Non-Academic Student Code of Conduct Policy

A. Policy Summary

The University of Alabama at Birmingham (the “University” or “UAB”) exists to educate its students, to advance, preserve, and disseminate knowledge through research and scholarship, and to advance the interests and the welfare of society as a whole. Free inquiry and free expression are indispensable to the attainment of these goals. Students, faculty, and administration represent the three integral parts of the academic community; they share responsibility for the proper functioning of the institution in the pursuit of its educational goals. As members of the academic community, students are encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for truth.

Freedom to teach and learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom and throughout the overall campus community. The primary purpose of the student conduct process is student safety and education.

In order to ensure these rights and freedoms, it is the obligation of both the University as an institution and the members of the academic community to ensure orderly operation by prohibiting actions that interfere with legitimate educational objectives or that interfere with the rights of others. This obligation is met, in part, by assuring that appropriate action will be taken when either academic or non-academic behavior adversely affects the pursuit of the educational objectives of the UAB community. Students are challenged to take responsibility for their behavior, demonstrate respect for themselves, the property of others, and to develop skills that will enhance lifelong problem solving, communication, and decision-making abilities.

The University is a community of scholars and learners, and, therefore, all participants are expected to conduct themselves in a manner that: 1) facilitates the institution’s pursuit of its educational objectives; 2) exhibits a regard for the rights of other members of the academic community; and 3) contributes to the maintenance of a healthy learning environment. Through appropriate due process procedures, conduct action will be taken in response to behavior that violates these principles. The Office of Student Advocacy, Rights and Conduct (“SARC”) supports the academic mission of the University by protecting the rights of all members of the University community and by promoting integrity, community, social justice, respect, and responsibility by enforcing community standards.

B. Mission, Core Values, and Learning Outcomes

The mission of this Non-Academic Student Code of Conduct (“Student Code”) is to establish an ethic of care at the University through its preventative, behavioral, and accountability practices. An ethic of care aids in providing a safe, respectful, and supportive community where students, parents, faculty, and staff will be challenged to develop their critical thinking, values, connectedness to the community, sense of identity, understanding of independence and interdependence, and multicultural awareness.
UAB’s Student Code is committed to an educational and developmental process that balances the interests of individual students with the interests of the University community. A community exists on the basis of shared values and principles. At UAB, student members of the community are expected to uphold and abide by certain standards of conduct that form the Student Code. These standards are embodied within a core set of values that include integrity, social justice, respect, community, and responsibility. The core values, functional practices, and programs of the Student Code, demonstrate an effort to aid in student development and contribute to a positive, successful and respectful living and learning environment throughout the University community.

Each member of the University community bears responsibility for their conduct and to assume reasonable responsibility for the behavior of others. When members of the community fail to exemplify the values by engaging in violation of rules within this policy, campus conduct proceedings are used to assert and uphold the Student Code.

The learning outcomes of the Student Code are that the student, through their experience in our process, will be able to:

• Identify the section of the Student Code they allegedly violated;
• Describe the impact that their behavior has on themselves and others;
• Explain their responsibility as a student to uphold the established standards of conduct; and
• Summarize the potential impact of their behavior on their future career, or course of study.

C. Jurisdiction

It is the responsibility of each student to become and stay familiar with this Student Code. It is the duty of all students who are potential parties or witnesses to an alleged violation of the code to participate conscientiously. Students have a duty to cooperate and discuss an incident with a conduct resolution officer, over the telephone or in person, adhere to stated deadlines, attend scheduled meetings, and participate in all proceedings. Failure to meet these duties may result in a decision being made without the benefit of the student’s participation or may result in a student being charged with failing to comply with the direction of a University official.

By accepting admission to and enrolling at the University, students are obligated to align their behaviors with the values of the University, the Student Code, Student Housing & Residence Life policies and any other University policies and procedures, including those policies and procedures specific to the University’s various graduate and professional schools. The Student Code and conduct proceedings apply to the conduct of individual students, informal groups of students, and University officially recognized student organizations.

Because the Student Code is based on shared values, it sets a range of expectations for the University’s students no matter where or when their conduct may take place. Therefore, the Student Code is not limited to student behavior on campus. Rather, incidences of non-academic misconduct can include behavior while a student is participating in a University sponsored activity off campus. UAB students who commit an offense off-campus, while involved in non-University sponsored activities may also be subject to the non-academic conduct process, notwithstanding the
fact that such conduct may be subject to legal process, as well. Whether conduct proceedings are necessary for off campus conduct will be based on a determination of the following:

1. The seriousness of the alleged conduct;
2. The direct impact of the conduct on any member of the University community or the educational mission and/or interests of the University;
3. Whether the alleged victim is a member of the University community;
4. Any situation where it appears that the student’s conduct may present a danger or threat to the health or safety of themselves or others;
5. Whether the off-campus conduct is part of a continuing course of conduct that occurred either on-or off-campus or;
6. The misconduct is detrimental to or demonstrates disregard for the University community or its pursuit of University objectives.

The Student Code may also be applied to behavior conducted online, via email, or other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats, and social networking sites are in the public sphere and are not private. These postings can subject a student or student organization to allegations of conduct violations if evidence of policy violations is posted online. The University may take action if and when such information is brought to the attention of University officials.

The Student Code applies to guests of community members whose hosts may be held accountable for the misconduct of their guests. Visitors to and guests of UAB may seek resolution of violations of the Student Code committed against them by members of the University community.

Anyone may file a formal complaint against a student or student group/organization alleging a violation(s) of the Student Code or related University regulation or policy. The unexcused failure of a student to appear and/or respond to the conduct process does not prevent the University from proceeding with conduct proceedings. There is no time limit on reporting violations of the Student Code; however, the longer someone waits to report an offense, the harder it becomes for University officials to obtain information and witness statements and to make determinations regarding alleged violations.

Though anonymous complaints are permitted, doing so may limit the University’s ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to the SARC, (205) 975-9509, and/or to UAB Police, (205) 934-4434. Anonymous reports may be made using the UA System hotline by calling 1-866-362-9476.

UAB retains conduct jurisdiction over students who choose to take a leave of absence, withdraw, or have graduated for any misconduct that occurred prior to the leave, withdrawal, or graduation. Students who withdraw or graduate 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. If a student choses to take a leave of absence while the student is on
probation or other sanction, the student may be required to carry out the probation or comply with the sanction upon re-enrolling to the University.

University students studying in off campus contexts or participating in University-sponsored programs remain responsible to uphold the Student Code and the laws relevant to their location. The Student Code also applies to conduct that takes place at any time from the date that a student is offered admission to the University until the student has completed graduation and includes summers and in between semesters. In general, any behavior that discredits the student or the University, as determined by the Student Code, may result in conduct action.

Students should be aware that the student conduct process is quite different from criminal and civil court proceedings. Procedures and rights in student conduct procedures are conducted with fairness to all, but do not include the same protections of due process afforded by the courts. Student Rights, as defined within these procedures, assures written notice and a resolution meeting before an objective decision-maker. No student will be found in violation of University policy without information showing that it is more likely than not that a policy violation occurred and any sanction will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

The exercise of the University’s jurisdiction does not depend on whether a student is actually charged through the criminal justice system. Investigations or conduct proceedings by the University are not postponed while criminal or civil proceedings are pending unless otherwise determined by the Conduct Officer. Dismissal of criminal charges or acquittal in a criminal case does not prevent the Conduct Officer from investigating and adjudicating an incident.

When a student is cited by federal, state or local authorities with a violation of law, the University will not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a conduct proceeding under the Student Code, however, the University may advise off-campus authorities of the existence of the Student Code and of how such matters will be handled internally within the University community. The University will cooperate fully with law enforcement and other agencies in the enforcement of the law on campus and in the conditions imposed by courts for the rehabilitation of student violators.

The University reserves the right to exercise its authority of interim suspension upon notification that a student is facing criminal investigation or complaint if the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on University premises poses an imminent danger or substantial harm to others, or to property. Interim suspensions are imposed until a resolution meeting can be held, typically within two weeks.  

D. Distinction Between Academic and Non-Academic Conduct

Although it is important to bear in mind that misconduct may often be both academic and non-academic in nature, there are also distinctions between the two, however subtle those distinctions may be. Academic conduct is generally considered to be related to the actions of students that are associated with the teaching-learning environment. Academic misconduct, therefore, may include, but may not necessarily be limited to, such things as plagiarism, cheating and falsifying academic
records. For information on the handling of academic misconduct, see the appropriate academic catalog. The first contact for reports of academic misconduct is the office of the dean of the school in which a student is enrolled.

Non-Academic conduct is generally considered to involve actions of students related to standards of behavior that are established for the purpose of maintaining an acceptable level of propriety within the University community.

