In honor of
Donald V. McCalister, Ph.D.
Director of Medical Student Affairs
1973 – 1994
OVERVIEW

The Huntsville Regional Medical Campus (HRMC) of the University of Alabama at Birmingham School of Medicine is committed to providing a safe and secure environment for all faculty, staff, students, and visitors. Located in the city of Huntsville, HRMC is part of the medical district of a greater urban community. Within the block surrounding the HRMC, there is a mixture of public and private property. The street boundaries for HRMC are Governors Drive, Gallatin Street, Longwood Drive, and Harvard Road. The HRMC facility is a 93,000 square foot building, which houses the UAB Health Center Huntsville clinical operations, the J. Ellis Sparks MD Medical Library, the Family Medicine Residency Program, the Internal Medicine Residency Program, and the academic programs for 70 junior and senior medical students from the UAB School of Medicine. The HRMC leases space within its building to the VA’s North Alabama Outpatient Clinic, a LabCorp satellite laboratory, Auburn University, and the Ambulatory Clinic Pharmacy. The Governors Medical Tower, a physician office building owned by Huntsville Hospital, is located at the east end of the campus boundary.

The HRMC has no residence hall. Medical students make their own housing arrangements for their two years of clinical training in Huntsville. The HRMC employs 30 full-time faculty members in five clinical departments: family medicine, internal medicine, obstetrics and gynecology, pediatrics, and psychiatry. The campus also benefits from the expertise of an exceptional medical community by engaging many of the more than 600 physicians of various specialties as volunteer clinical faculty.

The HRMC building is open to the public during regular business hours. At other times, the facility is locked and only authorized persons may have access to the facility. Medical students may be given electronic fob access to enter the building after business hours to access the Sparks Medical Library and the medical student/resident lounge only.

Non-sworn armed contract security officers employed by Security Engineers, Inc. (SEI) are utilized by the HRMC to provide twenty-four hours per day, seven days per week coverage to help ensure the safety and security of its students, faculty and staff. When an incident occurs, an SEI security officer completes a report and forwards a copy of the report to the HRMC Executive Administrator. If the incident in question requires the presence of a Huntsville police officer, the contract security officer will contact Huntsville Police Department (HPD) for assistance. In the event of a major security threat, SEI Security will notify the HRMC officials and at HRMC’s request, the HPD will be contacted for response to the aforementioned security matter.

The HRMC maintains its building and grounds with a concern for safety and security. The HRMC Plant Operations Department regularly inspects the facility; evaluates lighting, and makes repairs affecting safety and security hazards such as broken windows and locks. The SEI Security officers and other departments assist HRMC Plant Operations by reporting potential safety and security hazards.

No campus is isolated from crime; however, UAB and HRMC employ a variety of security measures to protect the campus community. All persons who come to campus are expected to obey all laws and University and department rules related to the use of each facility. Those who fail to comply are subject to arrest and/or disciplinary action through the University.
CAMPUS LAW ENFORCEMENT

Location
The Security Engineers, Inc. (SEI) office is located at 7501 South Memorial Parkway, Suite 116, Huntsville, AL and their officers are available 24 hours a day, seven days a week, including weekends and holidays. The HRMC community can request Security assistance by phone at 256-880-6334.

Responsibilities
SEI is contracted to secure the safety of people on the HRMC. SEI officers are available for responses from Huntsville faculty, students, residents, and staff. They provide periodic patrols of the HRMC during normal business hours, defined as 7:30am to 5:30pm Monday through Friday, to ensure that buildings are secure. After business hours and on UAB designated holidays, SEI provides periodic patrols of the HRMC, both interior and exterior, to ensure that the building is secure.

When a criminal act is reported, the HPD will investigate the incident and make every reasonable effort to identify the offenders. Depending upon the wishes of the victim, nature of the offense, and the evidence gathered, the case will be presented for prosecution in the criminal courts of Alabama. If a member of the UAB community is identified as an offender in an incident, the HPD will notify the appropriate HRMC administrator so that disciplinary action may be taken.

HOW YOU CAN HELP CREATE A SAFE CAMPUS

Safety, security, and crime prevention are the responsibilities of everyone. The cooperation and involvement of faculty, staff, and students are essential to having a safe campus. The safety and security of you and your belongings begin with your own awareness and commitment to the safety of the community. Following is a list of resources you can use to help create a safe campus for yourself and others.

Reporting Incidents

Like any other community, UAB and HRMC experiences accidents, injuries, crimes, and other emergencies. To report voluntary incidents, potential criminal actions, or suspicious incidents, UAB Huntsville faculty, medical personnel, staff, students, and visitors should notify SEI at (256) 880-6334. To report an incident of a confidential nature, an individual should contact a Campus Security Authority (Scott Bence, Executive Administrator; Paula Cothren, Director of Academic Programs; or Dr. Lanita Carter, Director of Medical Student Services).

Monitoring and recording criminal activity at off-campus organizations

The SEI security officers and HRMC rely on its working relationships with the local law enforcement agencies to receive information about incidents involving students off-campus. When needed, the Huntsville Police Department will actively investigate any crime information it receives concerning or involving a member of the campus community. If the HRMC is notified of a crime, the regional dean’s office may issue a crime alert, detailing the incident and providing tips so that other community members may avoid similar incidents.
Stay Informed
The HRMC uses a variety of methods to keep the campus informed about incidents occurring on and near campus. The UAB Police Department website www.uab.edu/police contains information about crime prevention, programs and services, Department news and events, links for outside resources, and much more.

Internet and Intranet Resources
HRMC provides computer access in common areas in the Sparks Medical Library and in the employee, resident and student lounges. The HRMC intranet is available to all faculty, staff, students and residents with a log-on identification and password to provide access to announcements, policies and crime awareness and other information for the HRMC community. The WIRE is the Internet Explorer main page for all HRMC campus computers and serves as a resource for announcements and as a clearinghouse for valuable information. As an additional resource, the HRMC community may benefit from safety, crime prevention information, links to Department newsgroups, and much more located on the UAB Police Department web site (www.uab.edu/police).

Publications
The UAB Police Department prepares and distributes numerous brochures and pamphlets covering topics such as sexual assault awareness, general crime prevention, harassing phone calls, bicycle safety and security, and traffic safety. Huntsville agencies, such as Crisis Services of North Alabama, and the HPD provide various brochures and pamphlets covering topics such as rape awareness, general crime prevention, harassing phone calls, bicycle safety and security, and traffic safety. These materials are available to Huntsville students in the Huntsville Office of Medical Students Services.

New Student and Employee Orientations
New students are provided crime awareness information during compliance training and orientation sessions held at least annually.

Emergency/Public Telephones
For the safety of the HRMC community, a public telephone is located at the south exit of the building. If a patient, student, or employee feels that is it not safe to exit the building alone, especially after hours or on weekends and holidays, they may call SEI (256-880-6334) to request an escort to their vehicle. An SEI security officer will be dispatched to the building as soon as available.

In the event of an emergency resulting from a dangerous crime or injury, call HPD from your cell phone at 911 or from an HRMC phone at 9+911 and follow the HRMC Emergency Preparedness, Response, and Evacuation Procedures. The Emergency (Code 0/Med Alert) Policy should be followed if a medical emergency occurs. Copies of these policies are available on the Huntsville Intranet and in policy manuals located in every department throughout the HRMC facility. If other types of crime or accidents have occurred on the HRMC, call SEI at 256-880-6334 or the HPD non-emergency number 256-722-7100.

Lost and Found
The HRMC Dean’s Office serves as the lost and found area for Huntsville. You can stop by the Dean’s Office to drop off found property or inquire about lost property. Call 256-539-7757 for more information.
**Operation Identification**
This program assists members of the UAB community in marking and tracking information (serial and model numbers, etc.) about valuable items such as calculators, computers, and televisions. Engravers for marking valuables are available, and participants in this program are provided with inventory cards. Call (205) 934-2409 for more information.

**Access to Campus Facilities**
Access to campus buildings and grounds is a privilege extended to students, faculty, staff, and authorized guests. The University encourages an open environment with limited constraints to ensure the reasonable protection of all members of the community. The HRMC facility is open during weekday business hours. Individuals who wish access during non-business hours or for special events should contact the appropriate department administrator. Fob access to specific areas of the facility are allowed specific to the individual’s need (for example, medical students have access to enter the facility’s main doors, the Sparks Medical Library, and the medical student lounge).

**SECURITY CONSIDERATIONS IN THE MAINTENANCE OF CAMPUS FACILITIES**
The HRMC is committed to campus safety and security. Exterior lighting and landscape control is a critical part of that commitment. The Huntsville Maintenance Director continually conduct security surveys to ensure campus lighting is adequate and that the landscape is appropriately controlled. SEI officers conduct routine checks of lighting during regularly assigned patrol duties. If lights are out or dim, officers will initiate an immediate work order, which is acted upon by the maintenance office, usually within 24 hours or the next business day. We encourage community members to report any deficiency in lighting to Huntsville Maintenance at (256) 551-4679. Any community member who has a concern about physical security should contact the Huntsville Regional Dean’s Office at (256) 539-7757.

Representatives from SEI and HRMC staff work together to identify inoperative locking mechanisms on a continual basis. We encourage community members to promptly report any locking mechanism deficiency to Maintenance at (256) 551-4679, or to the Huntsville Regional Dean’s Office at (256) 539-7757. Maintenance is available to respond to calls for service regarding unsafe facility conditions or for personal safety and property protection. These conditions also may include unsafe steps or handrails, unsafe roadways on campus, and unsecured equipment.

**LIVING IN OFF-CAMPUS HOUSING**
Neither the Housing Department nor UAB HRMC provides supervision for off-campus housing, apartments, and individual homes in Huntsville. All students receive crime awareness information. Students, regardless of where they live, are encouraged to report all crimes to the appropriate police agency.

If community members report crimes or serious incidents to other HRMC administrators, those administrators will notify the Huntsville Police Department. Representatives of these offices will promptly notify and collaborate with the Huntsville Regional Dean’s Office to issue a crime alert, if one is appropriate.
CRIME AWARENESS AND PREVENTION SPEAKERS

You can request a speaker from the UAB Police Department to come and talk with your group or organization about crime awareness and prevention. To request a speaker, call (205) 934-2409.

SAFETY AND SECURITY PROGRAMS

The UAB Police Department has a full-time crime prevention specialist that provides educational programming to the University community. Educational programs include:

1. Campus Watch- This program encourages the community to take an active role in the fight against crime.
2. Police Advisory Council - Volunteers from within the community that listen to the needs of the people and present those concerns to the Chief.
3. Drug and Alcohol Abuse- This program is designed to educate our students on the cause and effect of drugs and alcohol abuse.
4. Pedestrian Safety Campaign- Encourages safe habits and adherence to traffic policies.
5. Operation ID- Property protection with the aid of an engraver. The engraver assists with the speedy recovery of lost or stolen property.
6. Get Mugged Campaign- This program is designed to teach the UAB community on the importance of securing their valuables and not leaving items unattended in the workplace/classroom setting while at UAB.
7. Domestic Violence Seminar- Teaches the signs and symptoms of abuse.
8. Workplace Violence Seminar- Learn the different methods to identify and curtail workplace violence. Reviews the laws and employee rights and procedures to take when faced with this type of situation.
9. Personal Safety Awareness Seminar- Informs the community of the possible dangers of unwanted/uninvited individuals that could be lurking in the area.
10. Rape Aggression Defense- Program that teaches an individual how to become aware of potential aggressors and how to protect oneself from existing aggressors. UAB students and employees learn how to defend themselves if attacked.
11. A.L.I.C.E. Violent Intruder/Active Shooter Response – this program teaches response options during a violent intruder and/or active shooter event.

