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Greetings,

The University of North Alabama Police Department is dedicated to providing a safe and secure community for students, faculty, staff, and visitors to the University of North Alabama. Each year the University of North Alabama publishes the Annual Campus Security Report and Annual Fire Safety Report in compliance with the Jeanne Clery Act. Normally, the Annual Campus Security and Fire Safety Report is published by October 1st of that year. Due to the COVID-19 pandemic, the Department of Education extended the requirement for institutions to disseminate the Annual Security and Fire Safety Report to December 31st, 2020.

The report includes campus crimes, arrests, and referral statistics reported to the University of North Alabama Police Department, Clery definitions, maps, and fire statistics. In addition to crime and fire statistics the report includes university policies and procedures concerning alcohol, drugs, sexual assault, and general safety and security on the UNA campus. I encourage you to review and become familiar with the report.

The University of North Alabama is committed to working in partnership with the community in providing a safe and secure environment for students, faculty, staff, and visitors. We welcome your concerns, suggestions, and ideas on working together to make our campus a safe place to work, live, and learn. Do not hesitate to contact the University of North Alabama Police Department if you need assistance or additional information about our services.

Respectfully

Les Jackson
Chief of Police
University of North Alabama Police Department

“Protecting a World-Class University”
MISSION, VISION, AND VALUES

“It is the mission of the University of North Alabama Police Department to maintain a safe and secure campus by providing quality public safety in partnership with the community.”

Vision

Our vision is a safe university campus where the community and members of the police department unite to enhance the quality of life.

Philosophy

- The vision of a safe and secure environment is shared with the University community, which includes students, faculty, staff, and visitors
- We must maintain a safe and secure environment, free from the distraction of criminal activity and disorder, for pursuit of education and scholarship that brings people to the University of North Alabama.
- We firmly believe in a community-oriented problem-solving philosophy. The core components of the philosophy are prevention, partnerships, and problem solving.
- Our officers are committed to preventing crime and disorder and focus their efforts on eliminating the underlying causes of those problems.
- We will actively engage in partnerships with the community to address and solve problems.
- Partnerships are the foundation of effective problem solving, safety, security, and crime prevention. Through these partnerships and collaborative problem solving, officers deal with problems, prevent crime, and help maintain a community free of disorder and safe from natural and man-made disasters.

Values

Professionalism, Loyalty, Respect, Integrity, Innovation, Excellence, Teamwork, and Service.
PREPARATION OF ANNUAL SECURITY REPORT

What is the Annual Security Report

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

In compliance with amendments to the Campus Security Act (now known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act) and Department of Education regulations, the crime statistics published in this report illustrate: 1) the reporting of crime categories as specified in this report, 2) the reporting of specified hate crimes by category of prejudice against the victim (race, gender, religion, sexual orientation, ethnicity, disability) and, 3) the reporting of violation arrests and referrals for campus disciplinary action as specified in this report. Each of these statistical categories are broken down by geographic area: On-Campus (including On-Campus residential facilities), Non-Campus property, and Public Property (includes property within campus or adjacent to it). Definitions for these categories are provided in the Crime Statistics: Clery Geography section of this report. The University Police Department works with the Florence City Police Department for crime statistics taken from public areas within campus or adjacent to campus to be included in the Annual Security Report. The University of North Alabama Police Department uses the Florence Police Department Dispatch Center which forwards a Calls for Service report to University Police Department which includes the nature of calls for service as well as the address of calls for service that occur within the University of North Alabama jurisdiction.

The Annual Campus Security and Fire Safety Report includes crime statistics for the following categories of crimes, as reported to the UNA Police Department, other UNA campus security authorities, and local law enforcement: homicide (murder, non-negligent and negligent manslaughter); sex offenses (forcible, non-forcible); robbery; aggravated assault; burglary; motor vehicle theft; and arson. Also included are statistics for the following categories of
violation arrests and referrals for campus disciplinary action: liquor law violations, drug law violations, and illegal weapons possession violations. New reporting requirements beginning 2014 included the addition of domestic violence, dating violence and stalking as defined by the VAWA amendments to the Clery Reporting requirements for universities. These incidents are permanent additions to UNA’s Annual Campus Security and Fire Safety Report.

Preparation of the Annual Security and Fire Safety Report

The University of North Alabama issues an Annual Security Report of criminal reports made to Campus Security Authorities and law enforcement agencies for property or facilities.

The Annual Security Report includes reported crimes alleged to have occurred on the campus and facilities owned or rented by UNA and/or recognized student organizations. It includes the following reports of crime: Murder and non-negligent Manslaughter, Manslaughter by negligence, Rape, Fondling, Incest, Statutory Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Hate Crimes, VAWA Offenses (Dating Violence, Domestic Violence, Stalking), Weapons Violations, Drug Abuse Violations, and Liquor Law Violations.

Information and statistics obtained from the University Police Department, Student Affairs, Office of Student Conduct, Title IX, and Campus Security Authorities (CSAs) are forwarded to the chief of police. The results are then tabulated and ultimately entered into the Department of Education’s website as required by law. The Annual Security Report is then compiled from this data.

Availability of the Annual Security and Fire Safety Report

Each year, an email notification is sent to all enrolled students, faculty, and staff, informing them of the exact address (URL) of the website where the report is posted. The notification includes a statement that a paper copy of the Annual Security and Fire Safety Report is available upon request.

A printed copy of this report may be obtained by request at the University of North Alabama Police Department located inside the basement of Keller Hall; or by email at police@una.edu; or by writing:

UNA Police
Attn: Chief of Police
1 Harrison Plaza
UNA Box 5067
Florence, AL. 35632
ABOUT THE UNIVERSITY POLICE DEPARTMENT

UNA PD’s Authority and Arrest Powers

The priority of the University of North Alabama Police Department is to protect life and property of the University Community. University Police Officers are on duty 24 hours a day, 7 days a week enforcing federal, state, and municipal laws, as well as university rules and regulations.

All University Police Officers are certified police officers in the State of Alabama, accredited by the Alabama Peace Officers Standards and Training Commission, who receive their powers and authority from Code of Alabama 1975, as amended §16-22-1 & 2 and §16-51-12. University Police have original police jurisdiction on the UNA campus and coextensive jurisdiction in the City of Florence. All University Police Officers are armed and have the authority to make arrests, issue citations, investigate crimes, and perform such other duties of police officers as recognized under current Alabama law.

The University of North Alabama Police Department is vested with full police power to serve the University Community, and have cooperative agreements with other law enforcement agencies throughout the State. All traffic regulations that apply anywhere in the State, apply while on the University Campus. We encourage you to follow the traffic laws, and watch for pedestrian traffic while on campus.

University Police Officers patrol on foot, bicycle, motorized scooter, Segways and in patrol cars 24 hours a day, 7 days a week, year round to protect and secure the University Community. Officers perform patrol activities and other assignments in both uniform and plainclothes. The entire campus receives patrol coverage to prevent crime and to detect security and safety violations.
UPD’s Working Relationships with State and Local Law Enforcement Agencies

The University of North Alabama Police Department cooperates fully with local and state law enforcement agencies in cases that involve both on and off campus jurisdictions or when the resources of an agency other than the UPD can be used to facilitate the resolution of an investigation. Local police agencies and University Police exchange information on a regular basis and work together during UNA sporting and other community events. The University Police Department works closely with and receives support from the Florence Police Department, Lauderdale County Sheriff’s Office, Alabama State Troopers, and Federal Bureau of Investigation. It is our intention to foster a healthy working relationship with these federal, state, county, and local law enforcement agencies. These cooperative efforts enable the University Police to work with, and for, UNA students and employees in situations that occur on and off campus.
REPORTING OF CRIMES AND EMERGENCIES

Campus Security Authority Definition

(1) A police or campus security department maintained by an institution. (2) An individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses. (3) An official of an institution who has significant responsibility for student campus activities, including, but not limited to, student housing, activities, student discipline and campus judicial proceedings.

Reporting On-Campus Crimes and other Emergencies

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

To make a report in person, go to the University Police Department, which is located in the basement of Keller Hall, adjacent to Bibb Graves Hall. To make a report by phone, call 256.765.4357 and describe the situation to the communications operator. In emergency situations, including fires and medical emergencies, call 911. All 911 calls are routed to Florence Police Department through the Lauderdale County 911 center.

UNA students requiring non-emergency medical care may contact the UNA Health Services at 256.765.4328. Students seeking counseling services may contact the UNA Counseling Services at 256.765.5215. Students seeking support services may also contact the Center for Women’s Studies at 256.765.6198. (See also the section on Violence against Women for more information on resources and reporting procedures regarding victims of sexual assaults.)

UNA employees requiring non-emergency medical care may contact the UNA Health Services at 256.765.4328. UNA employees who are victims of interpersonal relationship violence may also contact the Center for Women’s Studies for support services.
All employees, staff or faculty who become aware of an allegation of violation of university policy, student code of conduct, civil or criminal law should report the allegation to their supervisor or senior campus administrator. The following people with "significant responsibility" for student and campus activities, known as Campus Security Authorities, must report potential criminal activity of which they are aware: academic deans, directors of admissions, career services, deans, program chairs, financial aid director, student account director, housing director, provost, human resources director, president, registrar, private security guards, associate provosts, as well as any assistants and associates. These individuals should not attempt to investigate, but should instead report and allow the police to investigate. Licensed and pastoral counselors are exempted from these reporting procedures. The function of these administrators (significant responsibility) is not to determine whether a crime took place. That is the function of the law enforcement professionals working within the criminal justice system.

All persons in the UNA community are encouraged to assist anyone in reporting alleged criminal activity by contacting a campus security authority at the campus where the criminal activity occurred and/or the UNA Police Department, as well as providing assistance in making the incident report. Failure to report criminal activity to the campus security authority in a timely manner may result in disciplinary action by the university. University employees and students, who are not members of the campus security authority, are encouraged to assist anyone reporting alleged criminal activity in contacting the campus security authority and/or the local police department in order to file a criminal report. Criminal activity may be reported voluntarily and confidentially to the campus security authority. Counselors are required to provide statistical information relating to crimes on campus but may continue to honor the confidentiality of victims.

**Campus Security Authorities**

In addition to not only those who work in campus safety, those who are responsible for security and monitoring access to our buildings, and those who are designated within our campus security policies to receive crime reports. The law also defines a “campus security authority” as: “an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, resident housing, student conduct, and
In order to help ensure that all crimes reported to campus security authorities are passed along to the University Police Department, an online Campus Security Authority Clery/Title IX report form is available to CSAs and can be accessed at: https://cm.maxient.com/reportingform.php?UnivofNorthAlabama&layout_id=100
Or by visiting the University of North Alabama Police Website at: https://www.una.edu/police/index.html.

**Reporting Off-Campus Crimes and Other Emergencies**

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

- **Florence Police Department** at 256.760.6500
- **Muscle Shoals Police Department** at 256.383.6746
- **Sheffield Police Department** at 256.383.1771
- **Tuscumbia Police Department** at 256.383.3121
- **Lauderdale County Sheriff’s Office** at 256.760.5757
- **Alabama State Troopers** at 256.383.0877

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

**Student Organization Facilities**

The University of North Alabama operates no off-campus student organization facilities. All student organizations recognized by the University of North Alabama are headquartered on campus and therefore served by the UNA Police Department. If you believe a crime has been committed within an on-campus student organization building, report the incident to the UNA Police, 256.765.4357.

**Policy Statement: Voluntary Confidential Reporting**

If you are the victim of a crime and do not want to pursue action within the University System or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Chief or a designee of University Police Department can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University
can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

**If You Do Not Want to Make a UNA Police Report and/or Take Legal Action**

The University of North Alabama Police encourages you to report criminal activity even if you don’t want to take legal action in order to help us maintain accurate statistical records. The University Police is responsible for preparing the University’s Annual Campus Security Report and for compiling the crime statistics included in the report. We would like to keep the community as informed as possible. The information you report may require the UPD to issue a Crime Alert/UPD Advisory/Lion Alert if they determine that the circumstances warrant such action. Also, see information below regarding another way in which to make a voluntary, confidential reporting of forcible and non-forcible sexual offenses.

**UNA Police Response to a Crime Report**

When you report a crime to the UNA Police Department, a UNA police officer will meet with you, listen to what happened, and, if necessary, make a preliminary report. Next, investigators will review the report and conduct a follow-up investigation. If a suspect is found and you decide to press charges, information will be presented to a warrant magistrate, who decides if there is legal reason to arrest the suspect. If there is, you’ll be asked to sign the arrest warrant, which UNA Police officers will serve. A court date will be set; you may have to be present to testify. See also Crime Alerts/UPD Advisories.

**Prompt and Accurate Reporting of Crimes**

As noted in the sections Reporting On-Campus Crimes and Other Emergencies and Reporting Off-Campus Crimes and Other Emergencies, the UPD encourages anyone with knowledge of a crime on or off campus to report it. In order to maximize safety on campus and aid in prompt investigations, we ask that you report to the UNA Police Department any incident that may qualify as homicide (murder, non-negligent and negligent manslaughter); sex offenses (forcible, non-forcible); robbery; aggravated assault; burglary; motor vehicle theft; arson; and any hate crime for inclusion in the Annual Campus Security Report. Clery
Act crime definitions are located in the **UNA Crime Statistics: Clery Data Definitions** of this report.

**Additional Sources of Statistical Information/Voluntary, Confidential Reporting**

Consistent with Department of Education federal regulations, the UPD has developed, and periodically reviews, procedures to include in campus crime statistics, reports of required crimes made to the following campus security authorities: the Office of the Vice President of Student Affairs, Office of Judicial Affairs, Intercollegiate Athletics (including team coaches), and the Office of Residential Life (including residential hall advisers).

**Professional Counselor Definition**

An employee of an institution whose primary responsibility is providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

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

Under the law, campus pastoral and professional counselors, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion in the annual disclosure of campus crime statistics. As a matter of policy, however, The University of North Alabama encourages counselors, if and when they deem it appropriate, to inform the persons they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. All verified and unverified confidential reports of sexual offenses that meet the reporting criteria as determined by UPD are included in UNA campus crime statistics (see the Violence Against Women Act section of this report or view Appendix A: UNA Sexual Misconduct Policy included in this report). Crimes reported to counselors at the Counseling Center are not included unless the victim chooses to report to one of the other campus security authorities.
Submission of UNA Crime Statistics to Federal Agencies

The University of North Alabama Police submit crime statistics online to the Department of Education. Annually, we contribute crime statistics to the Uniform Crime Report published yearly by the Federal Bureau of Investigation by submitting data to the Alabama Criminal Justice Information Center. This detailed statistical report is available each year at academic and public libraries.

Daily Crime Logs/ Summary of Criminal Incidents

The University of North Alabama Police compiles statistical information from the contents of the UPD daily crime log, which contains summaries of each day’s crime reports made to the UNA Police Department. The crime log summaries include each incident’s location, type, date, time, and disposition of the complaint. UPD crime logs are available for public viewing, 24 hours a day, on the police department website at [http://www.una.edu/police/crimelog.html](http://www.una.edu/police/crimelog.html).
SECURITY AND ACCESS IN CAMPUS FACILITIES

Safety of and Access to University Facilities

The UNA campus is made up of a variety of facilities, primarily student residences and academic/administrative buildings. Some student residence halls have entrance desks that are staffed by resident assistants during open hours.

In the daytime, there is open access to academic and administrative buildings, with the exception of UNA recreation facilities at which users must present membership cards. Academic and administrative facilities are locked before and after their business hours. Students and staff who have access to administrative/academic buildings for after-hours work must lock the exterior doors behind them after they enter, and they are encouraged to follow all personal safety precautions. If you have to study or work alone at night in a campus building, be sure a friend knows where you are and when you’ll return home. You may utilize the UNA Police Department’s Student Nighttime Auxiliary Patrol (SNAP) to escort you to and from your destinations. https://una.edu/police/snap.html.

Each entry door to a residence hall is equipped with a card-swipe access. These specialized doors provide security and should never be propped open. Access to the building is granted only to the residents of the hall who have their UNA identification number encoded into the card access system by Housing & Residence Life. Any resident who finds his/her Mane Card not working properly or loses their Mane Card should notify Housing & Residence Life and/or Mane Card office as soon as possible.

Security Considerations in the Maintenance of University Facilities

1. **Video Camera System:** The University of North Alabama is committed to enhancing the quality of life of the campus community by integrating the best practices of safety and security with technology. A critical component of a comprehensive security plan is the proper utilization of a security and safety camera system. The surveillance of public areas is intended to deter crime and assist in protecting the safety and property of the UNA community.
2. **Architectural Design:** The UNA Police Department provides input into the design of new and renovated campus facilities as it relates to physical and electronic security systems.

3. **Security/Health and Safety Surveys:** For University departments who request assistance, security surveys are conducted by Police Department sworn personnel.

4. **Grounds and Building Perimeter Surveys:** The University works to see that the indoor and outdoor lighting on campus contributes to safety. The UNA Facilities Department and the UNA Police Department conduct a "lighting tour" to ensure that current equipment continues to meet the needs of the University community. Anyone who observes an outdoor light that is not working is encouraged to report the outage to University Facilities by calling 256.765.4274.

5. **Send Police! Silent Alert Desktop Icon:** When enabled on University desktops, this feature will silently alert Dispatch to send assistance to the desktop location.
TIMELY WARNINGS AND EMERGENCY NOTIFICATIONS

Lion Alert Notification System
As part of UNA’s ongoing effort to safeguard students, faculty and staff, the University has an emergency communications notification system, powered by Schoolcast, commonly known as the Lion Alert System. Lion Alert, allows students, faculty, and staff to receive emergency messages in the form of e-mail, voice and text messages.

Everyone who has a University of North Alabama e-mail address receives emergency alerts to their campus e-mail address. In order to also receive text and voice message alerts, members of the campus community are asked to provide phone contact information. While participation in the text and voice messaging notification is optional, enrollment is strongly encouraged.