E. Definitions

For the purposes of this policy, the following definitions apply:

1. University means The University of Alabama at Birmingham.
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. **Business days** means weekdays but excludes weekends, University holidays, and days when the President has determined that the campus will be closed for business.

16. **Weapons** means any object or substance designed to inflict a wound, cause injury, or incapacitate including, but not limited to, firearms, ammunition, projectiles, pellet guns, imitation weapons, chemicals, knives, and fireworks. This definition also includes any harmless instrument that could reasonably appear to a reasonable person as being a weapon.

17. **Preponderance of the Information** is the information that would lead a reasonable person to conclude it is “more likely than not” that a Responding party violated this Student Code. In this context, the Responding party 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.

18. **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.

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

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

**F. Authority and Responsibility for Non-Academic Student Conduct Issues**

The following statements establish authority and responsibility for non-academic misconduct:
1. **Vice President for Student Affairs**

The Vice President for Student Affairs is that person designated by the University President to be responsible for the administration of the Student Code.

2. **Assistant Vice President for Student Experience and the Director of Student Advocacy, Rights and Conduct**

The Assistant Vice President for Student Experience (“AVPSE”), appointed by the Vice President for Student Affairs, and the Director of Student Advocacy, Rights and Conduct (the “Director”), appointed by the Assistant Vice President for Student Experience, will be principally responsible for administering the student code process for students or student groups/organizations that have allegedly violated established standards of conduct while in the general University environment. The AVPSE and the Director, in consultation with the appropriate University officials shall develop policies and procedures for the administration of the non-academic conduct system. The AVPSE considers appeals by students from findings of Administrative Resolution meetings and/or the findings of meetings by the Non-Academic Student Conduct Resolution Committee. The AVPSE also serves as the University Title IX Coordinator and the ADA/504 Compliance Officer.

At the discretion of the AVPSE, non-academic programs and student groups/organizations with internal conduct mechanisms may be allowed to handle minor violations of the Student Code by one of its members.

The Director also serves as the University Deputy Title IX Coordinator

3. **Director of Student Housing & Residence Life and Assistant Director of Student Housing & Residence Life**

The Director of Student Housing & Residence Life and Assistant Director of Student Housing & Residence Life will oversee the housing conduct process for students who have allegedly violated housing standards of conduct and/or student housing policies and procedures while on housing premises. In many situations, the Non-Academic Student Conduct Resolution Officer and the Director of Student Housing & Residence Life/Assistant Director of Student Housing & Residence Life may jointly handle violations of established standards of conduct. A student subject to housing processes may also be subject to non-academic conduct review.

4. **Conduct Officer**

The Conduct Officer is a University Official authorized by the Director to conduct Administrative Review and Resolution Meetings to resolve alleged violations of the Student Code and to assign sanctions, if applicable.

5. **Deans**
The deans of the schools within the University have the option to investigate and administer non-academic conduct for students enrolled in their respective schools, or to refer the matter to the Director for handling. The dean, however, may impose sanctions as necessary or appropriate for the student to meet the school’s technical standards or other requirements, in addition to any sanctions imposed by the Conduct Officer or Conduct Committee.

6. **Conduct Committee**

The Conduct Committee is authorized by the University to determine whether a student has violated the Student Code and to recommend imposition of sanctions, if applicable. The Committee will consist of four (4) members and will be comprised of: 1) a faculty member; 2) two (2) students selected from the USGA Student Court or from the Graduate Student Association; and 3) one (1) staff member, who will chair the committee. The Conduct Committee members and chair will be selected as needed by the Conduct Officer.

**G. Student Rights**

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 Responding party or Reporting party. 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.

H. Conduct Proceedings

These Conduct Proceedings outlined below will apply to all violations of the Student Code other than alleged violations of sexual violence or sexual misconduct. All matters involving allegations of sexual misconduct will be handled under the Student Code in a manner consistent with the requirements, accommodations, procedures and processes outlined in the University’s Sexual Violence and Sexual Misconduct Policy. To the extent there is an inconsistency between the substance of the Sexual Misconduct Policy and Student Code related to the handling of sexual misconduct allegations, the terms of the Sexual Misconduct Policy will control. The Sexual Violence and Sexual Misconduct Policy can be found at the following link: http://www.uab.edu/policies/content/Pages/UAB-UC-POL-0000761.aspx.

The SARC will resolve reports or complaints of a violation equitably and as promptly as practicable after the report is made. It is the responsibility of the SARC to determine the most appropriate means for addressing the report or complaint. Options include but are not limited to: 1) investigating the report or complaint as described below; 2) with the agreement of the parties, attempting to resolve the report or complaint through an informal resolution process such as mediation or a meeting between the alleged Responding party and a Conduct Officer or a third party; or 3) determining the facts of the complaint or report even if true, would not constitute a violation of the Student Code or applicable policy.
Where formal resolution procedures are necessary, the following procedures are employed to reach a resolution in cases of misconduct by students or student organizations. Questions regarding these procedures should be addressed to the SARC or to Student Housing & Residence Life, as applicable.

1. **The Complaint:**
   a. When it is alleged that a student or student group/organization has violated the Student Code, the SARC will be notified. The SARC may notify the Dean responsible for the program in which the student is enrolled. If so notified, the Dean will determine whether the SARC or the school will investigate and handle conduct proceedings, in accordance with applicable process and procedure.
   b. If the SARC has reason to believe a conduct violation has occurred, the SARC (or his/her designee) is authorized to conduct an investigation. The SARC or investigator may notify a student or organization to appear for discussion about an alleged violation or for a Resolution meeting in a pending complaint. The notification may also include an order to produce records that may be helpful in the course of an investigation or in the review of a complaint.

2. **Notification of Alleged Violation:**
   a. If the SARC determines there is reasonable cause to believe a policy has been violated, the SARC or Conduct Officer will notify the Responding party in writing (the “Notification”) of the allegation.
   b. The Notification will be sent to the Responding party to their UAB email address of record, to the mailing or permanent address appearing in the University’s student information system, to an address appearing in a police report, or through personal contact.
   c. The Notification will include the following:
      1) A description of the provision of this Student Code or other University Policy alleged to have been violated.
      2) Advise the Responding party that they has five (5) business days of receiving the Notification to contact the Conduct Officer to schedule an Administrative Review Meeting.

3. **The Administrative Review Meeting:**
   a. During the Administrative Review Meeting the Responding party shall:
      1) Have an opportunity to have an advisor accompany them to the meeting;
      2) Have their rights explained to them;
      3) Have allegations explained clearly and fully;
      4) Have the opportunity to accept or deny responsibility for the alleged conduct violation(s), and the potential sanctions for the alleged violation;
5) Have information about resolution options explained to them;
6) Request a resolution meeting in front of Conduct Officer or before the Conduct Committee.
7) Have the request for appeal process explained and advised the circumstances under which an appeal is available.

b. If the Responding party does not schedule or attend an Administrative Review Meeting by the date specified in the Notification, or if the Responding party schedules a meeting but does not attend or attends but does not participate, the Conduct Officer may make findings and determinations, assign sanctions and complete any investigation based on the information in their possession without the Responding party’s participation.

c. If the Responding party accepts responsibility for the alleged violation, then the Responding party shall be subject to any sanctions that are presented and determined to be appropriate by the Conduct Officer. Acceptance of the violation will be final and the Responding party will forgo their right to a Resolution Meeting.

4. Resolution Meetings Before the Conduct Officer:

a. The Conduct Officer will schedule the Resolution Meeting within five (5) business days of the Review Meeting, unless the Responding party seeks to have the Resolution Meeting conducted immediately after the Administrative Review Meeting.

b. A Responding party who cannot attend a scheduled Resolution Meeting must contact the Conduct Officer to request a new date or time at least two (2) business days prior to the Resolution Meeting. It is at the discretion of the Conduct Officer if the Resolution meeting will be rescheduled and a Responding party may only request one change to the date and/or time of the meeting.

c. Resolution Meetings before a Conduct Officer will be closed to the public and will be attended by only the University Representative, SARC or designated investigator, the Responding party, the Responding party’s advisor, if any, and any witnesses offered by the University Representative or the Responding party.

d. The Conduct Officer will make a reasonable effort to create a single verbatim record, such as a tape recording, which recording will be the property of the University. If an audio recording is made, the transcription of the recording will become part of the Responding party’s student conduct record and the recording will be destroyed after the appeal period has expired, if an appeal is available and requested.

e. Responding parties are entitled to be assisted by an advisor during the Resolution Meeting, but only to confer with their advisee. An advisor’s failure to comply with the participation limitations set out in these procedures may cause additional conduct violations to be asserted against the student relating to abuse of the conduct system. Students electing to be accompanied by an advisor must notify the Conduct Officer at least three (3) business days prior to the Resolution Meeting.
f. The Conduct Officer will explain the Resolution Meeting process to the Responding party.
g. The Conduct Officer will provide the Responding party an opportunity to review applicable incident report(s), if any.
h. The Responding party will have an opportunity to present their version of the incident, including presenting witnesses or witness statements for the Conduct Officer to consider.
i. At the conclusion of the Resolution Meeting, the Responding party will have an opportunity to accept or deny responsibility for the alleged violation(s) and the Conduct Officer will explain the potential sanctions and review appeal process, if applicable.
j. The Conduct Officer will notify the Responding party in writing of their decision on responsibility, and assigned sanction(s) if any within ten (10) business days, unless circumstances warrant otherwise.

