to, the following:

- The nature of the alleged offense;
- The dynamics of power or control commonly associated with the alleged offense and/or with the parties involved;
- The Respondent's prior known conduct;
- Whether there would be a continuing safety threat to the campus community after resolution of the specific report of Prohibited Conduct;
- Whether multiple parties are involved;
- Whether the resolution proposed is designed to eliminate, prevent, and address the reported Prohibited Conduct;
- Any other factor deemed relevant by the Title IX Coordinator in the interest of overall campus safety or safety of the parties involved.

A party may end Informal Resolution at any time until a resolution is final and move to the formal process outlined below.

4. Formal Investigation and Resolution Procedures under Sexual Misconduct Process

The formal investigation procedures are triggered when the Title IX Coordinator elects to proceed with an investigation following the filing of a Formal Complaint. All meetings, discussions, and/or hearings that may occur as part of this formal process are closed to the general public.

a. Time Frames for Sexual Misconduct Process

Formal Complaints will be resolved as promptly as practicable after the Formal Complaint is made. The University will provide the parties with periodic updates as it deems appropriate, with timely notice of meetings at which either or both the Complainant and Respondent may be present, and will provide both parties with timely and equal access to any information that is utilized in the decision-making process as is appropriate by law. The University reserves the right to delay resolution of the formal process to ensure the integrity and completeness of the investigation, to comply with a request by law enforcement, the complexity of the investigation, the severity and extent of the alleged conduct, University closings or limited

operations, breaks, holidays, summer terms, to accommodate the delays by witnesses or the parties, pandemics or public health crises, and factors outside the University's control.

b. Equal Opportunity and Access and Reasonable Accommodations

To the extent not already provided for by existing disciplinary procedures, the Complainant and the Respondent are entitled to the same opportunities to be heard, to present evidence, and to access pertinent information during the investigation and conduct process as appropriate.[2] Both the Complainant and Respondent will be updated on the status of the investigation and the outcome of any proceeding in an equitable manner. Supportive measures and/or emergency removals (as described in Section L and Appendices 4 & 5 to this Policy) may be implemented to help protect the health and/or safety of the Complainant, Respondent, witnesses, and/or other members of the University community. Students and employees may request reasonable accommodations with regard to their participation in a Prohibited Conduct Investigation or access to the resources provided by the Title IX Office. Students or employees must self-identify if they need reasonable and appropriate accommodations to participate in an investigation or obtain access to the supportive measures provided by the Title IX Office and documentation of the reasonable accommodations required should be provided through the process outlined by the Office of Disability Services (for students) or the Human Resources ADA Coordinator (for employees).[3]

c. Standard of Proof for Sexual Misconduct Process

The standard used to determine whether the Respondent is responsible for Prohibited Conduct is preponderance of the evidence, which means more likely than not that the alleged conduct occurred and said conduct is in violation of this Policy.[4] Unless ultimately proven otherwise pursuant to the standards and processes of this Policy, individuals accused of Prohibited Conduct are presumed to be not responsible for any alleged violation.

d. Formal Investigation Procedure under the Sexual Misconduct Process

The formal investigation procedure followed pursuant to the Sexual Misconduct Process is determined by the Respondent's role with the University:

i. *Formal Complaint against student Respondent*
Formal Complaints wherein a student is the Respondent are investigated by the Title IX Office in conjunction with the Office of Student Conduct. All matters involving incidents of Prohibited Conduct allegedly committed by a student will be handled in a manner consistent with the requirements, accommodations, procedures, and processes outlined in this Policy and Appendix.[5] Hearings and reviews/appeals for Formal Complaints against a student involving Prohibited Conduct are discussed in detail below.

ii. *Formal Complaint against faculty or staff Respondent*

[2] Complainants who are not University students or employees at the time of the report are not entitled to access to information obtained during the investigation, the outcome of the investigation, or any other record that would be protected by FERPA or otherwise considered as part of the investigation file.
[3] The Office of Disability Services is located at 1000 Houser Hall and may be reached at (205) 348-4285 (Voice) or (205) 348-3081 (TTY). The Human Resources ADA Coordinator is located at 1001 HR Administration Building and may be reached at (205) 348-7733 or emarbutt@fa.ua.edu.
[4] This standard will apply to all charges, including any that incorporate or reference a state or federal criminal law.
[5] Certain terms used in this Policy may also be defined in the Code of Student Conduct. To the extent there is an inconsistency between the substance of this Policy and the Code of Student Conduct related to the handling of Prohibited Conduct allegations covered by this Policy, the terms of this Policy will control.

Formal Complaints wherein a faculty or staff member is the Respondent are investigated by the Title IX Office, alone or in conjunction with Designated Harassment Resource Persons and/or, if applicable, Human Resource Business Partners. Following the investigation, the Title IX Coordinator will provide a report to the applicable University official. A conclusion by the Title IX Coordinator that Prohibited Conduct has occurred shall subject the Respondent to appropriate disciplinary sanctions. A conclusion that Prohibited Conduct has not occurred will in most cases end the process.

iii. Formal Complaint against community member/third party/campus visitor Respondent

Consistent with the jurisdiction of this Policy, in instances where a Formal Complaint is received against a community member/third party/campus visitor[6] (not a student or employee) related to alleged Prohibited Conduct occurring at any location involving a University education program or activity, the Title IX Coordinator (or a designated investigator) may conduct an investigation and make a determination regarding whether the conduct in question is in violation of University policy.[7] A conclusion by the Title IX Coordinator that Prohibited Conduct in violation of this Policy has occurred may subject the community member/third party/campus visitor to disciplinary action. The conclusion by the Title IX Coordinator that Prohibited Conduct has or has not occurred and any disciplinary action taken, is applicable, is final. For the sake of clarity, community members/third parties/campus visitors are also not entitled to any of the rights afforded to Respondents pursuant to this Policy.

The University will not investigate incidents alleging Prohibited Conduct by community members/third parties/campus visitors if the alleged incident occurred off campus and did not involve a University education program or activity. In certain instances, the Title IX Office may assist the Complainant in filing a report with an appropriate law enforcement agency. In addition, an assessment will be made by the Title IX Office to determine if additional actions should be taken to protect the health and safety of the Complainant or the campus community.

e. Formal Sexual Misconduct Investigation Process

i. *Discussion with Complainant*—The investigator(s) will conduct an initial meeting with the Complainant. During this initial meeting, the investigator(s) and the Complainant will discuss available University supportive measures as well as the rights and options for filing a Formal Complaint under this Policy and for pursuing criminal charges. The investigator(s) will obtain as much information as possible during the initial meeting about the alleged incident, including witness names and any available evidence. The Complainant will also have the opportunity to raise issues or otherwise suggest specific questions directly related to the investigation for the investigator(s) to ask of the Respondent or any potential witnesses, provided the questions are directly related to the allegations and appropriate. The investigator(s) reserves the right to alter the wording of any proposed question. The Complainant may, at any time during the investigation process, request that the investigation end and the University will try to accommodate this request, which may result in a dismissal of the Formal Complaint. However, if the alleged conduct presents an issue of overall campus safety and/or is sufficiently grave, the investigator(s) may continue with the investigation without the Complainant's consent.

[6] For purposes of this Policy, an individual's status as a University graduate, alumni, or donor does not afford the University jurisdiction over that individual solely based on that status.

[7] When the Respondent is not a student or employee, the process that will be followed depends upon whether UA exercises substantial control over the Respondent and the specific context in which the Prohibited Conduct occurred. If UA exercises substantial control over both the Respondent and the specific context of the Prohibited Conduct, the Title IX Process will apply. Otherwise, the Sexual Misconduct Process will be utilized. Whether UA exercises substantial control is a fact-specific inquiry determined in the sole discretion of the Title IX Coordinator.

ii. *Notice of Allegations and Discussion with Respondent*— Notice of the Formal Complaint with allegations of Prohibited Conduct is deemed to have been properly provided when written notification of the allegations and alleged violations of the Code of Student Conduct, Employee Handbook, or Faculty Handbook is sent to the Complainant's and Respondent's assigned University of Alabama email address, delivered via Certified Mail to the their last known address, or personally delivered to the them. University-issued email is the University's primary means of communication with students and employees. Students and employees are responsible for all communication delivered to their University-issued email address. Students and employees are advised to keep their most current local address, permanent address, and local telephone number (or cell phone number) updated in the myBama records system.

If the Respondent is a student, an effort will be made to set the initial investigative meeting with the student Respondent at least seven (7) calendar days after delivery of the written notification of the alleged violation(s). Pre-scheduled meetings are scheduled around a student's academic schedule. Should a student wish to reschedule an appointment or meet sooner than the designated time, they should make such request in a timely manner. The University will make a reasonable effort to accommodate student scheduling conflicts, but will not permit unreasonable delays in the investigation process. At the initial investigative meeting, the allegations, will be discussed with the Respondent. The investigator(s) and the Respondent will discuss the Respondent's rights as well as available University supportive measures while the investigation is pending. The Respondent will be given the opportunity to respond to the allegations and offer evidence directly related to the allegations and/or potential witnesses. The Respondent will also have the opportunity to raise issues or otherwise suggest specific questions for the investigator(s) to ask of the Complainant or any potential witnesses, provided the questions are directly related to the allegations and appropriate. The investigator(s) reserves the right to alter the wording of any proposed question. The Respondent is not required to make a statement or otherwise provide information relevant to the investigation. A Respondent's failure to make a statement shall not be used an as admission of responsibility during the formal investigative procedure. However, the process will continue and a decision regarding responsibility may be made based on the available statements and evidence.

1. Acceptance of Responsibility by a Student Respondent Prior to Final Outcome: After receiving notice of the allegations but prior to the issuance of a determination, a student Respondent may accept responsibility for the asserted violation of the Policy. By doing so, the student Respondent waives their right to review/appeal the finding of responsibility, if applicable, in any manner. In such instances, the investigator(s), in consultation with the Title IX Coordinator, may obtain any additional information necessary to determine appropriate sanctions/remedies. If a student Respondent accepts responsibility for the alleged conduct prior to a final outcome being issued, the acceptance of responsibility may be considered a mitigating factor with regard to the issuance of sanctions/remedies. Both the Complainant and the Respondent shall be informed concurrently in writing of the Respondent's acceptance of responsibility, sanctions assigned to the Respondent by the University, and whether remedies will be provided by the University to the Complainant, if applicable.

2. No Appeal of Sanctions: Neither party has the right to seek a review/appeal of the determination or the sanctions/remedies assigned to a Respondent who has accepted responsibility prior to a final outcome.

iii. *Other Evidence*—The investigator(s) will make reasonable attempts to contact and interview individuals who are identified as witnesses with information relevant to the allegations of Prohibited Conduct. The investigator(s) may elect to limit witnesses whose sole purpose is to provide character information. The investigator(s) may also elect not to interview witnesses not likely to have information directly related to the allegations as determined in the sole discretion of the investigator(s). The investigator(s) will make reasonable attempts to obtain other directly related evidence available from the parties, witnesses, or other University departments.

1. Complainant's Prior Sexual Behavior: For reports involving sexual assault/rape, evidence of the Complainant's sexual predisposition or prior sexual behavior is not relevant if it is offered to prove that the Complainant engaged in other sexual behavior or to prove the Complainant's sexual predisposition. Evidence of specific instances of sexual behavior by the Complainant may be offered to show:
    - Sexual encounters between the Complainant and the Respondent for purposes of establishing consent; or
    - That a person other than the Respondent was the source of semen, injury, or other physical evidence.

2. Complainant's Prior False Allegations: Evidence that the Complainant made prior bad faith, materially false allegation(s) of Prohibited Conduct may be offered as evidence of Complainant's credibility. For purposes of this Policy, a prior bad faith, materially false allegation is one that has been adjudicated as false by a court of law or other body adjudicating a claim of Prohibited Conduct, including proceedings conducted by the University, as defined by this Policy.

3. Respondent's Prior Prohibited Conduct: Evidence that the Respondent has been adjudicated as responsible for allegation(s) of Prohibited Conduct that is similar in nature may be offered in that it could prove motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, or lack of accident (all indicia of Respondent's credibility). For purposes of this Policy, adjudications include those by a court of law or other body adjudicating a claim of Prohibited Conduct, including proceedings conducted by the University, as defined by this Policy.

iv. *Student-Parties' Review of Evidence*— Once the investigator(s) has made reasonable attempts to obtain all inculpatory evidence (that may support a finding or conclusion that Respondent engaged in Prohibited Conduct) and exculpatory evidence (that may support a finding or conclusion that a Respondent did not engage in Prohibited Conduct), student Complainants and Respondents will be given a reasonable opportunity to review and respond to the evidence obtained during the investigation.[8] The investigator(s) will send each student party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The student parties will have ten (10) calendar days to submit a written response, including suggesting specific questions relevant to the investigation for the investigator(s) to ask of the other party or any potential witnesses, which the investigator(s) will consider prior to submitting the investigation file for completion.

[8] For faculty or staff Respondents whose alleged Prohibited Conduct falls outside of the Title IX Process, there are no rights to review evidence unless otherwise granted in the Faculty or Employee Handbooks.

v. *Respondent Disassociation from the University*— If a Respondent voluntarily withdraws from the University, fails to re-enroll for a subsequent semester, is no longer employed by the University or otherwise is no longer associated with the University after an investigation is initiated but before an Investigative Report is issued or, if properly requested and applicable, before a hearing is fully conducted, the University may dismiss the Formal Complaint. For student Respondents, a hold will be placed on the Respondent's record that prevents them from registering or enrolling at the University in the future. The Respondent may be prohibited from entering campus or attending campus-sponsored events. The Respondent's Conduct Record/personnel file may indicate that they disassociated from the University after a complaint was asserted and pending disciplinary review. Resolution of the case and permission from the Title IX Office will be required before the disassociated Respondent is permitted to return to the University.

vi. *Investigative Report*—Following the investigation and provided the Formal Complaint has not been dismissed, the Title IX Coordinator (or designee), in consultation with relevant campus partners, will prepare an Investigative Report that summarizes the relevant evidence and outlines whether the evidence more likely than not supports a finding of responsibility with proposed/recommended sanctions/remedies or employment actions. For student Respondents, the Investigative Report will contain detailed information about the parties' right to request a formal hearing and/or review/appeal. The Respondent and Complainant, if Complainant is a student or employee, will be notified concurrently in writing of the findings, if applicable.

5. Sexual Misconduct Hearing Procedures/Process

a. Right to Request Formal Hearing under the Sexual Misconduct Process

A party's right to request a formal hearing pursuant to the Sexual Misconduct Hearing Process is dependent upon whether the accused party is subject to the Code of Student Conduct, Employee Handbook, or Faculty Handbook.

- *Student as Respondent* – Both the Complainant and Respondent may request a formal hearing regarding the decision contained in the Title IX Coordinator's Investigative Report.
- *Employee as Respondent* – When a UA employee is the Respondent in a Prohibited Conduct investigation under this Policy and Appendix, procedures described in the Employee Handbook or Faculty Handbook as applicable will be followed.
- *Community Member/Third Party/Campus Visitor as Respondent* – If the Respondent is not an employee or student, there is no right to request a formal hearing.

b. Sexual Misconduct Formal Hearing Procedures involving Student Respondents

i. *Requesting a Formal Hearing*— The Complainant and Respondent both have the right to request a formal hearing before a Conduct Body as outlined herein, but must submit that request in writing on the form available through the Title IX Office's website and delivered to the Conduct Administrator[9] within seven (7) calendar days of the issuance of the Investigative Report. If seven (7) calendar days pass without a party properly requesting a formal hearing, the determinations contained in the Investigative Report will be deemed final and any accompanying sanctions/remedies will take effect seven (7) calendar days after the issuance of the Investigative Report. If a formal hearing is requested, any accompanying sanctions/remedies will be on hold and

[9] The term "Conduct Administrator" is defined in Article II of the Code of Student Conduct, which can be found on the Office of Student Conduct's website.

will not take effect until the decision is final. A formal hearing may be requested in the circumstances described below:

- Respondent's Options: If the Title IX Coordinator determines that a reasonable person could find that the alleged Prohibited Conduct more likely than not occurred, the Investigative Report will also include sanctions/remedies approved by the Conduct Administrator. The Respondent will be given an opportunity to 1) accept responsibility for the allegations and sanctions; (2) accept responsibility for the decision and request a review/appeal of the sanctions; or 3) request a formal hearing. Complainant will be given an opportunity to request a review/appeal of the sanctions.
- Complainant's Options: If the Title IX Coordinator determines that a reasonable person could not find that the alleged Prohibited Conduct more likely than not occurred, the Complainant will be given the opportunity to request a formal hearing. If the Title IX Coordinator determines that a reasonable person could find that the alleged Prohibited Conduct more likely than not occurred, the Complainant may request review/appeal of the sanctions.

ii. *Conduct Body*— For hearings involving allegations of Prohibited Conduct, the Conduct Administrator (or designee) will appoint a Conduct Body composed of three faculty and/or staff members who have received specialized training. All members of the Conduct Body will receive annual training specifically concerning Prohibited Conduct allegations. The Conduct Administrator (or designee) shall make inquiries of prospective panel members to ascertain whether a panel member has any conflict of interest or bias for or against the Complainant or Respondent that would prevent them from rendering an impartial decision, thereby precluding the panel member from serving. The identity of the Conduct Body members shall be provided to both the Respondent and the Complainant prior to the hearing. The Conduct Administrator will appoint one member of the panel to be the Chairperson, who will be responsible for the conduct of the hearing, including certain questioning and maintaining proper decorum.

iii. *Student Hearing Process*— The hearing will be scheduled and will proceed according to guidelines set forth in the Code of Student Conduct with the below modifications to ensure equity for both parties.