Safety programs begin with orientation for incoming freshmen and their parents. During the third-year medical student orientation to the Huntsville Regional Medical Campus, a presentation is made on safety and emergency procedures specific to Huntsville. All safety and security programs offered by UAB are available to students, faculty and staff upon request or if a need becomes apparent.

HRMC students interested in improving campus safety should contact Dr. Lanita Carter, director of medical student services at (256) 551-4432 or the Regional Dean’s Office at (256) 539-7757.

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT, AS AMENDED BY THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 (VAWA)

The University of Alabama at Birmingham prohibits the offenses of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the University community. As a result, UAB issues this statement of policy to inform the University community of our programs to domestic violence, dating
violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a University official.

For a complete copy of UAB's policies governing Sexual Violence, visit [http://www.uab.edu/policies/content/Pages/UAB-UC-POL-0000761.aspx](http://www.uab.edu/policies/content/Pages/UAB-UC-POL-0000761.aspx) for the student policy and [http://www.uab.edu/policies/content/Pages/UAB-HR-POL-0000759.aspx](http://www.uab.edu/policies/content/Pages/UAB-HR-POL-0000759.aspx) for the employee policy.

The University has established a Coordinated Community Response Team. The team consists of members from Student Affairs, Human Resources, UAB Police, Student Conduct, the Title IX Coordinator, the Campus Clery Compliance Officer, Campus Housing, select faculty and staff, and students. The team meets quarterly and is responsible for developing, reviewing, and revising protocols, policies, and procedures for addressing violence against women on campus.

**RELEVANT DEFINITIONS (VAWA)**

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<th>INTIMATE PARTNER VIOLENCE: DATING VIOLENCE</th>
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| **FED/CLERY** | Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.  
(i) The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, 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.  
34 C.F.R. § 668.46(a) |
| **AL** | n/a |

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<thead>
<tr>
<th>INTIMATE PARTNER VIOLENCE: DOMESTIC VIOLENCE</th>
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| **FED/CLERY** | (i) A felony or misdemeanor crime of violence committed—  
(A) By a current or former spouse or intimate partner of the victim;  
(B) By a person with whom the victim shares a child in common;  
(C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;  
(D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or  
(E) By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.  
34 C.F.R. § 668.46(a) |
| **AL** | **First Degree Domestic Violence**: Ala. Code § 13A-6-130(a)  
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, and the victim is a current or former spouse, parent, child, any person with whom the defendant has a child in common, a present or former household member, or a person who has or had a dating or engagement relationship with the defendant.

### Second Degree Domestic Violence - ALA. CODE § 13A-6-131(a)
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 harassing 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, child, any person with whom the defendant has a child in common, a present or former household member, or a person who has or had a dating or engagement relationship with the defendant.

### Third Degree Domestic Violence - ALA. CODE § 13A-6-132(a)
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, child, any person with whom the defendant has a child in common, a present or former household member, or a person who has or had a dating or engagement relationship with the defendant.

### STALKING

**UAB**
See FED/ CLERY Definition.
Additionally, conduct that may be considered stalking includes, but is not limited to:

- Following or approaching a person, someone with whom that person has or has had a continuing relationship, or a member of that person’s family or household;
- Contacting a person, someone with whom that person has or has had a continuing relationship, or a member of that person’s family or household whether or not conversation ensues;
- Placing a person, someone with whom that person has or has had a continuing relationship or a member of that person’s family or household under surveillance;
- Repeated unwanted communications of any type, including face to face, telephone calls, email, text messages, and social media:
  - Sending unwanted gifts;
  - Trespassing;
  - Lying in wait and/or
  - Vandalism.

**FED/ CLERY**
Stalking is: (i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
   (A) Fear for the person’s safety or the safety of others; or
   (B) Suffer substantial emotional distress.
(ii) For the purposes of this definition—
   (A) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
   (B) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
   (C) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

34 C.F.R. § 688.46(a)
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<th>State</th>
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<td>AL</td>
<td><strong>First Degree Stalking</strong> - ALA. CODE § 13A-6-90(a)</td>
<td>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.</td>
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<tr>
<td>AL</td>
<td><strong>Second Degree Stalking</strong> - ALA. CODE § 13A-6-90.1(a)</td>
<td>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.</td>
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<td>UAB</td>
<td><strong>SEXUAL ASSAULT OFFENSES – CONSENT, SEXUAL ASSAULT &amp; SEXUAL EXPLOITATION, FONDLING, INCEST, RAPE &amp; STATUTORY RAPE</strong></td>
<td>The term “consent” used when describing different types of prohibited acts of sexual misconduct under this Policy (such as sexual assault) means clear, voluntary permission, which cannot be inferred by the absence of verbal or physical resistance. A lack of consent results from forcible compulsion or incapacity to consent. Forcible compulsion is a physical force or a threat, whether expressed or implied, that places a person in fear of immediate serious physical injury or economic harm to him/herself or a third party. A person is deemed incapable of providing consent if, at the time of the act, he or she: (1) is under the age of 16; (2) suffers from a mental impairment, whether temporary or permanent, which renders them incapable of appraising the nature of his or her conduct (e.g., age, disability, or temporary impairment due to drug or alcohol consumption); or, (3) is physically helpless (e.g., unconscious), asleep, ill, or in a state of shock. Consent can be withdrawn by either party at any point. Consent must be voluntarily given and may not be valid if a person is being subjected to actions or behaviors that elicit emotional or psychological pressure, intimidation, or fear. Consent to engage in one sexual activity, or past agreement to engage in a particular sexual activity, cannot be presumed to constitute consent to engage in a different sexual activity or to engage again in a sexual activity. For purposes of this policy, the issue is whether the Respondent knew, or should have known, that the activity in question was not consensual. Engaging in sexual activity with a person who you know to be incapacitated, or reasonably should know to be incapacitated, violates this policy. Incapacitation is the inability, temporarily or permanently, to give consent because the individual is mentally or physically helpless, asleep, unconscious, or unaware that sexual activity is occurring. With incapacitation, an individual lacks the ability to make informed, rational judgments and cannot consent to sexual activity. Incapacitation may result from the use of alcohol and/or drugs. The impact of alcohol and other drugs varies from person to person; however, warning signs that a person may be approaching incapacitation or may already be incapacitated include, but not limited to, slurred speech, vomiting, stumbling, glassy or unfocused eyes, confusion as to time, place, etc., odor of alcohol, combativeness, or emotional volatility. Evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs affects an individual’s: •Decision-making ability; •Awareness of consequences; •Ability to make informed judgments; or •Capacity to appreciate the nature and the quality of the act. Evaluating incapacitation also requires an assessment of whether a Respondent was aware or should have been aware of the Complainant’s incapacitation based on objectively and reasonably apparent indications of impairment when viewed from the perspective of a sober, reasonable person in the</td>
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## FED/ CLERY

The affirmative, unambiguous, and voluntary agreement to engage in a specific sexual activity during a sexual encounter. *Note: This is a suggested draft DOE definition of consent.*

### AL

(a) Whether or not specifically stated, it is an element of every offense defined in this article, with the exception of subdivision (a)(3) of Section 13A-6-65, that the sexual act was committed *without consent* of the victim.

(b) Lack of consent results from:

1. Forcible compulsion; or
2. Incapacity to consent; or
3. If the offense charged is sexual abuse, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not express or impliedly acquiesce in the actor's conduct.

(c) A person is deemed incapable of consent if he is:

1. Less than 16 years old; or
2. Mentally defective; or
3. Mentally incapacitated; or
4. Physically helpless. ALA. CODE § 13A-6-70

### SEXUAL ASSAULT/SEXUAL contact/SEXUAL Exploitation

**UAB**

Sexual Assault means any sexual act directed against another person, forcibly or against that person's will; or, if not forcibly, where the victim is incapable of giving consent. Sexual assault also includes, but is not limited to, non-consensual sexual intercourse or sexual contact, incest rape, including statutory rape, and sexual exploitation.

Non-consensual sexual intercourse means any sexual intercourse whether anal, oral, or vaginal (or an attempt to commit the same) however slight, with any object, by a person upon another person, and, without that person's consent or by physical force. intercourse is vaginal penetration by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue, or finger; and oral copulation (mouth to genital contact or genital to mouth contact).

Non-consensual sexual contact means any intentional sexual touching (or an attempt to commit the same), however slight, with any object, by person upon another person, and, without consent or by physical force. Sexual touching is any intentional contact with the breasts, buttocks, groin, or genitals; or touching another with any of these body parts; or making another touch you or themselves with or on any of these body parts; or any intentional bodily contact in a sexual manner not involving these body parts.

Sexual exploitation taking 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:

- Exposing one's genitals in non-consensual circumstances or inducing someone to expose their genitals;
- Exceeding the boundaries of explicit consent, such as allowing friends to hide in a closet to be witness to one's consensual sexual activity;
- Engaging in voyeurism (Peeping Tom) or facilitating the voyeurism of others;
- Non-consensual video or audio recording of sexual activity;
-Prostituting another student; and/or
- Knowingly transmitting a sexually transmitted disease/infection or HIV to another student

**FED/ CLERY**

Sexual Assault is an offense that meets the definition of rape, fondling, incest, or statutory rape (see FED definitions below) 34 C.F.R. § 668.46(a)

**AL**

Alabama law includes definitions of the following 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. Refer to AL definitions below for those.

**First Degree Sexual Abuse** – ALA. CODE § 13A-6-66

(a) A person commits the crime of sexual abuse in the first degree if:

1. He subjects another person to sexual contact by forcible compulsion; or
2. He subjects another person to sexual contact who is *incapable of consent* by reason of being physically
helpless or mentally incapacitated.

**Second Degree Sexual Abuse** - [ALA. CODE § 13A-6-67](#)

(a) A person commits the crime of sexual abuse in the second degree if:

(1) He subjects another person to sexual contact who is *incapable of consent* by reason of some factor other than being less than 16 years old; or

(2) He, 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.

**First Degree Sodomy** – [ALA. CODE § 13A-6-63](#)

(a) A person commits the crime of sodomy in the first degree if:

(1) He engages in deviate sexual intercourse with another person by forcible compulsion; or

(2) He engages in deviate sexual intercourse with a person who is *incapable of consent* by reason of being physically helpless or mentally incapacitated; or

(3) He, being 16 years old or older, engages in deviate sexual intercourse with a person who is less than 12 years old.

**Second Degree Sodomy** – [ALA. CODE § 13A-6-64](#)

(a) A person commits the crime of sodomy in the second degree if:

(1) He, being 16 years old or older, engages in deviate sexual intercourse with another person less than 16 and more than 12 years old.

(2) He engages in deviate sexual intercourse with a person who is *incapable of consent* by reason of being mentally defective.