5. Resolution Meeting Before the Conduct Committee:

a. Convening the Committee:

   1) If the Responding party requests a Resolution Meeting before the Conduct Committee, rather than a Conduct Officer, a staff member who serves as Chair of the Conduct Committee is notified. The SARC will appoint the members of the Conduct Committee.

   2) A Responding party may request, in writing, that a Committee member be disqualified from participating in the Resolution Meeting. The request must be made to the Chair at least three (3) business days before the scheduled Resolution meeting and must include an explanation as to why the person is unable to make an impartial decision. In addition to determining such requests, the Chair will disqualify any Committee member who is not able, in their judgment, to make an impartial decision. If the Chair grants a disqualification request, they will select another Committee member to replace the disqualified Committee member and notify the Responding party, University Representative, and Reporting party prior to the Resolution meeting.

   3) Any person selected to serve on the Committee who believes that they are unable to conduct a fair and impartial Resolution meeting or has identified a conflict of interest will be disqualified from participating in the Resolution Meeting. Such decision must be made at least three (3) business days prior to the start of the Resolution Meeting.

b. Within ten (10) business days of the Administrative Review meeting, if at all practicable, the Chair of the Conduct Committee will notify the Responding party in writing with the following information:

   1) The date, time, and location of the Resolution Meeting;
   2) The names of the Committee Members, and University Representative;
   3) Information about how to submit witness names to the Chair;
   4) Information about how to submit the name of the Advisor to the Chair; and
   5) Information about how to submit documentary evidence to the Chair.
c. A Responding party who cannot attend the scheduled Resolution Meeting must contact the Chair to request a new date and/or time for the resolution meeting at least three (3) business days prior to the set date. It is at the discretion of the Chair if the Resolution Meeting will be rescheduled and a Responding party may only request one change to the date and/or time of the Resolution Meeting.

d. If, after proper notice, the Responding party does not appear at the scheduled Resolution Meeting, the Committee may conduct the Resolution meeting without the Responding party’s participation, determine the Responding party’s responsibility for the alleged violation(s) of the Student Code and assign sanctions based on the information in its possession. An unexcused absence from a Resolution Meeting, without just cause, may also result in additional charges per Section J., Responsibility 4.

e. Resolution Meeting Procedures:

1) All Resolution Meetings are closed to the public. Only members of the Conduct Committee, the University Representative, the investigator, the Responding party (and their advisor, if any), and witnesses will typically be permitted to participate in the Resolution Meeting;

2) The Chair will make a reasonable effort to create a single verbatim record, such as a tape recording, which recording will be the property of the University. If an audio recording is made, the transcription of the recording will become part of the Responding party’s student conduct record and the recording will be destroyed after the appeal period has expired, if an appeal is available and requested.

3) The Chair is responsible for facilitating the Resolution Meeting and, in consultation with the University Representative, will make decisions regarding witnesses, supporting information, and procedures. The Chair may exclude any person who disrupts the Resolution meeting.

4) Responding parties are entitled to be assisted by an advisor during the Resolution Meeting. Advisors are allowed only to confer with their advisee. An adviser’s failure to comply with the participation limitations set out in these procedures may cause additional conduct violations to be asserted against the student relating to abuse of the conduct system. Participants electing to be accompanied by an advisor must notify the Chair at least three (3) business days prior to the Resolution Meeting.

5) All documents to be presented at the Resolution Meeting by the University Representative or the Responding party must be submitted to the Chair at least three (3) business days prior to the Resolution Meeting. The Chair will provide copies of submitted documents to the University Representative and Responding party at least two (2) business days prior to the Resolution Meeting, 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 Resolution Meeting may only be considered at the discretion of the Chair.

6) Members of the University community are encouraged to appear at the Resolution Meeting as witnesses if they have knowledge or information regarding the incident 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 in question. Character witnesses, however, are not accepted.

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

8) The Chair will explain the resolution meeting process to the Responding party, University Representative and other participants. The Committee will hear and receive information and witnesses presented by the University Representative supporting the alleged violation(s). The Committee will then hear and receive the Responding party’s information, witnesses, and perspective about the incident, review the applicable report(s) and other supporting information, and ask questions of the Responding party and witnesses. The Responding party will also have the opportunity to submit questions to the Chair regarding participating witnesses. The Chair will determine relevancy of the questions submitted. The University Representative will have an opportunity to ask questions of the Responding party. The Chair will conclude the Resolution Meeting by explaining next steps in the process.

f. After concluding a Resolution Meeting, the Committee will discuss privately. The determination(s) of the Committee will be made by unanimous vote. The discussions will not be recorded.

1) The Committee 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.

2) In determining whether a Responding party is responsible for violating the Student Code, the Committee will base its fact-finding determination(s) on the Preponderance of the Information standard.

g. If the Responding party is found responsible for one or more of the alleged violation(s) of the Student Code, the Committee will determine fair and appropriate sanction(s) and make sanction recommendations.

1) While determining fair and appropriate sanction(s) the Chair will notify the
Committee 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 this Student Code. Cases where the Responding party was not found responsible for violating this Student Code or all allegations were dismissed will not be introduced.

2) When notifying the Committee 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.

h. After the conclusion of resolution meeting discussions, the Chair will compile a Student Conduct Resolution Report summarizing the alleged violation(s) of this Student Code, the Committee’s findings as to each alleged violation, and sanction recommendations, if any, and will forward the report within five (5) business days to the SARC who will review the findings and recommended sanction(s), if any.

i. After reviewing the report, the SARC will forward the report back to the Chair who will, within five (5) business days of receiving the report from SARC, provide a copy of the Student Conduct Resolution Report and notify the Responding party of assigned sanction(s), if applicable. The Report will be provided to the Responding party by delivery to the Responding party’s UAB email address of record, to the mailing or permanent address appearing in the University’s student information system, to an address appearing in a police report, or may be through personal contact.

j. The Responding party may request an appeal for resolution meeting findings within (5) business days of receiving the Student Conduct Resolution Report. (See Request an Appeal Procedures, Section I).

i. When suspension or expulsion are recommended by the Dean, Conduct Officer, Conduct Committee, 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 via letter to the student(s) involved by the Vice President for Student Affairs. Similar due process procedures will be available for student groups/organizations.

I. Appeal Procedures

Upon receiving notification of the outcome of a Resolution meeting, the Responding party has the right to request an appeal of the finding of responsibility or the assigned sanction(s). A Responding party accepting responsibility in an Administrative Review Meeting may only appeal the severity of any sanction assigned by the Conduct Officer.

A. A request for an appeal must be submitted in writing to the AVPSE within five (5) business days from the date of notice of the original decision. The appeal must specify the grounds for the appeal in accordance with Section I. D. and include all the reasons, evidence, and arguments
in support of the appeal. Failure to appeal within the specified time period will make the original decision final and conclusive.

B. Upon receipt of the request for appeal, the SARC or his/her designee will determine whether the written request meets the established grounds for appeal and are within the appeal filing timeline that is allotted. If the appeal does not meet the established grounds for appeal or the Responding party fails to submit a timely appeal, the appeal will not be submitted to the AVPSE and the student forfeits their right to appeal. In rare cases, circumstances outside a Responding party’s control may occur, which prevent an appeal from being submitted by the deadline. Should this situation occur, the Responding party must explain why they did not meet the deadline, and the SARC or his/her designee, will make a determination if the appeal is submitted to the AVPSE.

C. The review by the AVPSE will be completed within thirty (30) business days of the date of receipt of the appeal, if at all possible. The AVPSE has the authority to:

1. Affirm the initial finding.
2. Find that improper procedures were used, to the prejudice of the student or group. In this case, the AVPSE can refer the case back to the Conduct Officer or Conduct Committee with a recommendation on how to correct the procedures. The Conduct Officer or Conduct Committee may make a new decision on the case. The Responding party may then submit another request for appeal if the Responding party again has grounds to appeal after the new decision.
3. Reduce or increase the sanctions/interventions.
4. Find that (a) the Responding party has presented information that would have been material to the outcome of the case, had the information been presented at the resolution meeting, and (b) the information was not known to the Responding party at the time of the Resolution meeting. In this event, the AVPSE will refer the case back to the Conduct Officer or the Conduct Committee for reconsideration in light of the new information.