- Support Person/Advisor: Subject to the limitations stated in this Policy and the Code of Student Conduct, both the Complainant and the Respondent have the same opportunity to have present during the hearing one support person/advisor[10] of their choice, at their own expense. The support person/advisor, who may be an attorney, may privately consult with and advise the party but may not question witnesses, make statements, or otherwise directly participate in the hearing. The Chairperson of the Conduct Body may remove or dismiss a support person/advisor who becomes disruptive or who does not abide by the limitations on their participation.
- Submission of Evidence Pre-Hearing: All evidence each party wishes to be considered by the Conduct Body should be presented to the investigator(s) during the investigation process. If evidence is not provided to the investigator during the investigation process, then presentation of those materials during the hearing is at the discretion of the chairperson but generally will only be allowed based on new information not known during the investigation process. Further, all materials that the investigator, Complainant, or Respondent want the Conduct Body to consider must be submitted to the Conduct Administrator (or designee) at least ten (10) calendar days prior to the hearing. The Conduct Administrator (or designee) will provide the submitted materials to the Conduct Body and make copies available

[10] For more information, visit the Title IX Office website.

for inspection by the Complainant and Respondent at least seven (7) calendar days prior to the hearing, consistent with FERPA or other regulation governing the disclosure of education records. Any materials submitted and/or discovered fewer than ten (10) calendar days before the hearing may only be considered at the sole discretion of the chairperson of the Conduct Body.

- Written Response to Investigative Report: The Investigative Report issued following the Title IX Office's initial investigation will be included in the materials submitted to the Conduct Body for review prior to the hearing. Complainant and/or Respondent may submit a written response to the Investigative Report. Such written response must be submitted to the Conduct Administrator (or designee) at least ten (10) calendar days prior to the hearing. The Conduct Administrator (or designee) will provide the submitted materials to the Conduct Body and make copies available for inspection by the Complainant and Respondent at least seven (7) calendar days prior to the hearing, consistent with FERPA or other regulation governing the disclosure of education records.
- Request to Review Investigative File: Once the Investigative Report is issued and a hearing has properly been requested, either party may make a written request to review the Title IX investigative file before submitting a written response to the Investigative Report.
- Witnesses: The Complainant and the Respondent have the right to present witnesses, subject to the discretion of the Chairperson. The Conduct Administrator (or designee) will send the Complainant and the Respondent a list of potential hearing witnesses. Each party must provide a list of potential hearing witnesses to the Conduct Administrator (or designee) at least ten (10) calendar days prior to the hearing. The Conduct Administrator (or designee) will provide the witness list(s) to the Conduct Body and all relevant student parties involved in the matter at least seven (7) calendar days prior to the hearing. Any hearing witness presented must have been identified and accessible to the investigator during the investigation process. If a witness is not provided to the investigator during the investigation process, then presentation of that witness during the hearing is at the sole discretion of the Chairperson and generally will only be allowed based on new information not known during the investigation process. Additionally, character witnesses will not be allowed.
- Questioning of Parties: All questioning of parties is conducted through the Conduct Body. A party does not have a right to question or cross examine another party directly. A party may recommend direct questions to be asked of another party by submitting them in writing to the Conduct Administrator (or designee) seven (7) calendar days prior to the hearing; the Conduct Administrator will provide them to the Conduct Body. During the hearing, a party may also suggest questions to the Conduct Body for the other party based on information presented during the hearing. The Chairperson, in their sole discretion, will determine the relevancy of all questions presented, and, if they are deemed relevant, the Chairperson may pose the questions to the other party. The Chairperson has discretion to alter the exact wording of any proposed question. Parties may directly question non-party witnesses or provide proposed questions to the Conduct Body. The Conduct Body may also independently question the parties, witnesses, and/or investigator to elicit relevant information.
- Evidence at Hearing: Subject to the terms of this Policy, pertinent records, exhibits and written statements may be accepted as information for consideration by a Conduct Body at the discretion of the Chairperson. If witnesses or parties are not available or otherwise do not participate in the hearing, the Conduct Body may consider the summary of the individual's investigative interview and/or any available recording of that interview in lieu of

hearing testimony. Should a party elect not to participate in the hearing, that party's absence may have an impact on their likely preferred outcome for the hearing.

- Conduct Body's Decision: Following consideration of all evidence presented, the Conduct Body will issue a decision, based on a majority vote and by a preponderance of evidence, regarding responsibility and, if applicable, recommend sanctions/remedies to be imposed by the Conduct Administrator pursuant to the guidelines in the Code of Student Conduct. The Conduct Body's deliberations, which will be conducted in private, will not be recorded.

6. Reviews/Appeals under Sexual Misconduct Process

a. Review/Appeal of Dismissal of Formal Complaint under Sexual Misconduct Process

Under the Sexual Misconduct Process, neither party can seek a review/appeal of a dismissal of a Formal Complaint.

b. Review/Appeal Following Investigative Report and Formal Hearing under Sexual Misconduct Process

i. Review/Appeal Procedures for Cases involving Student Respondents

Following the issuance of the Title IX Coordinator's Investigative Report, both the Complainant and the Respondent have a right to seek a review/appeal of the imposed sanctions/remedies. Following a hearing, both the Complainant and Respondent have a right to seek a review/appeal of the Conduct Body's decision with regard to a finding of responsibility or non-responsibility and/or the imposed sanctions/remedies. A review/appeal may be requested on any of the following grounds:

- Procedural irregularity that affected the outcome of the matter;
- To determine if the sanction(s) imposed were grossly disproportionate to the violation(s) committed;
- New evidence that was not reasonably available at the time the determination regarding responsibility was made, that could affect the outcome of the matter; or
- The Title IX Coordinator, investigator(s), or member of the Conduct Body had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

If a party is seeking a review/appeal, they must submit that request in writing on the form available through the Title IX Office website within seven (7) calendar days of the issuance of the decision and/or sanction(s). If either party requests a review/appeal, any accompanying sanction(s) will be on hold and will not take effect until the determination is final. If seven (7) calendar days pass without a party timely and properly requesting a review, the decision and/or sanction(s) will be deemed final.

The process and timing for the review/appeal is outlined in the Code of Student Conduct section on "Reviews," except as modified below:

- Review requests by Complainants: In matters involving allegations of Prohibited Conduct, Complainant's request for a Review by the Vice President of Student Life or designee may result in a decision to reduce, uphold, or increase the sanction(s). A decision to modify any sanctions/remedies will be based on an application of the review criteria set forth in the Code of Student Conduct to the case materials provided to the Vice President of Student Life.

ii. Review/Appeal Procedures for Cases involving Employee Respondents

When a UA employee is the Respondent in a Prohibited Conduct investigation, whether a review/appeal exists and applicable procedures, if any, to be followed are described in the Employee Handbook or Faculty Handbook.

iii. Review/Appeal Procedures for Cases involving Community Member/Third Party/Campus Visitor Respondents
If the Respondent is not an employee or student, there is no right to request a review/appeal.

7. Sanctions/Remedies

Following a determination of responsibility pursuant to the applicable investigation or hearing or review/appeal procedures as discussed herein, the University may impose a range of sanctions/remedies as identified below. Sanctions/remedies imposed will be determined on the basis of the facts of each case and a Respondent's prior conduct history. Additional details regarding any disciplinary process and potential sanctions/remedies may be found in the current Code of Student Conduct, Employee Handbook, or Faculty Handbook.

Sanctions/remedies will take effect once the decision is considered final. Sanctions/remedies may include, but are not limited to, any one, or any combination of the ones, listed below.

a. Student as the Respondent

Sanctions/remedies imposed against students are dictated by the Code of Student Conduct. A student found responsible for violation of this Policy is subject to sanctions/remedies up to and including expulsion from the University.[11] Lesser disciplinary sanctions/remedies include warning, probation, loss of privileges, no contact order, campus ban/no trespass warning from UAPD, campus access limitations, residence hall suspension or transfer/expulsion, educational assignment, fines, restitution, community service, University suspension, referral to proper law enforcement authorities for prosecution, or other discretionary sanction(s) as deemed appropriate by the Office of Student Conduct. A current list of potential student sanctions/remedies is outlined in the Code of Student Conduct found on the Office of Student Conduct's website.

b. Faculty as the Respondent

A determination that a violation of this Policy has occurred shall subject a faculty member to appropriate disciplinary action subject to the current Faculty Handbook. Appropriate sanctions/remedies will be based on such factors as severity, frequency, and degree of deviation from expectations in this Policy. Possible sanctions/remedies may include, but are not limited to, a no contact order, mandatory counseling or referral to the Employee Assistance Program, oral or written reprimand or warning; reassignment to other duties (including removal from future teaching or research or ineligibility to apply for or receive research funds); removal from extracurricular activities, committee assignments, or administrative assignments; restriction on travel abroad or domestic travel; loss of travel or research funds; loss of privileges of rank; reassignment of workspace; placement of a faculty member under the direct supervision of a specified administrator with a specific plan for remediation and for a specific period of time; transfer or reassignment; loss of summer teaching employment for those on less than 12-month contracts; restitution; fines or penalties; loss of merit raises; loss of benefits for a stated period of time (e.g., "regular" or "merit" increase in salary); loss of eligibility for promotion for a stated period of time; revocation of tenure and/or dismissal of a tenured faculty member for adequate cause; dismissal of a tenure-track (probationary) faculty member for adequate cause, before the end of the term specified by the Faculty Handbook; dismissal of a renewable contract faculty member before the end of the term specified in a contract or appointment letter between the University and the faculty member; suspension, with or

[11] Expulsion as a sanction/remedy recommendation requires a unanimous decision.

without pay, of a faculty member from service for a stated period; reduction of a faculty member's rank (demotion); reduction of an academic year salary before the end of that academic year; campus ban/no trespass warning from UAPD, prohibition on further employment or volunteer activity at the University, loss of University benefits for retirees and referral to proper law enforcement authorities for prosecution. A current list of potential faculty sanctions/remedies is outlined in the Faculty Handbook.

c. Staff as the Respondent

A determination that a violation of this Policy has occurred shall subject a staff member to appropriate disciplinary action pursuant to the current Employee Handbook found on the Human Resources website. The University has adopted a philosophy of progressive discipline. However, one violation of this Policy could result in termination of employment. Appropriate sanctions/remedies will be based on such factors as severity, frequency, and degree of deviation from expectations in this Policy. Possible sanctions/remedies may include, but are not limited to, no contact order, verbal counseling, written counseling or warning, official reprimand, mandatory counseling, mandatory attendance at the Employee Assistance Program, educational assignment, fines, restitution, paid or unpaid administrative leave, reassignment of responsibilities, ineligibility to receive raise or promotion, suspension of annual merit increase, decrease in salary, suspension, demotion, transfer, termination of employment, campus ban/no trespass warning from UAPD, prohibition on further employment at the University, loss of University benefits for retirees, and referral to proper law enforcement authorities for prosecution. A current list of potential staff sanctions/remedies is outlined in the Employee Handbook.

d. Community Member/Third Party/Campus Visitor as the Respondent

A determination as set forth herein that a violation of this Policy has occurred may subject a community member/third party/campus visitor to appropriate sanctions/remedies, which may include, but are not limited to, no contact order, verbal counseling, written counseling or warning, mandatory counseling, educational assignment, fines, restitution, prohibition on employment or volunteer activities at the University, campus ban/no trespass warning from UAPD, ineligibility for programs open to various groups, notification to the entity with which the community member/third party/campus visitor is associated, and referral to proper law enforcement authorities for prosecution. UA's ability to enforce any such sanctions/remedies may be limited based on, among other things, UA having no direct control over, connection, relationship, or affiliation with the community member/third party/campus visitor.

APPENDIX -3-

APPENDIX -3-

PROHIBITED CONDUCT DEFINED (UA, STATE, & FEDERAL DEFINITIONS)

For purposes of the Sexual Misconduct Policy, conduct that is deemed, by a preponderance of the evidence (which means more likely than not the alleged conduct occurred) to be gender-based and meet the definitions of any of the types of Prohibited Conduct identified in the chart below (whether defined by UA, or by state (AL) or federal (FED) laws, as amended from time to time), constitutes a violation of this Policy. A person whose gender-based conduct violates the federal or state criminal statutes as established by a preponderance of the evidence need not be criminally charged or convicted for their conduct to be deemed a violation of this Policy. Additionally, to the extent that federal or state laws addressing gender-based conduct that could be deemed Prohibited Conduct are added or amended, it will be considered a violation of this Policy if an individual engages in such conduct (as proven by a preponderance of the evidence), even if the definitions below have not been updated to reflect the most recent federal or state language.

INTIMATE PARTNER VIOLENCE	
UA	**Dating and Domestic 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 Complainant. (i) The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, 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** is a felony or misdemeanor crime of violence committed— (A) By a current or former spouse or intimate partner of the Complainant; (B) By a person with whom the Complainant shares a child in common; (C) By a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner; (D) By a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; (E) By any other person against an adult or youth Complainant 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.[1] Examples of such acts include, but are not limited to: (i) Physical contact to the Complainant causing an injury; (ii) Destruction or damage to the Complainant's property; (iii) Physical contact done for the purpose of harassing or alarming the Complainant.
	Harassing Communications Intimate Partner Violence (Harassing Communications) is excessive communications, including any attempt to unreasonably, intentionally, and repeatedly make contact with the Complainant over their stated objections, committed by a person who has been in a romantic or intimate relationship with the Complainant. Communication must be considered severe and/or pervasive from both a subjective and an objective standpoint. For purposes of this definition, the existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
FED	**Dating Violence:** Same as UA definition above. See 34 C.F.R. § 668.46(a)

[1] Paragraph E only applies to Title IX Prohibited Conduct.

	Domestic Violence: Same as UA definition above. See 34 C.F.R. § 668.46(a)
AL	**First Degree Domestic Violence**- ALA. CODE § 13A-6-130(a) (1) A person commits the crime of domestic violence in the first degree if the person commits the crime of assault in the first degree pursuant to Section 13A-6-20 or aggravated stalking pursuant to Section 13A-6-91; or burglary in the first degree pursuant to Section 13A-7-5 and the Complainant is a current or former spouse, parent, step-parent, child, step-child, any person with whom the defendant has a child in common, a present household member, or a person who has or had a dating relationship with the defendant. (2) For the purposes of this section, a household member excludes non-romantic or non-intimate co-residents, and a dating relationship means a current or former relationship of a romantic or intimate nature characterized by the expectation of affectionate or sexual involvement by either party.
	Second Degree Domestic Violence - ALA. CODE § 13A-6-131(a) (1) A person commits the crime of domestic violence in the second degree if the person commits the crime of assault in the second degree pursuant to Section 13A-6-21; the crime of intimidating a witness pursuant to Section 13A-10-123; the crime of stalking pursuant to Section 13A-6-90; the crime of burglary in the second or third degree pursuant to Sections 13A-7-6 and 13A-7-7; or the crime of criminal mischief in the first degree pursuant to Section 13A-7-21 and the victim is a current or former spouse, parent, step-parent, child, step-child, any person with whom the defendant has a child in common, a present household member, or a person who has or had a dating relationship with the defendant. (2) For the purpose of this section, a household member excludes non-romantic or non-intimate co-residents, and a dating relationship means a current or former relationship of a romantic or intimate nature characterized by the expectation of affectionate or sexual involvement by either party.
	Third Degree Domestic Violence - ALA. CODE § 13A-6-132(a) (1) A person commits domestic violence in the third degree if the person commits the crime of assault in the third degree pursuant to Section 13A-6-22; the crime of menacing pursuant to Section 13A-6-23; the crime of reckless endangerment pursuant to Section 13A-6-24; the crime of criminal coercion pursuant to Section 13A-6-25; the crime of harassment pursuant to subsection (a) of Section 13A-11-8; the crime of criminal surveillance pursuant to Section 13A-11-32; the crime of harassing communications pursuant to subsection (b) of Section 13A-11-8; the crime of criminal trespass in the third degree pursuant to Section 13A-7-4; the crime of criminal mischief in the second or third degree pursuant to Sections 13A-7-22 and 13A-7-23; or the crime of arson in the third degree pursuant to Section 13A-7-43; and the victim is a current or former spouse, parent, step-parent, child, step-child, any person with whom the defendant has a child in common, a present household member, or a person who has or had a dating relationship with the defendant. (2) For the purpose of this section, a household member excludes non-romantic or non-intimate co-residents, and a dating relationship means a current or former relationship of a romantic or intimate naturecharacterized by the expectation of affectionate or sexual involvement by either party.