The system is used to distribute information regarding emergencies that dictate immediate action. Examples of alerts include severe weather, building evacuations, dangers requiring lock-down or shelter-in-place, or other emergencies requiring immediate action. The message directs students where to go for further information or what action to take. Following a warning, the alert system may be used to provide additional messages or an “all-clear” announcement. The Lion Alert notification system is tested on a routine basis to ensure that all Lion Alert participants are notified in the event of an emergency.

Signing up for Lion Alert

Students, faculty and Staff: sign up today for our Lion Alert using your UNA portal credentials. Lion Alert is a campus-wide emergency notification system designed to help improve communications during a campus emergency, keeping you informed on school closings and other information to keep you safe. You must register to take advantage of this important notification service. Lion Alerts are sent directly to your phone if you have signed up for the service. It is also sent to you UNA email address. If you need your login information for Lion Alert, contact the Vice President of Student Affairs or the Chief of Police. To register, visit
Community Members and Parents: we offer you a means for knowing what is going on around the campus. Log onto Nixle, our emergency notification system designed to help improve communications during a campus emergency, keeping you up-to-date on what's going on around the UNA Campus. Information on how to sign up using Nixle can be found at https://www.una.edu/police/alerts.html.

Lion Alert: Crime Alerts and UPD Advisories
If a serious or unique crime has occurred and the circumstances warrant it (as in the case of a violent crime against a person or a major property crime), a special, timely crime alert (entitled Lion Alert) is prepared and distributed. UPD Advisories are designed to give students and employees a timely notification of crimes and to heighten their safety awareness. Sometimes, a UPD Advisory provides information that leads to an arrest and conviction of the perpetrator. The University Police will issue a UPD Advisory when a crime that represents an imminent, ongoing threat to campus community is reported to any of the local law enforcement agencies or other crime reporting sources. In such situations, every attempt will be made to distribute a UPD Advisory within 12 hours of the time the incident is reported; however, release of the UPD Advisory is subject to the availability of facts concerning the incident. The University Police Department’s cooperative working relationship with local and state law enforcement agencies facilitates communication about crime reported to outside law enforcement agencies that, likewise, may warrant timely issuance of an Advisory. UPD Advisories are prominently posted at on campus locations frequented by students and employees and/or are placed on the University Police Web site at http://www.una.edu/police/index.html.

Issuing Timely Warnings
The University of North Alabama Police Department has a responsibility to provide timely warnings about reported crimes to the campus community in a manner that will aid in the prevention of similar crimes. In accordance with the Clery Act, the University of North Alabama Police Department will keep the campus community informed by providing timely warning of crimes occurring on or near campus that represent a serious or continued threat to
DISTRIBUTION OF TIMELY WARNING

In the event that a situation arises, either on or off campus, that, in the judgment of the Chief of University Police, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning will be issued through the college e-mail system to students, faculty, staff and the campus’ student newspaper, The Florala.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the University Police Department may also post a notice on the campus-wide electronic bulletin board on the University Police web site at: http://www.una.edu/police/, providing the university community with more immediate notification. In such instances, a copy of the notice is posted in each residence hall, at the front door of each on-campus fraternity and sorority house. The electronic bulletin board is immediately accessible via computer by all faculty, staff and students. Anyone with information warranting a timely warning should report the circumstances to the University Police office, by phone 256.765.4357 or in person at the University Police Department, located in the basement of Keller Hall, directly adjacent to Bibb Graves Hall.

The warning must be distributed in a manner reasonably likely to reach the entire campus community. Depending on the circumstances, any of the following methods, or combination thereof, may be used: 1. Lion Alert 2. Posting of Notices 3. Campus-wide e-mail 4. Text message 5. Posting to the University of North Alabama home page 6. Press release 7. Closed circuit television systems in residence halls and other buildings 8. Voice message over various public address systems and/or 9. Social Media. Any campus security authority who observes or receives information regarding one of the Clery Act Crimes must immediately report the information to the University of North Alabama Police Department on the appropriate campus (main or east campus). Any of these reported crimes posing a serious or continued threat to the community will be called to the attention of the senior most police official available on that campus or their designee. Although federal regulations provide no clear guidelines on the length of time between the receipt of a crime report and the dissemination of timely warnings, the University will take no more time than necessary to analyze the threat and disseminate the warning. Included in the analysis will be the nature of the crime, an assessment of continued danger, and the possible risk of compromising or
IMPLEMENTING A TIMELY WARNING

A warning must be issued when both of the following conditions are met: (1) meeting the definition of Clery Act crimes as listed above is reported to UNA P.D. or other campus security authorities, and (2) the crime is considered by the University to represent a continuing threat to students or employees. A warning may be issued regarding other crimes as deemed necessary by University of North Alabama Police Department. The Chief of Police, or designee, is responsible for making the decision whether a timely warning will be issued. Upon report of any crime occurring on campus or contiguous to campus, the Chief of Police MUST be notified immediately by the senior officer on duty.

DETERMING WHETHER A CONTINUED THREAT EXISTS

Whether a reported crime constitutes a continuing threat must be decided on a case-by-case basis in light of all the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts. Examples of crimes that could constitute a continuing threat include but are not limited to:

1. A serial crime that targets certain campus populations such as sex crimes or race-based crimes in which the perpetrator has not been apprehended;
2. A crime in which there is no apparent connection between perpetrator and victim and the perpetrator has not been apprehended. Crimes that would not constitute a continuing threat include but are not limited to:
   1. Crimes in which the perpetrator has been apprehended, thereby neutralizing the threat;
   2. Crimes in which an identified perpetrator targets specific individuals to the exclusion of others, such as domestic violence.
Emergency Response and Evacuation Procedures

The University’s Safety and Security Manual includes information about Incident Teams, University operating status parameters; incident priorities and performance expectations; shelter-in-place and evacuation guidelines; and local contingency and continuity planning requirements. University Departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility. The University conducts emergency response exercises each year, such as table top exercises, field exercises, and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution.

University of North Alabama Police officers and supervisors have received training in Incident Command and Responding to Critical Incidents on Campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually the University Police Department, Florence Police Department, Florence Fire Department and Lauderdale Emergency Medical Services Department, and they typically respond and work together to manage the incident. Depending on the nature of the incident, other public safety departments and other local or federal agencies could also be involved in responding to the incident.

General information about the emergency response and evacuation procedures for UNA are publicized each year as part of the institution’s Clery Act compliance efforts and that information is available on the University Police Departments’ web site. Detailed information about and updates to the UNA Safety and Security Manual, and Departmental Contingency and Continuity Plans are available on the University Police Department Website: https://www.una.edu/emergency-management/index.html. All members of the UNA Community are notified on an annual basis that they are required to notify the University Police Department of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus. The University Police Department has the responsibility of responding to, and summoning the necessary resources,
to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, the University Police Department has a responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the community. If that is the case, Federal Law requires that the institution immediately notify the campus community or the appropriate segments of the community that may be affected by the situation.
Notification to the UNA Community about an Immediate Threat

The University Police Department and Emergency Management receive information from various offices/departments on campus, such as the Office of Environmental Health and Safety, and University Health and Wellness, Campus Security Authorities, etc. If the University Police or Emergency Management confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the UNA community, the University Police and Emergency Management will collaborate to determine the content of the message. They will use some or all of the systems described below to communicate the threat to the UNA Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. University Police will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: Florence Police, Florence Fire, and/or Florence Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

In the event of a serious incident that poses an immediate threat to members of the UNA community, the University has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the UNA campus community. These methods of communication include network emails, emergency text messages that can be sent to a phone or PDA (Lion Alert, which you can sign up for on the Police Departments web site), and emergency messages that scroll across computer screens when logged into the University system. The University will post updates during a critical incident on the UNA Main web site at http://www.una.edu/ and the University Police web site at http://www.una.edu/police.

Procedures for Testing Emergency Response and Evacuation Procedures

A fire evacuation drill is coordinated by the Florence Fire Department each semester for all residential facilities on the UNA Campus. Thus, the emergency response and evacuation procedures are tested at least twice each year. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The Florence Fire Department does not tell residents in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated,
the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, the Florence Fire Department, University Police Department and Housing staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. At UNA, evacuation drills are used as a way to educate and train occupants on issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the University an opportunity to test the operation of fire alarm system components.

Evacuation drills are monitored by the Florence Fire Department, UNA Facilities Administration and Planning Division, UNA Police Department, and the Housing and Residence Life to evaluate egress and behavioral patterns. Reports are prepared by participating departments which identify deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments/offices for consideration.

Students receive information about evacuation and shelter-in-place procedures during their first floor meetings and during other educational sessions that they can participate in throughout the year. The Housing and Residence Life Staff members are trained in these procedures as well and act as an on-going resource for the students living in residential facilities.

The University Police in cooperation with the Lauderdale/Florence Emergency Management Agency conducts announced and unannounced drills and exercises each year and conducts follow-through activities designed for assessment and evaluation of emergency plans and capabilities. The University Police coordinates announced and unannounced evacuation drills each semester, as described above, to test the emergency response and evacuation procedures, and to assess and evaluate the emergency evacuation plans and capabilities.
Shelter-In-Place Procedures - What it Means to “Shelter-in-Place”

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to "shelter-in-place" means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

Basic “Shelter-in-Place” Guidance

If an incident occurs and the building you are in is not damaged, stay inside (seeking an interior room) until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, Mane card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to “Shelter-in-Place”

A shelter-in-place notification may come from several sources, including the University Police, Housing Staff members, other University employees, the Florence Police Department, Florence Fire Department, or other authorities utilizing the University’s emergency communications tools.

How to “Shelter-in-Place”

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.

2. Locate a room to shelter inside. It should be:
   - An interior room;
   - Above ground level; and
   - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms maybe necessary
3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (University staff will turn off ventilation as quickly as possible.)
6. Make a list of the people with you and ask someone (House Staff, faculty, or other staff) to call the list in to the University Police or Emergency Operations Center so they know where you are sheltering. If only students are present, one of the students should call in the list.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.
CRIME PREVENTION PROGRAMS

Types, Frequency, and Descriptions of Crime Prevention Programs

The University uses various mechanisms to inform students and employees about the prevention of crime. For example, the UPD annually publishes the Campus Safety Guide, which provides information on how to report criminal activity as well as practical steps students and employees can take to prevent theft of property and more serious crimes of violence, including physical and sexual assaults. This yearly publication emphasizes that crime and accident prevention starts with the individual, and that becoming informed about the University’s safety procedures and services outlined in the guide is a good first step toward preventing crime.

Specifically, this guide:

• highlights Operation ID, a UPD service that offers engraving tools for use by University community members to mark personal property for identification purposes in case of burglary, theft or robbery;
• explains how to operate the blue, emergency phones, which are directly linked to Florence Dispatch and the UNA Police Department and located throughout campus (see campus map);
• sets forth practical and easy-to-implement safety tips for on-the-road traveling, visits to public places, and residential living;
• lists several safety precautions to prevent acquaintance rape and drug-induced sexual assaults, and the more frequent theft-related crimes;
• discusses the Victim Assistance Program, which was developed to assist victims of crimes that occur on campus in the areas of criminal prosecution, victim’s rights, and victim assistance;
• provides tips on how to recognize safe, off-campus apartments.
• gives advice on how to comply with local and state laws by abiding by traffic, parking, and public nuisance laws and/or city ordinances; and
• provides information on how to handle medical and safety emergencies; and how to implement Emergency Preparedness guidelines in your lifestyle.

Campus Security Guide

The Campus Security Guide is widely distributed to the campus community and can be accessed online at http://www.una.edu/police.
The University of North Alabama and the University of North Alabama Police Department also offers a variety of crime prevention/education programs to UNA students and employees. These programs include but are not limited to the following:

**Safety Presentations:**
Addresses all issues of personal safety, including alcohol/drug abuse awareness, prevention of sexual assaults and property crimes, travel safety tips, state/local laws, etc. Safety presentations, accompanied by brochures and other printed materials, are made to the following groups:

- Parents of New Students
- New Student Orientation
- Residence Hall Students
- Other Campus Groups or Organizations - such as UNA employees, nursing students, students with disabilities, international students, student government, specific campus organizations and intercollegiate athletes

**Printed Crime Prevention and Safety Materials:**
Crime prevention materials such as the Campus Security Guide are related to personal safety, bicycle safety, residence hall safety, and theft prevention and are available and can be distributed at safety presentations and at various on-campus locations.

Downloadable and printable brochures dealing with Alcohol, Dating Violence, Domestic Violence, Drug Abuse, and Sexual Assault can be located on the Mane Safety page at this link: [https://una.edu/manesafety/index.html](https://una.edu/manesafety/index.html).

**AlcoholEDU and Sexual Assault Prevention:**
AlcoholEdu and Sexual Assault Prevention are online prevention courses. AlcoholEDU highlights the UNA Student Code of Conduct, debunks myths about alcohol, and explains alcohol's effect on relationships and consent. Sexual Assault Prevention educates students on UNA's policies and procedures, explains how to identify at-risk behavior that could lead to sexual assault and relationship violence, and describes how individuals can be active bystanders. Both of these courses are mandatory for all incoming freshmen and first-year transfer students.
Crime Stoppers

The University Police Department participates in the local Crime Stoppers program wherein callers may anonymously give information concerning crimes and receive monetary rewards for their help.

Crime Prevention & Community Outreach:

Upon request by University divisions, departments, and organizations, University Police officers attend meetings to provide up-to-date crime prevention information, and to hear the concerns of University community members about crime and safety issues. These officers also offer safety programming to their respective campus communities.

UPD Website:

The UPD maintains a Web site at http://www.una.edu/police for information on police, fire safety, and emergency procedures. The University community is encouraged to take a few minutes to browse this site. If you have any questions, call the University Police Department at 256.765.4357

A.L.I.C.E. Training:

A.L.I.C.E. is an acronym for Alert, Lockdown, Inform, Counter, and Evacuation. The main objective of the program is to provide students and staff with options to increase their chance of survival during an Active Shooter on Campus emergency. Where the traditional lockdown response is passive in nature (lock doors, turn out lights and wait for help), the A.L.I.C.E. program is considered a more aggressive response.

A.L.I.C.E. is a program designed to work together with Lockdown procedures used frequently in our public schools and workplaces as a defensive strategy for an Active Shooter event. Tragic events in schools and workplaces have dictated the need of enhanced options provided to staff and students to increase their chances of surviving a horrific event.

The UNA Police Department in cooperation with the UNA Education Research and Inservice Center is conducting ALICE workshops. The 3 hour A.L.I.C.E. session is designed to give participants insight and response options when encountering an active shooter. This highly effective and "common sense" training has been readily adopted by many educational law enforcement institutions throughout the United States.; The training is open to
everyone but we are encouraging faculty and staff to take the time to schedule a session. Hopefully you will never have to use the information you will learn, but if a situation does arise in a classroom or in an office, you will have an idea of what you can do to increase your survivability. A.L.I.C.E. sessions are offered throughout the school year, and to groups and organizations upon request.

**S.N.A.P. (Student Nighttime Auxiliary Patrol):**

The Student Nighttime Auxiliary Patrol (SNAP) was implemented to provide safe, nighttime transportation on the University of North Alabama campus. The “buddy system” has long been recognized as a means of enhancing personal safety and security. SNAP provides on-call personnel ready to escort university students, staff, faculty, and visitors.
DRUGS AND ALCOHOL ABUSE

Summary of the UNA Drug-Free Campus and Workplace Policy

The University of North Alabama maintains that all members of its community have the right to pursue their individual and collective goals in a healthy educational environment, one that is free of the effects of alcohol and drug abuse. To help maintain such an environment, the University abides by all laws governing alcohol and other controlled substances, and provides educational and rehabilitative counseling to its students, staff, and faculty.

“The University of North Alabama has a zero tolerance policy on the sale, distribution or use of drugs, on and off campus. Our zero tolerance policy means that a University of North Alabama student involved with the trafficking, sale, distribution or use of drugs on, or off campus will, for the safety and well-being of our student body, be subject to immediate suspension pending completion of a disciplinary review, with permanent expulsion as the potential ultimate penalty”.

All members of the University community have the right to pursue their individual and collective goals in a healthy work and educational environment, one that is free of the effects of alcohol and substance abuse. Such abuse adversely affects the University’s achievement of its mission and is not condoned. Responsibility for problems of substance abuse resides with each member of the University community. The University’s principal approach to issues of alcohol and substance abuse entails a wide range of education, prevention, and assistance activities conducted within its academic curricula; educational programs to inform individuals of the effects and consequence of using alcohol or other substances, and comprehensive counseling programs for faculty, staff, and students. The University recognizes that alcohol and substance abuse are illnesses that are not resolved easily by personal effort but may require professional assistance and treatment. Faculty, staff, and students are encouraged to take advantage of the preventive, diagnostic, referral, and counseling services available through the University.

All members of the University community have a personal responsibility to adhere to all applicable laws, policies, and regulations concerning the use of alcohol or other drugs. These include federal and state laws, city ordinances, the Code of Student Conduct, the faculty standards of conduct, regulations governing conduct of classified employees, and
other University policy statements. The Drug-Free Campus and Work Place Policy applies to all members of the University community, including all full-time and part-time students, all full-time and part-time permanent and temporary employees, including faculty, administration, and all exempt and non-exempt staff, and all student employees and interns.

It applies to behavior that occurs on the University campus, on property owned or controlled by the University, or at University-sponsored or University-supervised activities. The University of North Alabama continues its commitment to cooperate with the local school systems and area colleges, as well as other local, state, regional, and federal agencies, in addressing problems of substance abuse in the university community.

The University reviews its drug abuse prevention programs to determine their effectiveness, to implement any needed changes, and to ensure that disciplinary sanctions are consistently enforced.

**UNA Drug and Alcohol Abuse Policy**

It is the policy of the University of North Alabama that the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property, or as a part of any of the University's activities, is prohibited.

Students, faculty, and staff employees who violate a local, state, or federal drug or alcohol statute may be referred to the appropriate law enforcement officials for prosecution. Additionally, an individual who violates the law or the provisions of this University's drug and alcohol policy will be referred to the appropriate supervisor or student judicial bodies for appropriate disciplinary action. University-imposed sanctions may include suspension or termination. As an alternative to disciplinary action, the University may require an individual to complete successfully a drug or alcohol recovery program in an approved treatment facility.