**Sexual Torture** – [ALA. CODE § 13A-6-65.1](#)

(a) A person commits the crime of sexual torture:

(1) By penetrating the vagina or anus or mouth of another person with an inanimate object by forcible compulsion with the intent to sexually torture or to sexually abuse.

(2) By penetrating the vagina or anus or mouth of a person who is *incapable of consent* by reason of physical helplessness or mental incapacity with an inanimate object, with the intent to sexually torture or to sexually abuse.

(3) By penetrating the vagina or 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 or to sexually abuse.

**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 of any person other than his spouse, he exposes his genitals under circumstances in which he knows his conduct is likely to cause affront or alarm in any public place or on the private premises of another or so near thereto as to be seen from such private premises.

**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 engaging in a sex act or deviant sexual intercourse with a student under the age of 19 years.** – [ALA. CODE §13A-6-81](#)

(a) A person commits the crime of a school employee engaging in a sex act or deviant sexual intercourse with a student under the age of 19 years if he or she is a school employee and engages in a sex act or deviant sexual intercourse with a student, regardless of whether the student is male or female. Consent is not a defense to a charge under this section.
(b) As used in this section, sex act means sexual intercourse with any penetration, however slight; emission is not required.
(c) As used in this section, deviant sexual intercourse means any act of sexual gratification between persons not married to each other involving the sex organs of one person and the mouth or anus of another.

**School Employee Having Sexual Contact With a Student Under the Age of 19 Years - AL. 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 engaging in sexual contact with a student, regardless of whether the student is male or female. Consent is not a defense to a charge under this section.

(b) As used in this section, *sexual contact* means any touching of the sexual or other intimate parts of a student, done for the purpose of gratifying the sexual desire of either party. The term includes soliciting or harassing a student to perform a sex act.

### FONDLING

<table>
<thead>
<tr>
<th>UAB</th>
<th>See FED definition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FED/ CLERY</strong></td>
<td>The touching of the private body parts of another person for the purpose of sexual gratification, <em>without the consent</em> 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. 34 C.F.R. § 668.46 Appendix A</td>
</tr>
<tr>
<td><strong>AL</strong></td>
<td>n/a</td>
</tr>
</tbody>
</table>

### INCEST

<table>
<thead>
<tr>
<th>UAB</th>
<th>See AL &amp; FED definitions</th>
</tr>
</thead>
</table>
| **AL** | (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. Ala. Code § 13A-13-3 |
| **FED/ CLERY** | Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. 34 C.F.R. § 668.46 Appendix A |

### RAPE

<table>
<thead>
<tr>
<th>UAB</th>
<th>See FED and AL definitions below.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>FED/ CLERY</strong></td>
<td>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, <em>without the consent</em> of the victim. 34 C.F.R. § 668.46 Appendix A</td>
</tr>
</tbody>
</table>
| **AL** | **First Degree Rape** – AL. CODE § 13A-6-61

(a) A person commits the crime of rape in the first degree if:

1. He or she engages in sexual intercourse with a member of the opposite sex by forcible compulsion; or
2. He or she engages in sexual intercourse with a member of the opposite sex who is *incapable of consent* by reason of being physically helpless or mentally incapacitated; or
3. He or she, being 16 years or older, engages in sexual intercourse with a member of the opposite sex who is less than 12 years old.  

**Second Degree Rape** – AL. CODE § 13A-6-62

(a) A person commits the crime of rape in the second degree if:

1. Being 16 years old or older, he or she engages in sexual intercourse with a member of the opposite sex less than 16 and more than 12 years old; provided, however, the actor is at least two years older than the member of the opposite sex.  

2. He or she engages in sexual intercourse with a member of the opposite sex who is *incapable of*
<table>
<thead>
<tr>
<th>ALF/ UAB</th>
<th>See FED and AL definitions</th>
</tr>
</thead>
<tbody>
<tr>
<td>FED/ CLERY</td>
<td>Sexual intercourse with a person who is under the statutory age of consent. 34 C.F.R. § 668.46 Appendix A</td>
</tr>
<tr>
<td>AL</td>
<td>In Alabama, it is illegal for an adult (someone 18 or older) to have sex with a minor (someone younger than 16), even if the sex is consensual. See AL definition of consent.</td>
</tr>
</tbody>
</table>

### Harassment & Sexual Harassment

| UAB | Any unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature if: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s education, living environment, employment, or participation in a University-related activity or University Program; (2) submission to or rejection of such conduct by an individual is used as the basis for or a factor in decisions affecting that individual’s education, living environment, employment, or participation in a University-related activity; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual’s educational performance or creating an intimidating, hostile, offensive, or abusive environment for that individual’s education, living environment, employment, or participation in a University-related activity. Examples may include, but are not limited to, the following: unwanted sexual statements; unwanted personal attention including stalking and cyber-stalking; unwanted physical or sexual advances that would constitute sexual assault, as defined in this policy; electronically recording, photographing, or transmitting intimate or sexual utterances, sounds, or images without the knowledge and consent of all parties involved; touching oneself sexually for others to view; and voyeurism (spying on others who are in intimate or sexual situations). Harassment can include interactions between individuals of the same or opposite sex. Hostile environment sexual harassment is unwelcome sexual conduct that is sufficiently severe or pervasive that it alters the conditions of education or employment and creates an environment that a reasonable person would find intimidating, hostile, or offensive. The determination of whether an environment is “hostile” must be based on all the circumstances. These circumstances could include the nature, frequency, intensity, location, context and duration of the conduct, its severity, and whether it is threatening or humiliating. Simple teasing, offhand comments and isolated incidents (unless extremely serious) will not amount to hostile environment harassment. Although repeated incidents generally create a stronger claim of sexual harassment, a serious incident, even if isolated, can be sufficient. For example, a single instance of sexual assault can constitute sexual harassment. See http://sppublic.ad.uab.edu/policies/Pages/LibraryDetail.aspx?pID=52&Source=http://sppublic.ad.uab.edu/policies/Pages/keywordlookup.aspx?pAN=S for UAB’s Equal Opportunity and Discriminatory Harassment Policy. http://www.uab.edu/students/services/student-engagement/contact-student-engagement/item/936-a-guide-for-victims-of-sexual-assault for UAB’s Guide for Victims of Sexual Assault http://www.uab.edu/handbook/activities-and-programs/engagement/d-sexualharassment for UAB’s Sexual Harassment Guide |
| FED/ CLERY | n/a |
| AL | n/a |

### OTHER DEFINITIONS

1. **Violence** is defined as any behavior or threat of behavior that causes physical harm or reasonable fear of physical harm to any individual, including but not limited to, a University student or employee, other member or guest of the University community, or anyone with whom the University is conducting business. Examples of behaviors or conduct that are not tolerated include, but are not limited to, the following:
• Injuring or threatening to injure another person or to damage/injure property; Engaging in inappropriate verbal, written, or physical behavior that subjects an identifiable individual to extreme emotional distress;
• Defacing or damaging property;
• Brandishing a weapon or firearm;
• Any act of domestic violence, dating violence or stalking;
• Attempting or committing nonconsensual sexual contact (any touching of the sexual or intimate parts of a person) or exposure, including sexual assault;
• Aiding or abetting others in any of the above actions (examples include but are not limited to concealing any of the above behaviors to protect the perpetrator, allowing them to use phones or e-mails to bypass security plans, delivering messages to the victim);
• Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
• Hazing, defined as any action taken or situation that either intentionally or unintentionally endangers the mental or physical health, safety, or welfare of any person within the University community, or that destroys or removes public or private property, for the purpose of initiation, participation, admission into, affiliation with, or as a condition of continued membership in a group or organization. (as defined further in the Student Code);
• Bullying, defined as intentional, repeated and/or severe aggressive behaviors that a reasonable person should know will intimidate, cause fear, or cause physical and/or emotional harm and/or control to one or more individuals and are not protected by freedom of expression;
• Enlisting, coercing, or asking others to do any of the above acts; and,
• Retaliating against any individual who, in good faith, reports a violation of this policy.

2. **Student** means any person admitted to the University, whether full-time or part-time, pursuing undergraduate, graduate, or professional studies, and who is either currently enrolled or was enrolled the previous semester and registered for a future semester. Students include persons attending classes on campus, off-campus or online. Persons who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered “students.”

3. **Student group or student organization** means any number of students who have complied with formal requirements for the University recognition as a student organization/group.

4. **University Official** includes any person employed by the University performing administrative, professional, research, teaching, or para-professional responsibilities.

5. **Reporting party** means any person who submits a written complaint or report alleging that a student violated this Student Code. The University reserves the right to initiate a report, to serve as reporting party, and to initiate conduct proceedings without a formal complaint by the victim of misconduct.

6. **Responding party** means any student or student organization that is alleged to have violated this Student Code.

7. **Administrative Review Meeting** means a meeting between the Responding party and a Conduct Officer to discuss a Responding party’s rights and review alleged violations of the Student Code.

8. **Resolution meeting** means a conduct proceeding before a Conduct Officer or before the Conduct Committee to address alleged violations of the Student Code.

9. **Advisor** means a person chosen by the Responding party or Reporting party to assist them with any conduct proceedings.

10. **University Representative** means a University Official authorized by the Director or their designee to present
information and question witnesses on behalf of the University at conduct proceedings.

11. **Faculty Member** means any person who is employed by the University for the purpose who holds academic rank or performs teaching or research duties.

12. **Staff Member** means any person employed by the University who is not considered faculty.

13. **University-Sponsored Activity** means any activity on or off campus, which is initiated, aided, funded, authorized, or supervised by the University.

14. **University Policy** means the written regulations of University as found in, but not limited to, the Student Code, residence hall living guides, graduate or professional school policies and appropriate sections of the University Policy Manual and University catalogues.

15. **Preponderance of the Information** is the information that would lead a reasonable person to conclude it is “more likely than not” that a Respondent violated this Student Code. In this context, the Respondent will be found to be responsible for the alleged violations if the Conduct Officer or the Conduct Committee concludes that the University has shown that such conduct more likely than not (i.e., preponderance of the evidence) occurred based on careful review of all information presented.

16. **Conduct hold** is defined as a hold on a student’s registration or transcript access. While conduct cases are pending, the University may place a conduct hold on the student’s records. A conduct hold will also be placed if a student fails to complete assigned sanctions. The conduct hold will not be removed until all sanctions have been completed. If a student fails to respond to a request to meet to discuss the alleged code violation, a conduct hold will be placed on the student’s record. Students who withdraw from UAB while conduct action is pending will have a conduct hold placed on the student’s record and the allegations must be resolved prior to the student’s readmission if approved.

17. “Will” is used in the imperative sense.

18. “May” is used in the permissive sense.

19. **Proceeding** means 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 victims concerning accommodations or protective measures to be provided to a victim.

20. **Result** means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly referred to as the Family Educational Rights and Privacy Act (FERPA), the result must also include the rationale for the result and the sanctions.

21. **Ongoing prevention and awareness campaigns** means 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, and stalking, using a range of strategies with audiences throughout the Institution.

22. **Programs to prevent:** The term programs to prevent refers to comprehensive educational and training programs intended to prevent violence that incorporate diverse approaches that are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and consider risk and protective factors as they occur on the individual, relationship, community and societal levels.