	STALKING
UA	Stalking is 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. The term "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. Examples of such acts include, but are not limited to: • Following an individual without a reasonable justification for being in a particular area or takinga particular route; • Lying in wait; • Any other act done for the purpose of trying to find an individual or learn informationabout that individual's location and/or activities over the individual's stated objections. Stalking, as it is defined in this Policy, includes "cyber-stalking," a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, phones, texts, or other similar devices or forms of contact. "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.
FED	**Stalking:** Same as UA definition. See 34 C.F.R. § 668.46(a)
AL	**First Degree Stalking**- ALA. CODE § 13A-6-90(a) A person who intentionally and repeatedly follows or harasses another person and who makes a threat, either expressed or implied, with the intent to place that person in reasonable fear of death or serious bodily harm is guilty of the crime of stalking in the first degree.
	Second Degree Stalking - ALA. CODE § 13A-6-90.1(a) A person who, acting with an improper purpose, intentionally and repeatedly follows, harasses, telephones, or initiates communication, verbally, electronically, or otherwise, with another person, any member of the other person's immediate family, or any third party with whom the other person is acquainted, and causes material harm to the mental or emotional health of the other person, or causes such person to reasonably fear that his or her employment, business, or career is threatened, and the perpetrator was previously informed to cease that conduct is guilty of the crime of stalking in the second degree.
	CONSENT
UA	The term "consent" used when describing different types of prohibited acts of sexual misconduct under UA's Title IX and Sexual Misconduct Policy (such as sexual assault/rape) means a clear willingness to participate in the sexual act (e.g., clear communication through words or actions). While consent may be expressed by words or by actions, it is highly recommended that consent be expressed and obtained verbally. Non-verbal consent expressed through actions may lead to confusion and potential for misunderstandings. It is the responsibility of the initiator of any sexual activity to obtain their partner's consent. Consent to a sexual act is not freely given if the individual is not able to give consent, or if consent is obtained by force, deception, or coercion. A lack of resistance, verbal or physical, does not grant consent. Previous consent does not grant consent to future sexual acts. Consent can be withdrawn at any time during a sexual act. Inability to give consent includes situations where an individual is: a. Incapacitated due to alcohol, drugs, or other substances including, but not limited to, prescription medication. i. *Determining consent when alcohol or other drugs are involved*: In incidents involving alcohol, drugs,or other substances, the totality of the circumstances are analyzed to determine whether the use of alcohol, drugs, or other substances caused an inability to give consent. Whether a

	Respondent knew or reasonably should have known of the Complainant's ability to give consent will be considered. An individual's use of alcohol, drugs, or other substances does not diminish that individual's responsibility to obtain consent if that individual is the one who initiates sexual activity. Incapacitation is a state beyond drunkenness or intoxication. Incapacitation is a state where an individual cannot make a rational, reasonable decision because they lack the capacity to give consent. Some factors considered to determine whether an individual is incapacitated due to alcohol, drugs, or other substances and therefore not able to give consent include, but are not limited to: whether the individual became sick due to intoxication, the individual's ability to communicate and/or slurred speech, the individual's coordination (ex. ability to walk, dress/undress, perform simple tasks), and any other action that would be indicative of a decreased level of cognitive functioning. The existence of any one of these factors may support a finding of incapacitation, and thus the inability to consent to sexual activity. The mere presence of alcohol, drugs, or other substances does not equate to an inability to give consent. Stated differently, it is possible for an individual to have alcohol, drugs, or other substances in their system and not be incapacitated. b. Unconscious, asleep, or in a state of shock. c. Under the age of consent as defined by the jurisdiction in which the act occurred, which, in Alabama, is less than 16 years of age. d. Mentally or physically impaired and not reasonably able to give consent. "Coercion" for purposes of this Policy is the use of expressed or implied threats or intimidation for the purpose of obtaining sexual favors, which would place a reasonable person in fear of immediate harm. Threatening or intimidating behavior may include emotional abuse, threats to reputation, public humiliation, threats to others and possessions (including pets), or financial harm, among others. "Force" for purposes of this Policy is the use of physical violence or intimidation to overcome another person's free will.
FED	Federal regulations do not provide a definition of consent.
AL	**Lack of Consent** - ALA. CODE § 13A-6-70 (a) Unless otherwise stated, an element of every offense defined in this article is that the sexual act was committed without consent of the victim. (b) Lack of consent results from either of the following: (1) Forcible compulsion; Being incapable of consent. (c) A person is deemed incapable of consent if he or she is either: (1) Less than 16 years old; (2) Incapacitated. (d) Consent to engage in sexual intercourse, sodomy, sexual acts, or sexual contact may be communicated by words or actions. The existence of a current or previous marital, dating, social, or sexual relationship with the defendant is not sufficient to constitute consent. Evidence that the victim suggested, requested, or otherwise communicated to the defendant that the defendant use a condom or other birth control device or sexually transmitted disease protection, without additional evidence of consent, is not sufficient to constitute consent.
SEXUAL ASSAULT & OTHER SEXUAL OFFENSES	
UA	**Sexual Assault/Rape (Nonconsensual Sexual Penetration)** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant. Attempts or assaults to commit sexual assault/rape are also included; however, statutory rape and incest are excluded. **Sexual Assault/Fondling (Nonconsensual Sexual Contact)** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity. For purposes of this definition, "private body parts" include an individual's genitalia, breasts, or buttocks. **Incest** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

	Statutory Rape is sexual intercourse with a person who is under the statutory age of consent. The age of consent is determined by the applicable age of consent for the jurisdiction where the alleged sexual intercourse occurred. In Alabama, the age of consent is 16 years old.
FED	*Sexual assault.* An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program and included in Appendix A of this subpart. *Rape:* Same as UA definition. See 34 C.F.R. § 668.46 Appendix A. *Sex Offenses* Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. A. *Fondling* – Same as UA definition. See 34 C.F.R. § 668.46 Appendix A. B. *Incest* - Same as UA definition. See 34 C.F.R. § 668.46 Appendix A. C. *Statutory Rape* - Same as UA definition. See 34 C.F.R. § 668.46 Appendix A.
	The term "sexual assault" means an offense classified as a forcible or nonforcible sex offense under the Uniform Crime Reporting system of the Federal Bureau of Investigation. 20 U.S.C. § 1092(f)(6)(A)(v). *Sex Offenses, Forcible*—Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent. *Forcible Rape—(Except Statutory Rape)* The carnal knowledge of a person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity. *Forcible Sodomy*—Oral or anal sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity. *Sexual Assault With An Object*—To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity. *Forcible Fondling*—The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity. *Sex Offenses, Nonforcible*—(Except Prostitution Offenses) Unlawful, nonforcible sexual intercourse. *Incest*—Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. *Statutory Rape*—Nonforcible sexual intercourse with a person who is under the statutory age of consent. See National Incident-Based Reporting System.
AL	Alabama law includes the following, among others, in its sexual offenses category: rape, sodomy, sexual misconduct, sexual torture, sexual abuse, indecent exposure, enticing a child to enter vehicle, house, etc. for immoral purposes, sexual abuse of a child less than 12 years old. The following are definitions that apply to the Alabama sexual offense statutes (some of which are set forth below): ALA. CODE § 13A-6-60

	(1) FORCIBLE COMPULSION. Use or threatened use, whether express or implied, of physical force, violence, confinement, restraint, physical injury, or death to the threatened person or to another person. Factors to be considered in determining an implied threat include, but are not limited to, the respective ages and sizes of the victim and the accused; the respective mental and physical conditions of the victim and the accused; the atmosphere and physical setting in which the incident was alleged to have taken place; the extent to which the accused may have been in a position of authority, domination, or custodial control over the victim; or whether the victim was under duress. Forcible compulsion does not require proof of resistance by the victim. (2) INCAPACITATED. The term includes any of the following: a. A person who suffers from a mental or developmental disease or disability which renders the person incapable of appraising the nature of his or her conduct. b. A person is temporarily incapable of appraising or controlling his or her conduct due to the influence of a narcotic, anesthetic, or intoxicating substance and the condition was known or should have been reasonably known to the offender. c. A person who is unable to give consent or who is unable to communicate an unwillingness to an act because the person is unconscious, asleep, or is otherwise physically limited or unable to communicate. (3) SEXUAL CONTACT. Any touching of the sexual or other intimate parts of a person done for the purpose of gratifying the sexual desire of either party. The term does not require skin to skin contact. (4) SEXUAL INTERCOURSE. Such term has its ordinary meaning and occurs upon any penetration, however slight; emission is not required. (5) SODOMY. Any sexual act involving the genitals of one person and the mouth or anus of another person.
	First Degree Rape – ALA. CODE § 13A-6-61 (a) A person commits the crime of rape in the first degree if he or she does any of the following: (1) Engages in sexual intercourse with another person by forcible compulsion; (2) Engages in sexual intercourse with another person who is incapable of consent by reason of being incapacitated; (3) Being 16 years old or older, engages in sexual intercourse with another person who is less than 12 years old.
	Second Degree Rape– ALA. CODE § 13A-6-62 (a) A person commits the crime of rape in the second degree if, being 16 years old or older, he or she engages in sexual intercourse with another person who is 12 years old or older, but less than 16 years old; provided, however, the actor is at least two years older than the other person.
	First Degree Sexual Abuse – ALA. CODE § 13A-6-66 (a) A person commits the crime of sexual abuse in the first degree if he or she does either of the following: (1) Subjects another person to sexual contact by forcible compulsion; (2) Subjects another person to sexual contact who is incapable of consent by reason of being incapacitated.
	Second Degree Sexual Abuse - ALA. CODE § 13A-6-67 (a) A person commits the crime of sexual abuse in the second degree if he or she does either of the following: (1) Subjects another person to sexual contact who is *incapable of consent* by reason of some factor other than being less than 16 years old; (2) Being 19 years old or older, subjects another person to sexual contact who is less than 16 years old, but more than 12 years old.
	Sexual Torture – ALA. CODE § 13A-6-65.1 (a) A person commits the crime of sexual torture if he or she does either of the following: (1) Penetrates the vagina, anus, or mouth of another person with an inanimate object, by forcible compulsion, with the intent to sexually torture, sexually abuse, or to gratify the sexual desire of either party. (2) Penetrates the vagina, anus, or mouth of a person who is incapable of consent by reason of being incapacitated, with an inanimate object, with the intent to sexually torture, sexually abuse, or to gratify the sexual desire to either party. (3) Penetrates the vagina, anus, or mouth of a person who is less than 12 years old, with an inanimate object, by a person who is 16 years old or older with the intent to sexually torture, sexually abuse, or to gratify the sexual desire of either party. (4) By inflicting physical injury, including, but not limited to, burning, crushing, wounding, mutilating, or assaulting the sex organs or intimate parts of another person, with the intent to sexually torture, sexually abuse, or to gratify the sexual desire of either party.
	Indecent Exposure - ALA. CODE § 13A-6-68

	(a) A person commits the crime of indecent exposure if, with intent to arouse or gratify sexual desire of himself or herself, or of any person other than his or her spouse, he or she exposes his or her genitals under circumstances in which he or she knows his conduct is likely to cause affront or alarm.
	Enticing Child to Enter Vehicle, House, Etc. for Immoral Purposes – ALA. CODE § 13A-6-69 (a) It shall be unlawful for any person with lascivious intent to entice, allure, persuade, or invite, or attempt to entice, allure, persuade, or invite, any child under 16 years of age to enter any vehicle, room, house, office, or other place for the purpose of proposing to such child the performance of an act of sexual intercourse or an act which constitutes the offense of sodomy or for the purpose of proposing the fondling or feeling of the sexual or genital parts of such child or the breast of such child, or for the purpose of committing an aggravated assault on such child, or for the purpose of proposing that such child fondle or feel the sexual or genital parts of such person.
	Sexual Abuse of a Child Less than 12 Years Old – ALA. CODE § 13A-6-69.1 (a) A person commits the crime of sexual abuse of a child less than 12 years old if he or she, being 16 years old or older, subjects another person who is less than 12 years old to sexual contact.
	School Employee Having Sexual Contact with a Student Under the Age of 19 Years - ALA. CODE § 13A-6-82 (a) A person commits the crime of a school employee having sexual contact with a student under the age of 19 years if he or she is a school employee and engages in sexual contact, as defined by Section 13A-6-60, with a student, regardless of whether the student is male or female. Consent is not a defense to a charge under this section. (b) A person commits the crime of a school employee soliciting a sex act with a student under the age of 19 years if he or she is a school employee and solicits, persuades, encourages, harasses, or entices a student to engage in a sex act including, but not limited to, sexual intercourse, sodomy, or sexual contact, as defined by Section 13A-6-60.
	Incest – ALA. CODE § 13A-13-3 (a) A person commits incest if he marries or engages in sexual intercourse with a person he knows to be, either legitimately or illegitimately: (1) His ancestor or descendant by blood or adoption; or (2) His brother or sister of the whole or half-blood or by adoption; or (3) His stepchild or stepparent, while the marriage creating the relationship exists; or (4) His aunt, uncle, nephew or niece of the whole or half-blood. (b) A person shall not be convicted of incest or of an attempt to commit incest upon the uncorroborated testimony of the person with whom the offense is alleged to have been committed.
	SEXUAL EXPLOITATION
UA	Sexual exploitation is taking or attempting to take non-consensual or abusive sexual advantage of another for one's own advantage or benefit or to benefit a person other than the one being exploited. Examples of sexual exploitation include, but are not limited to: • Causing or attempting to cause the incapacitation of another individual for sexual purposes; • Electronically recording, videoing, photographing, or transmitting sexual sounds or images of another individual against that person's will or without their consent; • Allowing a third-party to observe sexual acts without all parties' consent; • Prostituting another individual; • Exposing one's genitals without consent for the purpose of sexual gratification; • Intentionally exposing another's genitals or intimate body parts without their consent; • Engaging in voyeurism (e.g., watching private sexual activity without the consent of the participants or viewing another person's intimate parts (including genitalia, breasts, or buttocks) in a place where that person would have a reasonable expectation of privacy); • Possessing and/or disseminating child pornography; or • Knowingly exposing another individual to a sexually transmitted disease/infection or HIV without their consent.
FED	n/a
AL	**Distributing a Private Image with Intent to Harass, Threaten, Coerce, or Intimidate the Person Depicted** – ALA. CODE § 13A-6-240 (a) A person commits the crime of distributing a private image if he or she knowingly posts, emails, texts, transmits, or otherwise distributes a private image with the intent to harass, threaten, coerce, or intimidate the

	person depicted when the depicted person has not consented to the transmission and the depicted person had a reasonable expectation of privacy against transmission of the private image.
	Sexual Extortion – ALA. CODE § 13A-6-241 (a) A person commits the crime of sexual extortion if he or she knowingly causes or attempts to cause another person to engage in sexual intercourse, sodomy, sexual contact, or in a sexual act or to produce any photograph, digital image, video, film, or other recording of any person, whether recognizable or not, engaged in any act of sadomasochistic abuse, sexual intercourse, sodomy, sexual excitement, masturbation, breast nudity, genital nudity, or other sexual conduct by communicating any threat to injure the body, property, or reputation of any person.
	Possession and Possession with Intent to Disseminate Obscene Matter Containing Visual Reproduction of Persons Under 17 Years of Age Involved in Obscene Acts – ALA. CODE § 13A-12-192 (a) Any person who knowingly possesses with intent to disseminate any obscene matter that contains a visual depiction of a person under the age of 17 years engaged in any act of sado-masochistic abuse, sexual intercourse, sexual excitement, masturbation, breast nudity, genital nudity, or other sexual conduct shall be guilty of a Class B felony. Any transfer of the visual depiction from any electronic device to any other device, program, application, or any other place with storage capability which can be made available or is accessibleby other users, is prima facie evidence of possession with intent to disseminate. (b) Any person who knowingly possesses any obscene matter that contains a visual depiction of a person under the age of 17 years engaged in any act of sado-masochistic abuse, sexual intercourse, sexualexcitement, masturbation, breast nudity, genital nudity, or other sexual conduct shall be guilty of a Class C felony.
SEXUAL HARASSMENT OR GENDER-BASED HARASSMENT[2]	
UA	**Title IX Sexual or Gender-based Harassment** **Sexual Harassment** includes conduct on the basis of sex, which may include unwelcome sexual advances, requests for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, or otherwise, when the conditions outlined in (1) and/or (2), below, are present. **Gender-based Harassment** includes unwelcome harassment directed at an individual and based on gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions outlined in (1) and/or (2), below, are present. (1) An employee conditioning the provision of an aid, benefit, or service of the University onan individual's participation in unwelcome sexual conduct (often referred to as "quid pro quo" harassment); or (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity (often referred to as "hostile environment" harassment). In evaluating conduct, the University will consider the totality of known circumstances, including, but not limited to: • The frequency, nature and severity of the conduct; • Whether the conduct was physically threatening; • Whether the incident involved severe humiliation rather than was merely offensive; • The effect of the conduct on the Complainant's mental or emotional state; • Whether the conduct was directed at more than one person; • Whether the Complainant was offended by the conduct; • Whether the conduct arose in the context of other discriminatory conduct; • Whether the conduct unreasonably interfered with the Complainant's educational orwork performance and/or University programs or activities; and • Whether the conduct implicates concerns related to academic freedom or protected speech.
	Non-Title IX Sexual or Gender-based Harassment

[2] Reports of Title VII Sexual and Gender-Based Harassment will be addressed under UA's Equal Opportunity and Discriminatory Harassment Policy.

	Harassment is (1) unwelcome abusive or hostile behavior, (2) that is discriminatory on the basis of sex, sexual orientation, gender identity, gender expression, (3) targeted at a particular individual, and (4) the conditions in either (1) or (2) below are present: (1) An employee or a student[3] conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct (often referred to as "quid pro quo" harassment);or (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and/or objectively offensive that it effectively denies a person equal access to the University's education program or activity (often referred to as "hostile environment" harassment). In evaluating conduct, the University will consider the totality of known circumstances, including, but not limited to: • The frequency, nature and severity of the conduct; • Whether the conduct was physically threatening; • Whether the incident involved severe humiliation rather than was merely offensive; • The effect of the conduct on the Complainant's mental or emotional state; • Whether the conduct was directed at more than one person; • Whether the Complainant was offended by the conduct; • Whether the conduct arose in the context of other discriminatory conduct; • Whether the conduct unreasonably interfered with the Complainant's educational orwork performance and/or University programs or activities; and • Whether the conduct implicates concerns related to academic freedom or protected speech.
FED	Sexual harassment under Title IX means conduct on the basis of sex that satisfies one or more of the following: (1) An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct; (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or (3) "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30). 34 C.F.R. § 106.30(a).
AL	n/a
SEXUAL OR GENDER-BASED DISCRIMINATION	
UA	In addition to the Prohibited Conduct outlined herein, unlawful discrimination on the basis of sex, sexual orientation, gender identity, gender expression, and pregnancy is prohibited by this Policy.
FED	**Title VII** makes it "unlawful ... for an employer to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual ... because of such individual's …, sex,." 42 U.S.C. § 2000e–2(a)(1). This includes protection for an employee's pregnancy, childbirth, and related medical conditions (42 U.S.C. § 2000e(k)) and an employee's gender identity, gender expression, transgender, and sexual orientation (*Bostock v. Clayton Cty., Georgia*, 140 S. Ct. 1731 (2020)). **Title IX** provides that "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." 20 U.S.C. § 1681(a)
AL	n/a

[3] If a student is accused under section (1) of this definition, this would include those situations where the student has a power differential over another student. Allegations of quid pro quo harassment against a student will be addressed as Sexual Misconduct Prohibited Conduct. Allegations of quid pro quo harassment against an employee, which also meet the jurisdictional requirements, will be addressed as Title IX Prohibited Conduct.