An individual who has drug, alcohol, or related problems may voluntarily seek counseling and follow prescribed treatment without fear of recrimination. Assistance may be given in referring persons to various community agencies which are trained and equipped to treat persons with drug or alcohol problems. These referral services are available at the University Health Center for students and through the faculty, staff, or service employee's supervisor, department head, or Assistant Vice President for Human Resources for faculty, staff and service employees.
The provisions of this policy shall apply to all students and to all University employees, full-time or part-time, including professional and nonprofessional employees, as well as persons on the University Campus for any purpose.

The University Of North Alabama Board of Trustees empowers the University President, or his administration, to administer this policy. The University President is further empowered to take all actions necessary to comply with the United States Department of Education Drug Free Schools and Campuses Regulations, as currently written, or to be promulgated in the future.

**UNA Student Code of Conduct Alcohol and Other Drugs Policy**

UNA’s Student Code of Conduct prohibits the unlawful possession, use, or distribution of alcohol and other drugs by students and student organizations. The regulations also prohibit other alcohol-related misconduct. Students under the age of 21 are prohibited from possession and/or consumption of alcohol. All students are prohibited from the use and possession of illegal drugs. In addition, student organizations sponsoring events where alcohol is present are subject to the requirements and guidelines outlined in the University’s Statement and Regulations regarding Alcoholic Beverages at Social Functions.

**Possession, Use, and Distribution of Alcoholic Beverages at University Sponsored Events and Recognized Student Organization Social Events**

The possession, distribution, or consumption of alcoholic beverages on the campus of the University of North Alabama or on properties owned by the University is prohibited except as provided in the Statement on Alcohol Use [https://www.una.edu/studentaffairs/policies/alcohol-use-policy.html](https://www.una.edu/studentaffairs/policies/alcohol-use-policy.html). Where such possession, use, and distribution are permitted, strict compliance with the laws of the State of Alabama is required. Under no circumstances may any individual under the legal drinking age (minimum of 21 years of age) serve, consume, or possess alcohol on University properties.

No individual may serve or otherwise provide alcohol to persons under the legal drinking age.
Housing & Residence Life Alcohol and Drug Policy

Alabama State Law prohibits the possession or consumption of alcohol by anyone under the age of 21. UNA and Housing & Residence Life expect students and their guests to comply fully with these laws.

- A resident who is 21 or older may possess alcohol and drink responsibly in his/her room as long as their roommate is also 21 or older. If one roommate is under 21, no alcohol is allowed in the room.
- A resident who is 21 or older may drink in the room of another 21-year-old resident if that resident is present.
- All guests must abide by the residence hall alcohol policy.
- Anyone under 21 that is present in a room where a policy violation has occurred will be considered in violation of the alcohol policy.
- Alcohol is not allowed at any time in any public area of a residence hall. A public area may be a hallway, lounge, lobby, or any other area not contained in a specific residence hall room.
- Any alcohol being transported by someone 21 or older must be completely covered from open view and taken directly to the resident’s room.
- Empty bottles, cans, bongs, funnels, mass drinking items, and other alcohol “decorations” are not allowed in any room that has a resident under 21.
- Anyone present in a room where a controlled substances policy violation has occurred will be considered in violation of the controlled substances policy.

Drugs: Use, possession or distribution of illegal drugs and other controlled substances or drug paraphernalia are expressly prohibited in residential facilities except as permitted by law and the University’s Drug Policy. Water pipes, bongs, hookahs, and other paraphernalia commonly associated with drug use are also prohibited in the residence halls. Drugs may be defined as, but not limited to:

- any stimulant;
- intoxicant (including alcohol);
- nervous system depressant;
- hallucinogen;
- other chemical substance, compound, or combination when used to induce an altered state; and
• any otherwise lawfully available product or substance (such as over the counter or prescription drugs, glue, paint, etc.) used for any purpose other than its intended use.

State of Alabama applicable laws concerning Alcohol

Alcohol-related violations can be costly, both financially and educationally. Following are some of the consequences related to alcohol and other drug violations:

DUI (32-5A-191). The cost of a single DUI offense can run between $600 and $2,100, just if you get pulled over. If there's an accident, it can be much worse. DUI facts you should know: You don't have to be driving to be convicted of DUI - being in physical control of the vehicle (sitting in the driver's seat with the keys in the ignition) is enough. Even on a first DUI offense, jail time may be given, especially when there's an accident or a high blood-alcohol level.

PUBLIC INTOXICATION (13A-11-10) (a) A person commits the crime of public intoxication if he appears in a public place under the influence of alcohol, narcotics or other drug to the degree that he endangers himself or another person or property, or by boisterous and offensive conduct annoys another person in his vicinity.(b) Public intoxication is a violation. Violations are the least severe of the three classifications of crimes. Jail sentences are limited to a maximum of 30 days in the county jail. Typically, a person charged with a violation receives a money fine under $200.00.

OPEN BEVERAGE CONTAINERS. It is illegal in Florence to carry an open alcoholic beverage in public, or to drive a car in which there is an open alcoholic beverage. This ordinance includes cups, bottles, and cans, and applies equally to party goers and patrons of bars. A violation could cost $236.

MINOR IN POSSESSION OF ALCOHOL (28-1-5) It shall be unlawful for a person less than 21 years of age to purchase, consume, possess, or to transport any alcohol, liquor or malt or brewed beverages within the State of Alabama. Whoever violates this section shall be fined not less than $25.00 nor more than $100.00, or imprisoned in the county jail for not more than 30 days or both.

SALE OF ALCOHOL TO MINORS (28-3A-2) (3) For any person, licensee, or the board either directly or by the servants, agents, or employees of the same, or for any servant, agent, or employee of the same, to sell, deliver, furnish, or give away alcoholic beverages to any person under the legal drinking age, as defined in Section 28-1-5, or to permit any person under the legal drinking age, as defined in Section 28-1-5, to drink, consume, or possess any alcoholic beverages on any licensee's premises. Under the Age of 21 defined by 28-1-5.

(b)(1) Any violation of this shall be a misdemeanor punishable by a fine of not less than one
hundred dollars ($100) nor more than one thousand dollars ($1,000), to which, at the
discretion of the court or judge trying the case, may be added imprisonment in the county jail
or at hard labor for the county for not more than six months for the first conviction;

ADULT ALLOWING MINORS TO CONSUME OR POSSESS ALCOHOL AT AN OPEN
HOUSE PARTY (13A-11-10.1) (b) No adult having control of any residence, who has
authorized an open house party at the residence and is in attendance at the party, shall allow
the open house party to continue if all of the following occur: (1) Alcoholic beverages or
controlled substances are illegally possessed or illegally consumed at the residence by a
person under the age of 21. (2) The adult knows that an alcoholic beverage or controlled
substance is in the illegal possession of or is being illegally consumed by a person under the
age of 21 at the residence. (3) The adult fails to take reasonable action to prevent illegal
possession or illegal consumption of the alcoholic beverage or controlled substance. (c) Any
adult who violates this section shall be guilty of a Class B misdemeanor. Upon conviction can
receive up to six months in jail and/or $3,000.

State of Alabama applicable Drug Laws

Possession of Marijuana (13A-12-214)
a) A person commits the crime of unlawful possession of marihuana in the second degree if,
except as otherwise authorized, he possesses marihuana for his personal use only. (b)
Unlawful possession of marihuana in the second degree is a Class A misdemeanor. Class A
misdemeanor can be sentenced to not more than a year in jail and up to a $6,000 fine.

Possession of Marijuana (13A-12-213) (a) A person commits the crime of unlawful
possession of marihuana in the first degree if, except as otherwise authorized: (1) He or she
possesses marihuana for other than personal use; or (2) He or she possesses marihuana for
his or her personal use only after having been previously convicted of unlawful possession of
marihuana in the second degree or unlawful possession of marihuana for his or her personal
use only. (b) Unlawful possession of marihuana in the first degree pursuant to subdivision (1)
of subsection (a) is a Class C felony. This can get you between 1 and 10 years in prison and
up to a $15,000 fine.

Possession of Drug Paraphernalia (13A-12-260) (a) Definition of “drug paraphernalia”. As
used in this section, the term “drug paraphernalia” means all equipment, products, and
materials of any kind which are used, intended for use, or designed for use, in planting,
propagating, cultivating, growing, harvesting, manufacturing, compounding, converting,
producing, processing, preparing, testing, analyzing, packaging, repackaging, storing,
containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human
body a controlled substance in violation of the controlled substances laws of this state.
(c) **Use or possession with intent to use.** It shall be unlawful for any person to use, or to possess with intent to use, or to use to inject, ingest, inhale or otherwise introduce into the human body, drug paraphernalia to plant, propagate, cultivate, grow, harvest, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain or conceal a controlled substance in violation of the controlled substances laws of this state. Any person who violates this subsection is guilty of a Class A misdemeanor and upon conviction shall be punished as prescribed by law.

Upon conviction: up to one (1) year and a fine up to $6,000.00.

**Possession of a Controlled Substance (13A-12-212)**

(a) A person commits the crime of unlawful possession of controlled substance if:

1. Except as otherwise authorized, he or she possesses a controlled substance enumerated in Schedules I through V.
2. He or she obtains by fraud, deceit, misrepresentation, or subterfuge or by the alteration of a prescription or written order or by the concealment of a material fact or by the use of a false name or giving a false address, a controlled substance enumerated in Schedules I through V or a precursor chemical enumerated in [Section 20-2-181](#).

(b) Unlawful possession of a controlled substance is a Class D felony.

Upon conviction punishable by a prison sentence of not more than five (5) years, or less than one (1) year and one (1) day. Fines can be up to $7,500.00.

**Sale and distribution**

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**Disciplinary Sanctions from the Office of Student Conduct**

**Alcohol.** Use, possession, or distribution of alcoholic beverages or paraphernalia (e.g., alcohol containers, bong/funnel/hose, etc.) except as expressly permitted by law and the University’s Alcohol Policy (see the University’s Statement and Regulations Regarding Alcoholic Beverages at Social Functions; see policies at [una.edu/students/FSL](http://una.edu/students/FSL) and [una.edu/students/FSL/FSL-Policies/Event-Policy.pdf](http://una.edu/students/FSL/FSL-Policies/Event-Policy.pdf));

**Drugs.** Use, possession or distribution of illegal drugs and other controlled substances or drug paraphernalia except as expressly permitted by law and the University’s Drug Policy. (See Alcohol and other Drug Statement at [una.edu/student-conduct/una-alcohol-edu-policy](http://una.edu/student-conduct/una-alcohol-edu-policy).)

Sanctions for drug violations may include drug education, mandated evaluation and treatment, community service, suspension, and/or expulsion. Student organizations that knowingly permit illegal drug activity will be excluded from campus for a minimum of one year.

University-owned, -operated, and/or -controlled housing facilities operate on a “no tolerance” drug standard. As such, students found in drug violation who reside in these facilities will be removed/evicted from the residence.
Descriptions of Drug-Abuse and/or Substance Education Programs

Alcohol Awareness
Information on the physical/mental effects of alcohol; driving under the influence (DUI) and its possible consequences; binge drinking and its possible consequences.

Date Rape Drugs
Drug names and effects; informing victims on the ways drugs can be administered without the victim's knowledge.

Party Smart
Addresses safety issues related to parties.

Brochures and Pamphlets
Downloadable and printable brochures dealing with Alcohol and Drug Abuse can be located on the Mane Safety page at this link: https://una.edu/manesafety/index.html.

AlcoholEDU
AlcoholEdu is an online prevention courses. AlcoholEDU highlights the UNA Student Code of Conduct, debunks myths about alcohol, and explains alcohol's effect on relationships and consent. AlcoholEDU is mandatory for all incoming freshmen and first-year transfer students. https://www.una.edu/alcoholEDU/index.html.

To assist the campus community in understanding the laws regarding alcohol and drug offenses, the Campus Security Guide educates students and employees about the penalties and risks associated with: a) driving under the influence of drugs or alcohol; b) public intoxication; c) violation of the city’s open beverage container ordinance; d) violation of the laws prohibiting a minor from being in possession of alcohol and prohibiting the sale of alcohol to a minor; and e) violation of the law prohibiting adults to allow minors to consume or possess alcohol at an open house party. In addition to reviewing penalties under the law, the Campus Security Guide warns students that a violation of drug or alcohol laws, in addition to violations of any federal or state law, may subject the student to the disciplinary processes associated with a violation of the University of North Alabama Code of Student Conduct. Students are advised that they may be asked to appear before a University of North Alabama judicial body and explain their misconduct, even if it did not occur on campus. Sanctions could include a warning, probation, loss of privileges, fines, discretionary sanctions,
participation in alcohol and other drug education workshops, community service, random drug screens, residential housing suspension or expulsion, or University suspension or expulsion.

**Alcohol Addiction Treatment**

**Alcoholics Anonymous**
PO Box 3271
Muscle Shoals, AL 35663
24 Hour Hotline: 256.386.0663

**Student Counseling Services**
Phone: 256.765.5215
726 North Pine St. (1st Floor of Rice Hall)
UNA Box 5192
[https://una.edu/manesafety/Docs/counseling397.pdf](https://una.edu/manesafety/Docs/counseling397.pdf)

**Drug Addiction Treatment**

**Riverbend**
635 W. College Street
Florence, Alabama
256.764.3431

**Student Counseling Services**
Phone: 256.765.5215
726 North Pine St. (1st Floor of Rice Hall)
UNA Box 5192
[https://una.edu/manesafety/Docs/counseling397.pdf](https://una.edu/manesafety/Docs/counseling397.pdf)
VIOLENCE AGAINST WOMEN ACT

Sexual Misconduct

The University of North Alabama Code of Student Conduct prohibits sexually violent acts, termed “Sexual Misconduct” by the University of North Alabama, which can be crimes as well. Sexual misconduct includes non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, interpersonal/relationship violence, sex/gender-based stalking, and sexual harassment. While the University of North Alabama utilizes different standards and definitions than the Alabama Code, sexual misconduct often overlaps with the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, and domestic violence. Victims of these behaviors are protected by federal laws, specifically Title IX https://una.edu/titleix/index.html, and the Clery Act, which mandates the contents of this report.

A Complainant has the option to speak with the University Police Department (UPD) or local law enforcement about the alleged Prohibited Conduct. A Complainant may alternatively or additionally notify the Office of Title IX, another Official With Authority (OWA), or other University employees about the incident. These campus representatives can also assist the Complainant with contacting law enforcement if the Complainant would like to file a formal criminal complaint; however, a Complainant is not required to report to law enforcement. The initial decision to report the alleged Prohibited Conduct to anyone ultimately rests with the Complainant.

The University encourages individuals to immediately report acts or threats of sexual assault/rape, dating and domestic violence, sexual exploitation, stalking, or any dangerous behavior to UPD, local police authorities, or law enforcement where the alleged incident took place. Law enforcement agencies can be contacted by calling Emergency 911. UPD may be contacted in the Basement of Keller Hall, University of North Alabama; www.una.edu/police; 256-765-4357.

In an effort to reduce the risk of sexual misconduct as well as the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, and domestic violence occurring
among its students, the University of North Alabama utilizes a range of campaigns, strategies, and initiatives to promote awareness, educational, risk reduction, and prevention programming.

It is the policy of the University of North Alabama to offer programming to identify and prevent domestic violence, dating violence, sexual assault (including stranger and known offender assaults), and stalking each year. Educational programs are offered to raise awareness for all incoming students and employees, and are often conducted during new student and new employee orientation and throughout an incoming student’s first semester. Programs and other campaigns offered throughout the year to all students and employees include strong messages regarding not just awareness, but also primary prevention (including normative messaging, environmental management, and bystander intervention), and discuss institutional policies on sexual misconduct as well as the Alabama definitions of domestic violence, dating violence, sexual assault, stalking, and consent in reference to sexual activity. Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals and how to avoid potential attacks, and do so without victim--blaming approaches mandatory online Sexual Assault Prevention Training, and Bystander Intervention Education provided that takes place in resident assistant training, RSO leadership training, Greek new member education, First Year Experience classrooms, etc. Programs are informed by evidence---based research and/or are assessed for their effectiveness.

Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third---party intervention and prevention such as calling for help, using intervention---based apps, identifying allies, and/or creating distractions. Bystander empowerment training highlights the need for those who intervene to ensure their own safety in the intervention techniques they choose, and motivates them to intervene as stakeholders in the safety of the community when others might choose to be bystanders.

In the event that sexual misconduct, gender---based violence, or the crimes of sexual assault, stalking, dating violence, or domestic violence do occur, the University of North Alabama takes the matter very seriously. The University of North Alabama employs interim protection measures such as interim suspensions and/or no contact orders in any case where a student's behavior represents a risk of violence, threat, pattern, or predation. If a student is accused of sexual misconduct, other gender---based violence, or the crimes of rape,
sexual assault, sexual harassment, stalking, dating violence, or domestic violence, s/he is subject to action in accordance with the Code of Student Conduct in the student handbook. A student wishing to officially report such an incident may do so by contacting Kaleigh Baker, Title IX Coordinator 256.765.4223 or the University Police Department 256.765.4357. Anyone with knowledge about sexual misconduct, gender-based violence, or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence is encouraged to report it immediately. Protective measures for victims are available from the campus whether a victim chooses to report to local and/or campus law enforcement, and irrespective of whether a victim pursues a formal complaint through the University of North Alabama resolution process.

**University Code of Student Conduct and Disciplinary Process**

The Office of Student Conduct will investigate and assess sanctions if a student or student organization is found to be in violation of the Code of Student Conduct. Violations of the Code of Student Conduct include charges relating to sexual misconduct. Charges must be presented to the Office of Student Conduct. Any charge should be submitted as soon as possible after the event takes place, preferably within one month of knowledge of the occurrence. For more information, contact the Office of Student Conduct at 256.765.5012.