23. **Primary prevention programs** means programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, 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.

24. **Awareness programs** means community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

25. **Bystander intervention** means 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 dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

26. **Risk reduction** means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

**PROGRAMS TO PREVENT DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING**

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees, and ongoing awareness and prevention campaigns for students and that:

- Identifies domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) as prohibited conduct;
- Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- Defines what behavior and actions constitute consent to sexual activity in the State of Alabama;
- Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- Provides information on risk reduction;
- Information regarding:
  - procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this document)
  - how the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
o existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in “Assistance for Victims: Rights and Options” elsewhere in this document); and

○ options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);

○ procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this document);

The University has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientations; presenting programs throughout the year at least on a quarterly basis, including sessions such as: skits, clothes line projects, a residence hall speaker series, an annual poster series and web-based training programs regarding the Role of Faculty in Assisting Students Who Disclose Abuse or an Assault (see page eight for a list and short description of programs provided by UAB Police Department).

**Primary Prevention and Awareness Programs**

The term primary prevention refers to programming, initiatives and strategies intended to stop domestic violence, dating violence, sexual assault, or stalking before it occurs to prevent initial perpetration or victimization through the promotion of positive and healthy behaviors and beliefs. Efforts to change behavior and social norms, and promote healthy relationships, healthy sexuality and egalitarian gender roles, or efforts to understand risk factors and protective factors for bystander inaction and change social norms around bystander inaction are all examples of primary prevention.

The HRMC offered primary prevention and awareness programs for all third year medical students on April 30 2014 and to all new employees on June 25, 2014 and December 12, 2014. These sessions covered the topics of domestic violence, dating violence, stalking and sexual assault.

**Ongoing Prevention and Awareness Programs**

The term ongoing awareness and prevention campaigns refers to campaigns that are sustained over time focusing on increasing awareness or understanding of topics relevant to SA, DoV, DaV and stalking prevention. These programs will occur at different levels throughout the institution (i.e. faculty, athletics, and incoming students) and will utilize a range of strategies. Ongoing awareness and prevention campaigns may include information about what constitutes sexual assault, dating violence/intimate partner abuse, and stalking, changing social norms, promoting recognition of perpetrator tactics, enhancing understanding of consent, and advancing prosocial behaviors of individuals and communities. Effective ongoing awareness and prevention campaigns will include developmentally appropriate content for the specific audience and their knowledge and awareness level and provide positive and concrete ways for individuals to get involved.
Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible by calling Huntsville Police Department at 911 and/or the Crisis Center of North Alabama (CSNA) Rape Response Program, 256-716-1000 or the closest hospital. In Alabama, evidence may be collected even if you chose not to make a report to law enforcement. If you are off-campus and need assistance, contact local law enforcement by dialing 911. University personnel will assist the student in notifying these authorities, if the student requests the assistance of these personnel.

In Huntsville, you may also contact CSNA Rape Response program directly at (256) 716-1000 (toll-free 800-691-8426). This is a 24-hour confidential hotline. At CSNA Rape Response, you will receive a range of free and confidential services, including a medical examination, forensic evidence collection, medical advocacy, crisis counseling, and legal advocacy services. A qualified physician or nurse will examine you for injuries and collect physical evidence that could be used in proceedings, if you decide to prosecute. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or a sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University hearing boards/investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with UAB Police or other law enforcement personnel to preserve evidence in the event that the victim changes her/his mind at a later date.

Involvement of Law Enforcement and Campus Authorities

Although the University strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim’s choice whether to make such a report. Furthermore, victims have the right to decline involvement with the police. In Alabama, you may file a police report without providing your name. The Office of Student Advocacy, Rights and Conduct will assist any victim with notifying local police (if they so desire). The Huntsville Police Department may also be reached directly by calling 911, in person at the nearest police precinct.

Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to Dr. Lanita Carter, Huntsville Director of Medical Student Services by phone (256) 551-4432, in writing to carterl@uab.edu or in person to Room 312 of the HRMC; or to the Assistant Vice President for Student Life and Title IX Coordinator, Andrew Marsch by phone (205) 934-4175, in writing marsch@uab.edu, or in person 1715 Building, 715 9th Avenue South. The victim in Huntsville may choose to report to HPD at 911 if they
wish. Reports of all domestic violence, dating violence, sexual assault and stalking made to a Huntsville Campus Administrator, the Huntsville Director of Medical Student Services, or UAB Police will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

**Procedures the University Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported**

The University has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to the UAB Police Department (UABPD) or local law enforcement. Students should contact Dr. Lanita Carter, Huntsville Director of Medical Student Services by phone (256) 551-4432, in writing to carterl@uab.edu or in person to Room 312 of the HRMC and the Office of Student Advocacy, Rights and Conduct at (205) 975-9509 and/or UABPD at (205) 934-4434 and employees should contact an immediate supervisor or the Office of HR Employee Relations (205) 934-4458.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, the below are the procedures that the University will follow:

<table>
<thead>
<tr>
<th>Incident Being Reported</th>
<th>Procedure Institution Will Follow</th>
</tr>
</thead>
</table>
| Sexual Assault          | 1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care  
2. Institution will assess immediate safety needs of complainant  
3. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department  
4. Institution will provide complainant with referrals to on and off campus mental health providers  
5. Institution will assess need to implement interim or long-term protective measures, if appropriate.  
6. Institution will provide the victim with a written explanation of the victim’s rights and options  
7. Institution will provide a “No Contact” directive to accused party if deemed appropriate  
8. Institution will provide written instructions on how to apply for Protective Order  
9. Institution will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution  
10. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is  
11. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation |
<table>
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<tr>
<th>Stalking</th>
<th>1. Institution will assess immediate safety needs of complainant</th>
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<td>2. Institution will assist complainant with contacting local</td>
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<td>police if complainant requests AND provide the complainant</td>
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<td>with contact information for local police department</td>
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<td>apply for Protective Order</td>
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<td>4. Institution will provide written information to complainant</td>
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<td>on how to preserve evidence</td>
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<td>5. Institution will assess need to implement interim or</td>
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<td>long-term protective measures to protect the complainant,</td>
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<td>if appropriate</td>
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<td>Dating Violence</td>
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<td>to accused party if deemed appropriate</td>
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**Assistance for Victims: Rights & Options**

Regardless of whether a victim elects to pursue a criminal complaint, the University will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights. In Alabama, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

**Within 72 hours after a victim files a crime report, the assisting local law enforcement agency shall provide the victim with the following:**

1. a list of local emergency and crisis services
2. the name and phone number of the officer and the agency handling your report
3. the name and phone number of the prosecuting attorney
4. the procedural steps in a criminal prosecution
5. the availability of victim's compensation benefits
6. a listing of your rights as a victim including a form to insure you are given your rights
7. the existence and eligibility requirements of restitution and compensation
8. a recommended procedure if you are subject to threats or intimidation as a victim

**A crime victim also has a right to:**

1. notification of all criminal proceedings and charges filed against the defendant, with the exception of initial appearance, and the right to be present at all proceedings
2. necessary information regarding the appropriate agencies from which you may request information
3. an explanation of the pre-sentence report and the right to make a written or oral statement to the probation officer, and a right to review the pre-sentence report
4. be notified of the time and place of any sentencing hearing and to make a written or oral statement, or present any information at a sentencing proceeding or any other proceeding as authorized by law
5. information regarding the return of any property taken
6. be provided the date of conviction, acquittal or dismissal of charges against the defendant and the sentence imposed
7. refuse an interview or other communication with the defendant, his attorney or anyone acting on his behalf
8. the status and results of any post-conviction appeal
9. be provided a waiting area separate from the defendant, his relatives, and defense witnesses if available and practical
10. submit a statement to be entered into the inmate's records that you are to be notified of release, on bond, from prison, escape, re-arrest, or death of the prisoner
11. information regarding collection of restitution
12. any release opinion by the Alabama Department of Mental Health
13. be notified of any Pardon and Parole Board hearings and the right to be present and heard at such hearings

For more information, please see the State of Alabama, Office of the Attorney General’s website http://www.ago.state.al.us/Page-Victims-Assistance-Crime-Victims-Rights or call the State of Alabama’s Victim Assistance Hotline (800) 626-7676

**Rights of Victims and the University’s Responsibilities for Orders of Protection, “No Contact” Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the University**

UAB complies with Alabama law in recognizing protection from abuse orders. Any person who obtains an order of protection from the State of Alabama or any other state should provide a copy to UAB Police and the Office of the Title IX Coordinator. A complainant may then meet with UAB Police to develop a Safety Action Plan, which is a plan for UAB Police and the victim to reduce risk of harm while on campus or coming and going from campus. When the student is assigned to the Huntsville Regional Medical Campus, the University and UAB Police with work with the Huntsville Security Engineers, Inc. (SEI) to formulate such a plan. This plan may include, but is not limited to: imposing a no contact order on the Responding party; residence hall room change for one or more involved parties; changes in academic schedules or assignments for one or both parties; and interim suspension of the Responding party. The University cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s). To apply for a Protection From Abuse Order (PFA) you must file a petition, which can be obtained from the circuit clerk in your county, usually located at the county courthouse.

The University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. If the University receives a report that such an institutional no contact order has been violated, the University will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.

**Accommodations and Protective Measures Available for Victims**

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, UAB will provide written
notification to students and employees about accommodations available to them, including academic, living, transportation and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim’s request, and to the extent of the victim’s cooperation and consent, university offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working or transportation situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, living, transportation and/or working situations or protective measures, a victim should contact the Office of Student Advocacy, Rights and Conduct (students) and UAB HR Office of Employee Relations (employee). The Office of Student Advocacy, Rights and Conduct and the Title IX Coordinator (students), and/or Human Resources (employees) can assist victims with these accommodations. In Huntsville, the Director of Medical Student Services can assist in these accommodations.