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COMPLAINANT SUPPORTIVE MEASURES

Below are examples of supportive measures[1] that may typically be available to a Complainant following notice of a complaint of Prohibited Conduct.

Accommodation or supportive measure	Contact organization(s) and/or person(s)	Additional Information
Safety planning (including no trespass orders & no contact orders)	UAPD[2] ***NOT CONFIDENTIAL*[3]**	Provides assistance with no-trespass orders, which restrict an individual's access to University facilities and property.
	Women and Gender Resource Center (WGRC) Victim Advocate[4] ***CONFIDENTIAL***	Offers emotional and physical safety planning.
	Title IX Coordinator[5] ***NOT CONFIDENTIAL***	Provides assistance obtaining administrative mutual no-contact orders, upon request and if reasonably available, to Complainants and Respondents.
	Domestic Violence Law Clinic[6] ***CONFIDENTIAL***	See "Legal and Judicial options" below.
Safe housing/ relocation	UAPD ***NOT CONFIDENTIAL***	Provides assistance with location of safe housing.
	WGRC Victim Advocate ***CONFIDENTIAL***	Upon Complainant's request for assistance, WGRC works with Housing and Residential Communities to assist in changing the Complainant's living situation (or dining locations) if reasonable arrangements can be made.
	Turning Point[7] ***CONFIDENTIAL***	An off-campus domestic violence and sexual assault/rape service agency serving West Alabama that provides free and confidential safe housing for victims of domestic violence and sexual assault/rape.
	Title IX Coordinator ***NOT CONFIDENTIAL***	Upon request and if reasonably available, provides Complainants and Respondents housing support (see above).
Filing a criminal report	UAPD ***NOT CONFIDENTIAL***	See Section N and **Appendix 6** of this Policy.
Legal and judicial options (Protective orders, restraining orders, no contact orders, protection from abuse orders, etc.)	WGRC Victim Advocate ***CONFIDENTIAL***	Provides free assistance with exploring legal and judicial options. Refers to Domestic Violence Law Clinic if applicable. Assists with crime victims' compensation and provides information and referral.
	Title IX Coordinator ***NOT CONFIDENTIAL***	Upon request and if reasonably available, provides Complainants and Respondents referrals to the Domestic Violence Law Clinic (if applicable).
	Turning Point ***CONFIDENTIAL***	An off-campus domestic violence and sexual assault/rape service agency serving West Alabama that provides legal advocacy.

[1] Contact information for each available resource is set forth in the footnotes of the table.

[2] **UAPD—(205) 348-5454** Address: 1110 Jackson Avenue, Tuscaloosa, AL 35487-0810.

[3] As a reminder, contacts that are identified as ***CONFIDENTIAL*** will not share your information with anyone except to effectuate the supportive measure that contact is providing. Those contacts marked as ***NOT CONFIDENTIAL*** are offices required to respect and protect the privacy of students and others to the greatest extent possible. They will disclose information to others only on a need to know basis.

[4] **WGRC Victim Advocate—(205) 348-5040** *After business hours, a WGRC Victim Advocate may be reached by contacting UAPD at (205) 348-5454. Address: South Lawn Office Building, Suite 2000, 1101 Jackson Avenue, Tuscaloosa, AL 35487.

[5] **Title IX Coordinator—(205) 348-5496** Address: 2418 Capital Hall, Box 870259, Tuscaloosa, AL 35487.

[6] **Domestic Violence Law Clinic—(205) 348-7921** Address: The University of Alabama School of Law, 101 Paul Bryant Dr., Tuscaloosa, AL 35401.

[7] **Turning Point—(205) 758-0808** Address: 2110 McFarland Blvd, Tuscaloosa, AL 35404.

	Domestic Violence Law Clinic ***CONFIDENTIAL***	Provides free and comprehensive legal assistance on civil matters to victims of dating and domestic violence in Tuscaloosa County, AL. Taking a holistic approach to a Complainant's civil legal needs, clinic students assess and help the Complainant escape further domestic violence, and, if appropriate, represent the Complainant in obtaining a protection from abuse order. Clinic students also provide legal assistance in matters relating to divorce and alimony, child custody and support, employment and debt issues, housing, property recovery, and public benefits.
Academic advocacy or accommodations	WGRC Victim Advocate ***CONFIDENTIAL***	If requested by the Complainant and if reasonably available, provides academic advocacy, which may include changing academic schedules, assisting with missed classes and rescheduling exams, etc. Other academic accommodations (see below) may be handled with assistance from the Title IX Coordinator.
	Title IX Coordinator ***NOT CONFIDENTIAL***	Upon request and if reasonably available, provides Complainants and Respondents with academic intervention assistance (transferring to another class, rescheduling an exam, accessing academic support such as tutoring, arranging for incompletes or withdrawal, and preserving eligibility for academic, athletic, or other scholarships, financial aid, internships, study abroad, or foreign student visas and immigration status). Also assists students who have a disability (including those who may have developed a disability as a result of experiencing Prohibited Conduct) contact the Office for Disability Services for registering for longer term reasonable accommodations.
	Office of Disability Services[8] ***NOT CONFIDENTIAL***	If requested and if reasonably available, provides reasonable accommodations for students who self-identify as needing reasonable accommodations as it relates to a disability.
Employment support	Title IX Coordinator ***NOT CONFIDENTIAL***	Upon request and if reasonably available, provides Complainants and Respondents employment support.
Transportation assistance	Title IX Coordinator ***NOT CONFIDENTIAL***	Upon request and if reasonably available, provides Complainants and Respondents on-campus parking options or other transportation accommodations to ensure safety and access to other services.
Victim advocacy and case management	WGRC Victim Advocate ***CONFIDENTIAL***	Provides free and ***confidential*** victim advocacy and case management services to Complainants (including Complainants subjected to sexual harassment, sexual assault/rape, dating/domestic violence, and stalking). Services are available to students, faculty, and staff as well as friends and family members of the victim regardless of gender, gender identity or gender expression. A Victim Advocate is on-call 24 hours a day, seven days a week to provide assistance in crisis situations.

UA ON- AND OFF-CAMPUS COUNSELING AND MEDICAL SUPPORT SERVICES		
It is very important for individuals subjected to sexual assault/rape to obtain immediate medical care. Whether or not the sexual assault/rape is reported, medical care will provide for the individual's well-being and assist in the documentation, collection, and proper preservation of physical evidence.		
Emergency care	DCH Regional Medical Center (DCH)[9] (Off-Campus) ***CONFIDENTIAL***	Provides emergency care to victims of sexual assault/rape and intimate partner violence. The emergency professionals at DCH Medical Center assist in collecting physical evidence and reducing trauma to victims.
Forensic examinations	Tuscaloosa SAFE Center (Off-Campus)[10] ***CONFIDENTIAL***	Forensic examinations are available free of charge to sexual assault/rape victims by SANE nurses. Also provides medical care for victims, including assessment, treatment, and follow-up.

[8] **Office of Disability Services—(205) 348-4285** Address: 1000 Houser Hall, Box 870185, Tuscaloosa, AL 35487-0185.

[9] **DCH—(205) 759-7111** Address: 809 University Blvd E, Tuscaloosa, AL 35401.

[10] **Tuscaloosa SAFE Center—(205) 860-SAFE (7233)** Address: 1601 University Blvd. E. Ste. 150, Tuscaloosa, AL 35404.

Medical services	Student Health Center[11] ***CONFIDENTIAL***	Provides medical services for students only including, a Walk-In Clinic, Women's Health Services, Laboratory and X-Ray, and Psychiatry.
Counseling and professional and personal support	WGRC Victim Advocate & Staff Therapists ***CONFIDENTIAL***	Offers individual and support group counseling provided by a licensed therapist or master's level supervised counseling interns to Complainants subjected to intimate partner violence (including dating/domestic violence, stalking and childhood physical violence) and for Complainants dealing with sexual assault/rape (including attempted rape, rape, childhood sexual assault, and sexual harassment). These free and confidential services are available to students, faculty, and staff, friends and family members of the Complainant, and for Complainants whose assault occurred on campus even if the Complainant is not associated with the University. Victim advocates are available to provide support and serve as the Complainant's support person during the student Title IX/Sexual Misconduct and Code of Student Conduct processes.
	Counseling Center[12] ***CONFIDENTIAL***	Provides counseling and psychological services to University students.
	University Medical Center (UMC) Psychiatry and Behavioral Health Clinic[13] ***CONFIDENTIAL***	Provides confidential counseling services for any member of the public.
	Title IX Coordinator ***NOT CONFIDENTIAL***	Can provide referrals to health and mental health counseling services.
	Turning Point (Off Campus) ***CONFIDENTIAL***	A domestic violence and sexual assault/rape service agency serving West Alabama. Turning Point provides emergency shelter, 24-hour crisis line, individual counseling, support groups, and skills groups.
	On-Call Dean[14] ***NOT CONFIDENTIAL***	Provides students and their families with support and assistance in times of trauma and distress. The On-Call Dean initiates professional and personal support for students in crises by working with other University offices such as UAPD, Strategic Communications, and the various colleges within UA. The On-Call Dean interacts with community agencies such as local hospitals and the Tuscaloosa Police Department. In the case of interpersonal violence (sexual assault/rape, dating/domestic violence, or stalking), the WGRC Victim Advocate becomes the On-Call Dean rep.
	Capstone Family Therapy Clinic[15] ***CONFIDENTIAL***	Works with individuals, couples, and families in clarifying issues, exploring options, and finding solutions to problems with regard to many issues including marriage, relationship, or family problems.
	UA Employee Assistance Program (EAP)[16] *** CONFIDENTIAL***	An employee assistance and counseling program designed toprovide University employees and their family members with resources for resolving work-related and personal problems. The program provides a free and confidential assessment, no cost short-term counseling, and referral services.
Hospital accompaniment	WGRC Victim Advocate ***CONFIDENTIAL***	The Victim Advocate may accompany the Complainant to the hospital and provide guidance/assistance.

[11] **Student Health Center—(205) 348-6262** Address: 750 5th Ave. E, Tuscaloosa, AL 35401.

[12] **Counseling Center—(205) 348-3863** Address: 1101 Jackson Ave., Tuscaloosa, AL35487.

[13] **UMC Psychiatry and Behavioral Health (The Betty Shirley Clinic)—(205) 348-1265** Address: 850 5th Ave. E, Tuscaloosa, AL 35401.

[14] **On-Call Dean—(205) 348-2461** *In case of emergency, evenings after 5:00 p.m., weekends and holidays, UAPD should be contacted at (205) 348-5454. Address: Office of the Dean of Students, Student Care & Well Being, Ferguson Center Room 230.

[15] **Capstone Family Therapy Clinic—(205) 348-8154** Address: 214 Child Development Research Center, 5th Ave. E, 2nd Floor, Tuscaloosa AL 35487.

[16] **EAP—(800) 925-5327** *For more information, visit the Human Resources website.

Transportation to the Student Health Center, DCH, the WGRC, or The Counseling Center	UAPD ***NOT CONFIDENTIAL***	UAPD will provide transportation upon request.
UA-GADSDEN CENTER OFF-CAMPUS COUNSELING AND MEDICAL SUPPORT SERVICES		
Emergency care	Riverview Regional Medical Center[17] ***CONFIDENTIAL***	Provides emergency care to Complainants of sexual assault/rape and intimate partner violence in the Gadsden area.
Counseling and mental health services	Etowah County District Attorney's Office Victim Service Officer[18] ***CONFIDENTIAL***	Assists in referrals for UA Gadsden Center students and employees seeking off-campus counseling and mental health services in the Gadsden area.

[17] **Riverview Regional Medical Center—(256) 543-5200** Address: 600 South 3rd St., Gadsden, AL 35901.

[18] **Etowah County District Attorney's Office Victim Service Officer—(256) 549-5362** Address: 801 Forrest Ave., Gadsden, AL 35901.

APPENDIX -5-

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RESPONDENT SUPPORTIVE MEASURES

Below are examples of supportive measures[1] that may be available to a Respondent following notice of a complaint of Prohibited Conduct.

Accommodation or supportive measure	Contact organization(s) and/or person(s)	Additional Information
Safety planning (including no contact orders)	Title IX Coordinator[2] ***NOT CONFIDENTIAL***	Provides assistance obtaining administrative mutual no-contact orders, upon request and if reasonably available, to Complainants and Respondents.
Safe housing/ relocation[3]	UAPD ***NOT CONFIDENTIAL***	Provides assistance with location of safe housing.
	Counseling Center[4] ***CONFIDENTIAL***	Upon Respondent's request for assistance, University Counseling Center works with Housing and Residential Communities to assist in changing the Respondent's living situation (or dining locations) if reasonable arrangements can be made.
	Title IX Coordinator ***NOT CONFIDENTIAL***	Upon request and if reasonably available, provides Complainants and Respondents housing support (see above).
Filing a criminal report[5]	UAPD ***NOT CONFIDENTIAL***	See Section N and **Appendix 6** of this Policy.
Legal and judicial options	Alabama State Bar Association[6] Tuscaloosa County Bar Association[7]	The Alabama State Bar Association provides a Lawyer Referral Service. Additional information is also available at www.alabar.org. The Tuscaloosa County Bar Association provides contact information on area lawyers in different practice areas (www.tcba.cloverpad.org/).
Academic advocacy or accommodations	Title IX Coordinator ***NOT CONFIDENTIAL***	Upon request and if reasonably available, provides Complainants and Respondents with academic intervention assistance (transferring to another class, rescheduling an exam, accessing academic support such as tutoring, arranging for incompletes or withdrawal, and preserving eligibility for academic, athletic, or other scholarships, financial aid, internships, study abroad, or foreign student visas and immigration status). Also assists students who have a disability (including those who may have developed a disability as a result of experiencing allegations of Prohibited Conduct) contact the Office for Disability Services for registering for longer term reasonable accommodations.

[1] Contact information for each available resource is set forth in the footnotes of the table.

[2] **Title IX Coordinator—(205) 348-5496** Address: 2418 Capital Hall, Box 870259, Tuscaloosa, AL 35487.

[3] If a Respondent is subject to an emergency removal removing them from University housing and/or removing them from being on campus, the Respondent is not eligible for safe housing/relocation.

[4] **Counseling Center—(205) 348-3863** Address: 1000 South Lawn Office Building, Tuscaloosa, AL 35487

[5] If a Respondent, in good faith, files a criminal report alleging Prohibited Conduct pursuant to this policy, the Title IX Coordinator, upon proper notice, will conduct an investigation wherein the Respondent would be considered a Complainant and may be eligible for supportive measures as described in **Appendix 4**.

[6] **Alabama State Bar Association**—(800) 392-5660 / (334) 269-1515 Address: 415 Dexter Ave., Montgomery, AL 36104.

[7] **Tuscaloosa County Bar Association**—(205) 469-2385 Address: P.O. Box 2302, Tuscaloosa, AL 35403.

	Office of Disability Services[8] ***NOT CONFIDENTIAL***	If requested and if reasonably available, provides reasonable accommodations for students who self-identify as needing reasonable accommodations as it relates to a disability.
Employment support	Title IX Coordinator ***NOT CONFIDENTIAL***	Upon request and if reasonably available, provides Complainants and Respondents employment support.
Transportation assistance	Title IX Coordinator ***NOT CONFIDENTIAL***	Upon request and if reasonably available, provides Complainants and Respondents on-campus parking options or other transportation accommodations to ensure safety and access to other services.
UA ON- AND OFF-CAMPUS COUNSELING AND MEDICAL SUPPORT SERVICES		
Counseling and professional and personal support	Counseling Center[9] ***CONFIDENTIAL***	Provides counseling and psychological services to University students.
	University Medical Center (UMC) Psychiatry and Behavioral Health Clinic[10] ***CONFIDENTIAL***	Provides confidential counseling services for any member of the public.
	Title IX Coordinator ***NOT CONFIDENTIAL***	Can provide referrals to health and mental health counseling services.
	On-Call Dean[11] ***NOT CONFIDENTIAL***	Provides students and their families with support and assistance in times of trauma and distress. The On-Call Dean initiates professional and personal support for students in crises by working with other University offices such as UAPD, Strategic Communications, and the various colleges within UA. The On-Call Dean interacts with community agencies such as local hospitals and the Tuscaloosa Police Department.
	Capstone Family Therapy Clinic[12]	Works with individuals, couples, and families in clarifying issues, exploring options, and finding solutions to problems with regard to many issues including marriage, relationship, or family problems.
	UA Employee Assistance Program (EAP)[13] *** CONFIDENTIAL***	An employee assistance and counseling program designed to provide University employees and their family members with resources for resolving work-related and personal problems. The program provides a free and confidential assessment, no cost short-term counseling, and referral services.
Transportation to the Student Health Center or The Counseling Center	UAPD ***NOT CONFIDENTIAL***	UAPD will provide transportation upon request.
UA-GADSDEN CENTER OFF-CAMPUS COUNSELING AND MEDICAL SUPPORT SERVICES		
Counseling and professional and personal support	Counseling Center[14] ***CONFIDENTIAL***	Provides counseling and psychological services to University students.