The decision of the AVPSE is final.

D. A request for appeal must be based on one or more of the following:

1. The established procedures were not followed, in a significant way, and as a result, the findings, the sanctions, or both, were not correct;
2. The severity of the sanction/intervention imposed is not appropriate or is disproportionate based on the nature of the violation or the circumstances;
3. There is new information that would have been material to the outcome; had the information been presented at the Resolution meeting. Information is not considered new if the student did not attend the Resolution meeting or voluntarily withheld information during the Resolution meeting. The new information must be included with the student’s request for appeal. Also, the student must show that the new information could not have been presented at the Resolution meeting.

If the request for appeal is not based on one of these grounds, the request will be denied.
J. Prohibited Conduct

The conduct listed below is prohibited and in opposition to the core values set forth in this policy. Any attempts to commit or aid, abet, or incite others to commit the conduct listed below is also prohibited by this Code.

Engaging in retaliatory acts against a person who reports an alleged violation of the Code or testifies, assists, or participates in a conduct proceeding or investigation is also prohibited by this Code. Parties who believe they have been retaliated against due to participating in the student conduct process should notify the SARC. The SARC will follow up with Reporting parties to determine whether any retaliation, new incidents or harassment have occurred. Retaliation against any party participating in the student conduct process is prohibited and will be investigated by the SARC. To be considered retaliation there must be causal connection between a materially adverse action and the act of reporting a violation or participating in a conduct proceeding. A materially adverse action is one that would dissuade a reasonable person from reporting a violation, and includes, but is not limited to, intimidation, threats, coercion, or discrimination. A determination of whether an action is materially adverse is made on a case-by-case basis.

Integrity: UAB students exemplify honesty, honor, and respect for the truth in all their dealings. Behavior that violates this value includes, but is not limited to:

1. Providing false information to the University, withholding material information from the University, making false oral or written statements to any University official, conduct officer, or conduct body in performance of their duties or knowingly using/possessing false, falsified, fabricated, altered, duplicated or forged materials, timesheets, documents, accounts, identification, financial instruments, records, keys, vehicle or other resource. The submission of false information at the time of admission or readmission is grounds for rejection of the application, withdrawal of any offer of acceptance, cancellation of enrollment, dismissal, or other appropriate non-academic conduct action.
2. Unauthorized entry to any University building, facility, room, vehicle, including campus construction sites and roofs, or unauthorized possession, duplication, or use of means of access to any University building, facility, room, vehicle or failing to report a lost University identification card or key.
3. Attempted or actual theft of property of the University or property of another, including goods, services, and other valuables. This includes knowingly taking or maintaining possession of stolen property and/or property obtained without the owner’s permission whether on or off campus, and/or electronic identity. This also includes unauthorized use of ATM, phone, or credit cards; checks; UAB ID cards; keys, or computer systems.
4. Permitting another to use their University identification card, impersonating another, misrepresenting authorization to act on behalf of another, or communicating under the rubric of an organization, entity, or unit that you do not have authority to represent.
5. Knowingly instituting a false complaint against another person.
6. The operation on campus of student organizations not properly recognized and registered.
7. Collusion. Action or inaction with another or others to violate the Student Code.
8. Trust. Violations of positions of trust or authority within the community.
9. The unauthorized release or use of confidential student or University information/records.

10. Invasion of Privacy. The recording, filming, photographing, viewing, transmitting, or producing the image or voice of another person without their knowledge and expressed consent when such a recording, film, and/or photograph is likely to cause injury or distress to the individual being recorded, filmed, and/or photographed is prohibited. In addition, looking through a hole opening, into, or otherwise viewing, by means of any instrumentality, the interior of a private location without the subject’s knowledge and expressed consent is also prohibited.

11. Knowingly violating the terms and conditions of any assigned sanction/intervention, or interim action.

12. Failure to follow established University or Student Housing policies, rules, and regulations.

13. The unauthorized possession, receipt, or use of UAB services, equipment, resources, or properties for personal gain or use for an unauthorized purpose.

14. Trespassing on University grounds.

15. Solicitation of and by students or student organizations for money, goods, or services without authorization.

16. Acts of dishonesty. To defraud, lie, tamper with, or scam to receive something of value or to mischaracterize so as to give a false belief or conclusion about something in a way that is harmful to another.

Community: UAB students build and enhance their community. Behavior that violates this value includes, but is not limited to:

1. Disruptive behavior. Substantial disruption of, or interference with, any University activity, including, but not limited to, teaching, research, administration, conduct proceeding, recreation, meeting, police or fire responses, or other University activities, on or off campus, and/or other authorized non-University activities, when the act occurs on University premises. Classroom disruption may include, but is not limited to: non-approved use of electronic devices; cursing or shouting at others in such a way as to be disruptive; or, other violations of an instructor’s expectations for classroom conduct.

2. Rioting. Causing, inciting, or participating in any disturbance that presents a danger to self and others, causes physical harm to others, or damage and/or destruction of property. This includes, but is not limited to: disruptive picketing, protests, or demonstrations.

3. Unauthorized Entry. Attempted or completed entry into or exit from University property or property belonging to others. This includes unauthorized use of any University building, facility, room, office, vehicle, equipment, or area without reservations through the appropriate University authorities. This also includes trespassing, propping, or unauthorized use of alarmed doors for entry into or exit from a University building.

4. Damage, Defacement, Destruction. Engaging or participating in acts or attempted acts of vandalism, damaging, misuse, removal, or malicious destruction of University property or property belonging to another, either on or off campus. This includes, but is not limited to: littering or unauthorized chalking of University property.

5. Violation of the UAB Information Technology Computer Policy. To include, but not limited to, failing to comply with laws, license agreements, and contracts governing network, software and hardware use; abuse of communal resources; failure to protect your password, or use of your account; breach of computer security, harmful access or, invasion of privacy; use of computing facilities to send or view obscene or threatening messages, or make or use illegal copies of copyrighted software or other copyrighted works. Students who connect their personal computers
to the campus network will be held responsible for any violation of this policy that originates from that computer. (See IT Policies)

6. Gambling. Gambling as prohibited by the laws of the State of Alabama. Gambling may include unlawful games of chance for money or anything of value and the sale, barter, or other disposition of a ticket, order, or any interest in a scheme of chance by any name.

7. Weapons. Possessing, using, displaying, carrying, or storing firearms including, but not limited to, air rifles, air pistols, BB guns, stun guns, Tasers, air/gas/spring-operated paintball or pellet guns, potato guns, imitation weapons/realistic-looking toy guns, ammunition, explosives, incendiary devices, fireworks, dangerous chemicals, or other dangerous objects/projectiles such as slingshots, arrows, axes, machetes, daggers, nun chucks, swords, or throwing stars on University premises or at any University-sponsored or supervised activity is prohibited except as permitted by law. The term weapon may also be defined as any object or substance designed to inflict a wound, cause injury or pain, or to incapacitate. This definition also includes any harmless instrument that could reasonably appear to a reasonable person as being a weapon. (See Dangerous Weapons and Firearms Policy)

8. Tobacco. Use of tobacco or smoking-related products including any product to mimic tobacco products or the smoking or vaping of any other substance is prohibited within all buildings, facilities, vehicles, and spaces (including covered walkways, covered parking, parking lots commons, parks, and campus greens) that are owned, rented, leased, or otherwise controlled by the University and otherwise in accordance with city ordinance. This includes but is not limited to cigarettes, cigars, cigarillos, smokeless tobacco, electronic cigarettes, pipes, bidis, and hookahs. This does not include nicotine gum or patches.

9. Projectiles. Throwing or casting any object off, into, upon, or against any building, structure, motor vehicle, or at any person is prohibited.

10. Fire/Police Safety. Any action that interferes with, obstructs, or disrupts police or fire responses. This includes, but is not limited to:
   a. Resisting or fleeing a police officer.
   b. Failing to abide by the directions of a peace officer.
   c. Tampering with, impairing, disabling, misusing, or improperly engaging University fire protection systems such as smoke detectors, fire extinguishers, sprinklers, or alarms.
   d. Failing to evacuate a University controlled building during a fire alarm or fire drill.
   e. Any action that causes or attempts to cause a fire, explosion, including bomb threats, or any intentionally false reporting of a fire.

11. Intentionally initiating or causing to be initiated any false report, warning, threat of fire, explosion, or other emergency or catastrophe concerning the university and University sponsored activities.

12. Ineligible Pledging or Association. Pledging or associating with a student organization without having met eligibility requirements established by the University.

13. Animals. Animals (wild or domesticated, warm-blooded or cold-blooded), with the exception of service and/or assistance animals are not permitted in University buildings except as permitted by University policy and by law. Threatening or endangering the health and/or safety of an animal is prohibited.