**On and Off Campus Services for Victims**

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, UAB will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. These resources include the following:

**In Huntsville**

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Phone Number</th>
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<tbody>
<tr>
<td>Huntsville Police</td>
<td>2110 Clinton Avenue, W</td>
<td>256-722-7100/911 or 256-427-5461</td>
</tr>
<tr>
<td>Madison Police</td>
<td>100 Hughes Road</td>
<td>256-722-7190/911</td>
</tr>
<tr>
<td>Crisis Services of North Alabama/HelpLine/HOPE Place</td>
<td>256-716-1000/211</td>
<td>256-551-1610</td>
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<tr>
<td>Family Service Center</td>
<td></td>
<td>256-265-1000</td>
</tr>
<tr>
<td>Huntsville Hospital</td>
<td>201 Sivley Road</td>
<td>256-533-5437/1-800-422-4453</td>
</tr>
<tr>
<td>National Children’s Advocacy Center</td>
<td>210 Parrett Ct, NW</td>
<td>256-551-4432 or after hours service at 256-536-5511</td>
</tr>
<tr>
<td>UAB Huntsville Office of Medical Student Services</td>
<td>301 Governors Drive, Room 112</td>
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On Birmingham Campus

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Phone Number</th>
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<tbody>
<tr>
<td>UAB Police</td>
<td>1117 14th Street South</td>
<td>205-934-4434</td>
</tr>
<tr>
<td>Student Health and Wellness</td>
<td>1714 9th Avenue South</td>
<td>205-934-3581</td>
</tr>
<tr>
<td>Student Health and Wellness Counseling</td>
<td>1714 9th Avenue South</td>
<td>205-934-5816</td>
</tr>
<tr>
<td>Office of Student Advocacy, Rights and</td>
<td>171 9th Avenue South</td>
<td>205-975-9509</td>
</tr>
<tr>
<td>Office for Equity and Diversity</td>
<td>401 Campbell Hall, 1300 Univ. Blvd</td>
<td>205-934-8762</td>
</tr>
<tr>
<td>Office of Employee Relations</td>
<td>1720 2nd Avenue South</td>
<td>205-934-4458</td>
</tr>
<tr>
<td>Title IX Coordinator, Andrew Marsch</td>
<td>1715 9th Avenue South</td>
<td>205-934-4175</td>
</tr>
<tr>
<td>UAB Hospital Emergency Department</td>
<td>1802 6th Avenue South</td>
<td>205-934-5105</td>
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In the Birmingham Area

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Birmingham Police</td>
<td>1825 1st Avenue North</td>
<td>205-254-2107</td>
</tr>
<tr>
<td>Birmingham Crisis Center (SANE)</td>
<td>3600 8th Avenue South Suite 501</td>
<td>205-323-7777</td>
</tr>
<tr>
<td>Family Violence Center</td>
<td></td>
<td>205-322-4878</td>
</tr>
<tr>
<td>Jefferson County Courthouse</td>
<td>716 Richard Arrington Jr. Blvd. N.</td>
<td>205-325-5300</td>
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Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

  - [http://www.rainn.org](http://www.rainn.org) – Rape, Abuse and Incest National Network
  - [http://www.ovw.usdoj.gov/sexassault.htm](http://www.ovw.usdoj.gov/sexassault.htm) - Department of Justice
  - [http://www2.ed.gov/about/offices/list/ocr/index.html](http://www2.ed.gov/about/offices/list/ocr/index.html) Department of Education, Office of Civil Rights

Confidentiality

Victims may request that directory information on file with the University be withheld by request through the UAB One Stop Student Services, (205) 934-4300. This is the same method to be used by medical students at the Huntsville Regional Medical Campus because this service is handled centrally for ALL students at UAB.

Regardless of whether a victim has opted-out of allowing the University to share “directory information,” personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the [Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act](http://www2.ed.gov/about/offices/list/ocr/index.html). Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.
If you would like the details of an incident to be kept confidential, you may speak with on-campus counselors, campus health service providers, off-campus rape crisis resources (such as advocates or peer advisors), or clergy/chaplains. Campus counselors are available to help you free of charge and can be seen on an emergency basis during normal business hours. UAB Student Health and Wellness - Counseling Services can be contacted at (205) 934-5816. For emergency counseling available after normal business hours, please contact the Crisis Center (205) 323-7777 or Rape Response at (205) 323-7273 and in Huntsville the Crisis Services of North Alabama (CSNA) at 256-716-1000 (toll free 800-691-8426). These counselors are not required to report any information about an incident to the Title IX coordinator without the victim’s permission.

Resolution of Violations

The University’s disciplinary process includes a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with the institution’s policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within 60 days of the report. However, each proceeding allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. University officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Furthermore, each policy provides that:

1. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
2. The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
4. The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The University will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. However, advisors are not allowed to speak and are allowed only to confer with their advisee. An advisor who violates this limitation could subject the advisee to additional sanctions or conduct action under the Student Code. Participants electing to be accompanied by an advisor must notify the Chair at least three (3) business days prior to the hearing;
5. The accuser and the accused will be notified simultaneously, in writing, of the any initial, interim and final decision of any disciplinary proceeding; and
6. Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the accuser and the accused will be notified
simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

In addition to the above, The Student Violence and Sexual Misconduct Policy allows the following additional rights:

The Reporting party will also be afforded the following rights:

- The University will inform the Reporting party of available counseling services, medical services, mental health services, and other campus and off campus resources for assistance for victims of violence and sexual misconduct.
- The Reporting party may request changes to academic and living situations after violence and sexual misconduct occurs. The Office of Advocacy, Rights and Conduct may be able to help facilitate such changes.
- The Reporting party has a right to request issuance of a campus "no-contact order," to prohibit the Responding party from having contact of any kind (including electronic contact or contact from third parties acting on the Responding party's behalf) with him or her either on an interim or on a permanent basis.
- The University will not consider the prior, sexual behavior or history of the Reporting party with other individuals, or their engagement in under-age drinking in any investigation of sexual misconduct.
- The Reporting party may report incidents of violence and sexual misconduct to local law enforcement, which will not prevent University disciplinary action.
- The Reporting party has the right to submit physical evidence in the event of sexual assault.

The Responding party will also be afforded the following rights:

- To a general notice of the allegations, or Code of Conduct charges (if applicable), and access to policy statements regarding the investigation process and possible sanctions.
- To receive information regarding University and community support resources (including but not limited to modification of academic, living, transportation, or working situations to avoid a hostile environment, and available health counseling, mental health counseling, victim advocacy, legal assistance, visa and immigration assistance, and student financial aid).

Whether or not criminal charges are filed, the University or a person may file a complaint under the UAB Student Violence and Sexual Misconduct Policy (student policy) and/or the Violence Prevention and Response Policy (employee policy), depending on the status of the accused (student or employee):

Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking

Student Violence and Sexual Misconduct Policy

1. How to File a Disciplinary Complaint Under this Policy

Students should immediately report domestic violence, dating violence, sexual assault, and stalking to Dr. Lanita Carter, Huntsville Director of Medical Student Services by phone (256) 551-4432, in writing to carterl@uab.edu or in person to Room 312 of the HRMC; or to the University Title IX Coordinator, Andrew Marsch by phone (205) 934-4175, in writing marsch@uab.edu. Students may also report to the Huntsville Police Department by calling (256) 722-7100. Any criminal investigation by UABPD or other law
enforcement agency is independent from any disciplinary investigation undertaken by the University under this policy. Students may also report sexual misconduct to the Dr. Lanita Carter, Director of Huntsville Medical Student Services or University's Title IX Coordinator, Andrew Marsch (205) 934-4175 marsch@uab.edu; the Title IX Deputy Coordinator and Director of Advocacy, Rights and Responsibilities, Emily Feinstein, at (205) 975-9509 eufeinstein@uab.edu; or the Assistant Director of Advocacy, Rights and Responsibilities, Debbie Morgette, at (205) 975-9509 morgette@uab.edu. Regardless of whether a Reporting party decides to pursue a criminal investigation, the University's Title IX Coordinator will take immediate steps to investigate the report, to protect the Reporting party, and to ensure the safety of the campus community. If a criminal complaint is filed in addition to the University complaint, the University will continue implementing its own procedures regardless of the timeline of the criminal proceedings or their outcome, unless the University is advised by the UABPD or other law enforcement agency that doing so could jeopardize the criminal investigation.

2. **How the University Determines Whether This Policy will be Used**
   Any action involving a student is referred to the Office of Advocacy, Rights and Conduct to determine if this policy is applicable.

3. **Steps in the Disciplinary Process**
   1. **Complaint**
      a. When it is alleged that a student, student group or student organization has violated this Policy the Title IX Coordinator will be notified.
      b. The Title IX Coordinator will assign the matter to a Title IX Investigator to conduct an investigation. If at any time during the investigation, the Title IX Investigator determines that there is no reasonable cause to believe that a policy has been violated or misconduct has occurred, the Title IX Investigator will notify the Title IX Coordinator of same and the investigation shall be concluded and the complaint dismissed. The Reporting party may appeal the dismissal of the complaint pursuant to Appeals Procedures Section of the full policy.
   2. **Notification**
      a. If the Title IX Investigator determines there is reasonable cause to believe a policy has been violated, the Responding party will be notified in writing (the “Notification”) of the Title IX investigation.
      b. The Notification will be sent to the Responding party’s UAB email address of record, the mailing or permanent address appearing in the University’s student information system, an address appearing in a police report, or through personal contact.
      c. The Notification will include:
         i. A description of the alleged misconduct.
         ii. A description of the provision of the conduct or University policy alleged to have been violated.
         iii. A request that the Responding party notify the Title IX Investigator to set up a meeting within the timeframe designated in the Notification. If the Responding party does not schedule or attend the meeting by the date specified in the Notification, the Title IX Investigator may make findings and determinations, assign sanctions and complete any investigation based on the information in their possession without the Responding party’s participation.
iv. Information about the right to have an advisor attend any conduct proceeding contemplated in these procedures.

3. Title IX Investigation
   a. The Title IX Investigator is responsible for conducting a prompt, objective and equitable investigation into the alleged violation(s) of this Policy.
   b. As part of the Title IX Investigation, the Title IX Investigator will meet with the Responding party and the Reporting party, separately. At the meetings, the Title IX Investigator will:
      i. Explain each party of his/her rights;
      ii. Explain the allegations clearly and fully to the Responding party;
      iii. Allow the Responding party the opportunity to accept or deny responsibility for the alleged conduct violation(s);
      iv. Explain the resolution options;
      v. Explain the right to have an advisor attend any conduct proceeding contemplated in these procedures;
      vi. Explain the conduct and appeal process and
      vii. Allow the Reporting party and Responding party to identify witnesses who may have information pertinent to the alleged conduct.
   c. The Investigator will speak to witnesses identified by the Responding party or the Reporting party.
   d. At the conclusion of an investigation, the Title IX Investigator shall prepare a written Report, which will include a statement of factual findings and a recommendation as to whether there was a violation and a recommendation as to sanctions, if any.
   e. The Responding party and the Reporting party shall be notified in writing of the Title IX Investigator’s finding and recommendation for sanctions, if any., consistent with FERPA or other regulations regarding the disclosure of education records.
   f. The Responding party and the Reporting party may accept or reject the recommendation. If both the Responding party and the Reporting party accept the recommendation, then the Title IX Coordinator will implement the recommendation and sanctions, if any. The acceptance of the recommendation cuts off each party’s right to appeal. If either the Responding party or the Reporting party rejects any part of the recommendation, then the process will proceed to a resolution hearing as to only that part of the recommendation which was rejected. The Responding party or the Reporting party may accept or reject the recommendation at any time prior to the date of the resolution hearing.

4. Resolution Hearing Notice
   The Chair, in coordination with the Conduct Body, will select a date and time for the resolution hearing. The Chair will notify the Responding party and the Reporting party of the hearing date and time at least ten (10) days prior to the hearing. The hearing notice will be in writing and will include the following information:
   a. The date, time, and location of the hearing;
   b. The names of the Conduct Body Members;
   c. Information about how to submit witness names to Chair;
   d. Information about how to submit Advisor name to Chair.
   e. A Responding party or Reporting party who cannot attend the scheduled hearing must contact the Chair to request a new date and/or time for the meeting at least three (3) business prior to the hearing. It is at the discretion of the Chair if the hearing will be rescheduled and a Responding party and a Reporting party may only request one change to the date and/or time of the hearing.
f. If, after proper notice, the Responding party does not appear at the scheduled date and/or time, the Conduct Body may conduct the meeting without the Responding party’s participation, determine the Responding party’s responsibility for the alleged violation(s) and assign sanctions based on the information in its possession. An unexcused absence from a meeting, without just cause, may also result in additional charges under the Student Code.

g. A hearing may be conducted on a non-business day at the discretion of Chair, as applicable, with the agreement of all involved participants.