[8] **Office of Disability Services—(205) 348-4285** Address: 1000 Houser Hall, Box 870185, Tuscaloosa, AL 35487-0185.

[9] **Counseling Center—(205) 348-3863** Address: 1101 Jackson Ave., Tuscaloosa, AL 35487.

[10] **UMC Psychiatry and Behavioral Health (The Betty Shirley Clinic)—(205) 348-1265** Address: 850 5th Ave. E, Tuscaloosa, AL 35401.

[11] **On-Call Dean—(205) 348-2461** *In case of emergency, evenings after 5:00 p.m., weekends and holidays, UAPD should be contacted at (205) 348-5454. Address: Office of the Dean of Students, Student Care & Well Being, Ferguson Center Room 230.

[12] Capstone Family Therapy Clinic - (205) 348-8154 Address: 214 Child Development Research Center, 5th Ave. E, 2nd Floor, Tuscaloosa AL 35487.

[13] **EAP—(800) 925-5327** *For more information, visit the Human Resources website.

[14] **Counseling Center—(205) 348-3863** Address: 1101 Jackson Ave., Tuscaloosa, AL 35487.

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DETAILED INFORMATION ABOUT CRIMINAL INVESTIGATIONS

University disciplinary proceedings may be instituted against a student cited for a violation of a law that is also a violation of the Title IX and Sexual Misconduct Policy, the Code of Student Conduct (for students), the Employee and Faculty Handbooks (for employees), or other campus policies if both violations result from the same factual situation, without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under this Policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.

1. Reporting to Law Enforcement and Interplay with the Title IX Investigation

In addition to being forbidden by this Policy, Prohibited Conduct may be a violation of federal or state criminal law. (See **Appendix 3** to this Policy for the text of related state or federal criminal offenses such as rape, fondling, incest, sexual abuse, domestic/dating violence, and stalking.) The University encourages individuals to immediately report criminal activity to UAPD or local law enforcement. Immediate reporting of crimes greatly enhances law enforcement's ability to collect and maintain evidence. For information about pursuing a criminal complaint, please contact UAPD at (205) 348-5454. The Title IX Coordinator or WGRC may provide assistance or support to an individual voluntarily choosing to file a criminal complaint.

The standard of proof with regard to criminal offenses (proof beyond a reasonable doubt) is different from the University's preponderance of the evidence standard, which applies to alleged violations of this Policy. Conduct may be considered a violation of this Policy even if a determination is made that criminal charges are not warranted. Therefore, findings by law enforcement officials are not final conclusions of whether the alleged conduct violates University policy.

Individuals may report Prohibited Conduct to UAPD without making a formal criminal complaint. Individuals may and are encouraged to report alleged criminal Prohibited Conduct to UAPD or local law enforcement prior to making a formal University complaint.

When a UAPD officer receives a complaint that involves a student, employee, or on-campus activity, a UAPD official will notify the Title IX Coordinator regarding individuals involved in the alleged incident and any immediate measures taken by law enforcement. The University investigation may be placed on hold while law enforcement conducts initial criminal fact-finding measures. All involved parties have a right to appropriate and reasonably available interim protective measures pending the initial criminal investigation. Following the initial criminal fact-finding stage, the University will begin its internal investigation, which is independent of the criminal investigation. During the investigation process, the Title IX Coordinator will communicate with law enforcement and allow deference to the criminal investigation.

Pursuant to the University's confidentiality policy, which is discussed in this Policy, UAPD and the Tuscaloosa County Violent Crimes Task Force are considered "need to know" officials who may require information about incidents of alleged Prohibited Conduct for reasons of community safety. Consistent with applicable privacy laws, the Title IX Coordinator may share statements, evidence, or other information gathered during the University's investigation with these law enforcement entities.

2. Procedures Followed After A Report Of A Sexual Offense Is Made To UAPD

When a sexual assault/rape is investigated, the Complainant may be unprepared for the lengthy, public process of criminally pursuing a Respondent. UA Police and other involved officers respect the Complainant's feelings, but must also observe due process of law. The following outline of a criminal sexual assault/rape investigation can help Complainants understand the process of the investigation. This outline may vary based on the individual circumstances of a particular case. Also, this process of a criminal investigation is separate and apart from a Prohibited Conduct investigation and/or Code of Student Conduct process discussed in this Policy.

Immediate Response to Report: After an alleged sexual assault/rape has occurred and the Complainant contacts University police, patrol officers will respond to the Complainant, ensure the Complainant's well-being, and will, with the Complainant's consent, contact a Victim Advocate from the WGRC or the District Attorney's Victim Services Office. The Victim Advocate may assist the Complainant during the investigation. If immediate medical attention is necessary, the officers will help the Complainant arrange medical care at the emergency room where medical staff will provide medical intervention to the Complainant. The officers will also help the Complainant arrange for a forensic exam to be completed at the Tuscaloosa Safe Center where a Sexual Assault Nurse Examiner will treat potential sexually transmitted infections, pregnancy and/or preserve physical evidence of the assault. The Victim Advocate is available to accompany the Complainant to the hospital and is available to provide counseling and/or support services as necessary at the hospital and on an ongoing basis throughout the investigation and beyond.

- The responding patrol officers, after receiving from the Complainant a brief description of what allegedly happened, will inform the appropriate police units and investigators. Officers willsecure the crime scene and interview any witnesses. Responding investigators will arrive to identify and preserve evidence at the crime scene and conduct additional interviews if necessary.

- When ready, the Complainant must provide a detailed statement of the alleged assault to the investigators. The WGRC Victim Advocate or a District Attorney Victim Services Officer may be present.

- Officers may ask the Complainant to try and identify the suspect from a photo or physical lineup.

Investigators must gather enough evidence to establish "probable cause," i.e., legal reason to arrest the suspect. When the evidence is ready, the investigators and Complainant will appear to meet with a magistrate to ask for a warrant allowing the suspect's arrest. If a warrant is granted, the suspect can be arrested and jailed. The suspect may not spend all of the time before the trial in custody; when appropriate, bail/bond can be provided for the defendant.

- There may be several judicial proceedings before the actual trial. For instance, a 'preliminary hearing' may be held. This hearing, which is conducted before a judge, may require the Complainant to answer questions from the prosecuting attorneys and the defendant's attorney. The Complainant may also be asked to appear before the Grand Jury when it convenes to determine if the defendant is to be indicted. If the Grand Jury issues a 'True Bill,' which indicates sufficient evidence was heard to indict the accused, a trial will be scheduled.

- The trial will typically be held in the Tuscaloosa County Courthouse in downtown Tuscaloosa. (With respect to sexual assaults/rapes in the Gadsden Center, the trial will typically be held in the Etowah

County Courthouse located in Gadsden.) Sexual assault/rape trials generally involve testimony from the Complainant, the police investigators, the emergency-room personnel, and other witnesses. If the accused defendant is found to be guilty of the crime, the judge will set the term of punishment.

3. Importance of Taking Steps to Preserve Evidence

If an incident of sexual assault/rape, domestic violence, dating violence, or stalking occurs, it is important to preserve evidence. In addition to assisting with any University investigation, preservation of evidence helps allow a successful criminal prosecution to remain an option.

a. *Special considerations for sexual assault/rape victims*: In addition to care of obvious injuries, medical attention is needed to protect the Complainant from sexually transmitted diseases and/or provide information about pregnancy. Any person sexually assaulted who might consider taking legal action against the alleged Respondent needs to receive medical care and take steps to preserve evidence at a reputable emergency room immediately. If the sexual assault/rape occurred in Tuscaloosa, such medical care can be obtained at DCH Regional Medical Center, adjacent to the university campus.[1] The Tuscaloosa SAFE Center can assist with medical exams in which evidence of sexual assault/rape can be obtained and preserved for legal action. Without this evidence, the chances for successful prosecution are minimized. Complainants should have the exam as soon as possible. They will need a change of clothes; the clothes worn during the assault will be kept as evidence. If a Complainant already changed clothes, they should bring along any articles that may have blood, semen, or other forensic evidence on them. In order to preserve physical evidence of the assault, Complainants should not change clothes, bathe, douche, or use the bathroom before seeking medical care. Forensic examinations are available free of charge to sexual assault/rape victims at the Tuscaloosa Safe Center.

b. *Special considerations for domestic violence, dating violence or stalking victims*: Evidence of violence, such as bruising or other visible injuries, following an incident of domestic or dating violence should be documented by taking a photograph. Evidence of stalking including any communication, such as written notes, voice mail or other electronic communications should be saved and not altered in any way.

[1] Complainants in Gadsden may receive medical care at Riverview Regional Medical Center.

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PREVENTION, EDUCATION, AND AWARENESS EFFORTS

Examples of prevention, education, and awareness programs offered by the University to address Prohibited Conduct include:

1. **Primary Prevention, Education, and Awareness Programs:** The following prevention and awareness programs collectively communicate the University's prohibition against Prohibited Conduct (defined in Section D and **Appendix 3**), describe safe and positive options for bystander intervention, provide information on risk reduction, and discuss other relevant matters contained within the this Policy for new students and employees.

    a. New Student Training—All students who are new to the University are required to complete an online training program that discusses sexual assault/rape, dating violence, domestic violence, and stalking. This program focuses on providing information regarding University policy, procedures, and resources and includes bystander intervention skills and empowering strategies.
    b. Annual Employee Training—All new employees are required to complete training addressing sexual and other forms of illegal harassment and University policies with regard to reporting, and all employees receive additional training on an annual basis. In addition, potential members of a Conduct Body and investigators handling matters under this Policy are trained on issues specific to handling Prohibited Conduct matters.
    c. Student Housing and Residential Communities Training—Annual training is provided to student HRC employees (Resident Advisors and Community Advisors) that focuses on University policies, procedures, and resources regarding Prohibited Conduct and addresses unique situations relevant to HRC employees who are also students.
    d. Student Athlete Training – Annual training is provided to student athletes that focuses on University policies, procedures, and resources regarding Prohibited Conduct. This training addresses Prohibited Conduct, obtaining consent, how to report Prohibited Conduct, resources available, and bystander intervention techniques.

2. **Ongoing Prevention, Education, and Awareness Programs**: Multiple departments across campus provide ongoing awareness, bystander intervention, and prevention campaigns for the campus community. These include but are not limited to:

    a. Email letter to the Campus Community—In the fall and spring semesters as well as the summer term, the President sends an email to students, faculty, and staff advising of reporting channels for sexual harassment or sexual violence (sexual assault/rape, domestic/dating violence and stalking), resources and support (e.g., safety planning, counseling services, academic advocacy), and education and training.
    b. Safer Living Guide—At Bama Bound student orientation, all incoming students are made aware of the *Safer Living Guide*, which is published and available to all students and employees in multiple facilities on campus as well as on-line on UAPD's website. Among other things, this guide describes safe and positive options for bystander intervention, and identifies measures a person can take to decrease their chances of becoming a victim of sexual assault/rape, domestic violence, dating violence, and stalking and reducing the risk of drug-induced sexual assaults/rapes while recognizing that only those who commit sexual violence are responsible for those actions.

i. Some safe and positive options for bystander intervention include:
   - Making up an excuse to get the individual out of a potentially dangerous situation;
   - Letting a friend or co-worker know that an individual's actions may lead to serious consequences;
   - Never leaving an intoxicated individual's side, despite the efforts of someone to get that individual alone or away from you;
   - Using a group of friends to remind someone behaving inappropriately thattheir behavior should be respectful;
   - Taking steps to curb someone's use of alcohol before problems occur;
   - Calling the authorities when the situation warrants; and,
   - Understanding how to safely implement the choice. Safety is paramount in active bystander intervention. Usually, intervening in a group is safer than intervening individually. Also, choosing a method of intervention that de-escalates the situation is safer than attempting a confrontation. However, there is no single rule that can account for every situation.

ii. Situational awareness and trusting one's instincts may reduce the risk of sexual assault/rape. The tips below are provided to help students decrease the potential chance of sexual assault/rape:
   - If you consume alcohol, do so in moderation.
   - Do not leave your beverage unattended or accept a drink from an opencontainer.
   - When you are with someone, communicate clearly to ensure he or she knowsyour limits and/or expectations from the beginning. Both verbal and nonverbal (body language) communication can be used to ensure the message is understood.
   - If you go on a date with someone you do not know very well, tell a close friend what your plans are.
   - You have the right to say "No" even if you first say "Yes," and then change your mind; have had sex with this partner before; have been kissing or "making out"; or are wearing what is perceived to be "provocative" clothing.
   - Always have extra money to get home. Have a plan for someone you can call if you need help.
   - If you feel uncomfortable, scared, or pressured, say "Stop it" or leave and call for help.
   - When you go to a party, go with a group of friends. Arrive together, watch out for each other and leave together.
   - Be aware of your surroundings at all times.
   - If possible, avoid being isolated with a person you do not know or trust.
   - Travel with a friend or in a group.
   - Walk only in lighted areas after dark.
   - Avoid walking alone after dark or during late hours.
   - Keep the doors to homes, apartments, and cars locked.
   - Know where phones are located.
   - Download and utilize the Guardian Safety App available at the myBama website.

c. The UACT website: This website contains information on how to contact individuals to make a report of Prohibited Conduct as well as bystander intervention training materials designed to help students learn techniques/advice on how to be an effective bystander.

d. The UA Safety App available at this website: The UA Safety App provides students and employees with immediate access to information in case of an emergency. The App provides contact information for Safety and Support departments on campus including UAPD, the Title IX Office, and the WGRC. The App provides a direct link to the UAct website.

e. Women and Gender Resource Center (WGRC): Campus-wide programs coordinated by the WGRC are designed to increase awareness about sexual assault/rape, dating/domestic violence, and stalking as well as providing information on victim services available on campus. The programming may also include topics relating to violence prevention and bystander intervention behavior. (For example, WGRC offers Bystander Intervention Panels as part of its Dating and Domestic Violence Awareness Month programming, where students provide advice on how to interrupt and end dating violence.) Informational brochures and pamphlets focusing on interpersonal violence are available for the University community. This information includes definitions of the various types of interpersonal violence, information about prevalence, options for reporting, services available to victims, and information on the legal and judicial process. Additional information packets are available for victims of interpersonal violence as well as their friends and family.

   The Frances S. Summersell Library is part of the UA library system and is located in the WGRC. The library provides a variety of resources including DVDs and books, which are available for checkout and/or review by students, faculty, and staff of the University of Alabama. Many resources are available on the topics of sexual assault/rape, dating/domestic violence, and stalking.

   Some of the more noted educational programs and outreach services offered by the WGRC include:

   i. Peer Education and Leadership: The WGRC staff engages students in peer education and leadership programs to address interpersonal violence. Through training, peer educators gain a clear understanding of the dynamics of interpersonal violence and the resources available to address the issues. After receiving training, students apply that knowledge to a peer education model in which they promote healthy relationships, risk reduction, and assist in providing programs for students and the campus community about interpersonal violence and how victims can access campus services. Peer education and leadership is implemented through a number of models, including *Unscripted,* a peer theater troupe, composed of a diverse group of students who apply interactive and improvisational theatre to contemporary scenarios of interpersonal violence which they perform for UA classes and organizations to generate dialogue regarding warning signs of abuse, bystander behavior, and campus resources. Other models include the WGRC Student Leadership Council, and Safe Sisters, who are sorority women trained on the issues of interpersonal violence and serve as peer leaders for their chapter.
   ii. Interpersonal Violence/Speakers Bureau: The WGRC staff is available to serve as speakers to present programs on a wide variety of issues including interpersonal violence, risk reduction, healthy relationships, and leadership. Presentations can take place on or off of campus for classes, organizations, clubs, and other groups. Presentations can be adapted to the specific needs of an organization.
   iii. Harbor: The purpose of Harbor is to create safe places throughout campus where victimsof interpersonal violence can go to receive assistance. Through the training, faculty and staff gain insight and sensitivity to the issues of dating/domestic violence, sexual assault/rape, and stalking. Harbor trainings last approximately two hours and can be incorporated into a single staff meeting or broken into components to accommodate participant schedules.
   iv. Campus Anti-Violence Task Force: The WGRC established a Campus Anti-Violence Task Force (CAFT) to provide a coordinated community response to violence. The goal of the

Task Force is to be a multi-disciplinary, diverse, and inclusive group of campus and community partners who provide a unified approach to combat violence on campus.

v. Domestic Violence Awareness Month and Sexual Assault Awareness Month: The WGRC staff coordinates various campaigns for Domestic Violence Awareness Month in October and Sexual Assault Awareness Month in April of every year. Activities both at the university and in the community include initiatives such as the Clothesline Project, These Hands Don't Hurt, information displays, rallies and candlelight vigils, the purple and teal awarenessribbon campaigns, and art exhibits designed to educate our community about interpersonal violence, such as the Wounded Heart display.

f. Department of Health Promotion and Wellness: The Department of Health Promotion and Wellness in the Student Health Center provides education and training opportunities via the Project Health Ambassadors and Health Hut. The Health Ambassadors provide programming in residence halls. Health Hut Interns engage visitors with games, activities, and conversations aimed at increasing student awareness about health issues and behaviors that directly affect them, increase student knowledge about healthy behaviors and making healthy choices, and reduce the barriers students perceive to improving their health. While this group provides a variety of programming, noted programming concerning Prohibited Conduct occurs during Sexual Responsibility Week, Sexual Assault Awareness Month, and Domestic Violence Awareness Month.

g. University of Alabama Police Department: UAPD Community Oriented Police program and other areas within UAPD provide Prohibited Conduct awareness, education, and prevention/risk reduction presentations to the University community throughout the year.

h. UA Safe Zone: The UA Safe Zone program provides a visible network of allies for lesbian, gay, bisexual, trans, queer, and asexual (LGBTQA+) individuals. Safe Zone Allies distribute information regarding sexuality, gender identity, campus and community resources, and methods for reporting harassment and/or discrimination. The purpose of the Safe Zone program is to foster a University climate where everyone is treated with dignity and where all individuals who identify as LGBTQA+ are free to thrive academically, professionally, and personally.

i. Title IX Office: The Title IX Office provides targeted education and awareness programs for specific groups on campus based on requests by the group or organization and/or based on reporting trends.

j. Additional departments/groups on campus provide training to specific groups of the University community. These departments include, but are not limited to: Fraternity & Sorority Life; Office of Student Conduct; The SOURCE/Office of Student Involvement; Intercollegiate Athletics; Housing and Residential Communities; University of Alabama School of Law – Domestic Violence Law Clinic; Office of Counsel; and Human Resources Learning & Development.