14. Wheeled Devices. Skateboards, roller blades, roller skates, bicycles, and other similar wheeled devices are not permitted to be used inside University buildings or residence halls.
15. Leaving minor children unattended while on campus or persons not officially enrolled and attending classes or participating in a University activity.

16. Traffic and Parking. Failure to observe parking regulations. Obstructing the flow of pedestrian or vehicular traffic. Also includes tampering with, removal or theft of wheel locks, barricades, traffic cones, or traffic control devices.

17. Operating a business. State property or facilities may not be used for personal profit, sale, and/or solicitation (including door-to-door sales and/or distribution of advertisements). This includes, but is not limited to, the commercialization of rooms, the use of any space for gambling, or to solicit students or patrons for private businesses.

Social Justice: UAB students recognize that respecting the dignity of every person is essential for creating and sustaining a flourishing University community. They understand and appreciate how their decisions and actions impact others and are just and equitable in their treatment of all members of the community. They act to discourage and challenge those whose actions may be harmful to and/or diminish the worth of others. Conduct that violates this value includes, but is not limited to:

1. Bias-Motivated Incidents. Any violation of the Student Code that is determined to have been motivated by a consideration of sex, gender identity/expression, race, color, age, national origin, creed, disability, religion, sexual orientation, pregnancy, or veteran status may subject the student to the imposition of a sanction more severe than would be imposed in the absence of such motivation.

2. Discrimination. Any act or failure to act that is based upon an individual or group’s actual or perceived status (sex, gender identity/expression, race, color, age, national origin, creed, disability, religion, sexual orientation, pregnancy, or veteran status) that is sufficiently severe that it limits or denies the ability to participate in or benefit from the University’s educational program or activities.

3. Harassment. Any unwelcome conduct based on actual or perceived status including: sex, gender identity/expression, race, color, age, national origin, creed, disability, religion, sexual orientation, pregnancy, or veteran status. Any unwelcome conduct should be reported to University officials who will act to remedy and resolve reported incidents on behalf of the victim and community.

4. Retaliation. Any intentional, adverse, action taken by any responding individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant or supporter of a participant of a University grievance proceeding. Retaliation is a form of harassment and is a violation of this policy.

5. Abuse of the Conduct Process. Abuse or interference with, or failure to comply in, University processes including conduct Resolution meetings including, but not limited to:
   a. Falsification, distortion, or misrepresentation of information.
   b. Failure to provide, destroying, or concealing information during an investigation of an alleged policy violation.
   c. Attempting to discourage an individual’s proper participation in, or use of, the University conduct system.
   d. Harassment (verbal or physical) or intimidation of a member of the Conduct Committee or Conduct Officer prior to, during, and/or following a University conduct proceeding.
   e. Failure to comply with the sanction(s) imposed pursuant to University conduct proceedings.
f. Influencing, or attempting to influence, another person to commit an abuse of the University conduct procedures.

6. Complicity. This includes any student or student organization or group failing to:
   a. Appropriately address known or obvious violations of the Student Code or law;
   b. Bring the violation to the awareness of a staff member; or
   c. Leave the scene of the violation, if not responsible for the space in which the violation is occurring.
Students who are determined to be complicit in a conduct violation may be sanctioned to the same extent as if they had committed the violation. Students are responsible for their guests’ behavior and may be sanctioned as if they had committed the violation themselves.

Respect: UAB students show positive regard for each other and for the community. Behavior that violates this value includes, but is not limited to:

1. Physical Abuse. Any physical abuse, restraint, or harm of any person. Being involved in fighting, including the use of physical force, violence, intoxicants, or other substances to restrict the freedom of action or movement of another person or to physically endanger the health and/or safety of another person(s) or group.
2. Threatening Behaviors:
   a. Threat. Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
   b. Intimidation. Implied threats or acts (physical or verbal) that cause a reasonable fear of harm in another.
   c. Coercion. Pressuring another unreasonably into an act is not truly voluntary.
3. Bullying and Cyberbullying. Bullying and cyberbullying are 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.
4. Hazing. 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. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent and/or failing to discourage and/or failing to report those acts may also violate this policy. Hazing includes, but is not limited to, any abuse of a mental or physical nature; forced consumption of any food, liquor, drugs, or substances; forced activity that could adversely affect the health or safety of an individual; or forced road trips. Hazing also includes any activity that would subject the individual to embarrassment or humiliation, the willingness of the participant in such activity notwithstanding.
5. Sexual Misconduct
   a. The University prohibits sexual misconduct and any related retaliation.
   b. Any definitions, requirements, violations, accommodations, prohibitions, and sanctions outlined in the University’s Sexual Violence and Sexual Misconduct Policy are incorporated
Responsibility: UAB students are given and accept a high level of responsibility to self, others, and to the community. Behavior that violates this value includes, but is not limited to:

1.Drugs. Use, possession, distribution, transporting, providing, manufacturing, selling, attempting to sell, cultivating, or being under the influence of any drugs, and/or other controlled substances and/or drug paraphernalia in violation of law or University policies. Drug paraphernalia includes all equipment, products, and material of any kind that are used to facilitate, or intended or designed to facilitate, drug use. Use or possession of marijuana, including Medical Marijuana, is prohibited. This prohibition includes students who knew, or reasonably should have known, they were in the presence of illegal drugs and/or drug paraphernalia whether they used the substance or not. This includes misuse of legal substances, inhaling a substance (other than in connection with its intended purpose) and/or other recreational substances used as if drugs as a “means to get high.” (See UAB Drug-Free Campus Policy for Students)

2.Alcohol. Use, possession, distribution, transporting, providing, manufacturing, purchasing, selling, attempting to sell, dispensing, exchanging, or being under the influence of alcoholic beverages in violation of law or University policies. This prohibition includes students under the age of 21 who knew, or reasonably should have known, they were in the presence of alcoholic beverages and/or alcohol containers, whether they consumed the alcohol or not. An individual who is 21 or older is prohibited from storing alcohol in a common area refrigerator when living on campus with an individual who is under the age of 21. This prohibition also includes possession and/or consumption of alcohol in the presence of any person under the age of 21. Drinking games and devices designed for the rapid consumption of alcohol (e.g. beer pongs or funnels) are also prohibited on campus, whether alcohol is involved or not. (See UAB-wide policy) (See also Medical Amnesty Policy)

3.Prescription Medications. Abuse, misuse, sale, or distribution of prescription or over-the-counter medications. This includes possession, distribution, selling, sharing, or use of another’s prescription medication.

4.Failure to Comply. Failure to comply with the instructions, directions, requests, or orders of University officials who are acting in the performance of their duties. Including, but not limited to, an instruction to present identification, not leaving areas when requested to do so, engaging in verbal and/or physical abuse directed toward University officials, emergency personnel, or law enforcement officials, an instruction to appear at conduct proceedings or other mandatory meetings, appear as a witness when reasonably notified to do so, or failing to cooperate with an investigation. This includes failure to fulfill any sanction(s) assigned as a result of a resolution meeting.
5. Financial Responsibilities. Failure to promptly meet financial responsibilities to the University, including, but not limited to; knowingly passing a worthless check or money order in payment to the University or to an official of the University acting in an official capacity.

6. Behavior during the conduct process/review and/or resolution meeting involving contemptuous, disrespectful, or disorderly behavior, including, but not limited to, intimidation or harassment of witnesses, attempting to improperly influence the impartiality of a representative of the Conduct Committee or Conduct Officer, failure to participate in a review or resolution meeting, or providing false or misleading information/evidence to a Conduct Officer or to the Conduct Committee.

7. Inappropriate Behaviors. Any action or any series of actions that interferes with individuals’ academic efforts, personal safety, or participation in University-sponsored activities is prohibited.

8. Violations of Law. Evidence of violation of local, state, or federal laws, when substantiated through the University’s conduct process.

9. Health and Safety. Creation of health and/or safety hazards (dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.).

10. Guests. Students and groups are responsible for notifying their guests of University rules and regulations and may be held accountable for the conduct of their guests. Guests can be UAB students or non-students. Guests on campus who do not abide by University policies are subject to being trespassed. Students are responsible for the behavior of visitors to their room/apartment and may be found responsible for behavior that occurs there whether or not the occupant(s) is/are present.

K. Sanctions/Interventions

A student or group found responsible for a Student Code violation shall be subject to sanctions/interventions commensurate with the offense with consideration given to any aggravating and mitigating circumstances, including, but not limited to, the student’s conduct record. It is the student’s responsibility to review their conduct record, and the student will be deemed to have knowledge of their record of previous conduct violations and sanctions, whether or not the student chooses to review the record. The University reserves the right to create other sanctions based on the nature of the misconduct. A Responding party’s conduct record is cumulative. Therefore, increased sanctions/interventions may be assigned to take into consideration the Responding party’s overall record of violations of all types. When a Responding party accepts responsibility for violating this Student Code or is found responsible for violating this Student Code, one or more of the following sanctions/interventions may be assigned:

Informal Warning

An oral or written warning that a student is violating University regulations. No formal charges are required before the issuance of an informal warning. No official record of an informal warning shall be maintained.