5. Resolution Hearing Before the Conduct Board

a. At the resolution hearing, the Chair will explain hearing procedures to the Responding party, Title IX Investigator, Reporting party, and other participants.

b. The Chair is responsible for facilitating the meeting and will make decisions regarding witnesses, evidence, and procedures. The Chair may exclude any person who disrupts the resolution meeting.

c. The Conduct body will hear and receive information and witnesses presented by the Responding party, the Reporting party and Title IX Investigator, review the Title IX Investigator’s Report and other information, and ask questions.

d. The Responding party and the Reporting party will also have the opportunity to submit questions to the Chair regarding participating witnesses. The Chair will determine relevancy of the questions submitted.

e. The Responding party and the Reporting party will not be permitted to directly question each other and are not required to be present together at any point during the process, including the meeting.

f. The Chair will conclude the meeting by explaining next steps in the process.

g. During the hearing, the Reporting party and the Responding party has the right to give opening and closing statements.

The Responding party and Reporting party are entitled to be assisted by an advisor during a resolution hearing. Advisors are not allowed to speak and are allowed only to confer with their advisee. An advisor who violates this limitation could subject the advisee to additional sanctions or conduct action under the Student Code. Participants electing to be accompanied by an advisor must notify the Chair at least three (3) business days prior to the hearing.

**Witnesses and Supporting Information:**

a. All documents to be presented at the hearing by the Reporting party or the Responding party must be submitted to the Chair at least three (3) business days prior to the hearing. The Chair will provide copies of submitted documents to the Reporting party and Responding party at least two (2) business days prior to the hearing, consistent with FERPA or other regulation governing the disclosure of educational records. Any documents submitted and/or discovered within three (3) business days of the hearing may only be considered at the discretion of the Chair.

b. Witness lists must be provided by the Responding party and the Reporting party to the Chair at least three (3) business days prior to the hearing. The Chair will provide the Responding party and the Reporting party with a complete witness list at least two (2) business days prior to the hearing.

c. Members of the University community are encouraged to appear at the hearing as witnesses if they have knowledge or information regarding the incident or alleged violation in question and if they have been requested to appear. Individuals who are not members of the University
community will generally be permitted to appear as a witness if they have direct knowledge or information regarding the incident or alleged violation in question.

d. Character witnesses are not accepted.

6. Resolution Conduct Body’s Decision – See below #5 Decision-Making Process

4. Anticipated Timelines
The Title IX Coordinator will resolve these reports or complaints equitably and as promptly as practicable after the report or complaint is made. Ordinarily, the resolution process shall be concluded no later than sixty (60) days following the receipt of a complaint. More specific timelines can be found in the above section (Steps in the Disciplinary Process).

5. Decision-Making Process
a. After the conclusion of the hearing, the Conduct Body will deliberate privately. The determination(s) of the Conduct Body will be made by majority vote. The deliberations will not be recorded.

b. The Conduct Body will first determine whether the Responding party is responsible for the alleged violation(s). If the Responding party is found not responsible for all alleged violation(s), the matter will be dismissed and concluded without further proceedings for the Responding party.

c. If the Responding party is found responsible for one or more of the alleged violation(s), the Conduct Body will determine fair and appropriate sanction(s) and make sanction recommendations. While determining fair and appropriate sanction(s) the Chair will notify the Conduct Body of the Responding party’s previous student conduct history. Previous student conduct history will be limited to student conduct cases where the Responding party accepted responsibility, or was found responsible for violating the Student Code. Cases where the Responding party was not found responsible for violating this Policy or all charges were dismissed will not be introduced.

d. When notifying the Conduct Body of a Responding party’s student conduct history, the Chair will provide the date of the incident, a description of the violation(s), and the assigned sanctions. However, information which implicates federal privacy laws or is protected from disclosure (e.g. FERPA, HIPAA) may be excluded.

e. After the conclusion of deliberations, the Chair will compile a Student Conduct Resolution Report summarizing the alleged violation(s), the Conduct Body’s findings as to each alleged violation, and sanction recommendations, if any and will forward the report within five (5) business days to the Title IX Coordinator, as applicable, who will review the findings and recommended sanction(s), if any.

f. After reviewing the report, the Title IX Coordinator, as applicable, will forward the report to the Chair who will send the Responding party and the Reporting party a copy of the Student Conduct Resolution Report and assigned sanction(s), if applicable within five (5) business days of receiving the Report from the Title IX Coordinator, unless circumstances warrant otherwise. The Report will be sent to the Responding party’s and the Reporting party’s UAB email address of record, the mailing or permanent address appearing in the University’s student information system, an address appearing in a police report, or through personal contact.

g. Either the Responding party or Reporting party may request an appeal of the Conduct Body findings within (5) business days of receiving notification of the finding.

h. When suspension or expulsion are recommended by the Conduct Body, the Vice President for Student Affairs receives the recommendation, reviews the case, and makes a final decision regarding the recommendation. The response to the recommendation will be communicated to the student(s) involved by the Vice President for Student Affairs. Similar due process procedures will be available for student groups/organizations.
6. **Standard of Evidence**
   Preponderance of the Evidence

7. **Possible Sanctions**
   Any student found responsible for violating the provision on non-consensual sexual intercourse will likely receive a sanction of suspension or expulsion. Any student found responsible for violating the provision on non-consensual sexual contact, sexual exploitation, or sexual harassment will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident and taking into account any previous conduct code violations. The Office of Advocacy, Rights and Conduct reserves the right to broaden or lessen any range of recommended sanctions in the event of mitigating factor or egregiously offensive behavior. The following is a list of all possible sanctions:

- Informal Warning
- Formal Warning
- Parental/Guardian Notification
- No Contact Order
- Conduct Probation
- Loss of Privileges and Exclusion from Activities
- Restorative Actions
- Campus and/or Community Service
- Facility Suspension
- Facility Expulsion
- Educational Assignment/Initiatives
- Residence Hall Transfer or Removal
- Restitution
- Restriction from Employment at the University
- Prohibition or limitation on University employment
- Removal from Specific Courses
- Suspension
- Expulsion
- Additional Sanctions: Additional sanctions may include, but are not limited to, requiring the student to attend a counseling, drug, or alcohol consultation, required to have drug/alcohol testing, or required to have a psychological or psychiatric evaluation.

If a student fails a drug test, additional sanctions may include, but are not limited to, requiring the student to complete educational assignments, requiring the student to have a drug assessment, requiring the student to seek treatment, or attend a counseling consultation. Depending on the circumstances of a failed drug test, a student may also be suspended, or expelled from the University.

In situations involving some of the sanctions listed above, a student may be asked to relinquish any University office held. If student leaders are charged with a violation of serious non-academic misconduct, they may be removed from the leadership position until the matter is resolved. Sanctions may also result in permanent removal from leadership positions. This may also include prohibition from representing the University in any capacity. This could also result in the loss of certain scholarships and financial aid. In addition to the sanctions described, the Conduct Officer or Conduct Committee may apply or recommend additional sanctions.
Failure to complete a required sanction is a serious offense. It is considered an additional violation of the Student Code (Section J. Responsibility 4.), and will usually result in more serious sanctions being imposed. Within one (1) week of a student’s failure to complete a sanction, a conduct hold will be placed on the student’s records, and any pre-registration that the student might have already conducted. Students refusing to complete sanctions also place themselves at risk of being suspended or expelled from the University.

8. **Range of Protective Measures Available to a Victim Alleging Misconduct**
   The Title IX Coordinator will determine whether interim interventions and protective measures should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: imposing a no contact order on the Responding party; residence hall room change for one or more involved parties; changes in academic schedules or assignments for one or both parties; and interim suspension of the Responding party.

**Violence Prevention and Response Policy**

1. **How to File a Disciplinary Complaint Under this Policy**
   Employees should immediately report domestic violence, dating violence, sexual assault, and stalking to the UAB Police Department (UABPD) (205) 934-3535. UABPD coordinates required notifications to Office of HR Employee Relations for matters involving employees or the Office of Non-Academic Student Conduct for matters involving students. In Huntsville, contact the Executive Administrator in the Regional Dean’s Office at (256) 539-7757 to assist in contacting Employee Relations or the Office of Non-Academic Student Conduct. Employees who have been approached by a student relaying a potential incidence of violence must relay the report to the Assistant Vice President for Student Life.

2. **How the University Determines Whether This Policy will be Used**
   Any action involving an employee is referred to the Office of HR Employee Relations to determine if this policy is applicable.

3. **Steps in the Disciplinary Process**
   1. Complaint
   2. Notification – If the Office of Human Resources determines there is reasonable cause to believe a policy has been violated, the Responding party will be notified in writing.
   3. Human Resources Investigation – All investigations and/or disciplinary proceedings will be conducted by University officials who are adequately trained on the issues related to these situations. The complainant and the respondent will not be permitted to directly question each other and are not required to be present together at any point during the process. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present. The accuser, the accused, and the appropriate officials are given timely and equal access to information that will be used during informal and formal disciplinary meetings and hearings.
   4. Human Resources Decision – the accuser and the accused will be notified simultaneously, in writing, of the any initial, interim and final decision of any disciplinary proceeding; and where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing, of the procedures for the accused and the victim to appeal the result of the institutional
disciplinary proceeding. When an appeal is filed, the accuser and the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

4. Anticipated Timelines
The Office of Human Resources will resolve these reports or complaints equitably and as promptly as practicable after the report or complaint is made. Ordinarily, the resolution process shall be concluded no later than sixty (60) days following the receipt of a complaint.

5. Decision-Making Process
The Office of Human Resources will review all of the facts, including any documentation related to the specific complaint to make a decision. If the complaint goes before the Problem Resolution Committee, the Committee will accumulate and study the facts about the case and will submit a written report and recommendation to the Chief Human Resources Officer who will render a decision. The Chief Human Resources Officer will send a copy of the written decision to the employee and the supervisor. If the decision of the Chief Human Resources Officer differs from the recommendation of the Committee, the Chief Human Resources Officer may meet with the Committee to review the written rationale for the Committee’s decision.