FIRE SAFETY REPORT

Introduction

In accordance with the federal regulations of the Higher Education Act (HEA), The University of Alabama publishes fire safety information relating to on-campus student housing facilities. Specifically, this annual fire safety report includes a fire log, fire statistics, a fire safety system description of each on-campus student housing facility and policy statements and practices regarding fire safety on campus and in student housing facilities. This information is available annually to enrolled students, current employees, prospective employees and prospective students. This information is available online, and in person, at both The University of Alabama Police Department (hereinafter UAPD) (1110 Jackson Avenue, Tuscaloosa, AL 35487) and Environmental Health and Safety (hereinafter EHS) (1500 Warrior Drive, Tuscaloosa, AL 35404). UAPD and the Clery Compliance Coordinator are responsible for preparing the University's Annual Campus Security and Fire Safety Report while EHS assists in compiling the fire-related information included in the report. This information is available for public viewing, 24 hours a day, at The University Police Department and during normal working hours Monday through Friday at EHS, except for days when the University is closed.

The fire statistics published in this report are for the three most recent calendar years. The fire statistics, outlined by facility name and street address, illustrate the reporting of fires that occurred in on-campus student housing facilities. Each fire listed provides the cause of the fire, number of injuries related to a fire that resulted in treatment at a medical facility, the number of deaths related to a fire and the value of property damage caused by the fire. See the Fire Statistics for information related to fires in on-campus student housing facilities.

The Fire Log provides additional details related to each individual fire. The Fire Log includes information such as the date the fire was reported, the date and time of the fire and a brief explanation of each fire including a general location of the fire. See the Fire Log for specific details relating to each fire in an on-campus student housing facility.

Also, in compliance with the above federal regulation, a description of each on-campus student housing facility's fire safety system is included in this document. Provided, along with the fire safety system description, is the number of regular mandated supervised fire drills that occur yearly at each facility. See the Fire Safety System Description for details of each on-campus student housing facilities' fire safety system.

Procedures for evacuation and policies regarding certain practices (e.g., smoking, candles, and open flames) are included in this annual fire safety report along with potential plans for future improvements in fire safety. See Policies and Practices for more information.

Reporting On-Campus Fires and Other Emergencies

To maximize safety on campus, UAPD strongly encourages anyone with knowledge about any fire or unsafe action or condition on-campus to immediately report to the University Police by telephone or in person. Reporting fires and unsafe actions or conditions helps University officials keep the community informed about fires on-campus and address the unsafe actions or conditions. The University is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities; consequently, **all** reports of fires, including non-emergency situations, are important, particularly if you are unsure whether UAPD may already be aware.

In emergency situations, including fires, activate the fire alarm system if available, and then call UAPD at 205-348-5454 or 911 once you have evacuated the location. Tell the Police Communications Operator your name and address and provide details regarding the location and extent of the fire. All 911 calls made from campus phones go directly to UAPD; all cell phone 911 calls are routed to UAPD through a local 911 Center.

In non-emergency situations, for example, after finding evidence of a past fire or for purposes of including a fire in the statistics of the annual report, also report this information to UAPD either by telephone at 205-348-5454 or in person. To make a report in person regarding a non-emergency fire situation, go to the University Police Department located at 1110 Jackson Avenue, Tuscaloosa, AL 35487. Remember, if you find evidence of a fire, or if you hear about such a fire, even if the fire has been extinguished, please report it to UAPD. When contacting UAPD, plan to describe the situation to the Police Communications Operator (Dispatcher). Provide as much information as possible about the location, date, time and cause of fire. Police Communications Operators are available at all times, 24 hours a day and 7 days a week, to take any report of a fire, including emergency and non-emergency fire reports.

UA students and employees requiring emergency medical care as a result of a fire should contact UAPD at 205-348-5454 or 911.UA student or employees requiring non-emergency medical care as a result of a fire may contact the Student Health Center at 205-348-6262, DCH Regional Medical Center at 205-759-7111, or the University Counselling Center at 205-348-3863.

UA Response to On-Campus Fires

When you report a fire emergency to UAPD, the Tuscaloosa Fire and Rescue Services (TFRS) will be dispatched, as well as other Public Safety representatives from UAPD and/or EHS. The Public Safety representatives will meet with you, listen to what happened and if necessary, make a preliminary report. A Public Safety representative will review the report and conduct a follow-up interview if necessary. During cases of arson, investigators will review the scene and conduct a follow-up investigation. If occupants or residents must be relocated following a fire, information regarding the relocation or the emergency at hand will be provided through Housing and Residential Communities and The University of Alabama Division of Strategic Communications.

UAPD encourages you to report all fires. The department is responsible for preparing the University's Annual Campus Security and Fire Safety Report while EHS assists in compiling the fire statistics and related information included in the report. Both UAPD and EHS would like to keep the community as informed as possible. The information you report may require UAPD to gather additional information, or to issue a Timely Crime Alert or Campus Safety Advisory if they determine that the circumstances warrant such action. Tuscaloosa Fire and Rescue Services. See Fire Statistics for the statistics related to fires occurring in on-campus student housing facilities within the last three years and the Fire Log for a list of the recent fires in on-campus student housing facilities.

Reporting Off-Campus Fires and Other Emergencies

Witnesses to fires and other emergencies occurring off-campus should contact the agency that has jurisdiction:

- **911 for all Emergency Situations**
- Tuscaloosa Police Department at 205-349-2121
- Northport Police Department at 205-339-6600
- Tuscaloosa County Sheriff's Office at 205-752-0616
- Alabama State Troopers at 205-553-5531
- Tuscaloosa Fire & Rescue Service at 205-248-5400

University Police officers can assist in notifying other law enforcement agencies.

Student Organization Facilities: The University of Alabama is unaware of any off-campus building or property owned or controlled by a student organization that is officially recognized by The University of Alabama, and the University itself operates no off-campus student organization facilities. All student organizations recognized by The University of Alabama are headquartered on campus and are therefore served by UAPD. If you believe a fire has occurred within an on-campus student organization building, report the incident to UAPD at 205-348-5454. In the case of emergency situations on campus contact UAPD at 205-348-5454 or 911.

UAPD routinely patrols the East Edge apartments, a privately-owned apartment community located in adjacent to UAPD, and responds to calls for reporting purposes. If you believe a fire has occurred at East Edge apartments, contact UAPD's dispatch operator at 205-348-5454.

Fringe Areas of Campus: While the City of Tuscaloosa has primary jurisdiction and responsibility in all areas off-campus within the city limits, UAPD can and do respond to most incidents that occur near campus which includes fires and arson. To report an off-campus fire, contact 911.

Fire Logs & Summary of Fire Incidents

UAPD, along with EHS, compile statistical information regarding fires that occur in on-campus student housing facilities and maintain a log of this gathered information. The information is obtained from reports of on-campus student housing fires and the contents of UAPD daily logs and run reports of Tuscaloosa Fire and Rescue Services to on-campus locations, both of which contain summaries of fire emergencies. The fire log includes, by date reported, any fire that occurs in an on-campus student housing facility. Each entry provides the date of the fire, time of the fire, general location of the fire, nature of the fire, number of fire-related injuries that resulted in treatment at a medical facility, number of deaths related to a fire, the value of property damage caused by the fire and a brief description of the fire. The Fire Logs are available for public viewing, 24 hours a day, at UAPD Department and during normal working hours Monday – Friday at EHS, except for days when the University is closed. The Fire Log is also available online at Environmental Health & Safety.

Submission of UA Fire Statistics to Additional Agencies

In October 2010, UAPD began submitting fire statistics annually to the Department of Education. The Fire Statistics are available online at Environmental Health and Safety or in person at both UAPD and EHS. The Fire Statistics are available for public viewing, 24 hours a day, at UAPD and during normal working hours Monday through Friday at EHS, except for days when the University is closed. The fire statistics include a separate listing of each on-campus student housing facility and the fires that have occurred in that facility for the three most recent calendar years. In the statistics, each facility is identified by name and street address. The statistics include the number of fires and the cause of each fire, along with the number of injuries that required treatment at a medical facility, number of deaths related to the fire and the value of property damage caused by the fire.

No Smoking Policy (Smoking Violations)

The Smoke-Free Environment Campus Policy prohibits smoking in all buildings on campus as well as all University-owned and leased facilities, properties, and grounds on the UA campus. This policy now includes, but is not limited to, the interior of all University-owned buildings, all outside property or grounds of the campus, including sidewalks, parking lots, parking decks and recreation areas, all partially enclosed areas such as breezeways, walkways, patios, porches, gazebos, tents, bus shelters, all indoor and outdoor athletics venues and facilities, all university-owned vehicles and all other property, buildings, or facilities under the primary control of the University. The policy also applies to all faculty, staff, students, visitors and contractors. To view a copy of the policy, see the Smoke-Free Environment Campus Policy located on the UA Policies website. This policy has been communicated to all employees and students by email, through various University websites and publications and through signs posted in various areas throughout the University. Smoking in a campus building could warrant a range of disciplinary sanctions up to and including dismissal for employees.

Code of Student Conduct (Fire Safety Violations)

The Code of Student Conduct outlines the expectations of the University of Alabama for the behavior of the student body. It describes the actions that fail to meet expectations, the process of determining when a failure has occurred and the consequences for such failure. Under the Code of Student Conduct entering false fire alarms or bomb threats or tampering with fire extinguishers, alarms or other safety equipment is described as misconduct as it disrupts order and exhibits a disregard of health and safety. Any student found to have violated the Student Code can be sanctioned with a warning, probation, loss of privileges, educational assignment, fines, restitution, discretionary sanctions, resident hall suspension, resident hall expulsion, university suspension, university expulsion or campus ban. This Code of Student Conduct is available online.

Community Living Standards (Fire Safety Concerns, Evacuations and Violations Relating to Open Flames, Smoking & Prohibited Portable Electrical Appliances)

Housing and Residential Communities (HRC) outline the responsibilities of the students living in on-campus housing facilities in the Community Living Standards. All students are expected to uphold these standards while living in campus housing as they promote a safe and secure community. This document also outlines violations that compromise the safety and security of residents. These violations of the Community Living Standards are referred to the Office of Student Conduct and may result in appropriate disciplinary sanctions, including up to contract termination from on-campus housing.

The Community Living Standards specifically state that all residents must immediately evacuate during a fire drill or alarm. Residents must not interfere with the emergency evacuation procedures of the residence hall and residents must remain outside in the gathering area until the responding emergency personnel allow people to re-enter the building. In addition, this living standard also outlines that residents must never start a fire, never falsely report a fire emergency by activating the fire alarm system or contacting police, fire or staff members, and residents must never tamper with fire safety or life safety equipment.

As stated previously, smoking is prohibited on the UA campus. This policy includes residence halls. The Community Living Standards include the "No Smoking Policy" within the body of the standards by stating smoking is prohibited and outlining the standards' definition of smoking, which includes inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, water pipes (hookah), E-cigarette, vaporized inhalant or pipe.

Additionally, the Community Living Standards prohibit occupants from using or storing items that pose a fire hazard, such as open flame sources (including, but not limited to, oil lamps, hookah pipes, candles, incense, gasoline, etc.), flammable liquids, natural cut trees, branches, or greens, halogen lamps and bulbs, ammunition, explosives, fireworks and open coil or high heat appliances. At the same time the standards provide a list of appliances that are prohibited in the on-campus student housing facilities. Included in this list are deep fat fryers, electric griddles, electric grills, electric sandwich makers or presses, electric waffle irons, electric woks, hot oil popcorn poppers, hot plates, indoor grills or boilers, toaster ovens, crock pots, any cooking tool that does not have an automatic shut off feature, fog/smoke machine, personal air conditioners, space heaters, and ceiling fans. The standard also provides the requirement that students stay with their food while cooking or heating it to avoid a fire situation. Possession of any items that endanger the health and safety of the community is prohibited. Violations that compromise the safety and security of others may result in relocation, contract termination, and other appropriate disciplinary sanctions as outlined by the Office of Student Conduct. The full guidelines on the HRC contract regulations can be found at the Community Living Standards page.

Housing & Residential Communities What to Bring…And What Not to Bring for On-Campus Housing (Portable Electrical Violations)

As part of the terms and conditions of the residence hall contract and the Community Living Standards, residents agree to comply with state and federal laws as well as all applicable University policies that address on-campus behavior, including, but not limited to, the Community Living Standards and Code of Student Conduct. Violations of these policies that compromise the safety and security of occupants or others may result in relocation, contract termination, and other appropriate disciplinary sanctions. The Preparing for Move-In website provides guidance for decorating UA housing spaces and also a list of prohibited items. For additional guidance, the Packing for UA video has further useful information. Additionally, it provides a list of appliances that are prohibited in all on-campus housing as they present unacceptable fire hazards. Examples of non-approved appliances which should be left at home include, but are not limited to, any appliances with open heat sources, personal space heaters and any food heating cooking appliances other than microwaves. This information is available in its entirety on the HRC website.

Safer Living Guide (Basic Emergency Evacuation Procedures and Fire Safety Campus Enforcement)

The Safer Living Guide, available online, outlines basic emergency evacuation procedures for fire emergencies and general procedures for reporting fires on campus. In the event of a fire on campus in **any** building, including student housing facilities, **all** occupants, including students, employees and guests, are to sound the nearest fire alarm in the building (if available) and exit the building quickly and calmly. Follow exit signs to the closest fire exit. Then, once outside, occupants are to call The UAPD at 205-348-5454 or 911 to report the fire situation and provide the location and extent of the fire. Occupants must remain outside at a safe distance, following the instructions of the fire and police personnel on the scene. Evacuation information of this nature can also be located in buildings on the emergency plans that are posted in the common areas, and inside each apartment or bedroom.

Additionally, the Safer Living Guide also lists fifteen offenses for which students can be cited or arrested for while on campus. The guide outlines that related subsequent offenses can develop into jail time or probation for these offenses depending upon the circumstances relating to them. Falsely reporting fire alarms or causing nuisance fire alarms are included in this list of fifteen offenses and can result in community service or fines as well. Sanctions related to student misconduct of this nature may also include warnings, probation, loss of privileges, fines, discretionary sanctions, residential housing suspension or expulsion and University suspension or expulsion.

Fire Safety Policies and Procedures Manual

The Fire Safety Policies and Procedures Manual outlines the policies and guidelines associated with the UA Fire Safety Program. This document includes the Open Lights and Flames (Candle) Policy. Open lights and flames are not allowed on campus without prior approval by Environmental Health & Safety as it is unlawful for any person to light, build, make or deposit ashes or embers that could cause fire in any building or on the campus grounds, without this prior approval. It also discusses the evacuation procedures for occupants during fire emergencies and the roles of UAPD, Environmental Health & Safety officials and Tuscaloosa Fire and Rescue Service during these emergencies.

Evacuations During Fire Emergencies (Student Housing Evacuation)

Environmental Health and Safety provides information on evacuation during fire emergencies to all on-campus housing occupants. This information is provided in the Fire Safety Guide on the back of apartment or bedroom doors and in a number of training sessions and publications provided throughout the year. Basic principles of evacuation exist. If a fire is noticed, leave the hazard area. Do not risk a life by remaining in the unsafe building. If operating a heat source or flame, extinguish it before exiting the building, if possible. On the way out of the building, pull a fire alarm system pull station. It may be necessary to break the glass or raise the pull station cover in order to activate the alarm. Some common locations of pull stations are at stairwell doors and exits.

By sounding the alarm, occupants of the building are notified of a fire hazard and should evacuate the building. However, most importantly, UAPD, Environmental Health and Safety, and Tuscaloosa Fire and Rescue Services are notified immediately of the hazard. When the fire alarm sounds, everyone must proceed with their emergency evacuation plan or evacuate the building immediately, even if another individual tells you that the fire alarm is being tested. Do not assume it is just a drill.

When evacuating, turn off any appliance or equipment you might be operating. Isolate your area by closing doors and windows and leave the building. Only use a portable fire extinguisher to control a small fire or assist yourself or someone else to evacuate the area. Remember, not all fire extinguishers are effective on all types of fires; therefore, do not try to extinguish the fire unless you have been properly trained. Do not fight the fire if it is already beginning to spread beyond the location where it started, if you can't fight the fire with your back to an exit, or if the fire can block your only exit.