Formal Warning
A formal written warning that a violation of the Student Code has occurred and that continued or repeated violations of the Student Code or other University Policies may be cause for further conduct action. A record of a formal warning shall be maintained.

Parental/Guardian Notification

In cases of violation of University alcohol and drug policies involving students under 21 years of age at the time of the violation, the University may notify the student’s parent or guardian of the violation. The University also reserves the right to notify parents or guardians regarding the health and safety of a student.

No Contact Order

A No Contact Order is a directive to refrain from any intentional contact, direct or indirect, with one or more designated persons or group(s) through any means. This includes, but is not limited to, comments, words or gestures in person, through mail, e-mail, social networking sites, telephone, or third parties. The student or student group/organization will be notified of this directive in writing. This may be a result of or after a Resolution Meeting. In some cases, this directive may be in effect outside of the initiation of any resolution proceedings. The person(s) who is protected by this directive may receive a written statement detailing the directive as permitted by applicable law. Violating a No Contact Order may result in further conduct action from the University.

Conduct Probation

Conduct probation lasts for a specific period of time during which the student is not in good standing with the University. Any violation of the Student Code or the conditions of conduct probation committed during the probationary period may result in further conduct action. Additional behavioral expectations that are consistent with the nature of the violation may also be imposed. Conditions of probation may be set forth which restrict the student’s participation in co-curricular activities. During the probationary period, a student may be requested to attend Probationary Review Meetings with a staff member of the SARC.

Loss of Privileges and Exclusion from Activities

An exclusion from participating in designated privileges and activities for a specified period of time. Loss of privileges may include, but may not be limited to, denial of the right to represent the University, a denial of the use of campus facilities, or access to areas of campus, denial from participation in co-curricular activities, or denial of computer network access.

Restorative Actions

The student or group/organization is required to engage in actions to restore the impact of a violation and repair the harms resulting in the misconduct on other members of the community. These actions may include, but are not limited to: letters of apology, drafting and implementing a plan of resolution, attending a facilitated meeting with the harmed individual or group of students.
Campus and/or Community Service

A student or group is required to perform a specific number of hours to an appropriate non-profit community agency and/or to a University office/department designed to benefit the community and help the student understand why certain behavior was inappropriate.

Facility Suspension

A student no longer has the privilege of entering or using a particular facility or building for a specified period of time or until a specific condition is met.

Facility Expulsion

Facility expulsion entails the permanent loss of privileges to use a building of facility for an unlimited period of time.

Educational Assignment/Initiatives

A student or group is required to complete an educational assignment related to the violation committed. Such educational assignments may include attending a workshop, lecture, class, or alcohol/drug education program; complete a report, reflection paper, or project; or be involved with the community in a way that brings about a new understanding of the community and how their behavior may have impacted others, for example interviewing a campus official. This is not an exhaustive list but serves as a reference for the types of educational assignments that may be imposed.

Residence Hall Transfer or Removal

A student is required to transfer residence halls or is removed from the residence halls for a specified or indefinite period of time.

Restitution

Compensation for damage, loss of property, or expenses of others as a result of the misconduct. This includes compensation for misappropriation of University funds as well. Compensation can be in the form of campus/community service, money, or material replacement.

Restriction from Employment at the University

Prohibition or limitation on University employment

Removal from Specific Courses

Suspension or transfer from courses at the University for a specific period of time.
**Suspension**

The termination of student status for a specific period of time with the defined reinstatement thereafter certain, provided that the Responding party has complied with all conditions assigned as part of the suspension and is otherwise qualified for reinstatement. Suspensions will normally take effect in the academic semester immediately following the sending of the notice of final sanctions to the Responding party, unless the incident involves harm to self or others, threats, or violence, or other circumstances warranting an immediate suspension. During a suspension period, a student is not allowed to be on campus. Any suspended individual found on campus during the suspension period may be issued a trespass warning by the UAB police and may be subject to arrest. Any student suspended will have a conduct hold placed on their registration and must schedule a meeting with the SARC prior to registering/returning. Violation of the conditions of suspension or of this Student Code or University policies during the period of suspension may be cause for further conduct action.

**Expulsion**

The permanent termination of student status.

**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.
L. Interim Actions

Under this Student Code, the AVPSE or their designee may impose restrictions or separate a student from the University pending the scheduling of a Resolution Meeting on alleged violation(s) of the Student Code when (1) a student represents a threat of serious harm to others, (2) a student is facing allegations of serious criminal activity, (3) restrictions are needed to preserve the integrity of an investigation, (4) restrictions are needed to preserve University property or (5) restrictions are needed to prevent disruption of, or interference with, the normal operations of the University. Interim actions can include separation from the University or restrictions on participation in the community for no more than ten (10) business days pending the scheduling of a resolution meeting on alleged violation(s) of the Student Code. A student who receives an interim suspension or expulsion may request a meeting with the AVPSE or designee within five (5) business days to discuss the following issues only:

1. The reliability of the information concerning the student’s alleged misconduct.

2. Whether the conduct and surrounding circumstances reasonably indicate that the continued presence of the student on University premises poses an imminent danger or substantial harm to others, or to property.

Regardless the outcome of this meeting, the University may still proceed with the scheduling of a campus conduct Resolution meeting. The AVPSE or designee may affirm the interim suspension or expulsion or lift the temporary suspension or expulsion. The student shall be notified of the decision in writing. The student will then be asked to meet with the Conduct Officer for the purpose of reviewing the student conduct process and speaking with the student about their options. A Resolution Meeting will then be scheduled at the earliest possible time.

Interim actions usually include physical exclusion from the campus. Students who live on campus will be immediately removed from the residence hall and are not allowed to re-enter any campus residence hall or remain on campus. Such interim actions may exist and be enforced until a final decision has been made on the pending complaint by the properly constituted authorities.

All students are expected to comply with federal, state, and local laws. When a student is convicted of such a violation and circumstances indicate that the student’s continued presence on campus creates imminent danger or substantial harm to the student, to any member of the University community, University property, or to the educational processes of the University, the University may immediately suspend or expel a student from the University or remove the student from classes or residence halls, pending final disposition of the case.

M. Re-Admittance after Suspension

Following a suspension, students are required to contact the SARC. All sanction requirements must be documented and completed. A Conduct Officer will review the case and meet with the student. A re-admit plan will be made with the student.
Students may be temporarily excluded from campus and/or issued a No Trespass Order pending the outcome of the case.

N. Special Circumstances

Medical or Psychiatric Evaluation/Involuntary Withdrawal

In order to create a safe and healthy learning environment and to ensure the well-being of the University community, the University may initiate an involuntary withdrawal of a student. This process is not a routine substitute for student conduct action when there is a violation of the Student Code nor will it supplant the policy for addressing violations of substance abuse and alcohol policies. However, if a student’s behavior indicates that the behavior may be the result of a physical or psychological health-related issue, the University may encourage the student to seek appropriate treatment and to consider voluntary withdrawal as needed or recommended by the health care provider, and/or the University may request that the student seek a medical or psychiatric evaluation. If the student declines the request or there are other indicators that support immediate action, the University may proceed with an involuntary withdrawal.

Involuntary withdrawals will occur rarely and will be invoked when the student’s behavior poses an imminent or significant danger or threat of causing substantial physical harm to self or others; or property; or substantially impedes or disrupts the lawful activities of other members of the University community, or would interfere with the educational process and the orderly operation of the University.

Voluntary or Involuntary Withdrawal Procedure

The following procedures are to be used to help transition a student to a safer environment more conducive to their needs when it becomes clear that remaining at the University is not in the best interest of the student or the University community. These procedures allow for a student to withdraw voluntarily when medical conditions or psychological distress make withdrawal in their best interest; its goal is to define the length of separation, outline the path to re-entry, and ease the transition for the student’s return, and to optimize the opportunities for the student’s success when they return.

Under certain conditions, if a student has not opted to take a leave voluntarily, the University may institute an involuntary withdrawal. When the potential for harm to others is present, involuntary withdrawal actions must consider whether the endangering behavior results from a condition of disability. If so, the student will be protected by Section 504 of the Rehabilitation Act of 1973. Under this federal statute, an individual with a disability may only be separated on the basis of this disability when they are not otherwise qualified to participate in the education program of this University. When a student is a direct threat, they are not otherwise qualified under disabilities law, and may be involuntarily withdrawn.
1. Assessment: When the SARC, based on the student’s conduct, actions, or statements, has reasonable cause to believe that the student meets one or more of the criteria for withdrawal, SARC may initiate an assessment of the student’s ability to safely participate in the University’s program.