6. Standard of Evidence
Preponderance of the Evidence

7. Possible Sanctions
Any employee found responsible for violating the provision on non-consensual sexual intercourse will likely receive a sanction of termination. Any employee found responsible for violating the provision on non-consensual sexual contact, sexual exploitation, or sexual harassment will likely receive a sanction ranging from progressive disciplinary actions that may include termination, depending on the severity of the incident and taking into account any previous conduct code violations. Confirmed violations of this policy will result in appropriate consequences commensurate with the offense, up to and including dismissal from academic programs or termination of employment, appointment, or other relationships with UAB. Interim actions may be taken by UAB prior to final resolution. Individuals may also be subject to arrest, criminal prosecution, and/or may be barred from campus. The Office of Human Resources reserves the right to broaden or lessen any range of recommended sanctions in the event of mitigating factors or egregiously offensive behavior. The following is a list of all possible sanctions:

- Verbal Warning – The step should be used for first-time, minor policy violations.
- Written Warning – A written warning may be given after repeated violations, after a verbal warning, or for serious first-time misconduct. An employee who receives three written warnings during an 18-month period (whether or not the first two written warnings resulted in probation and/or suspension) may be terminated without proceeding through the remaining steps in the disciplinary process.
- Suspension – Suspension without pay may be imposed for repeated violations after a written warning has been issued or for serious first-time misconduct. Suspensions may not exceed ten working days. No vacation, holiday, or sick time benefits will be paid by UAB during suspension.
• Imposed Probation – An employee may be placed on probation for repeated violations after a written warning has been issued or for serious first-time misconduct. The probationary period may not exceed 90 calendar days. Imposed probation may be used in lieu of suspension or in some cases suspension and probation are combined.
   If an employee fails to satisfactorily meet the goals or expectations during the imposed probation period, further disciplinary action up to, and including, discharge may occur. Merit based increases will not be given to the employee during an imposed probationary period. Vacation and personal holidays will continue to accrue but will not be granted during this period of imposed probation. Imposed probation does not affect an employee’s access to the formal Problem Resolution Procedure.
• Termination – Termination may occur immediately and without notice and/or without pay in lieu of notice for repeated violations of policy or for first-time incidents of gross misconduct. Termination should only occur after a careful review of the case with the appropriate departmental representative and the HR Employee Relations Office.
• Administrative Leave – Administrative leave may be imposed, with or without pay, in cases when it is believed that normal unit operations or safety would be affected or when UAB officials need time to gather information for determining the specific disciplinary action which needs to be taken.
• Demotion – Demotion may be used as a remedy and not as a step in the progressive disciplinary process when an employee cannot perform assigned job duties satisfactorily. It is most often used when an employee’s skills are not matched to the job assignment. It may be possible to demote the employee into a position of lower classification in the same department with a resultant decrease in salary. A demotion without a decrease in salary must be approved by the appropriate vice president, the Provost, the CEO of the UAB Health System or by the Chief Human Resources Officer.

8. Range of Protective Measures Available to a Victim Alleging Misconduct
The Office of Human Resources will determine whether interim interventions and protective measures should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: imposing a no contact order on the Responding party; residence hall room change for one or more involved parties; changes in academic schedules or assignments for one or both parties; and interim suspension or imposed probation of the Responding party.

University-Initiated Protective Measures

In addition to those protective measures previously described, the Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a University order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator’s directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by the University.

Notification to Victims of Crimes of Violence
The University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

**Sex Offender Registration**

The Federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also mandates sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

In Alabama, convicted sex offenders must register with the sheriff of the county of his or her legal residence. Information on Registered Sex Offenders can be obtained at the UAB Police Department or on the Alabama Department of Public Safety's website: [http://dps.alabama.gov/Home/Default.aspx](http://dps.alabama.gov/Home/Default.aspx), located under the Sexual Offenders link.

**Student Rights in the Non-Academic Student Conduct Process (Due Process)**

Students and student groups/organizations accused of a violation of the Student Code or other University conduct policy will be assured of fair and equitable treatment through consistent adherence to procedure as described below:

1. The right to receive notification of the section(s) of the Student Code allegedly violated or the charge against them and the opportunity to schedule a date and time, of any resolution meeting regarding the alleged violation(s).
2. The right to know the identity of the Reporting party (unless it will cause a clear and present danger to the Reporting party).
3. The right to challenge the objectivity or fairness of any of the persons serving on the Conduct Committee. The decision to uphold any challenge made by the Responding party rests with the Chair of the proceedings.
4. The right, in all conduct proceedings to have the presence of one (1) advisor. An advisor may consult with the Responding party, but not address the Conduct Officer or Conduct Committee or participate directly in any conduct proceedings.
5. The right to have timely access to information that will be used during any resolution meeting upon request.
6. The right to know the name of each witness (unless it will cause a clear and present danger to the witness) to appear the resolution meeting.
7. The right to introduce documents, to call witnesses, and present other information. The right to call witnesses is accompanied by the obligation to provide the name of each witness, in writing, two (2) business days in advance of the resolution meeting to the Conduct Officer or Chair of the Conduct Committee.
8. The right to be present at their resolution meeting regarding the alleged violation(s) and to make or refrain from making statements.
9. The right to ask questions of any person participating in or providing information at a conduct proceeding. All questions asked by the Responding party during a resolution meeting conducted by the Conduct Officer
or the Conduct Committee are to be submitted in writing to the Conduct Officer or Chair of the Conduct Committee. The Conduct Officer or Chair has the authority to determine relevancy of questions asked by a Respondent or Complainant. In certain circumstances, questioning may be done outside the physical presence of those participating in the resolution meeting.

10. The right to receive written notification of any finding made, including written notice of sanctions or actions, if any.

11. The right to be notified when results are final.

12. The right to be notified of the request to appeal process and whether an appeal if available for the conduct or violation alleged.

13. The right to review the record that exists of a personal conduct resolution meeting in accordance with all state laws and the Family Educational Rights and Privacy Act.

14. The right to request postponement of a resolution meeting for good cause shown. In most cases, a postponement will only be granted due to an academically related commitment. The decision to postpone a resolution meeting rests with the Conduct Officer or Chair of the Conduct Committee.

15. The Responding party of a Title IX Sexual Misconduct report may be entitled to additional rights as set forth in the Sexual Violence and Sexual Misconduct Policy.

See entire Non-Academic Student Conduct Policy at http://www.uab.edu/students/services/student-engagement/student-conduct

**DISTRIBUTION OF TIMELY WARNINGS**

The department distributes timely warnings via the University’s B-ALERT emergency notification system to communicate through voice calls, SMS text messages and emails to the entire campus all at the same time. B-ALERT also integrates with Facebook and Twitter. Timely Warnings are issued to alert the University community to certain crimes in a manner that is timely and will aid in the prevention of similar crimes. Once the University determines that an alert will be issued, the Information Technology Department e-mails the announcement and the police department posts it on its Website at www.uab.edu/police. The department may also post alerts on bulletin boards throughout campus and send “Be On the Look Out” (BOLO) to local law enforcement agencies.

In Huntsville, students and employees are alerted to timely warnings via the Call One system. By registering their contact information, students and employees will receive communications through voice calls, SMS text messages, and/or emails to the entire HRMC community at the same time. Timely warnings are issued to alert the HRMC community about certain crimes and emergency conditions that are timely and will aid in the prevention of harm to others and similar crimes. Once the Regional Dean’s Office determines that an alert will be issued, the Executive Administrator or designee initiates the announcement. The Huntsville Information Technology Department is contacted to email and post the announcement on the Huntsville Intranet and to its internal distribution lists.

**DAILY CRIME LOG**

For the Huntsville Regional Medical Campus, SEI assist in maintaining a Daily Crime Log that records, by the date the incident was reported, all crimes and other serious incidents that occur on the HRMC campus, on public property, or within the department’s patrol jurisdiction. Copies of the Daily Crime Log will be provided to the HRMC Executive Administrator on the day that the crime or serious incident occurs, or the following business day if the crime or serious incident occurs during a holiday or weekend hours. It is our policy to prepare a disclosure of crime
statistics via our Annual Security Report, our Daily Crime Log, and on the HRMC intranet and website. The Daily Crime Log will be available for public inspection upon request at the HRMC Regional Dean’s Office. The Daily Crime Log will include the nature, date, time, and general location of each crime reported to the SEI security officer, as well as the disposition of the complaint, if this information is known at the time the log is created. All incidents occurring on the HRMC as posted in the Daily Crime Log will be recorded on the Huntsville intranet. HRMC and SEI reserve the right to exclude reports from the log in certain circumstances.

**EMERGENCY PREPAREDNESS, RESPONSE, AND EVACUATION PROCEDURES**

The HRMC recognizes the need to be prepared for critical incidents. In conjunction with local first responders, such as the HPD and Huntsville Fire and Rescue, the HRMC is prepared to respond. In the event of a major crime, fire, or other emergency/disaster, first report it by calling 911 from your cell phone or 9+911 from a phone on the HRMC system. Then, notify the Executive Administrator or designee in the HRMC Dean’s Office at 256-539-7757 from your cell phone or 757 from an HRMC phone.

The HRMC has an emergency alert system, One Call Now, which can quickly notify all Huntsville constituents in the event of an emergency. Medical students and all employees are given an introduction to One Call Now during their orientation with instructions to set up their self-service account. They may register to receive notifications by phone, email, or text messaging. Instructions on registering for One Call Now are also located on TheWire, the HRMC intranet. The One Call Now system is monitored for compliance and tested at least annually; records are maintained by the HIT department at HRMC.

In addition, HRMC is supported by the UAB Office of Occupational Health and Safety (OH&S) and the University Police Department to ensure our emergency protocols and plan are updated, as needed, and are applicable as new risks are identified. The University’s emergency planning website, located at www.uab.edu/emergency, not only contains important information about what to do during an emergency, but it also outlines the various initiatives that enhance preparedness. One such initiative is the University of Alabama at Birmingham Emergency Notification System. This system, called B-Alert, is used to send text messages to cell phones and pagers when urgent information needs to be communicated quickly to the university community. The B-Alert system is able to issue Huntsville-specific emergency notifications and crime alerts directly to the HRMC community.

Upon immediate confirmation by the HRMC Executive Administrator or other HRMC administrators that an emergency incident has occurred on campus, HRMC administrators contact the UAB Police Department Communications Unit at 205-934-3535. On duty communications personnel will then initiate use of the B-ALERT system using the same procedure under which the main campus operates, that is, by contacting the Office of Media Relations, UAB Emergency Management, or one of the other authorized users. The Chief of Police, Deputy Chief and Captains are authorized users within the Police Department.

However, if issuing a notification, in the professional judgment of responsible authorities, compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, the HRMC may decide not to immediately issue the notification. Appropriate university administrators, including those listed above and those at HRMC, will determine the necessary segment or segments of the campus community to receive an emergency notification; determine the content of the notification and initiate the notification system. The HRMC administrators responsible for carrying out the above actions are: The Regional Dean and the Leadership Team.
The UAB Office of Occupational Health and Safety (OH&S) and HRMC will test (announced or unannounced) the emergency notification system on an annual basis and publicize its emergency response and evacuation procedures in conjunction with its annual test per calendar year. HRMC will document each annual test, including a description of the exercise, the date, time, and whether it was announced or unannounced.

The larger community is highly encouraged to go to the University’s emergency planning website, located at: uab.edu/emergency, to obtain emergency information. UAB will test (announced or unannounced) the emergency notification system on an annual basis and publicize its emergency response and evacuation procedures in conjunction with its annual test per calendar year. UAB will document each annual test, including a description of the exercise, the date, time, and whether it was announced or unannounced.

**CRIMINAL INCIDENTS ON CAMPUS**

This report is prepared to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. It is prepared in cooperation with local law enforcement agencies in Huntsville and with the UAB Police Department.