Sanctions up to and including expulsion from residence halls and suspension from the University may be imposed if, through the investigation and hearing process, the accused is found to be responsible. The University of North Alabama is committed to providing an investigative hearing process that is sensitive, fair, supportive, and respectful of the rights and needs of all involved. To the extent not already provided for by existing disciplinary procedures, the complainant and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; both the complainant and the accused shall be informed of the outcome of any institutional disciplinary proceeding brought alleging a sex offense. As provided by existing University disciplinary procedures, under appropriate circumstances, interim measures may be taken to provide for the safety of the complainant, of the accused and of witnesses. University disciplinary procedures and possible sanctions are described in the Code of Student Conduct.
If you are the victim of sexual misconduct, gender-based violence, or the crimes of rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence, some or all of these safety suggestions may guide you after an incident has occurred:

1. Go to a safe place and speak with someone you trust. Tell this person what happened. If there is any immediate danger, call 911. If you are on campus you can contact the University Police Department at 256.765.4357. If you are off campus, you can contact One Place of the Shoals 256-284-7600 or 256-767-1100 (hotline), or go immediately to the nearest hospital emergency room.

2. Consider securing immediate professional support (e.g., counseling, victim advocacy, medical services, etc.) to assist you in the crisis.

3. If you are on campus during regular business hours, you may go to Student Counseling Services 256.765.5215, as well as Center for Women Studies 256.765.6198 or 256.765.4380 for support and guidance. These are both confidential resources. After regular business hours, or in any situation where a victim wishes, local resources are also available and may be able to provide confidential assistance.

List of Local Resources:

- **Student Counseling Services**
  256-765-5215

- **University Health Services**
  256-765-4328

- **Center for Women's Studies**
  256-765-4380 or 256-765-6198

- **Mitchell-West Center for Social Inclusion**
  256-765-5185

- **University Case Manager**
  256-765-4531

- **North Alabama Crisis Center**
  256-716-1000 (hotline)

- **One Place of the Shoals**
  256-284-7600 or 256-767-1100 (hotline)

- **Safe Place (domestic violence)**
  256-767-6210 or 1-800-550-9215

- **THRIVE Alabama**
  256-764-0492
4. For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible, ideally within 120 hours, is important in the case of rape or sexual assault. The hospital will arrange for a specific medical examination at no charge or can work with you to arrange state reimbursement.

- To preserve evidence, it is recommended that you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate, or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care, and evidence may still be recoverable.

- Typically, if police are involved or will be involved, they will obtain evidence from the scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing, and any other pertinent articles that may be used for evidence. It is best to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean paper bag or clean sheet to avoid contamination.

- If you have physical injuries, photograph or have them photographed, with a date stamp on the photo.

- Record the names of any witnesses and their contact information. This information may be helpful as proof of a crime, to obtain an order of protection, or to offer proof of a campus policy violation.

- Try to memorize details (e.g., physical description, names, license plate number, car description, etc.), or even better, write notes to remind you of details, if you have time and the ability to do so.

- If you obtain external orders of protection (e.g., restraining orders, injunctions, protection from abuse), please notify the University Police Department or the campus Title IX Coordinator so that those orders can be observed on campus.
5. Even after the immediate crisis has passed, consider seeking support from Student Counseling Services 256.765.5215, the Center for Women Studies 256.765.6198 or 256.765.4380, and/or the One Place of the Shoals 256-284-7600 or 256-767-1100 (hotline).

6. Contact the University Police Department 256.765.4357 or the Title IX office 256.765.4223 if you need assistance with University of North Alabama concerns, such as no-contact orders or other protective measures. The Title IX Coordinator will also assist in any needed advocacy for students who wish to obtain protective or restraining orders from local authorities. The University of North Alabama is able to offer reasonable academic supports, changes to living arrangements, transportation resources or modifications, escorts, no contact orders, counseling services access, and other supports and resources as needed by a victim. The University of North Alabama is able to offer information about legal assistance, visa/immigration assistance, and student financial aid considerations for victims.

**Legal Definitions**

Rape is generally defined by states as forced sexual intercourse. It may also include situations where the victim is incapable of giving consent due to incapacitation by means of disability or alcohol or other drugs. Many rapes are committed by someone the victim knows, such as a date or friend.

The complete Alabama rape and sexual assault offense definitions are:

**RAPE 1ST DEGREE 13A-6-61**

"(a) A person commits the crime of rape in the first degree if:
(1) He or she engages in sexual intercourse with a member of the opposite sex by forcible compulsion; or
(2) He or she engages in sexual intercourse with a member of the opposite sex who is incapable of consent by reason of being physically helpless or mentally incapacitated; or
(3) He or she, being 16 years or older, engages in sexual intercourse with a member of the opposite sex who is less than 12 years old.
(b) Rape in the first degree is a Class A felony."

**RAPE SECOND DEGREE 13A-6-62**

"(a) A person commits the crime of rape in the second degree if:
(1) Being 16 years or older, he or she engages in sexual intercourse with a member of the opposite sex less than 16 and more than 12 years old, provided, however, the actor is at least two years older than the member of the opposite sex."
(2) He or she engages in sexual intercourse with a member of the opposite sex who is incapable of consent by reason of being mentally defective.
(b) Rape in the second degree is a Class B felony.

**SEXUAL ABUSE 1ST DEGREE 13A-6-66**

a) A person commits the crime of sexual abuse in the first degree if he or she does either of the following:
(1) Subjects another person to sexual contact by forcible compulsion.
(2) Subjects another person to sexual contact who is incapable of consent by reason of being incapacitated.
(b) Sexual abuse in the first degree is a Class C felony.

**SEXUAL ABUSE 2ND DEGREE 13A-6-67**

(a) A person commits the crime of sexual abuse in the second degree if he or she does either of the following:
(1) Subjects another person to sexual contact who is incapable of consent by reason of some factor other than being less than 16 years old.
(2) Being 19 years old or older, subjects another person to sexual contact who is less than 16 years old, but more than 12 years old.
(b) Sexual abuse in the second degree is a Class A misdemeanor, except as provided in subsection (c), or if a person commits a second or subsequent offense of sexual abuse in the second degree within one year of another sexual offense, the offense is a Class C felony.
(c) If a person violates subdivision (a)(2), and he or she is at least 15 years older than the victim, the offense shall be a Class C felony.

**Other Sexual Offenses**

Other sexual offenses include the following: sodomy (forced anal intercourse); oral copulation (forced oral-genital contact); rape by a foreign object (forced penetration by a foreign object, including a finger); and sexual battery (the unwanted touching of an intimate part of another person for the purpose of sexual arousal).

In Alabama, sexual consent is defined as: 13A-6-70(a) Unless otherwise stated, an element of every offense defined in this article is that the sexual act was committed without the consent of the victim.
(b) Lack of consent results from either of the following:
(1) Forcible compulsion.
(2) Being incapable of consent.
(c) A person is deemed incapable of consent if he or she is either:
(1) Less than 16 years old.
(2) Incapacitated.
(d) Consent to engage in sexual intercourse, sodomy, sexual acts, or sexual contact may be communicated by words or actions. The existence of a current or previous marital, dating, social, or sexual relationship with the defendant is not sufficient to constitute consent. Evidence that the victim suggested, requested, or otherwise communicated to the defendant that the defendant use a condom or other birth control device or sexually transmitted disease protection, without additional evidence of consent, is not sufficient to constitute consent.

**UNA Sexual Misconduct Policy Definitions:**

Sexual Assault: Under this Policy, sexual harassment in the form of sexual assault occurs when the following incidents of forcible and non-forcible sex offenses occur. Forcible sex offenses are defined as any sexual act, directed against another person, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent. **Forcible sex offenses include the following:**

i. Rape is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant.

ii. Sodomy is oral or anal sexual intercourse with another person without the consent of the Complainant.

iii. Sexual assault with an object occurs when an object or instrument is used to penetrate, however, slightly, the genital or anal opening of the body of another person, without the consent of the Complainant.

iv. Fondling is the touching of the private body parts of another person, including the buttocks, groins, and breast, for the purpose of sexual gratification without the consent of the Complainant.

**Non-forcible sex offenses include:**

v. Incest is non-forcible sexual intercourse between persons who are related to each other as prohibited under the laws of the state in which the intercourse occurs.

vi. Statutory Rape is non-forcible sexual intercourse with a person who is under the statutory age of consent in the state in which the intercourse occurs.
UNA’s Interim Policy against Sexual Harassment and other Sexual Misconduct can be found here: https://www.una.edu/titleix/Documents/UNA%20Sexual%20Misconduct%20Policy%20Interim%20-%20Approved%207.27.2020.pdf and in Appendix A of this report. UNA Title IX Policies and Procedures can be found at: https://www.una.edu/titleix/policies-and-procedures.html

Sexual Harassment

Sexual harassment is a form of misconduct that undermines the integrity of the academic environment. It is the policy of the University of North Alabama that sexual harassment is prohibited. All members of the University of North Alabama community, especially officers, faculty, and other individuals who exercise supervisory authority, have an obligation to promote an environment that is free of sexual harassment.

The Department of Education’s Office for Civil Rights (OCR) and the Equal Employment Opportunity Commission (EEOC) regard Sexual Harassment, a specific form of discriminatory harassment, as an unlawful discriminatory practice. The University has adopted the following definition of Sexual Harassment in order to address the unique environment of an academic community, which consists not only of employer and employees, but of students as well.

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Sexual Harassment, as an umbrella category, includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking as defined below.

a. Quid Pro Quo sexual harassment: Under this Policy, quid pro quo sexual harassment occurs when, on the basis of sex, an employee of the University conditions the provision of an aid, benefit, or service of the University on an individual’s participation in unwelcome sexual or sex- and/or gender-based conduct.

Examples of aid, benefit, or service include, but are not limited to: an individual’s employment, academic standing, or participation in any University programs and/or activities or is used as the basis for University decisions affecting the individual. Violations of the University’s
Consensual Relationship Policy may also be deemed instances of “unwelcome sexual conduct” and therefore constitute Quid Pro Quo sexual harassment.

b. Hostile Environment sexual harassment: Under this Policy, hostile environment sexual harassment occurs when unwelcome sexual or sex- and/or genderbased conduct occurs that is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University’s education program or activity.

Any complaints or inquiries regarding sexual harassment of a student by an officer, faculty member, or staff member should be brought to the immediate attention of the Office of Title IX. Any complaints or inquiries regarding sexual harassment of a student by another student should be brought to the immediate attention of the Office of Title IX. The University of North Alabama will investigate such claims promptly and thoroughly. If, for any reason, a student wishes to complain or inquire regarding sexual harassment, but feels it would not be appropriate to raise such issues with the Office of Title IX, the student may inquire or complain to any Department Chair or any officer of the University of North Alabama at the level of Vice President or above, and such inquiries or complaints will receive a prompt and thorough investigation. If harassment is established, the University of North Alabama will discipline the offender. Disciplinary action for violations of this policy can range from verbal or written warnings, up to and including immediate termination from employment or dismissal from the University of North Alabama for serious or repeated violations.

Sex Offenders

In accordance to the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the University of North Alabama is providing a link to the Alabama State Sex Offender Registry. All sex offenders are required to register in the state of Alabama and to provide notice of each institution of higher education in Alabama at which the person is employed, carries out a vocation, or is a student. https://www.alea.gov/node/270

In addition to the above notice to the State of Alabama, all sex offenders are required to deliver written notice of their status as a sex offender to the university prior to their enrollment in, employment with, volunteering at, or residence in the University of North Alabama. Such
notification may be disseminated by the University of North Alabama to, and for the safety and well-being of, the University of North Alabama community, and may be considered by the University of North Alabama for enrollment and discipline purposes.

To request information regarding registered sex offenders, including those employed, carrying on a vocation or enrolled at the University of North Alabama, write the University Police UNA Box 5067, Florence, AL 35632 or email at unapolice@una.edu.

**University procedures for addressing Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, Sexual Harassment, and other Acts of Sex and Gender Discrimination**

For offenses including sexual misconduct or other gender based violence, which typically include the crimes of domestic violence, dating violence, sexual harassment, sexual misconduct, and stalking, sanctions range from warning to expulsion. Serious and violent incidents and acts of non-consensual sexual intercourse (the policy equivalent to the crime of rape) usually result in suspension, expulsion, or termination of employment. Lying to investigators (and/or failing to participate in an investigation) can result in additional consequences under the Code of Student Conduct.


Procedurally, when the University of North Alabama receives a report of sexual misconduct, gender-based violence, or other sex or gender discrimination, the campus Title IX Coordinator is notified. If the victim wishes to access local community agencies and/or law enforcement for support, the University of North Alabama will assist the victim in making these contacts. The Title IX Coordinator will offer assistance to victims in the form of interim or long-terms measures such as opportunities for academic accommodations; changes in housing for the victim or the responding student; visa and immigration assistance; changes in working situations; and other assistance as may be appropriate and available on campus or in the community (such as no contact orders, campus escorts, transportation assistance, targeted interventions, etc.). If the victim so desires, that individual will be connected with a counselor on- or off-campus, as well as an on-or off-campus victim’s advocate. No victim is required to take advantage of these services and resources, but the University of North Alabama provides them in the hopes of offering help and support without condition or qualification. A summary of rights, options, supports, and procedures, in the form of this
document, is provided to all victims, whether they are students, employees, guests, or visitors.

When appropriate upon receipt of notice, the Title IX Coordinator will cause a prompt, fair, and impartial process to be initiated, commencing with an investigation, which may lead to the imposition of sanctions based upon a preponderance of evidence (what is more likely than not), upon a responding student or other accused individual. Procedures detailing the investigation and resolution processes of the University of North Alabama can be found online here: https://una.edu/titleix/policies-and-procedures.html. The Coordinator is ultimately responsible for assuring in all cases that the behavior is brought to an end, the university acts to reasonably prevent its recurrence, and the effects on the victim and the community are remedied. The Coordinator is also responsible for assuring that training is conducted annually for all advocates, investigators, hearing officers, panelists, and appeals officers that encompass a hearing process that protects the safety of victims and promotes accountability. Training will focus on sexual misconduct, domestic violence, dating violence, sexual assault, stalking, sexual harassment, retaliation, and other behaviors that can be forms of sex or gender discrimination covered by Title IX and Clery Act. Training will help those decision-makers in the process of protecting the safety of victims and promoting accountability for those who commit offenses.

The investigation and records of the resolution conducted by the university are maintained confidentially. Information is shared internally between administrators who need to know, but a tight circle is kept. Where information must be shared to permit the investigation to move forward, the person bringing the accusation will be informed. Privacy of the records specific to the investigation is maintained in accordance with Alabama law and the federal FERPA statute. Any public release of information needed to comply with the open crime logs or timely warning provisions of the Clery Act will not include the names of victim or information that could easily lead to a victim’s identification. Additionally, the university maintains privacy in relation to any accommodations or protective measures afforded to a victim, except to the extent necessary to provide the accommodations and/or protective measures. Typically, if faculty members or administrators are asked to provide accommodations for a specific student, they are told that such accommodations are necessary under Title IX or the Clery Act, but they are not given any details of the incident, or what kind of incident it is. Irrespective of state law or public records access provisions, information about victims is maintained privately in accordance with Title IX and FERPA.
In any complaint of sexual misconduct, sexual assault, stalking, dating violence, domestic violence, or other sex or gender-based discrimination covered under the federal law, Title IX, the person bringing the accusation and the responding party are entitled to the same opportunities for a support person of their choice throughout and to fully participate in the process, including any meeting, conference, hearing, appeal, or other procedural action. The role of advisors is described in detail here https://una.edu/titleix/investigations.html. Once complete, the parties will be informed, in writing, of the outcome, including the finding, the sanctions (if any), and the rationale. Delivery of this outcome to the parties will occur without undue delay between notifications. All parties will be informed of the university's appeal processes, and their rights to exercise a request for appeal. Should any change in outcome occur prior to finalization, all parties will be timely informed in writing, and will be notified when the results of the resolution process become final.

Both Title IX and the Clery Act provide protections for whistleblowers who bring allegations of non-compliance with the Clery Act and/or Title IX to the attention of appropriate campus administrators. The university does not retaliate against those who raise concerns of non-compliance. Any concerns should be brought to the immediate attention of the campus Title IX Coordinator and Compliance Administrator Kaleigh Baker and/or to officials of the U.S. Department of Education. Clery Act crime definitions are located in the UNA Crime Statistics: Clery Data Definitions of this report.

**Reporting Procedures**

The University strongly encourages individuals to report sexual assaults to the appropriate law enforcement agencies and University officials. Reporting an assault is the only effective way that action can be taken against the alleged attacker.

**Victims are Encouraged to use the Following Procedures:** Report to the Police: Individuals are strongly urged to first contact the University Police (if assaulted on campus) or local police authorities (if assaulted off campus). All agencies may be reached by calling 911. UNA police officers can assist in notifying local police authorities.

**Report to Other UNA Officials:** Individuals may also contact the following University administrative offices for assistance:
Women's Center, 256.765.4380. After hours, a victim's advocate may be reached by calling UNA Police, 256.765.4357, and requesting that an advocate be notified.
UNA Counseling Services, 256.765.5215

Voluntary, Confidential Reporting of Sexual Offenses: Although victims of sexual offenses are not required to report offenses to the police, reporting is strongly encouraged. If an individual is entirely certain that they will not take legal action, they are encouraged to contact the Safe Place (256.767.6210) or UNA Counseling Services (256.765.4328) which can confidentially receive information for inclusion in the crime statistics and can provide free, confidential counseling to the victim. For support services an individual may also contact the Women’s Center (256.765.4380).
Local news media may receive notice of sexual assaults reported to the University Police Department so that others are alerted; names of victims are not released; privacy is protected at all times. No pressure is placed on a sexual assault victim to report the attack if they choose not to report; victim’s parents will not be notified without the victim’s consent.

D. Medical and Counseling Support Services
It is very important for victims of sexual assault to obtain immediate medical care following a sexual assault. Whether or not the sexual assault is reported, medical care will ensure the victim’s well-being and the documentation, collection, and proper preservation of physical evidence in the assault.