Walk; do not run when evacuating the building. Assist those individuals with disabilities or those unable to evacuate by telling authorities their locations within the building. To avoid smoke, stay low to the ground and cover your mouth and nose with a damp cloth, if possible, to help you breathe. Never use the elevators to evacuate. When evacuating, travel away from the fire until you reach an exit or stairwell door. If a stairwell door is reached, then travel the stairwell until you reach an exit leading to the outside. If you must open corridor doors, hallway doors, bedroom doors, or office doors, feel them first by using the back of your hand (never the palm). If they are cool, open them and continue to follow the emergency evacuation plan and move towards an exit or stairwell if conditions allow.

If the building is on fire and you are trapped inside the burning building and cannot evacuate, then remain in the room. Close the door and position towels or articles of clothing (dampened if possible) around the bottom edge of the door. Call (205) 348-5454 or 911 and tell the dispatcher your name, where you are located and the reason you could not evacuate. The dispatcher will contact the UAPD Officers and notify the Fire Department. If you have a window that can be opened, open the window and hang a sheet, piece of clothing or another similar object out the window and wave it so it can be seen. This open window will allow fresh air to circulate into the room. If the window cannot be opened, create a sign to display at the window indicating that you need help. If you feel as though you can no longer breathe, break the window out using a chair and get the attention of the Fire Department and those below. Remain calm and wait for the Fire Department to assist you in evacuating the area.

Although The University of Alabama requires all occupants of a building to evacuate when the fire alarm is activated, individuals with disabilities may need assistance or special procedures to evacuate effectively. For this reason, they should inform other individuals, especially Community Directors or Residential Advisors that they may need assistance in a fire alarm during the emergency evacuation planning phase. The Office of Emergency Management has prepared a guide to help people with mobility impairments to develop a personal plan. This Mobility Impairment Emergency Planning Guide is accessible online.

One tip that may prove useful during a fire alarm evacuation is to utilize the buddy system. During the first few days at a new job or at classes, individuals with disabilities or limitations may discuss with others their need for a "buddy" or “buddies” if the fire alarm activates. It is recommended that several buddies be obtained in different locations where the disabled individual may be during an alarm and discuss the evacuation plan with their buddies (especially Community Directors or Residential Advisors). Those disabled or with limitations should explain what type of assistance they would need during a fire alarm. Just like all other occupants, those with disabilities or limitations must plan and practice their procedure for evacuation during a fire alarm. If possible during a fire alarm, the buddy, without risking his/her life, should assure the individual’s location, capabilities and need for assistance during the fire alarm; however, it must be noted that buddies will not always be present at the time of a fire or fire alarm. The buddy should inform The UAPD or Tuscaloosa Fire and Rescue Services of the individual’s need for assistance, plan, and location during a fire alarm.

During the evacuation phase, persons utilizing wheelchairs should be taken to an area of rescue assistance (some are located at stairwell landings) or stay where they are located if they are unable to evacuate on their own. This still requires their buddy to notify UAPD or Tuscaloosa Fire and Rescue Services of their location once they reach the assembly location outside. If the mobility-impaired individual is alone, he/she should dial (205) 348-5454 or 911 and inform the dispatcher of his/her location, inability to evacuate and/or area of rescue assistance where he/she is located. Persons with mobility impairments but without the need of a wheelchair will need to attempt to evacuate the building, allowing traffic to pass, when needed, in areas like stairwells. These individuals may decide to remain in place and contact (205) 348-5454 or 911 with their location if there is no sign of imminent hazard, and due to their impairment, they would not be able to evacuate the building without assistance. Individuals who are visually impaired may need a buddy to assist them through the evacuation route. If the visually impaired individual is unable to evacuate alone, they should dial (205) 348-5454 or 911 and inform the dispatcher of their location, inability to evacuate and/or the area of rescue assistance where they are located.

Once occupants have successfully evacuated the building and are outside, occupants should move away from the building to a pre-designated location where the process will begin to account for all occupants. This will be initiated by the building representative, Residential Advisor, or another designated individual. Occupants should also notify UAPD of anyone needing assistance exiting the building. The building representative or some other supervisory personnel should notify UAPD of anyone unaccounted for during the evacuation. Occupants should remain outside and away from the building until they are given further instructions from Tuscaloosa Fire and Rescue Services, UAPD, or a representative from Environmental Health and Safety.

More specific information regarding fire evacuations can be located in the UA Fire Safety Policies and Procedures Manual.

Awareness & Training Regarding Fire Safety Education

Environmental Health & Safety offers a host of training opportunities including Fire Safety Awareness and Safe Use of Fire Extinguishers to any student, faculty, staff or administration member interested in such training. During this training, more in-depth information regarding UA policies, hazard awareness and emergency evacuation procedures is provided and discussed. Fire Safety Education training may also be provided on-line. EHS can provide training for groups of several hundred, a class, or smaller groups. Information and content can be tailored to address specific needs or requests. To schedule training or to receive more information concerning training, contact Environmental Health & Safety at 205-348-5905, or request training online.

Each semester, Environmental Health & Safety educates students on the causes of fire, ways to reduce fires and the steps each person should take in the event of a fire. Fire drills are performed twice during each calendar year (once during both fall and spring semesters) at all on-campus housing facilities, that are equipped with a fire alarm system. Environmental Health & Safety also provides publications or documents to on-campus housing residents regarding fire safety. These shared articles, or documents, outline fire safety-related concerns and information such as the routine safety equipment inspections performed by representatives of Environmental Health & Safety, the reasons these inspections are performed, information on sprinkler systems, fire alarm systems, fires, fire prevention, evacuations and the importance of not tampering with fire safety equipment.

Each summer, fire alarm systems are tested and inspected in all on-campus housing facilities that are equipped with a fire alarm system. More detailed information about the inspections of portable fire extinguishers, bedroom smoke alarms, emergency lights, exit lights, hood suppression systems, fire alarm systems, sprinkler systems, standpipes and fire pumps and special extinguishing systems is available in the Fire Safety Policies and Procedures Manual.

For specific emergency evacuation procedures related to an individual building, occupants should review the emergency plans posted throughout the buildings in common hallways or the Fire Safety Guides provided on the back of each apartment or bedroom door. The Fire Safety Guides provide, as a reminder to occupants, the emergency procedures for activating the fire alarm system, evacuation procedures and assembly locations once occupants are outside the building. See Fire Safety System Description to review the fire safety features in each on-campus housing facility.

Future Improvements in Fire Safety

The University of Alabama is dedicated to improving fire safety and fire safety systems. Older fire alarm systems are replaced, and buildings are retrofitted with sprinkler systems as renovations occur. All new housing facilities are equipped with sprinkler systems. Environmental Health and Safety will continue to collaborate with Construction Administration to ensure construction plans include fire protection systems, and fire protection improvements are included during the design phase of construction projects when needed. The operational integrity of fire safety equipment is imperative to the protection of all employees, students and guests at The University of Alabama. For this reason, The University of Alabama will continue to provide resources and guidance for the inspection, testing and maintenance of existing fire safety equipment, including water-based fire protection systems, pre-engineered restaurant fire extinguishment systems, special hazard fire protection systems, fire alarm systems, portable fire extinguishers and building components related to fire safety, to ensure they are maintained as outlined in adopted fire codes and standards. To review the specific fire safety features of an on-campus housing facility see the Fire Safety System Descriptions

Public Safety Division of Financial Affairs

Fires Statistics in On-Campus Housing Facilities 2018

Type of Residential Facility	Residential Facility	Total Fires in Each Building	Fire Number	Cause of Fire	Explanation	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Housing	405 Bryce Apartment 405 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	411 Bryce Apartment 411 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	417 Bryce Apartment 417 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	422 Bryce Apartment 422 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	423 Bryce Apartment	0	0	N/A	N/A	N/A	N/A	N/A

	423 Bryce Lawn Dr.							
Housing	500 Bryce Apartment 500 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	508 Bryce Apartment 508 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	511 Bryce Apartment 511 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	601 Bryce Apartment 601 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	607 Bryce Apartment 607 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	401 Jefferson Ave. 401 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Alpha Chi Omega 801 Colonial Drive	0	0	N/A	N/A	N/A	N/A	N/A

Sorority	Alpha Delta Pi 675 Judy Bonner Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Alpha Gamma Delta 735 Judy Bonner Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Alpha Kappa Alpha 911 Magnolia Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Alpha Kappa Lambda 561 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Alpha Omicron Pi 890 Judy Bonner Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Alpha Omicron Pi 738 Colonial Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Alpha Phi 760 Paul W Bryant Dr.	0	0	N/A	N/A	N/A	N/A	N/A
	Alpha Tau Omega							

Fraternity	332 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Beta Theta Pi 960 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Blount 901 2nd St.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Bryant Dorm 505 Devotie Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Chi Omega 901 Magnolia Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Chi Phi 600 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Delta Chi 511 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Delta Delta Delta 785 Judy Bonner Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Delta Gamma 625 Judy Bonner Dr.	0	0	N/A	N/A	N/A	N/A	N/A

Fraternity	Delta Kappa Epsilon 946 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Delta Sigma Phi 415 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Delta Tau Delta 425 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Delta Zeta 923 Magnolia Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Delta Zeta 900 Magnolia Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Freshman Residential Hall 810 2nd Street	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Friedman 956 Presidential Circle	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Gamma Phi Beta 780 Paul W. Bryant Dr.	0	0	N/A	N/A	N/A	N/A	N/A
	Harris							

Housing	745 Colonial Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Highlands on Hackberry B 145 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Highlands on Hackberry C 145 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Highlands on Hackberry D 145 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Highlands on Hackberry E 145 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Highlands on Hackberry F 145 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A

Housing	Highlands on Hackberry G 145 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Kappa Alpha 416 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Kappa Alpha Theta 890 Judy Bonner Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Kappa Alpha Theta 750 Colonial Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Kappa Delta 825 Magnolia Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Kappa Kappa Gamma 851 Colonial Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Kappa Sigma 521 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A

Housing	Lakeside East 150 McCorvey Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Lakeside West 152 McCorvey Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Lambda Chi Alpha 601 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Martha Parham East 921 6th Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Mary Burke East 920 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Mary Burke West 922 6th Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Paty 210 McCorvey Dr.	0	0	N/A	N/A	N/A	N/A	N/A
	Phi Delta Theta							

Fraternity	190 University Blvd	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Phi Gamma Delta 976 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Phi Kappa Psi 312 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Phi Mu 921 Colonial Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Phi Sigma Kappa 501 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Pi Beta Phi 845 Magnolia Drive	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Pi Kappa Alpha 202 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Pi Kappa Phi 130 University Blvd East	0	0	N/A	N/A	N/A	N/A	N/A
	Presidential Village I			Unintentional	Item on Fire on			

Housing	676 Abercrombie Lane	1	1	Unintentional Action	Item on Fire on Stove	0	0	$0 - 99
Housing	Presidential Village II 622 Abercrombie Lane	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Ridgecrest East 900 2nd St.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Ridgecrest South 905 2nd St.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Ridgecrest West 920 2nd St.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Riverside East 178 Hackberry Ln.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Riverside North 172 Hackberry Ln.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Riverside West 174 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Sigma Alpha Epsilon	0	0	N/A	N/A	N/A	N/A	N/A

Fraternity	432 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Sigma Chi 180 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Sigma Nu 990 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Sigma Phi Epsilon 304 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Sigma Phi Epsilon 401 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Sigma Kappa 923 Magnolia Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Sigma Pi 435 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Sigma Tau Gamma 415 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Smith Woods A 400 Smithwood Circle	0	0	N/A	N/A	N/A	N/A	N/A

Housing	Smith Woods B 410 Smithwood Circle	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Smith Woods C 420 Smithwood Circle	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Smith Woods D 430 Smithwood Circle	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Smith Woods E 440 Smithwood Circle	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Smith Woods F 450 Smithwood Circle	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Theta Chi 110 University Blvd East.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Tutwiler 901 Paul W. Bryant Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Zeta Beta Tau 526 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
	Zeta Tau Alpha							

Sorority	922 Magnolia Dr.	0	0	N/A	N/A	N/A	N/A	N/A
NOTE: ALL ADDRESS PROVIDED ARE LOCATED IN TUSCALOOSA, AL 35401 UNLESS OTHERWISE NOTED.								

Fires Statistics in On-Campus Housing Facilities 2019

Type of Residential Facility	Residential Facility	Total Fires in Each Building	Fire Number	Cause of Fire	Explanation	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Housing	405 Bryce Apartment 405 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	411 Bryce Apartment 411 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	417 Bryce Apartment 417 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	422 Bryce Apartment 422 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	423 Bryce Apartment	0	0	N/A	N/A	N/A	N/A	N/A

	423 Bryce Lawn Dr.							
Housing	500 Bryce Apartment 500 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	508 Bryce Apartment 508 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	511 Bryce Apartment 511 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	601 Bryce Apartment 601 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	607 Bryce Apartment 607 Bryce Lawn Dr.	1	1	Unintentional Action	Appliance Fire	0	0	$0-99
Housing	401 Jefferson Ave. 401 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Alpha Chi Omega 801 Colonial Drive	0	0	N/A	N/A	N/A	N/A	N/A

Sorority	Alpha Delta Pi 675 Judy Bonner Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Alpha Gamma Delta 735 Judy Bonner Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Alpha Kappa Alpha 911 Magnolia Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Alpha Kappa Lambda 561 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Alpha Omicron Pi 738 Colonial Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Alpha Phi 760 Paul W Bryant Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Alpha Tau Omega 332 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
	Beta Theta Pi							

Fraternity	960 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Blount 901 2nd St.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Bryant Dorm 505 Devotie Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Chi Omega 901 Magnolia Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Chi Phi 600 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Delta Chi 511 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Delta Delta Delta 785 Judy Bonner Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Delta Gamma 625 Judy Bonner Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Delta Kappa Epsilon 946 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A

Fraternity	Delta Tau Delta 425 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Delta Zeta 900 Magnolia Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	John England Jr Hall (Freshman) 810 2nd Street	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Gamma Phi Beta 780 Paul W. Bryant Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Harris 745 Colonial Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Highlands on Hackberry B 145 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Highlands on Hackberry C 145 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A

Housing	Highlands on Hackberry D 145 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Highlands on Hackberry E 145 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Highlands on Hackberry F 145 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Highlands on Hackberry G 145 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Kappa Alpha 416 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Kappa Alpha Theta 890 Judy Bonner Dr.	0	0	N/A	N/A	N/A	N/A	N/A

Sorority	Kappa Alpha Theta 750 Colonial Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Kappa Delta 825 Magnolia Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Kappa Kappa Gamma 851 Colonial Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Kappa Sigma 521 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Lakeside East 150 McCorvey Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Lakeside West 152 McCorvey Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Lambda Chi Alpha 601 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A

Housing	Martha Parham East 921 6th Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Mary Burke East 920 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Mary Burke West 922 6th Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Paty 210 McCorvey Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Phi Delta Theta 190 University Blvd	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Phi Gamma Delta 976 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Phi Kappa Psi 312 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
	Phi Mu							

Sorority	921 Colonial Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Phi Sigma Kappa 501 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Pi Beta Phi 845 Magnolia Drive	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Pi Kappa Alpha 202 University Blvd.	1	1	Unintentional Action	Open flames and flammable liquid	1	0	$50,000-99,999
Fraternity	Pi Kappa Phi 130 University Blvd East	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Presidential Village I 676 Abercrombie Lane	1	1	Unintentional Action	Dryer fire	0	0	$0 - 99
Housing	Presidential Village II 622 Abercrombie Lane	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Ridgecrest East 900 2nd St.	0	0	N/A	N/A	N/A	N/A	N/A

Housing	Ridgecrest South 905 2nd St.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Ridgecrest West 920 2nd St.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Riverside East 178 Hackberry Ln.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Riverside North 172 Hackberry Ln.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Riverside West 174 Hackberry Lane	1	1	Intentional Action	Cardboard on fire	0	0	$0-99
Fraternity	Sigma Alpha Epsilon 432 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Sigma Chi 180 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Sigma Nu 990 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
	Sigma Phi Epsilon							

Fraternity	304 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Sigma Kappa 923 Magnolia Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Sigma Pi 435 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Sigma Tau Gamma 415 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Smith Woods A 400 Smithwood Circle	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Smith Woods B 410 Smithwood Circle	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Smith Woods C 420 Smithwood Circle	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Smith Woods D 430 Smithwood Circle	0	0	N/A	N/A	N/A	N/A	N/A
	Smith Woods E							

Housing	440 Smithwood Circle	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Smith Woods F 450 Smithwood Circle	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Theta Chi 110 University Blvd East.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Theta Tau 401 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Tutwiler 901 Paul W. Bryant Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Zeta Beta Tau 526 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Zeta Tau Alpha 922 Magnolia Dr.	0	0	N/A	N/A	N/A	N/A	N/A

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Fires Statistics in On-Campus Housing Facilities 2020

Type of Residential Facility	Residential Facility	Total Fires in Each Building	Fire Number	Cause of Fire	Explanation	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
Housing	405 Bryce Apartment 405 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	411 Bryce Apartment 411 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	417 Bryce Apartment 417 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	422 Bryce Apartment 422 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	423 Bryce Apartment 423 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	500 Bryce Apartment 500 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A

Housing	508 Bryce Apartment 508 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	511 Bryce Apartment 511 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	601 Bryce Apartment 601 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	607 Bryce Apartment 607 Bryce Lawn Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	401 Jefferson Ave. 401 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Alpha Chi Omega 801 Colonial Drive	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Alpha Delta Pi 675 Judy Bonner Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Alpha Gamma Delta	0	0	N/A	N/A	N/A	N/A	N/A

	735 Judy Bonner Dr.							
Housing	Alpha Kappa Alpha 911 Magnolia Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Alpha Kappa Lambda 561 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Alpha Omicron Pi 738 Colonial Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Alpha Phi 760 Paul W Bryant Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Alpha Tau Omega 332 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Beta Theta Pi 960 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Blount 901 2nd St.	1	1	Dryer fire	Dryer vent clogged	0	0	$1000-9999
Housing	Bryant Dorm	0	0	N/A	N/A	N/A	N/A	N/A