SARC will gather information regarding the student and using existing risk assessment protocols determine the level of direct threat to others or property. Students who engage in direct threats to others and self-harm behaviors that cause a significant disruption to the University community may also be subject to the Student Code. If the student has been accused of a violation of the Student Code, but it appears that the student is not capable of understanding the nature or inappropriateness of the action, these procedures may be activated prior to the issuance of a determination in the conduct process. Interim suspension for threat of harm to others will also likely be imposed.

A direct threat exists when a student poses a significant risk to the health or safety of others. A significant risk constitutes a high probability of substantial harm. Significance will be determined by:

- The duration of the risk;
- The nature and severity of the potential harm;
- The likelihood that the potential harm will occur; and
- The imminence of the potential harm.

If SARC believes that the threat is clear and direct, and likely the result of a psychological or physical illness, SARC (and assisted, as needed, by other appropriate staff) may communicate with the student to offer one or more of the following options:

a. Take a voluntary medical leave;
b. Undergo a voluntary, individualized, evaluation by a trained medical or psychological practitioner at UAB to determine if the student’s behavior poses a direct threat to self or others; or property; substantially impedes or disrupts the lawful activities of other members of the University community, or the educational processes, or proper activities, or learning environment, or functions of the University and its personnel;
c. Provide a signed release of information to permit UAB to contact the existing treatment provider so that relevant records and information can be shared or
d. Comply with treatment recommendations of the health care provider.

2. Review: SARC may refer the student for a mandatory evaluation by an appropriate medical and/or mental health care professional. The professional will be selected by the University, and there is no cost to the student for the evaluation.

Prior to the evaluation, the student will be required to sign a written release authorizing the exchange of relevant information among the medical and/or mental health care professional(s) and the University. Upon completion of the evaluation, SARC will notify the student, in writing, the recommendations, if any, of the medical and/or mental health care professional(s). The student must attend the evaluation session.
The professional making the evaluation shall make an individualized and objective assessment of the student’s ability to safely participate in UAB’s educational program, based on a reasonable professional judgment relying on the most current professional knowledge and/or the best available objective evidence. The professional will, with appropriate authorization, share their recommendation with SARC who will take this recommendation into consideration in determining whether the student should be involuntarily withdrawn from UAB.

If the evaluation results in a determination that the student’s continued attendance presents no significant risk to the health or safety of the student or others, and no significant threat to property, to the lawful activities of others, or to the educational processes and orderly operations of the University, no further action shall be taken to withdraw the student from the University. The student will be informed in writing by SARC that they are permitted to continue their enrollment.

If the evaluation results in a determination that the continued attendance of the student presents a direct threat to the health or safety of or others, such that there is a high probability of substantial harm, or a direct threat to property, to the lawful activities of others, or to the educational processes and orderly operations of the University, the student may voluntarily withdraw or be involuntarily withdrawn from the University. In such an event, the student shall be informed in a meeting with SARC of the voluntary or involuntary withdrawal, and options that are available to the student. In most cases, a student who is involuntarily withdrawn will be given a grade of W in all courses in which the student is currently enrolled.

If the student agrees to obtain a voluntary medical or psychological evaluation or allow contact with the treatment provider, SARC will review the recommendations. SARC will attempt to make any reasonable and appropriate accommodations recommended by the health care professional to enable the student to remain in school. If SARC determines that this is not a safe or viable alternative, the University may still elect to invoke an involuntary withdrawal and require the student to take a leave of absence until such time that they are determined not to be a direct threat to others, and/or property.

If the student refuses to accept the decision of involuntary withdrawal, the student shall notify the AVPSE, in writing of such refusal. They may then appeal the involuntary withdrawal decision, in writing within three (3) business days of the date of the notice to the student of the involuntary withdrawal to the Vice President of Student Affairs. The Vice President of Student Affairs may convene a committee to review the matter. Reviews will only be considered for one or more of the following purposes:

- To consider new information which was unavailable at the time of the meeting with the AVPSE or designee and could be outcome determinative;
- To assess whether a material deviation from written procedures impacted the fairness or outcome of the meeting;
- To decide if an involuntary withdrawal is disproportionate to the severity of the threat evidenced in the meeting with the AVPSE or designee;
- To determine if the decision does not align with the information provided in the meeting or whether reasonable accommodations might mitigate the risk with a withdrawal; or
- To assess whether bias on the part of the AVPSE or designee deprived the process of impartiality.
The Vice President of Student Affairs or the committee shall make a written report containing its findings and conclusions. Copies of the report shall be given to the student. The decision of the Vice President of Student Affairs or the committee is final.

3. Financial Implications: Regardless of the circumstances for withdrawal, UAB tuition and fees will apply with regard to tuition, fees, refunds and University housing unless determined otherwise by the respective department receiving the report.

4. Readmission Following an Voluntary or Involuntary Leave: A student withdrawing under this process must submit a request to OSARR at any time to return to UAB during the subsequent semester. Students returning from an involuntary leave will be required to submit documentation to SARC from a medical or psychological provider approved by UAB. The documentation must indicate that the student is no longer a direct threat to others and is otherwise qualified to participate in the University’s educational programs. UAB may elect to request a second, independent opinion. As needed, UAB will work with the student to make necessary reasonable accommodations as recommended by the treating health professional. Students on voluntary or involuntary withdrawal will not be subject to additional requirements or exceptional standards upon their return above and beyond what the health provider required.

O. Student Groups and Organizations

Student groups and organizations are expected to maintain appropriate standards of conduct that are commensurate with those expected of individual students in the university environment. Therefore, student groups and organizations may be charged with violating non-academic standards of conduct without regard to whether members of such groups or organizations are individually charged with violations arising from the same occurrences. Misconduct by a UAB student group or organization while participating in non-university sponsored activities off-campus may be subject to the non-academic conduct process. Resolution meetings for student groups or organizations follow the same student conduct procedures.

A student group or organization, its officers, or individual members may be held collectively or individually responsible when violations by those associated with the group or organization have received the tacit or overt consent and/or encouragement of the group or organization or of the group’s or organization’s leaders, officers, advisors, or spokespersons.

The officers or leaders or any identifiable spokesperson for a student group or organization may be directed by the Conduct Officer, or a designee, to take appropriate action designed to prevent or end violations by the group or organization or by any persons associated with the group or organization who can reasonably be said to be acting in the group’s or organization’s behalf. Failure to make reasonable efforts to comply with a Conduct Officer, or a designee’s directive shall be considered a violation of Section J., Responsibility 4. both by the officers, leaders or spokespersons for the group or organization and by the group organization itself.

P. Student Group/Organization Sanctions/Interventions
One or more of the following sanctions/interventions may be imposed on a student group or organization for non-academic misconduct.

**Warning**

A formal notice to the group or organization’s explaining that their actions violated a University rule or policy that such actions are not acceptable in our community, and that further misconduct, or any other violation of a University rule or policy may result in additional conduct action.

**Charter/Conduct Probation**

A status imposed for a specific period of time in which the group or organization is deemed not in good standing within the University. Groups or organizations on charter/conduct probation may not represent the University in any official capacity during the probation period. Some of the restrictions that may be placed on a group or organization on charter/conduct probation may include, but are not limited to: barring or limiting some or all of the group’s or organization’s activities and/or privileges, entrance into University residence halls or other areas of campus, or loss of ability to participate in intramural sports or other intercollegiate competitions. If the group or organization is found “responsible” for another violation of the Student Code during the probationary period, the group or organization may be placed on charter/group restriction.

**Social Probation**

A status imposed for a specific period of time in which the group or organization is suspended from engaging in, participating in, hosting, or sponsoring/co-sponsoring social events (formal or informal) or other non-academic activities on and/or off campus. The precise parameters of social probation may vary depending on the circumstances and will be specified in writing.

**Charter/Organization Restriction**

The temporary removal of University recognition, usually for not more than two (2) semesters in addition to the one in which the violation occurred. While under restriction, the group or organization may continue to occupy or hold property but may not seek or add members, engage in, participate in, host or sponsor/co-sponsor social events (formal or informal) or other non-academic activities on or off campus. Restrictions on entry or access to particular locations, premises, or events may be imposed.

**Recommendation for Charter Revocation**

An official request to a national office that the local chapter’s charter be revoked.

**Suspension of Organizational Recognition**

The group or organization loses its University recognition or registration for no less than (1) semester in addition to the one in which the violation occurred. The group or organization must comply with all sanctions/interventions prior to being registered or recognized again. While a
group or organization is suspended, it will cease all organizational activities, vacate any appointed or elected office with that organization’s governing body for the duration of the organization’s period of suspension, surrender balances of all organizational funds granted by USGA, and may not use University resources.