Medical attention: In addition to care of obvious injuries, medical attention is needed to protect the victim from sexually transmitted diseases or the possibility of pregnancy. If you have been raped and might consider taking legal action against the rapist, you need to receive medical care at a Regional Medical Center/Hospital. The emergency room doctors are the physicians who give medical exams in which evidence of rape can be obtained and preserved for legal action. Without this evidence, the chances for successful prosecution are minimized. You should have the exam as soon as possible. You will need a change of clothes; the clothes worn during the assault will be kept as evidence. If you have already changed clothes, bring along any articles that may have blood or semen on them. In order to preserve physical evidence of the assault, victims should not change clothes, bathe, douche, or use the bathroom before seeking medical care.
Anyone in need of transportation to the student health center, Regional Medical Center, or Hospital, should contact the UNA Police Department at 256.765.4357.

E. Procedures Followed After A Report Of A Sexual Offense Is Made To University Police

When a sexual assault is investigated, the victim may be unprepared for the lengthy, public process of bringing the perpetrator to justice. UNA Police and other involved officers respect the victim’s feelings but must also observe due process of law. The following outline of a sexual assault investigation can help victims of sexual offenses understand the process of the investigation.

**Immediate Response to Report:** After an assault has occurred and the victim contacts campus or city police, patrol officers will respond to the victim, ensure her well-being, and summon a Victim's Advocate and/or the District Attorney’s Victim Services office. The advocate will assist the victim throughout the investigation. The officers will help the victim arrange medical care at the emergency room where a doctor will counsel the victim, treat injuries and potential sexually transmitted diseases, and preserve physical evidence of the assault. The victim advocate can accompany the victim to the hospital and is available to give advice about additional counseling and support services if necessary.

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

**Step Two.** When ready, the victim must provide a detailed statement of the assault to the investigators. The Victim Advocate or a Victim Services officer may be present.

**Step Three.** Officers may ask the victim to try and identify the suspect from a photo or physical lineup.

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

**Step Five.** There may be several judicial proceedings before the actual trial. For instance, a "preliminary hearing" may be held. This hearing, which is conducted before a judge, may require the victim to answer questions from the prosecuting attorneys and the defendant’s attorney. The victim may also be asked to appear before the Grand Jury when it convenes to determine if the defendant is to be indicted. If the Grand Jury issues a "True Bill," a trial will be scheduled.

**Step Six.** The trial will typically be held in the Lauderdale County Courthouse in downtown Florence. Sexual assault trials generally involve testimony from the victim, the police investigators, the emergency-room personnel, and other witnesses. If the accused defendant is found to be guilty of the crime, the judge will set the term of punishment.

**UNA Women’s Center**

The Women’s Center, a small house on Wood Avenue (formerly UNA’s International House), was established in 2004, under the auspices of UNA’s Women’s Studies Program and in collaboration with Rape Response of the Shoals. The Women’s Center (coordinated by Nicole Powell) has quickly become a dynamic campus resource, providing materials for research on gender issues, a space for Women’s Studies classes, a forum for speakers, and a meeting place for student groups such as the Women’s Studies Association.

The Women’s Center offers regular presentations on issues that are central to UNA’s Women’s Studies program and sponsors national events such as Equal Pay Day, Jeans for Justice, and V-Day Celebrations. This year the Women’s Center initiates its Practical Skills (PS) Series of workshops, seminars, talks, etc. These events will teach the skills that so many students, particularly women students, feel they have missed but know they will need when they are on their own. The Women’s Center sponsors, One in Four, a national men’s program that advocates a comprehensive approach to the prevention of rape and the end of all violence against women. The Women’s Center also offers free and confidential HIV testing, as well as counseling and medical referrals.
The primary mission of the Women's Center is academic, providing a forum for speakers from other universities and from community organizations such as Safe Place and Rape Response. Several Women's Studies classes are also held in the center, and the center offers academic advisement to Women's Studies students and to other university departments and programs.

Some of the most popular Women's Center events (too large for the space provided by the small house on Wood Avenue) have been held in UNA's Performance Center. These events included a production of Sex Signals, an educational comedy about the misunderstandings that often accompany “the dating scene,” and performances of Eve Ensler’s The Vagina Monologues (with proceeds benefitting Rape Response).
The University of North Alabama has an expectation of mutual respect. Students, staff, administrators, and faculty are entitled to a working environment and educational environment free of discriminatory harassment on the basis of sex or gender. This includes sexual violence, sexual harassment, intimate partner violence, stalking, gender-based discrimination, discrimination against pregnant and parenting students, and gender-based bullying and hazing.

Faculty and staff are required to report any observations of harassment (including online harassment) as well as any notice given by students or colleagues of any of the behaviors noted above. Retaliation against any person who reports discrimination or harassment is also prohibited. UNA’s policies and regulations covering sex- and gender-based discrimination and harassment may be accessed at una.edu/titleix. If you have experienced or observed discrimination or harassment, below are some resources to contact.

**Formal Reporting**

If a reporting party would like the University to investigate an incident, the reporting party may speak with:

- **Title IX Administrator** 256.765.4223 or titleix@una.edu
- **UNA Police** 256.765.4357
- **Director of Student Conduct** 256.765.5012
- **Assistant Vice President for Human Resources** 256.765.4291
- **Deputy Coordinator, Athletics** 256.765.4788

**Online Reporting**

https://una.edu/titleix
Confidential Resources
If a reporting party would like the details of an incident to be kept confidential, the reporting party may speak with:

Student Counseling Services                      256.765.5215
University Health Services...                      256.765.4328
Women’s Center........                          256.765.4380
Mitchell-West Center for Social Inclusion       256.765.5158

Local Resources
One Place of the Shoals........... 256.284.7600
SafePlace (domestic violence).......................... 256.767.6210/
........................................... 256.767.3076 (office)

One Place of the Shoals is a centralized, collaborative, community effort that provides victims of domestic violence, rape and sexual assault, child physical and sexual abuse, and elder abuse with necessary services under one roof. One Place of the Shoals provides legal assistance, medical exams, and counseling services. One Place of the Shoals is another reporting resource for individuals who may wish to seek legal action.

National Hotlines
Domestic Violence Hotline............... 1.800.799.7233
RAINN Sexual Assault Hotline.... 1.800.656.4673

Education
UNA has chosen to use Sexual Assault Prevention® as an online educational tool to educate students on the issues associated with sexual assault and relationship violence. All incoming freshman and first-year transfer students attending UNA must successfully pass and complete Part 1 and Part 2 of this module. Failure to successfully complete this mandatory course may result in additional educational information and/or a meeting with the Office of Title IX.

Students may access Sexual Assault Prevention® online by following the steps below:
1. Log into UNA Portal at unaportal.una.edu/cp/home/displaylogin
2. Students go through Self Service Banner
3. Click the Student Tab
4. Scroll down to the AlcoholEdu and Sexual Assault Prevention® link
5. Click the Sexual Assault Prevention® button
Being an Active Bystander

As a member of the UNA community, students have the ability to take action to prevent or intervene in a potentially harmful situation. A bystander is any person who notices a behavior or situation that could lead to something bad and are faced with the choice to help, do nothing, or contribute to the negative behavior. An active bystander is any person who does something to decrease the likelihood that something bad will occur or get worse. As an active bystander, there are positive and safe ways to prevent or intervene when there is a risk of behaviors such as discrimination, bullying, sexual harassment, sexual violence, intimate partner violence, or any other type of sexual misconduct that could occur on a college campus.

UNA wants to be on the forefront when it comes to educating our students on what it means to be an active bystander. Bystander intervention education is provided throughout the academic year. In the meantime, students are encouraged to:

1. Recognize behaviors that might be high risk for violence or harm.
2. Attempt to help, but keep yourself safe. Methods of intervention may include:
   a. Checking in with the person to see if he/she is OK or needs help,
   b. Creating a distraction,
   c. Calling for help, and/or,
   d. Checking up on the person later.
MISSING STUDENTS NOTIFICATIONS

Missing Persons Procedures

Students who reside in on campus housing facilities are encouraged to report a student that has been missing for 24 hours to the University Police Department (UPD) or a campus security authority. The campus security authority will be required to report any official missing student to the University Police Department 256-765-4357.

Per the Clery Act the University will give each student living in an on campus housing facility the option to identify a contact person(s) who the institution shall notify if the student is determined to be missing by the UPD.

Students’ contact information will be registered confidentially and this information will be accessible only to authorized campus officials and the UPD. This information may not be disclosed outside of a missing person investigation. Students under 18 years of age and not emancipated, the institution will notify a custodial parent or guardian when the student is determined to be missing, in addition to any additional contact person designated by the student.

If a student did not name a contact person to notify, and the UPD receives a report that the student is missing, the UPD will conduct an investigation to determine if the student is officially missing. If the student has designated a contact person, the UPD will notify that contact person within 24 hours. If the student is under 18 years of age and is not emancipated, the UPD will notify the student’s custodial parent or guardian and any other designated contact person within 24 hours. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, UPD will conduct an investigation to determine if the student is officially missing within 24 hours.
ADDITIONAL UNIVERSITY SECURITY POLICIES AND STATEMENTS

Weapons Statement
Possession of firearms or other dangerous weapons is prohibited while on university-owned or controlled property. This includes all parking lots, grounds, and facilities. These weapons include but are not limited to:

- Fixed blade knives on the person or in a vehicle or any folding knife with an overall length greater than eleven inches
- Shotgun, rifle, or other shoulder gun
- Pistol or revolver
- Air gun or spring compression gun
- Bow and arrow
- Crossbows
- Slingshots or other throwing weapons
- Spears
- Swords
- Brass knuckles
- Fireworks or explosive devices
- Tasers or stun guns

This prohibition applies to all members of the University community, visitors, and guests and applies whether or not a person in possession of such weapon has a permit to carry or possess the weapon. This policy does not apply to:

- Law Enforcement Officers of the Federal Government, State, or of any county, city, or town when in the discharge of their official duties.
- Civil officers of the United States in the discharge of their official duties.
- Private police or security personnel when hired by, or under contract with, the University.
- Law Enforcement Officers attending school as students. Their weapons must be concealed unless wearing a uniform.
- Campus food service knives.
• The President’s residence.

Visitors and guests may temporarily store weapons at the University Police Department for no more than 48 hours. The University Police Department and the University are not responsible for lost or damaged items.

Exceptions to this policy may be granted for certain instructional purposes, displays, ceremonies, drills, reenactments, and performances and must be authorized by the Chief of University Police or his designee.

For students, unauthorized possession of weapons shall constitute grounds for summary suspension. For faculty and staff, unauthorized possession of a weapon shall constitute a violation of board policy.

**Policy Regarding Workplace Threats and Violence**

The safety and security of its employees, students and visitors is of utmost importance to the University of North Alabama. Threats, acts of violence or threatening behavior against students, employees, visitors, third party vendors or other individuals by anyone on University property or on property controlled by the University will not be tolerated. Threats, acts of violence or threatening behavior includes but is not limited to: Physical acts, the intentional or willful damaging or destruction of property, verbal or written harassing and/or threatening statements, telephone calls or other electronic messages, or threatening gestures, expressions or other behavior such as stalking or intimidation. Verbal and/or written behavior also includes use of any method of communication such as email, comments posted on websites, or other social media such as Facebook, Twitter, YouTube, MySpace, etc., regardless of the ownership of the equipment used.

University employees who witness, receive, or are informed of any type of threat, act of violence or threatening behavior on campus or related to the campus should notify their supervisor or the University Police Department at 256.765.4357 as quickly as is possible. Additionally, employees should report any behavior or communication they have witnessed which they regard as threatening or violent, when that behavior may be acted upon on a University-controlled site or at a University-related function. Employees bear the responsibility for making these reports regardless of the relationship between the individual
who initiated the threat or threatening behavior and the person or persons who were threatened or were the focus of the threatening behavior.

Reports of threats, threatening behavior, or acts of violence will be investigated appropriately. If an investigation reveals cause for concern, the University may take action which could include the removal of the employee from campus until such time as a determination could be made regarding the employee’s status. Disciplinary action will be commensurate with the level of severity of the threat, behavior or act, and may include, but will not be limited to, a written reprimand, suspension or termination of employment, and/or the filing of criminal charges, criminal arrest and/or prosecution of the employee involved.

No existing university policy, practice or procedure should be interpreted to prohibit decisions designed to prevent a threat from being carried out, a violent act from occurring, or a life-threatening situation from developing.

The University recognizes and respects the need for privacy and confidentiality of reporting parties and will, therefore, handle their reports with extreme discretion. Confidentiality will be maintained to the extent possible. Anonymous reports, which are not recommended, will be investigated to the extent possible, but the process may be restricted by the lack of full disclosure.

At no time does this policy prevent anyone from calling 911 should he/she feel there is an immediate threat to his/her own safety or the safety of others.

Any employee who applies for or obtains a protective or restraining order which lists university locations as protected areas must provide to the University Police Department a copy of the petition and declarations used to seed the order and a copy of the temporary or permanent protective or restraining order which is granted.

*Student policies regarding threats, threatening behavior, and acts of violence are detailed in the Code of Conduct portion of the Student Handbook.*
UNA CRIME STATISTICS: CLERY DATA DEFINITIONS

Arson
Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Criminal Homicide-Manslaughter by Negligence
The killing of another person through gross negligence.

Criminal Homicide-Murder and Non-negligent Manslaughter
The willful (non-negligent) killing of one human being by another.

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

Robbery
The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

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

Burglary
The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.
Motor Vehicle Theft
The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned— including joyriding.)

Weapons: Carrying, Possessing, Etc.
The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Drug Abuse Violations
The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

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

Sex Offenses
Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
A. Fonduing—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
B. Incest—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
C. Statutory Rape—Sexual intercourse with a person who is under the statutory age of consent.
Larceny-Theft (Except Motor Vehicle Theft)
The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

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

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

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

Dating Violence
Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition—
- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.
- Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
Domestic Violence

A felony or misdemeanor crime of violence committed—

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
- By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Sexual assault. An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s UCR program.

Stalking

(i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- Fear for the person’s safety or the safety of others; or
- Suffer substantial emotional distress.

(ii) For the purposes of this definition—

A. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.

B. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

C. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

(iii) For the purposes of complying with the requirements, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
UNA CRIME STATISTICS: CLERY GEOGRAPHY

Campus
Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls, and any building or property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.

On-Campus Student Housing Facilities
On-Campus Residential statistics are a subset of the On-Campus statistics. An On-Campus student housing facility is any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus. It is a subset of "On Campus" crimes that includes only those crimes that were reported to have occurred in residence halls or other student housing facilities.

Non-Campus Buildings or Property
Any building or property owned or controlled by a student organization recognized by the institution; or any building or property (other than a branch campus) owned or controlled by an institution that is used in direct support of, or in relation to the institution's educational purposes; is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public Property
Includes all public property, (including thoroughfares, streets, sidewalks, and parking facilities) that are within the campus, or immediately adjacent to and accessible from the campus.
(1) All public property, including streets, sidewalks, and parking facilities, that is within the outer perimeter surrounding all property and buildings on the campus of the institution that are adjacent to one another. (2) Any sidewalk, street or parking facility immediately adjacent to any property or building on the outer perimeter described in clause (1). (3) Any street, sidewalk or parking facility immediately adjacent to any facility or property within the same reasonably contiguous geographic area that is outside the perimeter described in clause (1).
and is used by the institution in direct support of, or in a manner related to the institution's educational purpose.

THE UNIVERSITY OF NORTH ALABAMA
UNA SOFTBALL FACILITY

Legend

UNA Property*
Public Property
*During Athletic Events Only
## UNA CRIME STATISTICS 2017-2019

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<th>NON-CAMPUS BUILDING PROPERTY</th>
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FIRE SAFETY REPORT DEFINITIONS

Fire
A fire, for the purposes of the HEA, is any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Cause of Fire
The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

Fire-related Injury
Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term “person” may include students, employees, visitors, firefighters, or any other individuals.

Fire-related Death
Any instance in which a person (1) is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or (2) dies within one year of injuries sustained as a result of the fire.

Value of Property Damage
The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

Fire Safety System
Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a
fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire
doors and walls that reduce the spread of a fire.

**Fire Drill**
A supervised practice of a mandatory evacuation of a building for a fire.
RESIDENCE HALLS FIRE PREVENTION INFORMATION

Smoke Detectors and Sprinkler Systems
All residence halls have smoke detectors and sprinkler systems installed and a Fire Alarm Control Panel. There are smoke detectors in each student room as well as in common areas. These are connected to the central alarm system, which, in turn, the Florence Fire Department and the UNA Police Department will be notified.

Fire Safety Equipment
Emergency procedures are posted on the back of every resident’s door. Fire alarm systems are installed in all residence halls. The system includes automatic smoke detectors, alarm signals, and enunciators. Hawthorne, Covington, Appleby East and Appleby West halls all have a fire suppression system located throughout the entire building including common areas, lobbies and suites/bedrooms. There are two methods of notification: manual and automatic.

Tampering with fire safety equipment or setting off a false alarm is against the law. It also will make the system ineffective and endanger the lives of other residents. Any person, who sets off a false alarm, interferes with the operation of the alarm system, damages or removes any part of the alarm system, fire extinguishers, smoke detectors, or exit signs is subject to severe disciplinary action, including dismissal from the residence halls, possible suspension from the University, and/or criminal prosecution. If a smoke detector is detached from the wall for any reason, it is the responsibility of the resident to report it immediately. If not reported, all residents will be held responsible for tampering with fire safety equipment and will be disciplined and/or fined.

Fire Drills/Safety Education
To comply with state and local fire regulations and for fire safety education, unannounced fire drills are conducted every semester. All persons inside the residence hall during emergency drills are required to evacuate the building. Failure to evacuate the residence hall for any reason, including sleeping through an alarm, may result in disciplinary action. The
Department of Residence Life in partnership with the University of North Alabama Facilities and the City of Florence Fire Department conduct at minimum one fire drill per semester in each Residence Hall on campus.