Housing	505 Devotie Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Chi Omega 901 Magnolia Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Chi Phi 600 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Delta Chi 511 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Delta Delta Delta 785 Judy Bonner Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Delta Gamma 625 Judy Bonner Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Delta Kappa Epsilon 946 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Delta Tau Delta 425 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Delta Zeta 900 Magnolia Dr.	0	0	N/A	N/A	N/A	N/A	N/A

Housing	John England Jr Hall (Freshman) 810 2nd Street	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Gamma Phi Beta 780 Paul W. Bryant Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Harris 745 Colonial Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Highlands on Hackberry B 145 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Highlands on Hackberry C 145 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Highlands on Hackberry D 145 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A

Housing	Highlands on Hackberry E 145 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Highlands on Hackberry F 145 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Highlands on Hackberry G 145 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Kappa Alpha 416 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Kappa Alpha Theta 890 Judy Bonner Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Kappa Alpha Theta 750 Colonial Dr.	0	0	N/A	N/A	N/A	N/A	N/A
	Kappa Delta							

Sorority	825 Magnolia Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Kappa Kappa Gamma 851 Colonial Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Kappa Sigma 521 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Lakeside East 150 McCorvey Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Lakeside West 152 McCorvey Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Lambda Chi Alpha 601 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	The Lofts @ City Center	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Martha Parham East 921 6th Ave.	0	0	N/A	N/A	N/A	N/A	N/A

Housing	Mary Burke East 920 Hackberry Lane	1	1	Intential Action	Paper Towels set on fire	0	0	$100-999
Housing	Mary Burke West 922 6th Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Paty 210 McCorvey Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Phi Delta Theta 190 University Blvd	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Phi Gamma Delta 976 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Phi Kappa Psi 312 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Phi Mu 921 Colonial Dr.	0	0	N/A	N/A	N/A	N/A	N/A
	Phi Sigma Kappa							

Fraternity	501 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Pi Beta Phi 845 Magnolia Drive	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Pi Kappa Alpha 202 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Pi Kappa Phi 130 University Blvd East	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Presidential Village I 676 Abercrombie Lane	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Presidential Village II 622 Abercrombie Lane	1	1	Intentional Action	Toilet Paper Roll Set On Fire	0	0	$0-99
Housing	Ridgecrest East 900 2nd St.	1	1	Unintentional Action	Food fire	0	0	$0-99
Housing	Ridgecrest South 905 2nd St.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Ridgecrest West	0	0	N/A	N/A	N/A	N/A	N/A

Housing	920 2nd St.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Riverside East 178 Hackberry Ln.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Riverside North 172 Hackberry Ln.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Riverside West 174 Hackberry Lane	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Sigma Alpha Epsilon 432 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Sigma Chi 180 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Sigma Nu 990 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Sigma Phi Epsilon 304 University Blvd.	0	0	N/A	N/A	N/A	N/A	N/A
	Sigma Kappa							

Housing	923 Magnolia Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Sigma Pi 435 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Sigma Tau Gamma 415 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Smith Woods A 400 Smithwood Circle	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Smith Woods B 410 Smithwood Circle	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Smith Woods C 420 Smithwood Circle	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Smith Woods D 430 Smithwood Circle	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Smith Woods E 440 Smithwood Circle	0	0	N/A	N/A	N/A	N/A	N/A
	Smith Woods F							

Housing	450 Smithwood Circle	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Theta Chi 110 University Blvd East.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Theta Tau 401 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Housing	Tutwiler 901 Paul W. Bryant Dr.	0	0	N/A	N/A	N/A	N/A	N/A
Fraternity	Zeta Beta Tau 526 Jefferson Ave.	0	0	N/A	N/A	N/A	N/A	N/A
Sorority	Zeta Tau Alpha 922 Magnolia Dr.	0	0	N/A	N/A	N/A	N/A	N/A
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Public Safety

Division of Financial Affairs

Fires in On-Campus Housing Facilities 2018

Type of Housing Facility	Fire Location by Building	General Location	Date Reported	Date of Fire	Time of Fire	Cause of Fire	Explanation	Injuries Related to Fire	Deaths Related to Fire	Value of Property Damage
Housing	Presidential I	Seventh Floor	12/5/2018	12/5/2018	11:34 PM	Unintentional Action	Item on Fire on Stove	0	0	$0 - 99

Fires in On-Campus Housing Facilities 2019

Type of Housing Facility	Fire Location by Building	General Location	Date Reported	Date of Fire	Time of Fire	Cause of Fire	Explanation	Injuries Related to Fire	Deaths Related to Fire	Value of Property Damage
Housing	607 Bryce Lawn	First Floor Apartment	2/3/2019	2/3/2019	5:42 AM	Unintentional Action	Appliance Fire	0	0	$0 - 99
Housing	Riverside West	Exterior Wall	3/5/2019	3/5/2019	2:29 PM	Intentional Action	Cardboard on Fire	0	0	$0 - 99

Fraternity	Pi Kappa Alpha	First Floor Interior Room	10/11/2019	10/11/2019	2:27 PM	Unintentional Action	Open Flames & Flammable Liquid	1	0	Unknown
Housing	Presidential I	Third Floor Laundry	10/21/2019	10/21/2019	8:10 PM	Unintentional Action	Dryer Fire	0	0	$0 - 99

Fires in On-Campus Housing Facilities 2020

Type of Housing Facility	Fire Location by Building	General Location	Date Reported	Date of Fire	Time of Fire	Cause of Fire	Explanation	Injuries Related to Fire	Deaths Related to Fire	Value of Property Damage
Housing	Mary Burke East	Second Floor North	10/5/2020	10/4/2020	10:57 PM	Intentional Action	Paper Towels set on fire	0	0	$100-999
Housing	Ridgecrest East	Second Floor	11/1/2020	11/1/2020	7:20 PM	Unintentional Action	Food fire	0	0	$0-99
Housing	Blount	Third Floor Laundry	11/2/2020	11/2/2020	2:56 PM	Unintentional Action	Dryer Fire	0	0	$1000-9999
Housing	Presidential II	5th Floor	1/28/2020	1/28/2020	4:48 PM	Intentional Action	Toilet Paper Roll Set On Fire	0	0	$0-99

Public Safety
Division of Financial Affairs

Fire Safety Systems of On-Campus Student Housing Facilities

Type of Residential Facility	Residential Facility	Fire Alarm Monitoring Done On Site (by UAPD) or by Outside Monitoring Company	Sprinkler System Present	Standpipe Present	Fire Alarm System Present	Fire Detection Devices Present (Smoke Detectors, Heat Detectors, Duct Detectors, etc.)	Audio And/Or Visual Devices Present	Stand Alone Smoke Alarms Present	Fire Extinguishers Present	Smoke-Control & Fire Reduction Mechanisms Present	Fire Doors And/Or Fire Walls Present	Fire Extinguishing System Present	Number of Evacuation (Fire) Drills Each Calendar Year	Evacuation Plans And/Or Placards
Housing	405 Bryce Apartment 405 Bryce Lawn Dr.	X			X	**Present over panels**	X	X	X				1	X
Housing	411 Bryce Apartment 411 Bryce Lawn Dr.	X			X	**Present over panels**	X	X	X				1	X
Housing	417 Bryce Apartment 417 Bryce Lawn Dr.	X			X	**Present over panels**	X	X	X				1	X
Housing	422 Bryce Apartment 422 Bryce Lawn Dr.	X			X	X	X	**SMOKE ALARMS TIED INTO FIRE ALARM**	X				1	X
Housing	423 Bryce Apartment 423 Bryce Lawn Dr.	X			X	X	X	**SMOKE ALARMS TIED INTO FIRE ALARM**	X				1	X

Housing	500 Bryce Apartment 500 Bryce Lawn Dr.	X			X	X	X	SMOKE ALARMS TIED INTO FIRE ALARM	X				1	X
Housing	508 Bryce Apartment 508 Bryce Lawn Dr.	X			X	X	X	SMOKE ALARMS TIED INTO FIRE ALARM	X				1	X
Housing	511 Bryce Apartment 511 Bryce Lawn Dr.							X	X				1	X
Housing	601 Bryce Apartment 601 Bryce Lawn Dr.							X	X				1	X
Housing	607 Bryce Apartment 607 Bryce Lawn Dr.							X	X				1	X
Housing	890 Judy Bonner Dr. 890 Judy Bonner Dr.	X	X		X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Sorority	Alpha Chi Omega 801 Colonial Drive	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Sorority	Alpha Delta Pi	X	X	X	X	X	X	X	X		X	HOOD	1	X

Sorority	675 Judy Bonner Dr.	X	X	X	X	X	X	X	X		X	SUPPRESSION	1	X
Sorority	Alpha Gamma Delta 735 Judy Bonner Dr.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	2	X
Housing	Alpha Kappa Alpha 911 Magnolia Dr.	X	X		X	X	X	SMOKE ALARMS TIED INTO FIRE ALARM	X		X	HOOD SUPPRESSION	1	X
Fraternity	Alpha Kappa Lambda 561 Jefferson Ave.	X	X		X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Sorority	Alpha Omicron Pi 738 Colonial Drive	X	X		X	X	X	SMOKE ALARMS TIED INTO FIRE ALARM	X		X	HOOD SUPPRESSION	1	X
Sorority	Alpha Phi 760 Paul W Bryant Dr.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	2	X
Fraternity	Alpha Tau Omega 332 University Blvd.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Fraternity	Beta Theta Pi 960 University Blvd.	X	X		X	X	X	X	X		X	HOOD SUPPRESSION	1	X

Housing	Blount 901 2nd St.	X	X	X	X	X	X	X	X		X		1	X
Housing	Blue Haus 1514 6th Ave E.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	0	X
Housing	Bryant Dorm 505 Devotie Dr.	X	X	X	X	X	X	X	X		X		1	X
Sorority	Chi Omega 901 Magnolia Dr.	X	X		X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Fraternity	Chi Phi 600 Jefferson Ave.	X			X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Housing	Cottage 9 1420 Warrior Dr.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	0	X
Fraternity	Delta Chi 511 Jefferson Ave.	X	X		X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Sorority	Delta Delta Delta	X	X	X	X	X	X	X	X		X	HOOD	1	X

Sorority	785 Judy Bonner Dr.	X	X	X	X	X	X	X	X		X	SUPPRESSION	1	X
Sorority	Delta Gamma 625 Judy Bonner Dr.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Fraternity	Delta Kappa Epsilon 946 University Blvd.	X	X		X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Fraternity	Delta Tau Delta 425 Jefferson Ave.	X	X		X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Sorority	Delta Zeta 900 Magnolia Drive	X	X	X	X	X	X	SMOKE ALARMS TIED INTO FIRE ALARM	X		X	HOOD SUPPRESSION	2	X
Housing	East Edge - various - 265 beds 1131 Jackson Ave.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	2	X
Housing	John H England Jr. Hall 810 2nd Street	X	X	X	X	X	X	SMOKE ALARMS TIED INTO FIRE ALARM	X		X	HOOD SUPPRESSION	1	X
Sorority	Gamma Phi Beta 780 Paul W. Bryant Dr.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X

Housing	Harris 745 Colonial Dr.	**X**			**X**	**X**	**X**	**X**	**X**		**X**		**1**	**X**
Housing	Highlands on Hackberry B 145 Hackberry Lane	**X**			**X**	**Present over panels**	**X**	**X**	**X**				**1**	**X**
Housing	Highlands on Hackberry C 145 Hackberry Lane	**X**			**X**	**Present over panels**	**X**	**X**	**X**				**1**	**X**
Housing	Highlands on Hackberry D 145 Hackberry Lane	**X**			**X**	**Present over panels**	**X**	**X**	**X**				**1**	**X**
Housing	Highlands on Hackberry E 145 Hackberry Lane	**X**			**X**	**Present over panels**	**X**	**X**	**X**				**1**	**X**
Housing	Highlands on Hackberry F 145 Hackberry Lane	**X**			**X**	**Present over panels**	**X**	**X**	**X**				**1**	**X**
Housing	Highlands on Hackberry G 145 Hackberry Lane	**X**			**X**	**Present over panels**	**X**	**X**	**X**				**1**	**X**
Fraternity	Kappa Alpha	**X**	**X**	**X**	**X**	**X**	**X**	**X**	**X**		**X**	**HOOD**	**1**	**X**

Fraternity	416 University Blvd.	X	X	X	X	X	X	X	X		X	SUPPRESSION	1	X
Sorority	Kappa Alpha Theta 748 Colonial Dr.	X	X		X	X	X	SMOKE ALARMS TIED INTO FIRE ALARM	X		X	HOOD SUPPRESSION	1	X
Sorority	Kappa Delta 825 Magnolia Dr.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Sorority	Kappa Kappa Gamma 851 Colonial Dr.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Fraternity	Kappa Sigma 521 Jefferson Ave.	X	X		X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Housing	Lakeside East 150 McCorvey Dr.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Housing	Lakeside West 152 McCorvey Dr.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Fraternity	Lambda Chi Alpha 601 Jefferson Ave.	X	X		X	X	X	X	X		X	HOOD SUPPRESSION	2	X

Housing	The Lofts @ City Center Various - 550 Beds	X	X		X	X	X	X	X		X	HOOD SUPPRESSION	4	X
Housing	Martha Parham East 921 6th Ave.	X		X	X	X	X	X	X		X		1	X
Housing	Mary Burke East 920 Hackberry Lane	X		X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Housing	Mary Burke West 922 6th Ave.	X		X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Housing	Paty 210 McCorvey Dr.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Fraternity	Phi Delta Theta 190 University Blvd	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Fraternity	Phi Gamma Delta 976 University Blvd.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Fraternity	Phi Kappa Psi 312 University Blvd.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X

Sorority	Phi Mu 921 Colonial Dr.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Fraternity	Phi Sigma Kappa 501 Jefferson Ave.	X	X		X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Sorority	Pi Beta Phi 845 Magnolia Drive	X	X		X	X	X	SMOKE ALARMS TIED INTO FIRE ALARM	X		X	HOOD SUPPRESSION	1	X
Fraternity	Pi Kappa Alpha 202 University Blvd.	X	X		X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Fraternity	Pi Kappa Phi 130 University Blvd East	X	X		X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Housing	Presidential Village I 676 Abercrombie Lane	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Housing	Presidential Village II 622 Abercrombie Lane	X	X	X	X	X	X	X	X		X		1	X
Housing	Redpont Tuscaloosa	X	X		X	X	X	X	X				0	X

Housing	1100 Hargrove Rd E.	X	X		X	X	X	X	X				0	X
Housing	Ridgecrest East 900 2nd St.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Housing	Ridgecrest South 905 2nd St.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Housing	Ridgecrest West 920 2nd St.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Housing	Riverside East 178 Hackberry Ln.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Housing	Riverside North 172 Hackberry Ln.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Housing	Riverside West 174 Hackberry Lane	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Fraternity	Sigma Alpha Epsilon 432 University Blvd.	X	X		X	X	X	SMOKE ALARMS TIED INTO FIRE ALARM	X		X	HOOD SUPPRESSION	2	X

Fraternity	Sigma Chi 180 University Blvd.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Housing	Sigma Kappa 923 Magnolia Drive	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	2	X
Fraternity	Sigma Nu 990 University Blvd.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Fraternity	Sigma Phi Epsilon 304 University Blvd.	X	X		X	X	X	SMOKE ALARMS TIED INTO FIRE ALARM	X		X	HOOD SUPPRESSION	1	X
Housing	Sigma Kappa 923 Magnolia Dr.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	2	X
Fraternity	Sigma Pi 435 Jefferson Ave.	X	X		X	X	X	X	X		X	HOOD SUPPRESSION	2	X
Fraternity	Sigma Tau Gamma 415 Jefferson Ave.	X	X		X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Fraternity	Delta Sigma Phi	X	X		X	X	X	X	X		X	HOOD	1	X

Fraternity	415 Jefferson Ave.	X	X		X	X	X	X	X		X	SUPPRESSION	1	X
Housing	Smith Woods A 400 Smithwood Circle	X			X	X	X	X	X		X		1	X
Housing	Smith Woods B 410 Smithwood Circle	X			X	X	X	X	X		X		1	X
Housing	Smith Woods C 420 Smithwood Circle	X			X	X	X	X	X		X		1	X
Housing	Smith Woods D 430 Smithwood Circle	X			X	X	X	X	X		X		1	X
Housing	Smith Woods E 440 Smithwood Circle	X			X	X	X	X	X		X		1	X
Housing	Smith Woods F 450 Smithwood Circle	X			X	X	X	X	X		X		1	X
Fraternity	Theta Chi 110 University Blvd East.	X	X		X	X	X	X	X		X	HOOD SUPPRESSION	1	X

Fraternity	Theta Tau 401 Jefferson Ave.	X			X	X	X	SMOKE ALARMS TIED INTO FIRE ALARM	X		X	HOOD SUPPRESSION	1	X
Housing	Tutwiler 901 Paul W. Bryant Dr.	X	X	X	X	X	X	X	X		X		1	X
Fraternity	Zeta Beta Tau 526 Jefferson Ave.	X	X		X	X	X	X	X		X	HOOD SUPPRESSION	1	X
Sorority	Zeta Tau Alpha 922 Magnolia Dr.	X	X	X	X	X	X	X	X		X	HOOD SUPPRESSION	1	X
NOTE: ALL ADDRESSES PROVIDED ARE LOCATED IN TUSCALOOSA, AL 35401 UNLESS OTHERWISE NOTED														