Restorative Actions

The group or organization is required to engage in actions to restore the impact of a violation and repair the harms resulting in the misconduct on other members of the community. These actions may include but not limited to: letters of apology, drafting and implementing a plan of resolution, attending a facilitated meeting with the harmed individual or group of students.

Restitution

The group or organization is required to pay for the damage, loss of property, or expenses of others or the University. This includes compensation for misappropriation of University funds as a result of the misconduct. The group or organization can receive additional educational sanctions/interventions as well.

Educational Assignment/Initiatives

A group or organization is required to complete an educational assignment related to the violation committed. Such educational assignments may include attending a workshop, lecture, class, or alcohol/drug education program; complete a report, reflection paper, or project; or be involved with the community in a way that brings about a new understanding of the community and how group’s or organization’s behavior may have impacted others, for example interviewing a campus official. This is not an exhaustive list but serves as a reference for the types of educational assignments that may be imposed.

Additional Group or Organization Sanctions

In addition to the above, a Conduct Officer or Conduct Committee may impose or recommend additional sanctions, as well as refer the case to the group’s or organizations governing bodies for consideration of other 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 a more serious sanction imposed. Within one (1) week of an organization’s failure to follow or complete a sanction, a conduct hold will be placed on the group/organization president’s student record. Groups/organizations refusing to follow or complete sanctions also place themselves at risk of Charter Restriction or Revocation.

Q. Procedures for Student Housing Conduct

Please refer to the Student Housing & Residence Life website.
R. Non-Academic Student Conduct Records

Non-Academic student conduct records under this policy will be maintained by the SARC and may be maintained by other departments of the University, such as student records or the Office of the Registrar. Records of suspension or expulsion from the University are maintained permanently. All other non-academic student conduct records will be maintained for (7) seven years beginning from date of incident and then will be destroyed/no longer retained. The University reserves the right to retain all conduct records for longer periods as may be deemed necessary.

If a student withdraws or leaves the University prior to the resolution of an incident in which the student is involved, a conduct hold will be placed on the students’ record and they will be prohibited from future enrollment until such time as the matter is resolved.

Non-Academic student conduct records are personal and confidential. Students may inspect their records at reasonable times. To request a review of your conduct record, please contact the SARC at (205) 975-9509. These records may also be shared with other University officials who have a legitimate educational interest in the information they contain. Under no circumstances will any personally identifiable information be released to any external individual, agency, or organization except with the prior written consent of the student or as otherwise required by law.

The Student Code will be reviewed periodically under the direction of the Vice President for Student Affairs or their designee. Modifications to the Student Code may be made at any time to comply with federal, state, and local law.

S. Release of Student Conduct Information

Provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, by the Higher Education Amendments of 1998, govern access to a student’s academic transcript or conduct file. The student and/or those University officials who demonstrate a legitimate educational need for conduct information may have access to the student’s conduct file. Parent(s)/guardian(s) who provide proof that a student is a dependent as defined in Section 152 of the Internal Revenue Code of 1954 are allowed access to the student’s conduct file without written consent of the student. In this case, parent(s)/guardian(s) may also have access to a conduct file even if the student has requested otherwise. A copy of the last federal income tax return listing the student as a dependent will serve as proof of dependency.

In addition, parent(s)/guardian(s) may be notified if a student under 21 years of age is found responsible for a violation involving use or possession of alcohol or other drugs. All other inquiries, including, but not limited to, inquiries from employers, government agencies, news media, family, friends, or police agencies, require a written release from the student before access to University conduct files is granted. An exception to the foregoing is that information may be released pursuant to a lawfully issued subpoena and as otherwise provided by the Campus Security Act as amended by the Higher Education Amendments of 1992.
The Campus Security Act permits higher education institutions to disclose to alleged victims of any crime of violence (murder and manslaughter, forcible sex offenses/non-forcible sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, destruction/damage vandalism of property) the results of the conduct proceedings conducted by the institution against an alleged perpetrator with respect to such crime. The Campus Security Act also requires that both the accused and the accuser be informed of the result of campus conduct proceedings involving a sexual assault.

A student may file a complaint with the U.S. Department of Education, Family Policy Compliance Office, concerning alleged failures by the university to comply with the requirements of FERPA.

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

T. Non-Discriminatory Practices

The University is strongly committed to a policy of equal opportunity in its employment practices, educational programs and activities, and the many services it offers to the community. The university does not discriminate against applicants, employees or students on the basis of race, color, religion, age, sex, sexual orientation, gender identity, gender expression, age, national origin, disability unrelated to program performance, veteran status or genetic or family medical history. A copy of the University’s Equal Opportunity and Discriminatory Harassment Policy can be found at http://www.uab.edu/policies/content/Pages/UAB-BT-POL-0000052.aspx.

U. Protection from Abuse (PFA) Orders and Campus No Contact Orders

Protection from Abuse Orders

The Protection from Abuse Order is a court order that grants certain legal rights to one person, while placing limitations or restrictions on another. It can also order someone to perform certain actions and provide penalties if the order is violated. You can file for a PFA if you are at least 18 years old and have one of the following relationships with an abuser:

• Married, regardless of living arrangements
• Divorced or separated
• Common-law or former common-law spouse
• Have a child in common
• Present or former household member with whom you have or had an intimate relationship
• Are or have been in a dating relationship with the abuser within the last six months from the date you filed the petition

To apply for a PFA order you must file a petition which can be obtained from the circuit clerk in your county, usually located at the county courthouse.

Campus No Contact Orders
A “No Contact Order” is a directive to refrain from any intentional contact, direct or indirect, with one or more designated persons or group(s) through any means. This includes, but is not limited to, comments, words or gestures in person, through mail, e-mail, social networking sites, telephone, or third parties. The student or student group/organization will be notified of this directive in writing. This may be a result of or after a resolution meeting. In some cases, this directive may be in effect outside of the initiation of any resolution proceedings. The person(s) who is protected by this directive may receive a written statement detailing the directive as permitted by applicable law. Violating a No Contact Order may result in further conduct action from The University of Alabama at Birmingham.

V. Federal Timely Warning Obligations

Victims/survivors of sexual misconduct should be aware that UAB administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to members of the campus community. The University will ensure that a victim’s name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

X. Resources

On-Campus

Title IX Coordinator
Andy Marsch, marsch@uab.edu
(205) 934-4175
1715 9th Avenue South

Office of Student Advocacy, Rights and Conduct
Director and Deputy Title IX Coordinator, Emily Feinstein, eufeinstein@uab.edu
(205) 975-9509
1715 9th Avenue South
UAB Counseling Services
1714 9th Avenue South
(205) 934-5816
Monday-Friday, 8:00 am-5:00 pm

UAB Counseling Services
1714 9th Avenue South
(205) 934-5816
Monday-Friday, 8:00 am-5:00 pm

UAB Police Department
Emergency- (205) 934-3535
Non-Emergency- (205) 934-4434

Off-Campus
Rape Response (24-hours)
(205) 323-7273

Crisis Center (24-hours)
(205) 323-7777

Family Violence Center (24-hours)
(205) 322-4878

District Attorney (Criminal)
(205) 325-5252 or (205) 325-5260

Legal Services (Civil)
(205) 328-3540

Alabama Crime Victims Compensation Commission
800-541-9388
info@acvcc.alabama.gov
www.acvcc.state.al.us

For information concerning procedures for academic and non-academic grievances, consult the appropriate officer in your academic unit.

Academic Affairs
Mr. Andrew Marsch, Assistant Vice President for Student Experience
1715 9th Avenue South
934-4175

Dentistry
Dr. Steven Filler, Associate Dean of Student Alumni & External Affairs/
Director of Admissions, School of Dentistry
Room 125A, School of Dentistry Building
1919 Seventh Avenue South
934-5424

Graduate
Dean of the Graduate School
975-8852

Health Professions
Dr. Donna Slovensky
Office of the Associate Dean for Academic & Student Affairs
School of Health Professions/Webb Building Room 624
1675 University Boulevard
975-8034

Medicine
Dr. Laura Kezar, Associate Dean for Students/Physiatrist
Room 152, Spain Rehabilitation Center
1717 6th Ave. S.
934-6934

Nursing
Mr. Peter Tofani, Assistant Dean, Student Affairs, School of Nursing
Room 208A, School of Nursing Building
1701 University Boulevard
975-1964

Optometry
Dr. Gerald Simon, Director of Student Affairs, Clinical Associate Professor of Optometry
Room 124, Henry Peters (Optometry) Building
1716 University Boulevard
975-0739

Public Health
Donna Arnett, Associate Dean for Academic & Strategic Programs
Room 120, Ryals Building
1665 University Boulevard
934-0361