The Department of Residence Life conducts fire training with each training session that occurs before the beginning of the semester. This training is conducted in partnership with the University of North Alabama facilities and the City of Florence Fire Department. Fire Evacuation information is given to all students at the first floor meeting as well as the “Gotta Be There Bash” Freshman Orientation to the Residence Halls.

**Fire Evacuation Procedures**

In the event of a fire, all residence hall buildings will be evacuated to protect the health and safety of the residents, guests and visitors. When an alarm is sounded you must assume there is an emergency and you must follow the following steps. Students who encounter a fire in a building should pull the closest fire alarm and evacuate the building to the designated emergency assembly point.

Emergency evacuation procedures are posted in every bedroom or suite. Failure to evacuate a building upon hearing a fire alarm is in violation of University policy and will be handled through the student discipline process.
GENERAL EVACUATION RULES

Fire Safety & Procedures

Fire alarm systems are installed in all residence halls. The system includes automatic smoke detectors, alarm signals, and enunciators. The alarm is a continuous buzzing noise. All alarms should be regarded as actual fires. University and state law requires all residents and their guests to adhere to the fire safety regulations of the campus. Rendering a false alarm is considered a criminal offense. Failure to evacuate is not only a safety hazard, but is also a violation of University policy and state law. Failure to comply may result in the resident(s) being subject to the student conduct process. It is each resident’s responsibility to be familiar with evacuation procedures. In the case of a fire, residents should do the following:

• If there is smoke in the room, keep low to the floor.
• Before passing through any door, feel the doorknob. If it is hot, do not open the door. Before opening a door, brace yourself against the door and open it slightly. If heat and smoke are present, close the door and stay in the room.
• If you cannot leave the room, open the window. If trapped, attract the fire department by hanging an object out the window.
• If you can leave the room, close the door behind you.
• Go to the nearest exit or stairwell. Do not use the elevator.
• If the nearest exit is blocked by fire, heat or smoke, go to an alternate exit.
• If all exits are blocked, go back to your room, open the windows, and attract the fire department.
• After evacuating the building, move to the designated meeting location (at least 50 feet from the building). Emergency personnel and equipment will be maneuvering around the building.
• Follow the directions of fire, police, and Housing & Residence Life staff.
• You may reenter the building only after fire and police officials have given their approval.
Following a Manual Alarm

The Residence Life staff member on duty will notify the Florence Fire department and the University of North Alabama Police Department even if the alarm is sounding. As soon as the alarm is heard, residents must vacate the area according to the evacuation procedures posted on the backs of the resident’s doors in each building. It is each resident’s responsibility to be familiar with the evacuation procedures, which are the following:

1. Leave in a quick and orderly manner by the stairwell into the parking lot.
2. Wear shoes for protection.
3. Carry a towel if smoke is detected. This may assist with breathing.
4. Close, but do not lock the door to the bedroom.
5. Feel any closed door for heat before opening, if heat is detected, take an alternate route.
6. Have a “buddy system” for physically challenged residents and heavy sleepers.
7. Stay out of the building until given permission to renter.
8. In case an exit is not possible, residents should stay in their room with their door closed, placing wet towels or clothes around the door to keep smoke out. The resident should also place a white sheet, towel or cloth out their window to indicate they are in the room.

Fire Safety Regulations

It is essential that residents observe and follow all fire safety regulations. Electrical appliances with exposed heating elements are prohibited.

All appliances must be UL (means a safety certification mark of a Nationally Recognized Testing Laboratory or Electro Technical Laboratory) approved. No open flames (candles, incense, kerosene lamps, etc.) or any incendiary devices are permitted in the residence halls, rooms/suites/apartments.
Reporting a Fire

In case of an emergency dial 911.
To report a fire, students and employees should contact the: The University Police Department, Florence Fire Department, or a Student Housing and Residential Life Staff member. If a member of the campus community finds evidence that a fire has been extinguished, and the person is not sure whether the Police Department or Fire Department has already responded, the person should immediately notify the Police Department at 256.765.4357.

Fire Log

The UNA Police Department maintains a Fire Log that records, by the date, the incident that was reported, all fires that occur in an on campus housing facility. The Fire Log is available for public inspection at the department's headquarters or at https://www.una.edu/police/crimelog.html. The Fire log includes the nature, date, time, and general location of each fire reported to the department. The department posts fire incidents in the Fire Log within two business days of receiving a report of a fire and reserves the right to exclude reports from the log in certain circumstances.
Housing and Residence Life Policies

The University of North Alabama Department of Housing and Residence Life and Student Code of Conduct outlines policies concerning fire related hazards.

Fire Safety: Student Code of Conduct

Violation of local, state, federal or campus fire policies including, but not limited to:

a) Intentionally or recklessly causing a fire which damages UNA or personal property or which causes injury.

b) Failure to evacuate a UNA-controlled building during a fire alarm;

c) Improper use of UNA fire safety equipment; or

d) Tampering with or improperly engaging a fire alarm or fire detection/ control equipment while on UNA property. Such action may result in a local fine in addition to UNA sanctions;

Appliances and Electrical Items Policy

Because the University takes the safety of everyone in university housing very seriously, we cannot allow students to bring certain items into their room/apartment. Prohibited items may differ depending on location. During health and safety inspections, university officials will require the removal of prohibited appliances or materials from residence hall rooms including, but not limited to; extension cords, portable space heaters, halogen lamps, oil-based or wax electric air fresheners, candles, sunlamps, bicycles, combustible liquids, incense and incense burners, power tools, grills, and camping stoves, and all cooking appliances with the exception of microwave ovens (700 watts), refrigerators (up to 4.3 cubic feet) and Keurig style coffee makers. Rice cookers are allowed in kitchen areas only. Students must use official surge protectors for additional electrical appliances. Violations will result in confiscation of the appliance(s) and residents may be subject to the student conduct process.
Candles, Incense, and Scented Items Policy
Candles, incense, potpourri, scented burners, plug-ins, and any other item that generates heat and/or open flame are prohibited in the residence halls/apartments. Melted wax, burned wicks, lingering aroma, etc., may be considered evidence of a violation of this policy.

Fire Safety Equipment Policy
Fire safety equipment is provided to help ensure everyone’s safety. Tampering with alarms, extinguishers, or smoke detectors is a violation of local, state, and federal laws, as well as a violation of university policy. Tampering with fire safety equipment is a criminal offense and a ticket/fine may be issued.

Flammable Liquids/ Explosives Policy
Possession of containers holding fluids used for igniting fires is prohibited. Prohibited fluids include, but are not limited to, charcoal lighter, gasoline, propane, and cigarette lighter refueling containers. Explosives including, but not limited to firecrackers, fireworks, home-made explosives, pyrotechnics, and gunpowder are not permitted in residential areas.

Smoking Policy
University of North Alabama prohibits smoking on all university-owned and operated property both indoors and outdoors. "Smoking," as used in this policy, refers to inhaling, exhaling, burning, or carrying any lighted or heated smoking product and to the use of any such other electronic or other device that is used as an alternative to traditional tobacco products and that produces a smoke or vapor when in use. "Smoking products" include, but are not limited to, all cigarette products (cigarettes, bidis, kreteks, e-cigarettes, etc.) and all smoke-producing products (cigars, pipes, hookahs, vaporizers, etc.). “University-owned and operated property” includes, but is not limited to: all outdoor common and educational areas; all university buildings; university-owned/operated housing facilities; campus sidewalks; recreational areas; outdoor stadiums; and university-owned and leased vehicles (regardless of location). Littering campus with the remains of smoking products is also prohibited.
This policy applies to all employees, students, visitors, contractors, and externally affiliated individuals or companies renting university-owned space on university-owned and operated property campus grounds.
**2020 ANNUAL FIRE SAFETY REPORT**

**STATISTICS**

**RESIDENTIAL FIRE STATISTICS:**
The following chart indicates the 2020 (for year 2019) Annual Fire Statistic for our on campus residence facilities:

<table>
<thead>
<tr>
<th>Facilities</th>
<th>Total Fires</th>
<th>Fire Number</th>
<th>Date</th>
<th>Time</th>
<th>Cause of Fire</th>
<th>Number of Injuries Requiring Treatment at Medical Facility</th>
<th>Number of Deaths related to Fire</th>
<th>Value of Property Damage Caused by Fire</th>
<th>Case Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rivers Hall</td>
<td>1</td>
<td>0</td>
<td>1/25/2019</td>
<td>9:10 pm</td>
<td>Vape/ in trash can</td>
<td>N/A</td>
<td>N/A</td>
<td>$162,188.24</td>
<td>201900005</td>
</tr>
<tr>
<td>Rice Hall</td>
<td>1</td>
<td>0</td>
<td>5/11/2019</td>
<td>6:40 pm</td>
<td>Kitchen fire</td>
<td>N/A</td>
<td>N/A</td>
<td>No damage</td>
<td>190501610</td>
</tr>
<tr>
<td>LaGrange Hall</td>
<td>0</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Lafayette Hall</td>
<td>0</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Hawthorne Hall</td>
<td>0</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Covington Hall</td>
<td>0</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Appleby East Hall</td>
<td>0</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Appleby West Hall</td>
<td>0</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Mattie Lou Hall</td>
<td>0</td>
<td>0</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Olive Hall</td>
<td>1</td>
<td>0</td>
<td>8/23/2019</td>
<td>6:33 pm</td>
<td>Electrical</td>
<td>N/A</td>
<td>N/A</td>
<td>$158,321.86</td>
<td>190803554</td>
</tr>
</tbody>
</table>

**UNIVERSITY OF NORTH ALABAMA MATRIX 2020:**
The following chart depicts the UNA Fire Safety Systems for our on campus residence facilities:

<table>
<thead>
<tr>
<th>Facilities</th>
<th>Partial Sprinkler System</th>
<th>Full Sprinkler System</th>
<th>Smoke Detector</th>
<th>Fire Extinguisher Devices</th>
<th>Evacuation plans/placards</th>
<th>Number of fire drills each academic year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rivers Hall</td>
<td>Yes, Standpipe system</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>Rice Hall</td>
<td>Yes, Standpipe system</td>
<td>NO</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>LaGrange Hall</td>
<td>Yes, Standpipe system</td>
<td>NO</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>Lafayette Hall</td>
<td>Yes, Standpipe system</td>
<td>NO</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>Hawthorne Hall</td>
<td>Yes, Standpipe system</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>Covington Hall</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>Appleby East Hall</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>Appleby West Hall</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>Mattie Lou Hall</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>Olive Hall</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
</tr>
</tbody>
</table>

Thank you for reading this report. Please contact the UNA Police Department with any questions or concerns regarding this report and/or safety and security.
APPENDIX A: UNA INTERIM POLICY AGAINST SEXUAL HARASSMENT AND OTHER SEXUAL MISCONDUCT

This policy supersedes all other policies that may be listed in the student, staff, and/or faculty handbooks. This policy may be referred to, in its entirety, as UNA’s Sexual Misconduct Policy.

Effective Date: July 27, 2020

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ATIXA 2020 ONE POLICY, TWO PROCEDURES MODEL
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I. TITLE IX COORDINATOR

The University has designated Kayleigh Baker as the University’s Title IX Coordinator. As the Title IX Coordinator, this individual has been authorized to effectively coordinate the University’s compliance efforts and responsibilities under Title IX. Further, the Title IX Coordinator oversees implementation and enforcement of this Policy and compliance with all other applicable rules and regulations.

The Title IX Coordinator’s contact information is as follows:

Kayleigh Baker, Title IX Coordinator and Compliance Administrator
titleix@una.edu
202 Guillot University Center
UNA Box 5023
Florence, AL 35632
(256) 765-4223

The Title IX Coordinator acts with independence and authority free of conflicts of interest. To raise any concern involving a conflict of interest by the Title IX Coordinator, contact the University President in 110 Bibb Graves Hall, (256) 765-4211.

Any additional reference to the Title IX Coordinator under this Policy should be read to include the Title IX Coordinator or designee.

II. GLOSSARY

1. Advisor: person of a party’s choice, who may be an attorney, who may accompany the party during any meeting or proceeding under this Policy
2. Complainant: an individual who is alleged to be the victim of conduct that could constitute sexual harassment or another form of sexual misconduct under this Policy.
3. Days: All references to “days” under this Policy is construed to mean “Business Days” when the University is in normal operation.
4. Decision-Maker: This refers to those who have decision-making and sanctioning authority within the Formal Grievance process.
5. Determination: A conclusion by a preponderance of the evidence that the alleged conduct occurred and whether it did or did not violate policy.
6. Employee: An employee is an individual who receives compensation for work or services for which the University has the right (whether or not it exercises the right) to supervise and control the manner of performance as well as the result of the work or service. For purposes of this Policy, University faculty, staff, and student employees are considered “employees.” Volunteers and independent contractors are not considered “employees.”
7. Finding: A written conclusion by a preponderance of the evidence, issued by the decision-maker(s), that the conduct did or did not occur as alleged.
8. **Formal Complaint**: a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment or another form of sexual misconduct against a Respondent and requesting that the University investigate the allegation of sexual harassment.

9. **Formal Grievance Process**: The formal Grievance Process is one method of formal resolution designated by the University to address conduct that falls within this Policy and which complies with the requirements of 34 CFR Part 106.45. All Formal Complaints go through the Formal Grievance Process unless dismissed or an informal or alternative resolution is agreed upon by all parties and the Title IX Coordinator.

10. **Grievance Process Pool**: This includes any investigators, hearing officers, appeals officers, and Advisors who may perform any or all of these roles (though not at the same time or with respect to the same cases.)

11. **Informal Resolution/Alternative Resolution**: In lieu of the formal grievance process, upon the agreement of the parties and the Title IX Coordinator, a formal complaint may be resolved via an informal or alternative resolution. This could include an alternative mechanism such as mediation or restorative justice, situations in which the Respondent accepts responsibility for violation Policy, or when the Title IX Coordinator can resolve the matter by providing supportive measures to remedy the situation.

12. **Notice**: Notice means that an employee, student, or third-party informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct.

13. **Notice of Investigation and Allegations**: Notice of allegations of Prohibited Conduct is deemed to have been properly provided when written notification of the allegations and alleged code of conduct violation is sent to the student’s assigned University of North Alabama email address, delivered via Certified Mail to the local or permanent address(es) of the parties as indicated in official University records, or personally delivered to the student. University email (userID@una.edu) is the University’s primary means of communication with students, staff, and faculty. Students, staff, and faculty are responsible for all communication delivered to their University email address.

14. **Parties**: Parties include the Complainant(s) and Respondent(s), collectively.

15. **Respondent**: An individual, or group of individuals such as a student organization, who has been reported to be the perpetrator of conduct that could constitute harassment or discrimination based on a protected class; or retaliation for engaging in a protected activity.

16. **Student**: A student, under this Policy, is any individual who has accepted an offer of admission or who has registered or enrolled in coursework or University education programs, including, but not limited to, SOAR and Study Abroad, or anyone who otherwise is participating in, or attempting to participate in the University’s education programs or activities as a student and who maintains an ongoing relationship with the University.

17. **Title IX Team**: This includes the Title IX Coordinator, all staff in the Office of Title IX, any deputy coordinators, and anyone in the Grievance Process Pool.
18. **University Provided Advisor:** A person, who may be, but is not required to be, an attorney, provided by the University, without fee, to any party, to conduct cross-examination on behalf of that party at a live hearing before the Decision-makers.

### III. CONFIDENTIALITY AND PRIVACY

Information learned through a report or Investigation under this Policy is kept as private as possible and shared only on a need to know basis in order to comply with state or federal laws or to assist in the active review, investigation, or resolution of the report and related issues.

University employees and/or agents assisting with any alleged Prohibited Conduct falling under this Policy are expected to safeguard private information in accordance with applicable laws (including, but not limited to, FERPA and other privacy laws). Information about incidents of alleged Prohibited Conduct must be shared with relevant administrators if the Title IX Coordinator determines that the University needs to take action in order to provide a safe and non-discriminatory environment for the entire campus community, but that disclosure will be as limited as possible.

Nothing in this Policy should be construed to unreasonably or unlawfully limit a party’s ability to prepare for, or participate in, the process used to address potential violations of this Policy.

Notwithstanding, the concern for privacy extends to the parties, advisors, and witnesses. The misuse of information provided by the Office of Title IX, including the disclosure, duplication, or dissemination of information for a purpose unrelated to the gathering of evidence and/or witnesses or otherwise not for the purpose of participating or preparing for the Investigation may result in violations under this Policy.

### IV. REPORTING

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

1. **Prompt Reporting**

   There is no time limit on reporting or filing complaints of violations of this Policy; however, prompt reporting is encouraged. The University strongly encourages individuals to timely report alleged incidents of Prohibited Conduct or related retaliation to the Office of Title IX and to law enforcement agencies. Timely reporting of alleged Prohibited Conduct allows the University to take steps toward ending the Prohibited Conduct, preventing its recurrence, and remediating its effects. With regard to criminal investigations, preservation of evidence (such as clothing, bodily fluids, and other physical evidence) may strengthen law enforcement’s ability to investigate.
A delay in reporting may limit the University’s ability to pursue a formal investigation in certain circumstances. Further, a delay in reporting may limit the University’s ability to address inappropriate behavior. Delays may also mean that certain witnesses, evidence, and/or parties are no longer affiliated with or available to the University. Regardless, as previously stated, there is no time limit to report violations under this Policy.

2. **Reporting to Law Enforcement**
   A Complainant has the option to speak with the University Police Department (UPD) or local law enforcement about the alleged Prohibited Conduct. A Complainant may alternatively or additionally notify the Office of Title IX, another Official With Authority (OWA), or other University employees about the incident. These campus representatives can also assist the Complainant with contacting law enforcement if the Complainant would like to file a formal criminal complaint; however, a Complainant is not required to report to law enforcement. The initial decision to report the alleged Prohibited Conduct to anyone ultimately rests with the Complainant.