Campus crime, arrest and referral statistics include those reported to the HPD, SEI, designated campus officials (including but not limited to directors, deans, department heads, student affairs, advisors to students/student organizations), and local law enforcement agencies. Each year, an email link is made available via the Huntsville Intranet in reference to the web site to access the Annual Security Report. Copies of the report may also be obtained at the Huntsville Regional Dean’s Office, located in Suite 313 or by calling 256-539-7757.

**FEDERAL CAMPUS SEX CRIMES PREVENTION ACT**

The Federal Campus Sex Crimes Prevention Act, (section 1601 of Public Law 106-386) enacted on October 28, 2000, went into effect October 28, 2002. It is a law that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or those working or volunteering on campus. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already registered in a State to provide notice to the appropriate state agency, as required under state law, of each institution of higher education in that State at which the person is employed, carries on a vocation, or is a student. Information on registered sex offenders can be obtained on the Alabama Department of Public Safety’s website: http://dps.alabama.gov/Home/Default.aspx, located under the Sexual Offenders link.

**Crime Statistics**

Major crimes reported to the Huntsville Police Department for January through December of the most recent three-year period are included in the following table.

Huntsville Police Reports are subject to Alabama’s Uniform Crime Reporting Program and the Alabama Open Records Act. The Code of Alabama (Section 36-12-40) states that every citizen has a right to inspect and take a copy of any public writing of this state, except as otherwise expressly provided by statute. Disciplinary referrals for violations of the Student Code of Conduct, which may include some criminal offenses specified for this report, are
sometimes made directly to the UAB Office of Student Advocacy, Rights and Conduct by individuals or campus organizations other than the SEI or HPD.

Note: Any incidents that may have been reported only to pastoral and professional counselors of the University are generally protected by privacy rights of the client or patient and are not included in any of the following statistics, nor for any timely warning notifications to the campus.

UAB Huntsville Regional Medical Campus*
301 Governors Drive SW, Huntsville, Alabama 35801

<table>
<thead>
<tr>
<th>Crime Incidents</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
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</thead>
<tbody>
<tr>
<td>ARSON</td>
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<td>0</td>
</tr>
<tr>
<td>AGGRAVATED ASSAULT</td>
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<tr>
<td>BURGLARY</td>
<td>0</td>
<td>0</td>
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<tr>
<td>FONDLING</td>
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<tr>
<td>INCEST</td>
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<tr>
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<tr>
<td>MURDER/NON-NEGLIGENCE MURDER</td>
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<tr>
<td>NEGLIGENT MANSLAUGHTER</td>
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</tr>
<tr>
<td>RAPE</td>
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<td>0</td>
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<td>ROBBERY</td>
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<tr>
<td>STATUTORY RAPE</td>
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<tr>
<td><strong>Violence Against Women (VAWA)</strong></td>
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<tr>
<td>DATING VIOLENCE</td>
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<tr>
<td>DOMESTIC VIOLENCE</td>
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<tr>
<td>STALKING</td>
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<tr>
<td><strong>Arrests</strong></td>
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<tr>
<td><strong>Disciplinary Actions/Judicial Referrals</strong></td>
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<td>WEAPONS: CARRYING, POSSESSING, ETC.</td>
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<tr>
<td>CONCEALING ILLEGAL WEAPON</td>
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</tbody>
</table>

**Registered Sex Offenders in Vicinity**

Note: The 2013 and 2014 crime statistics reflect the changes made after passage of the Violence Against Women Act. In the year 2012-2014, there were no hate crime offenses that were motivated by the victim’s actual or perceived gender identity or national origin. For the same period, there were no hate crimes associated with the categories listed in the preceding table.

*These crime statistics were provided by the Huntsville Police Department for this campus.

** Information on Registered Sex Offenders can be obtained on the Alabama Department of Public Safety Website (www.dps.state.al.us) located under the Sexual Offender Link.
IMPORTANT DEFINITIONS

Crimes reported for the HRMC are classified as being on or off campus by using the following boundaries. For the purposes of classifying the reported crimes, the following definitions apply:

**Campus:** (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and (2) any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**Non-campus building or property:** (1) Any building or property owned or controlled by a student organization that is officially recognized by the Institution; or (2) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the Institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

**Public property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

**DEFINITIONS OF REPORTABLE CRIMES**

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

**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.

**Burglary** – The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

**Domestic Violence** – 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
• by a person similarly situated to a spouse of the victim under the domestic violence 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.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Dating Violence** - Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. (1) The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. (2) For the purpose of this definition- (i) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. (ii) Dating violence does not include acts covered under the definition of domestic violence. (3) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Criminal Homicide—Murder and Nonnegligent Manslaughter** – The willful (nonnegligent) killing of one human being by another.

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

**Criminal Homicide—Manslaughter by Negligence** – The killing of another person through gross negligence.

**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.

**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.

**Sexual Assault** – An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim if incapable of giving consent.”
**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.

**Fondling** - The touching of the private parts of another person for the purposes 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.

**Statutory Rape** – Nonforcible sexual intercourse with a person who is under the statutory age of consent.

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

**Stalking** – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to – a) fear for his or her safety or the safety of others; or b) suffer substantial emotional distress.

**OTHER OFFENSES**

**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.

**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, etc., are excluded.

**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.

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

**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 driving under the influence and drunkenness.

**Drug abuse violations** – The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or
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.

**Weapons: Carrying, Possessing, Etc.** – 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.

**ALCOHOL AND DRUG USE AND ABUSE**

The policies and guidelines for the following apply at the HRMC as stated in documentation at the UAB main campus. Programs based in Birmingham to assist the UAB community are also available to students, employees, and faculty at the HRMC.

**Alcoholic Beverages**

The University has established policies and guidelines governing the possession, sale, and consumption of alcoholic beverages on the campus. A copy of the Student Alcohol Policy may be obtained through Student Affairs. A copy of the Policy on The Use and Consumption of Alcoholic Beverages may be obtained from the Office of Human Resources, Campus Drug Policy Coordinator. Any use of alcoholic beverages on campus must be in compliance with the Alabama law prohibiting the use of alcohol by persons under the age of 21. Students of legal drinking age in Alabama may possess and consume alcoholic beverages in their private residence. Alcohol is not to be served at any UAB sponsored campus events. See entire Non-Academic Student Conduct Policy at [www.uab.edu/studentconduct](http://www.uab.edu/studentconduct)

**Illegal Drugs**

Institute regulations prohibit the possession or use, without a valid prescription, of any substance currently classified as a dangerous drug by the Alabama Controlled Substance Act. Any individual breaking the law will be subject to disciplinary action and arrest. See entire Non-Academic Student Conduct Policy at [www.uab.edu/studentconduct](http://www.uab.edu/studentconduct).

**Substance Abuse Education**

UAB and HRMC are committed to maintaining a campus free of drug and alcohol abuse and assisting all employees and students in finding ways to address these problems. Educational programs addressing these issues are supported and encouraged through a variety of departments. Anyone aware of problems with roommates, friends, or coworkers is encouraged to contact the appropriate office for help.
Substance Abuse Assistance

For students with substance abuse problems, assistance is available through the UAB Student Health and Wellness Center. The Student Health and Wellness Center has experienced professional counselors and psychologists to assist students in need. Students are scheduled for individual appointments, and all information is kept strictly confidential. They have a full-time substance abuse prevention coordinator and trained student peer educators available to provide information individually or in-group settings. The Student Health and Wellness Center is located at 1714 9th Avenue South, Birmingham, AL 35294. For more information, students are encouraged to contact one of the following numbers:

1. Student Health and Wellness Center (205) 934-3581
2. Student Health and Wellness Counseling Services at (205) 934-5816

For medical students, residents, and physician faculty with substance abuse problems and other counseling needs, assistance is also available from Dr. Sandra Frazier, the UAB Physician Health Officer at 1201 11th Avenue South, Suite 676 or by phone at (205) 930-7680. The Physician Resource Office has experienced professionals to assist medical professionals in need. Individual appointments are scheduled, and all information is kept strictly confidential.

UAB faculty and staff may obtain assistance through the Office of Human Resources Employee Assistance Program at (205) 934-2281. Alcohol and drug assistance programs are available, including referral to community agencies. Counseling and referral services are provided by appointment and all information is confidential. The Employee Assistance Program also offers training and educational programs regarding drug and alcohol awareness. Please refer to the University’s Drug-Free Workplace Policy for additional information [http://www.uab.edu/policies/content/Pages/UAB-AD-POL-0000047.aspx](http://www.uab.edu/policies/content/Pages/UAB-AD-POL-0000047.aspx). The Employee Assistance Program has two locations, 2112 11th Avenue South, Birmingham, AL 35205, and at Employee Health North in the Russell Clinic 1813 6th Avenue South 3280, Birmingham, AL 35233.

How to Be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”\(^1\) We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if

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we want to help. Below is a list\(^2\) of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

**Risk Reduction**

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org))

- **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
- **Walk with purpose**. Even if you don’t know where you are going, act like you do.
- **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
- **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
- **Make sure your cell phone is with you** and charged and that you have cab money.
- **Don’t allow yourself to be isolated** with someone you don’t trust or someone you don’t know.
- **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
- **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.

\(^2\) Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse
• **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).

• **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, just get a new one.

• **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.

• **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place immediately.

• **If you suspect you or a friend has been drugged, contact law enforcement immediately.** UAB Police Department can be reached at (205) 934-3535 (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

• If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  c. **Have a code word with your friends or family** so that if you don’t feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  d. **Lie.** If you don’t want to hurt the person’s feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

• **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

• **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.
ADDITIONAL SAFETY TIPS

- Be alert. Watch for obvious strangers around your office, your home, or apartment. Check for signs of a break-in before entering an empty house, office, or car. Call the police if you see signs of forced entry to a building or a car.
- Call the police if you are experiencing any minor theft problems over a period of time.
- Involve your associates. If you are expecting a delivery or a guest in your absence, leave your keys with a neighbor or a coworker. Let your office staff and neighbors know when you will be away from home and ask them to challenge strangers in the area.
- Maintain a record of serial numbers of your property and of identification and credit cards. Include a brief description with each and keep this information in a safe place.
- Report any crime or suspicious activity to the police. Be prepared to supply as much information as possible, such as descriptions of people, property, and cars.
- Post the number for Huntsville’s Security Engineers Inc (256-880-6334), and your local police and fire departments, near your phone at work and at home.
- If you would like additional information on crime prevention or wish to discuss a problem that may be crime related, contact the UAB Police Department at (205) 934-4434. Help prevent crime and help to have a safe home, study, and work environment. Victims needing counseling for psychological or physical reasons may contact one of the following on-campus and off-campus offices for further information:

Huntsville Resources:

- Crisis Services of North Alabama: 256-716-1000 or 800-691-8426
- Huntsville Medical Student Services: 256-551-4432
- Huntsville HELPLine or HOPEPlace: 256-716-1000

Birmingham Resources

- Student Health and Wellness Center (205) 934-3581
- Student Health and Wellness Counseling Services at (205) 934-5816
- Gateway Family Services (205) 510-2600
- Family Violence: (205) 322-4878
- Crisis Center (205) 323-7777
- Rape Response: (205) 323-7273
- Oasis Counseling Center: (205) 933-0338

FIRE SAFETY REPORT

This section of the report is not applicable because the HRMC does not offer residential housing.