   The University encourages individuals to immediately report acts or threats of sexual assault/rape, dating and domestic violence, sexual exploitation, stalking, or any dangerous behavior to UPD, local police authorities, or law enforcement where the alleged incident took place. Law enforcement agencies can be contacted by calling Emergency 911. UPD may be contacted in the Basement of Keller Hall, University of North Alabama; [www.una.edu/police](http://www.una.edu/police); 256-765-4357.

   Local law enforcement agencies are not required to share with the University when they receive notice of an alleged incident (Florence Police Department, Muscle Shoals Police Department, Lauderdale County Sheriff’s Office, Colbert County Sheriff’s Office, etc). Therefore, to enable the University to assist a Complainant with supportive measures, individuals who have contacted law enforcement are encouraged to also report to the Title IX Coordinator.

3. **Reporting to the Title IX Coordinator, other Officials with Authority, and Mandated Reporters**
   The Title IX Coordinator and all staff in the Office of Title IX can receive complaints of Prohibited Conduct. Reports may also be made to the following individuals who have been identified as Officials with Authority (OWAs):

   - Members of the President’s Executive Council
   - Assistant Vice President for Human Resources
   - Associate Vice President for Student Affairs
   - Director of Student Conduct
   - Title IX Coordinator and Compliance Administrator
Reports under this policy may be made directly to the Title IX Coordinator by phone, email, in-person, through the mail, or online. Contact information for the Title IX Coordinator is:
Kayleigh Baker, Title IX Coordinator and Compliance Administrator
titleix@una.edu
202 Guillot University Center UNA
Box 5023
Florence, AL 35632
(256) 765-4223
www.una.edu/titleix

The Office of Student Conduct professional staff can also receive complaints of Prohibited Conduct when the Respondent is a University student. Contact information for the Office of Student Conduct is available at www.una.edu/student-conduct

The Office of Human Resources can also receive complaints of Prohibited Conduct involving faculty, staff, or student employees. Contact information for the Office of Human Resources is available at www.una.edu/humanresources

All employees of the University (including student employees), with the exception of those who are designated as Confidential Resources, are Mandated Reporters and must promptly share with the Title IX Coordinator all known details of a report made to them in the course of their employment. Employees must also promptly share all details of behaviors under this policy that they observe or have knowledge of, even if not reported to them by a Complainant or third-party. Complainants may want to carefully consider whether they share personally identifiable details with non-confidential Mandated Reporters, as those details must be shared with the Title IX Coordinator.

Generally, disclosures in climate surveys, classroom writing assignments or discussions, human subjects research, or at events such as “Take Back the Night” marches or speak-outs do not provide notice that must be reported to the Coordinator by employees, unless the Complainant clearly indicates that they desire a report to be made or a seek a specific response from the University. Supportive measures may be offered as the result of such disclosures without formal University action.

Failure of a Mandated Reporter, as described above in this section, to report an incident of harassment or discrimination of which they become aware is a violation of University policy and can be subject to disciplinary action for failure to comply.

1 Reports may be made online at: https://www.una.edu/titleix/reporting.html
2 When a Mandated Reporter is engaged in harassment or other violations of this policy, they still have a duty to report their own misconduct, though the University is technically not on notice when a harasser is also a Mandated Reporter unless the harasser does in fact report themselves.
3 A Mandated Reporter who is themselves a target of harassment or other misconduct under this policy is not required to report their own experience, though they are, of course, encouraged to do so.
4. **Confidential Resources**
   In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality, meaning they are not required to report actual or suspected discrimination or harassment to appropriate university officials. They can offer options and advice without any obligation to inform an outside agency or campus official unless a Complainant has requested information to be shared.

   Therefore, those individuals whose offices have been designated as a “Confidential Resource” are not Mandated Reporters and are not required to make reports to the Title IX Coordinator. However, these individuals are encouraged, in appropriate circumstances, to recommend that the Complainant contact the Office of Title IX.

   If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with the following on-campus Confidential Resources:

   • Student Counseling Services 256-765-5215
   • University Health Services 256-765-4328
   • Women’s Center 256-765-4380
   • Center for Social Inclusion 256-765-5137
   • University Case Manager 256-765-4531

   For the most up to date list of on-campus Confidential Resources, as well as Community Resources, please visit [www.una.edu/titleix](http://www.una.edu/titleix)

   All of the above-listed individuals will maintain confidentiality except in extreme cases of immediacy of threat or danger or abuse of a minor. For UNA students, licensed counselors from Student Counseling Services are available to assist UNA students. Students can be seen by appointment or on a walk-in basis for crisis intervention during usual UNA operating hours.\(^4\)

   For UNA employees, counseling benefits are available through a Blue Cross Blue Shield (BCBS) provider. To obtain provider information, visit [https://www.una.edu/humanresources/benefits/health-insurance.html](https://www.una.edu/humanresources/benefits/health-insurance.html) to view the providers.

5. **Student Organizations and Teams**
   The grievance process described in this Policy will be utilized related to violations by the individual(s) implicated in a formal complaint. If evidence discovered in an investigation proves the incident(s) constituting Prohibited Conduct were sanctioned by a student

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\(^4\) In instances where in-person counseling is not available for an extended period of time, such as during times where the University may rely exclusively on remote learning, Student Counseling Services may offer tele-mental health services. Tele-mental health services may be limited to those students residing in

\(^5\) the State of Alabama due to licensure requirements. The Office of Title IX or Student Counseling Services may be able to assist out-of-state students in finding alternate resources in these circumstances.
organization or team, a follow-up investigation into the organization’s role may be undertaken. For more information about Student Organizational Misconduct, please refer to the Student Code of Conduct.

6. **Amnesty for Parties and Witnesses**
   The University of North Alabama community views the safety of our students as a top priority. A student who is under the influence of alcohol or drugs at the time of an incident should not be reluctant to seek assistance or participate in an investigation for that reason. The University will not pursue minor disciplinary violations against a student for their improper use of alcohol or drugs (e.g., underage drinking) if the student makes a good faith report of Prohibited Conduct or participates in a Title IX investigation. These policy violations will not be overlooked; however, rather than punishment, the University will provide education options and referrals. For more information, please visit, [https://www.una.edu/policies/medical-amnesty--good-samaritan-policy.html](https://www.una.edu/policies/medical-amnesty--good-samaritan-policy.html)

7. **Mandatory Reporting of Child Abuse to UPD**
   For child protection purposes, a child is any person under 18 years of age. A freshman student, a “dual enrolled” high school student, or a summer camp participant, among others, may fall into the category of a “child.” Alabama law imposes a mandatory reporting duty of known or suspected child abuse on certain individuals, including all University employees, who must report to UPD. The University further encourages those with responsibilities that involve interaction with children, including students, volunteers, and representatives as well as third-party vendors and their employees, representatives, and/or volunteers, that contract for use of University facilities to report (orally and then in written form) known or suspected child abuse to UPD. Sexual abuse, which is one element of the more comprehensive term “abuse” under the Alabama law, includes actual or attempted rape, molestation, sexual exploitation, etc. To review additional information relating to reporting potential child abuse, including how to report to UPD, please visit the Office of Title IX’s website.

8. **Federal Statistical Reporting Obligations**
   Reports under this Policy may also be reportable for Federal Statistical Reporting Purposes under the Clery Act. Campus Security Authorities (CSAs), including the Title IX Coordinator, have a duty to report statistical information regarding sexual assault, domestic violence, dating violence and stalking reports to UPD. All personally identifiable information is kept confidential, but information regarding the type of incident and its general location is required for publication in the Annual Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety.

   For further information about Campus Security Authorities, the Annual Report, or obligations under the Clery Act, please contact UPD.
V. APPLICABLE SCOPE

Students, staff, administrators, and faculty are entitled to a working and educational environment free of sexual harassment and other forms of sexual misconduct. When an alleged violation of this Policy is reported, the allegations are subject to resolution under the University’s grievance process as determined by the Title IX Coordinator. When the Respondent is a member of the University community, a grievance process may be available regardless of the status of the Complainant. The community includes, but is not limited to, students, student organizations, faculty, administrators, staff, and third parties such as guests, visitors, volunteers, invitees, and campers. The procedures accompanying this Policy may be applied to incidents, patterns, and/or to campus climate, all of which may be addressed and investigated in accordance with this Policy. Other forms of discriminatory harassment may be addressed by procedures set out in accordance with other University policies.

As explained in the University’s Faculty Handbook, Prohibited Conduct under this policy.

Faculty members with property interests

As set out in the Faculty Handbook, in certain situations faculty members may have a property interest in their jobs in the form of tenure or a set amount of time remaining on a contract.

Therefore, to assure the protection of individual rights and due process in actions involving the disciplinary suspension, dismissal, or other termination for cause (see Faculty Handbook 2.6.2, Termination for Cause), faculty members are entitled to procedural due process. As outlined in the Faculty Handbook, 2.8, Title IX grievances are exceptions to the Due Process procedures outlined within the Faculty Handbook and instead fall under this Policy (i.e. the Title IX grievance process will be followed rather than the procedures explained in section 2.8 of the Faculty Handbook). A Title IX violation under this Policy may result in the revocation of tenure and/or termination without any additional hearing.

VI. PROHIBITED CONDUCT DEFINED

For purposes of this Policy, conduct, or attempted conduct, that is deemed, by a preponderance of the evidence to be sex or gender-based and meets the definitions of any of the types of Prohibited Conduct identified below constitutes a violation of this Policy.

1. Type 1 Prohibited Conduct: Sexual Harassment and Retaliation

Pursuant to 34 CFR part 106, certain types of sexual misconduct, specifically, sexual harassment require certain procedural components. This is illustrated in this Policy’s accompany procedures. Under certain circumstances, federal regulations require technical dismissals of conduct that is outside of 34 CFR part 106; however, that conduct is permitted to, and in fact would, violate other aspects of this Policy. Therefore, in order to ensure clear compliance with 34 CFR part 106, the University of North Alabama has divided this Policy into types based on whether or not it falls under Sexual Harassments defined by 34 CFR part 106. Except to the extent required by the federal regulations, whether the Prohibited Conduct is Sexual Harassment as defined by 34 CFR part 106 or another form of sexual misconduct, there is no other distinction between Type 1 and Type 2 prohibited conduct. One level of conduct is not “better” or “worse” than another in the eyes of the Title IX Coordinator or the University.
The Department of Education’s Office for Civil Rights (OCR) and the Equal Employment Opportunity Commission (EEOC) regard Sexual Harassment, a specific form of discriminatory harassment, as an unlawful discriminatory practice. The University has adopted the following definition of Sexual Harassment in order to address the unique environment of an academic community, which consists not only of employer and employees, but of students as well.

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Sexual Harassment, as an umbrella category, includes the offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking as defined below.

a. **Quid Pro Quo sexual harassment:** Under this Policy, quid pro quo sexual harassment occurs when, on the basis of sex, an employee of the University conditions the provision of an aid, benefit, or service of the University on an individual’s participation in unwelcome sexual or sex- and/or gender-based conduct.

Examples of aid, benefit, or service include, but are not limited to: an individual’s employment, academic standing, or participation in any University programs and/or activities or is used as the basis for University decisions affecting the individual. Violations of the University’s Consensual Relationship Policy may also be deemed instances of “unwelcome sexual conduct” and therefore constitute Quid Pro Quo sexual harassment.

b. **Hostile Environment sexual harassment:** Under this Policy, hostile environment sexual harassment occurs when unwelcome sexual or sex- and/or gender-based conduct occurs that is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University’s education program or activity.

c. **Sexual Assault:** Under this Policy, sexual harassment in the form of sexual assault occurs when the following incidents of forcible and non-forcible sex offenses occur.

Forcible sex offenses are defined as any sexual act, directed against another person, without the consent of the Complainant, including instances where the

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7 Includes gender.
8 Includes gender.
9 Defined in 20 USC 1092(f)(6)(A)(v)
Complainant is incapable of giving consent. Forcible sex offenses include the following:

i. Rape is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant.

ii. Sodomy is oral or anal sexual intercourse with another person without the consent of the Complainant.

iii. Sexual assault with an object occurs when an object or instrument is used to penetrate, however, slightly, the genital or anal opening of the body of another person, without the consent of the Complainant.

iv. Fondling is the touching of the private body parts of another person, including the buttocks, groins, and breast, for the purpose of sexual gratification without the consent of the Complainant.

Non-forcible sex offenses include:

v. Incest is nonforcible sexual intercourse between persons who are related to each other as prohibited under the laws of the state in which the intercourse occurs.

vi. Statutory Rape is nonforcible sexual intercourse with a person who is under the statutory age of consent in the state in which the intercourse occurs.9

d. Dating Violence:10 Under this policy, sexual harassment in the form of dating violence occurs when, on the basis of sex, violence, or sexual violence, is committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship will be determined based on the parties’ statements and with consideration of:

i. the length of the relationship,

ii. the type of relationship, and

iii. the frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Dating violence does not include acts covered under the definition of domestic violence.

e. Domestic Violence:11 Under this policy, sexual harassment occurs in the form of Domestic Violence when, on the basis of sex, any felony or misdemeanor crimes of violence are committed:

10 In Alabama, this would include individuals under the age of 16 10 Defined in 34 USC 12291(a)(1)
11 Defined in 34 USC 12291(a)(8)
i. by a current or former spouse or intimate partner of the Complainant,
ii. by a person with whom the Complainant shares a child in common,
iii. by a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner,
iv. by a person similarly situated to a spouse of the Complainant under Alabama law, or
v. by any other person against an adult or youth Complainant who is protected from that person’s acts under the domestic or family violence laws of the State of Alabama.

f. Stalking:12 Under this policy, sexual harassment occurs in the form of stalking when, on the basis of sex, a person engages in a course of conduct directed at a specific person that would cause a reasonable person to:
   i. Fear for the person’s safety or the safety of others; or
   ii. Suffer substantial emotional distress.

For the purposes of this definition:
   i. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
   ii. Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
   iii. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

g. Retaliation:13
   i. It is prohibited for the University or any member of the University community to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.
   ii. Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. The University prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.
   iii. Charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment but arise out of the

12 Defined in 34 USC 12291(a)(30)
13 As defined under 34 CFR part 106
same facts or circumstances as a report or complaint of sex discrimination, or a report or complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation.

iv. The exercise of rights protected under the First Amendment does not constitute retaliation.

v. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding under this policy and procedure does not constitute retaliation, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any party has made a materially false statement in bad faith.

2. Type 2 Prohibited Conduct: Sexual Misconduct
   a. Sexual Contact: any non-consensual intentional touching or physical contact, or attempts thereof, that is done for the purpose of the Respondent or a third-party’s sexual gratification or arousal. This definition is not limited to the touching or contact of a Complainant’s private or intimate parts, if a sexual purpose can otherwise be established. For example, the touching of a non-intimate body part on a Complainant (i.e. feet) while the Respondent is touching his own private part, if done non-consensually, would violate this policy.

   b. Sexual Exploitation: Under this policy, sexual exploitation occurs when there is the taking or attempted taking of non-consensual sexual advantage of another for one’s own advantage or benefit or to benefit a person other than the one being exploited.

Examples of sexual exploitation include, but are not limited to:
   i. Causing or attempting to cause the incapacitation of another individual for sexual purposes;
   ii. Electronically recording, videoing, photographing, or transmitting sexual sounds or images of another individual against that person’s will or without their consent;
   iii. Allowing a third-party to observe sexual acts without all parties’ consent;
   iv. Prostituting another individual for one’s or another’s gain;
   v. Exposing one’s genitals for the purpose of sexual gratification without consent;
   vi. Intentionally exposing another’s genitals or intimate body parts without their consent;
   vii. Engaging in voyeurism (e.g., watching private sexual activity without the consent of the participants or viewing another person’s intimate parts (including genitalia, breasts, or buttocks) in a place where that person would have a reasonable expectation of privacy); or
viii. Knowingly exposing another individual to a sexually transmitted disease/infection or HIV without their consent.

3. Type 3 Prohibited Conduct:
   a. Making False Statements
      i. It is a violation of this Policy to report intentionally dishonest or malicious allegations of Prohibited Conduct. If a complaint is brought in bad faith as demonstrated by a preponderance of the evidence, disciplinary action may be taken against the person making the complaint. In addition to violating this Policy, a person filing a bad faith report of Prohibited Conduct may be in violation of other University policies or state law.
      ii. A determination regarding Responsibility, alone, is not sufficient to conclude that any party made a false statement in bad faith.

   b. Failure to Comply
      i. Failure to comply means a failure to comply with directions of University officials, who include, but are not limited to, any employee of the Office of Title IX Office or any other member of the Title IX team.
      ii. For purposes of this Policy, failure to comply includes a failure to comply with a No Contact Order or other directive issued by the Title IX Office or Title IX team in response to a report of alleged Prohibited Conduct where the individual’s failure to comply directly impacts the other party or parties to the No Contact Order. Failure to comply also includes disseminating documents received in the Grievance Process for an unauthorized purpose.

   c. For students and student organizations, charges resulting from this category Prohibited Conduct will be charged as a violation Section 20 of the Code of Student Conduct - Abuse of Conduct Process.

   d. For staff, charges resulting from this category of Prohibited Conduct will be charged through Human Resources and will constitute Conduct Warranting Disciplinary Action pursuant to the Staff Handbook.

   e. For Faculty, charges resulting from this category of Prohibited Conduct will be charged through Human Resources pursuant to the Faculty Handbook.

4. Consent
   a. Consent is clear permission to engage in sexual activity, given knowingly and voluntarily, by words or action.
      i. While consent may be expressed by words or by actions, it is highly recommended that consent be expressed and obtained verbally. Non-verbal consent expressed through actions may lead to confusion and potential for misunderstandings.
      ii. If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication prior to engaging in the activity is highly recommended.
iii. For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain their consent to being kissed back.

iv. A lack of resistance does not grant consent.

v. Previous consent does not grant consent to future sexual acts.

vi. Consent to some sexual acts cannot be presumed to be consent for other sexual acts.

vii. A current or previous intimate relationship is not sufficient to constitute consent.

b. Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease within a reasonable time.

c. It is the responsibility of the initiator of any sexual activity to obtain their potential partner's consent; however, proof of consent or non-consent is not a burden placed on either party involved in an incident. The University must determine whether a policy has been violated based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances.

d. Consent to a sexual act is not freely given if the consent is obtained by force or coercion.14

i. Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent.

   Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

ii. “Coercion” is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on multiple factors, including the type or extent of pressure used. If a person makes clear that they do not want to engage in certain sexual activities or that they want to stop, continued pressure beyond that point may constitute coercion.

e. Incapacitation: A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. Therefore, in situations when the Respondent knew or should have known that the Complainant is physically or mentally incapacitated, any “consent” obtained is invalid. “Should have known” is an

14 Consent in relationships must also be considered in context. When parties consent to BDSM or other forms of kink, non-consent may be shown by the use of a safe word. Resistance, force, violence, or even saying “no” may be part of the kink and thus consensual, so any evaluation of communication in kink situations will be guided by reasonableness, rather than strict adherence to policy that assumes non-kink relationships as a default.
objective, reasonable person standard that assumes that a reasonable person is both sober and exercising sound judgment. Incapacitation is based on the totality of the circumstances and all relevant indicator’s of an individual’s state of mind. Situations wherein an individual is deemed to have an inability to give consent in situations where the individual is include:

i. Incapacitated due to alcohol, drugs, or other substances including, but not limited to, prescription medications;
   A. Determining consent when alcohol or other drugs are involved: In incidents involving alcohol, drugs, or other substances, the totality of the circumstances is analyzed to determine whether the use of alcohol, drugs, or other substances caused an inability make rational, reasonable decisions about sex activity. Whether a Respondent knew or reasonably should have known of the Complainant’s inability to give knowing consent is an element of the policy violation. An individual’s use of alcohol or drugs does not diminish that individual’s responsibility to obtain consent if that individual is the one who initiates sexual activity. Incapacitation differs from drunkenness or intoxication. Incapacitation is a state where an individual cannot make a rational, reasonable decision because they lack the capacity to make informed judgments about the situation.

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

ii. Unconscious, asleep, or in a state of shock.

iii. Under the age of consent as defined by the jurisdiction in which the act occurred, which, in Alabama, is less than 16 years of age.

iv. Mentally or physically incapacitated and not reasonably able to give consent.
5. Collateral Conduct
   a. In the event that an allegation of an additional University policy violation, such as a
   violation of the Code of Student Conduct, arises out of the same facts or circumstances
   of a violation under this Policy, all related offenses may be addressed under this Policy as
   collateral behavior at the discretion of the Title IX Coordinator.

VII. JURISDICTION

1. For Type 1 Prohibited Conduct, the University has jurisdiction under 34 CFR Part
   106 and this Policy when the conduct occurs:
   a. In the United States, and
   b. As part of a University’s education program or activity, including
      i. On-campus locations,
      ii. Off-campus locations that are owned or controlled by a University
          Registered Student Organization, or
      iii. Off-campus locations, events, or circumstances over which the University
          exercised substantial control over both the Respondent and the context in
          which the sexual harassment occurs

2. Jurisdiction, generally
   a. Notwithstanding the considerations under subsection (1), the University retains
      jurisdiction to address all categories of prohibited conduct under this Policy when:
      i. The Respondent is a University student, staff-member, or faculty-
         member;
      ii. The conduct occurs on-campus or at a University-sponsored event; or
      iii. The conduct directly relates to a University investigation under this or a
          related University Policy.

   b. Online Harassment and Misconduct: This Policy is written and interpreted
      broadly to include online and cyber manifestations of any of the behaviors
      prohibited below, when those behaviors occur in or have an effect on the
      University’s education program and activities or use University Networks,
      technology, or equipment. While the University may not control websites,
      social media, and other venues in which harassing communications are
      made, when such communications are reported to the Title IX Coordinator,
      the University will engage in a variety of means to address and mitigate the
      effects.

      Members of the community are encouraged to be good digital citizens and to refrain
      from online misconduct, such as feeding anonymous gossip sites, sharing
      inappropriate content via Snapchat or other social media, unwelcome sexting,
      revenge porn, breaches of privacy, or otherwise using the ease of transmission and/or
      anonymity of the Internet or other technology to harm another member of the
      University community.
Any online postings or other electronic communication by students, including cyber-bullying, cyber-stalking, cyber-harassment, etc., occurring completely outside of the University’s control (e.g., not on University networks, websites, or between University email accounts) will only be subject to this policy when such online conduct can be shown to cause a substantial in-program disruption. Otherwise, such communications are considered speech protected by the First Amendment. Supportive measures for Complainants will be provided, but protected speech cannot legally be subjected to discipline. Off-campus harassing speech by employees, whether online or in person, may be regulated by the University only when such speech is made in an employee’s official or work-related capacity.

3. With regard to allegations of Prohibited Conduct as outlined herein, this Policy will supersede all other policies and procedures. Where there is a delayed report of Prohibited Conduct, the Policy in effect on the date of the alleged incident will be applied with regard to what is considered Prohibited Conduct the procedures in effect on the date of the report will be applied with regard to the applicable procedures. If an investigation involves multiple reports of Prohibited Conduct where it would be appropriate to consider all reports with regard to a totality of the circumstances analysis, the Policy in effect as of the date of the most recent alleged Prohibited Conduct will be applied unless the previous conduct would not have constituted a policy violation.

VIII. BURDEN OF PROOF/STANDARD OF EVIDENCE

1. Burden of proof, including the burden of production, rests on the University. This means that the University is obligated to prove any and all allegations of Prohibited Conduct brought forth under this Policy and obligated to come forward with sufficient evidence to support any determination made. However, nothing in this policy should be interpreted to place any restrictions on the ability of any party to gather and present relevant evidence.

2. All cases pursuant to this Policy will be determined based on the preponderance of the evidence standard (i.e. whether it is more likely than not that the Respondent committed each alleged violation).

3. Unless ultimately proven otherwise pursuant to the standards and processes of this Policy and any related grievance process, individuals accused of Prohibited Conduct are presumed to be not responsible for any alleged violation.

IX. SUPPORTIVE MEASURES

1. Supportive measures are non-disciplinary, non-punitive, and individualized services offered as appropriate, as reasonably available, without fee or charge to the parties before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the University’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University’s educational environment, or deter sexual harassment.

2. The University will institute supportive measures to the parties upon receiving a formal complaint or to a Complainant once a report is brought forth to the Title IX Coordinator.
At the time that supportive measures are offered, the Title IX Coordinator will inform the Complainant, in writing, that they may file a formal complaint with the University either at that time or in the future, if they have not done so already.

3. If a supportive and remedial response is preferred, the Title IX Coordinator works with the Complainant to identify their wishes and then seeks to facilitate implementation. The grievance process is not initiated, though the Complainant can elect to initiate it later, if desired.

4. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

5. Supportive measures will be provided confidentiality, to the extent they can be, without interfering with the University’s ability to provide the supportive measures, and will always be provided in a way that is as private as possible.

6. Support measures will be implemented under this Policy pursuant to procedures developed by the Title IX Coordinator.

X. EMERGENCY REMOVAL

1. After a complaint has been received, the Title IX Coordinator may remove a Respondent from University education programs and/or activities on an emergency basis, if an individualized safety and risk analysis determines:
   a. An immediate threat
   b. To the physical health OR safety of
   c. Any student or other individual
   d. And that the threat arises from the allegations under this Policy

2. If, after an individualized safety and risk analysis, an Emergency Removal occurs, the Respondent will be provided with notice and an opportunity to challenge the decision immediately following the removal.

3. Procedures for conducting the individualized safety and risk analysis will be determined by the Title IX Coordinator, in coordination with appropriate University offices.

4. Procedures for conducting the opportunity to challenge the decision will be determined by the Title IX Coordinator.

5. Non-student employee Respondents may be placed on Administrative Leave during the pendency of any investigation under existing University policies and procedures regardless of the outcome of any individualized safety and risk analysis.

XI. GRIEVANCE PROCESS

1. Grievance Process, generally
   a. The formal grievance process and accompanying procedures are used after the signing of a Formal Complaint. The formal grievance process continues until there is a final resolution under the grievance process, the Formal Complaint is dismissed, or an informal resolution is agreed to, adopted, and completed.
   b. All meetings, discussions, and or/hearings that occur as part of the Grievance Process are closed to the general public.
c. All parties will have the same opportunity to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney.

d. The University sets out to resolve all Formal Complaints, including appeals and the completion of any Informal Resolutions, in a reasonably prompt manner. In most instances, this is accomplished within 90 days from the time the Formal Complaint has been filed.

e. Delays for good cause are allowed under this Policy pursuant to procedures developed by the Title IX Coordinator so long as:
   i. Any extension for good cause is a limited extension (i.e. not indefinite) and
   ii. Written notice is provided to all parties for the reason for delay.

2. Filing of a Formal Complaint

a. Upon receipt of a report of sexual harassment or sexual misconduct under this Policy, the Title IX Coordinator will promptly contact the Complainant to discuss the availability of supportive measures, with or without the filing of a Formal Complaint. The Title IX Coordinator will also explain to the Complainant the process for filing a Formal Complaint. If a Formal Complaint is not filed at this time, it may be filed at a later time. There is no time limit for filing a Formal Complaint.

b. A Formal Complaint may only be filed by the Complainant or the Title IX Coordinator, on behalf of the Complainant. The Title IX Coordinator may file a Formal Complaint on behalf of the Complainant if the Title IX Coordinator makes a determination that a Formal Complaint should be filed pursuant to the procedures developed under this Policy by the Title IX Coordinator.

c. If a Formal Complaint is pursued, the investigation and grievance process will determine whether or not any Policy has been violated. If so, the University will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to harassment or discrimination, their potential recurrence, or their effects.

3. Dismissal/Consolidation of a Formal Complaint:

a. In the case of an allegation of Type 1 Prohibited Conduct, the Title IX Coordinator will dismiss the formal complaint if:
   i. The Complainant was not participating or attempting to participate in the University’s education program or activities at the time the Complaint was filed, or
   ii. A determination is made that the conduct, even if proved:

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15 In the case where a parent or guardian has a legal right to act on behalf of any party, or other individual, this Policy does not limit their ability to do so. This would include the ability to file a formal complaint.
16 If the Title IX Coordinator signs a Formal Complaint, this does not make the University or the Title IX Coordinator a party in the Grievance Process. The Complainant would still be offered supportive measures and the opportunity to participate in all aspects of the Grievance Process, including the hearing.
A. Would not satisfy the definitions under Type 1; or
B. Did not occur in the University’s education program or activity; or
C. Did not occur in the United States.

iii. If the Title IX Coordinator must dismiss the formal complaint with regard to the Type 1 Prohibited Conduct, the allegation may be pursued elsewhere under any applicable section of this or any other University Policy.

b. The Title IX Coordinator will consider dismissing the formal complaint if:
   i. The Complainant notifies the Title IX Coordinator, in writing, that they would like to withdraw the Formal Complaint; and/or
   ii. The Respondent is no longer enrolled or employed by the University; and/or
   iii. The University is unable to gather evidence sufficient to reach a determination as to the formal complaint and the allegations therein.

c. For prohibited conduct that falls outside of Type 1, permissive dismissals are permitted under the Policy for any of the above reasons and pursuant to any additional procedures developed by the Title IX Coordinator.

d. Any dismissal must be accompanied by prompt written notice to all parties indicating the dismissal and the reasons why.

e. Following a dismissal, all parties will have the option to appeal based on any of the following grounds:
   i. Procedural irregularity that affected the outcome of the matter;
   ii. New evidence that was not reasonably available at the time the dismissal was made, that could affect the outcome of the matter; OR
   iii. The Title IX Coordinator, investigator(s), or decision-maker(s), had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

iv. Any other appeals rights may be permitted under this Policy pursuant to procedures developed by the Title IX Coordinator so long as:
   A. All parties are notified in writing when an appeal is filed and given a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
   B. Appeal procedures are implemented equally for all parties,
   C. Appellate decision-makers will not be the same person or person(s) as the decision-maker that reached the determination for responsibility
   D. Appellate decision-makers will issue a written determination, provided simultaneously to the parties, describing the result of the appeal and the rationale for the result
   E. The same person will not hear both an appeal of a dismissal and an appeal of a hearing result.

f. If all or a portion of a formal complaint is dismissed as described above, any remaining allegations under this Policy will continue using an appropriate
grievance process set out under this Policy. Likewise, a claim may be dismissed under this policy and referred to or reinstated by another University department for investigation.

g. Consolidation of complaints may be permitted, at the discretion of the Title IX Coordinator, under the following circumstances:
   i. When there are allegations by one Complainant against more than one Respondent;
   ii. When there are multiple complaints against the same Respondent;
   iii. When there are allegations against each party brought by the other party; or
   iv. When the allegations otherwise arise out of the same facts or circumstances.

4. Investigation
   a. After the receipt of a formal complaint, a Notice of Investigation and Allegations (NOIA) will be sent to the parties. Notice will include:
      i. Sufficient details known at the time, including:
         A. Identities of the parties involved in the incident,
         B. The conduct allegedly constituting Prohibited Conduct, and
         C. The date and location of the alleged incident.
      ii. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
      iii. Inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, as described under this Policy.
      iv. Inform the parties that they may inspect and review evidence as described under this Policy.
      v. Inform the parties of prohibitions, under this Policy or any other, against knowingly making false statements or knowingly submitting false information during the grievance process.
      vi. Provide notice of any additional allegations added after the initial Notice.
      vii. Include time to prepare a response before any initial interview.
   b. The Title IX Coordinator will assign one or more Investigators to meet with the parties and witnesses, gather evidence, and otherwise conduct the Investigation.
   c. Evidentiary Review
      i. Once the investigator(s) has made reasonable attempts to obtain all relevant inculpatory and exculpatory evidence, the Investigator will sort information into three types of groups: relevant, irrelevant but directly related, and neither relevant nor directly related.
         A. Relevant information is that which either could prove or disprove an issue in the complaint. Relevant information is the information that the Investigator will use to draft the Investigative Report.
         B. Irrelevant information may be directly related when it is connected to the complaint, but is neither inculpatory (tending to prove a violation) nor exculpatory (tending to disprove a violation) and as
such, it will not be relied upon in creating the Investigation Report; however, parties will have the opportunity to review this category of evidence.

C. Evidence that is neither relevant nor directly related is not shared with any party.
   
   ii. After the Investigator(s) have sorted the evidence and begun working on the Investigative Report, the parties will be given a reasonable opportunity to review and respond, in writing, to all directly related evidence obtained.

   iii. Each party will have a minimum of 10 days to review the evidence.

   iv. Each party, along with their advisor(s), will have the opportunity to review and respond to all directly related evidence collected pursuant to procedures developed under this Policy by the Title IX Coordinator.

   d. After all parties have had a minimum of 10 days to review all evidence collected, the Investigator(s) will prepare the Investigative Report.

   i. The Investigative Report will include all relevant evidence collected during the investigative stage.

   ii. The Investigative Report will include other information, as deemed necessary by the Investigator(s), pursuant to procedures developed under this Policy by the Title IX Coordinator.

   iii. Each party, and their advisor, will receive a copy of the Investigative Report and have the opportunity to review and respond to the Report.

5. The investigation will be followed by a live-hearing.17
   
   a. The live-hearing will be conducted no sooner than 10 days after each party, and their advisor, received a copy of the Investigative Report.

   b. The hearing will be recorded. A recording and/or a transcript of any live hearing will be made available to the parties for inspection and review.

   c. The hearing may be overseen by a non-voting Hearing Administrator.18

   d. The hearing will consist of three individuals who serve as “decision-makers.”

   i. The Title IX Coordinator is prohibited from serving as a decision-maker.

   ii. Any Title IX Investigators who investigated a case are prohibited from serving as decision-makers.

   iii. Individuals who have served as an Advisor to any party in the case are prohibited from serving as decision-makers.

   e. In situations where questioning is required or permitted, all questioning must be conducted by the party’s advisor.

   f. The decision-makers, after making a determination of responsibility, will issue a Finding, simultaneously, to all parties. It must include

   i. The allegations;

   ii. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the

   17 As required under 34 C.F.R. Part 106

   18 At times, if no other conflict occurs, the Title IX Coordinator may serve in this role.
parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;

iii. Findings of fact supporting the determination;

iv. A statement of, and rationale for, the result as to each allegation including:
   A. Any disciplinary sanctions the University imposes on the respondent, and
   B. Whether remedies designed to restore or preserve equal access to the University’s education program or activity will be provided by the Office of Title IX to the Complainant

g. Procedures will be developed pursuant to this Policy by the Title IX Coordinator

6. Appeals

a. All parties will be entitled to appeal based on the following grounds:
   i. Procedural irregularity that affected the outcome of the matter;
   ii. New evidence that was not reasonably available at the time of the determination regarding responsibility, that could affect the outcome of the matter; and/or
   iii. The Title IX Coordinator, investigator(s), or decision-maker(s), had a conflict of interest or bias for or against complainant or respondents generally or the individual complainant or respondent that affected the outcome of the matter

b. In faculty cases, after a sanction including the revocation of tenure is issued, each party will have an automatic opportunity to appeal the sanction to the University provost, or designee.

c. All appeals require that:
   i. All parties are notified in writing when an appeal is filed and given a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
   ii. Appeal procedures are implemented equally for all parties,
   iii. Appellate decision-makers will not be the same person or person(s) as the decision-maker that reached the determination for responsibility
   iv. Appellate decision-makers will issue a written determination, provided simultaneously to the parties, describing the result of the appeal and the rationale for the result

7. Informal Resolutions

a. For Type 1 Prohibited Conduct:
   i. The University will not offer an Informal Resolution process unless a Formal Complaint is filed.
   ii. In instances where a Formal Complaint has been filed and the Respondent is an employee and one or more Complainants are students, Informal Resolutions will not be offered.

b. For Type 2 Prohibited Conduct:
   i. Informal Resolutions may be offered at any time after a report of Prohibited Conduct is received by the Title IX Coordinator.
c. Informal Resolutions and Alternative Resolutions require the agreement of all parties and the Title IX Coordinator.

d. The University will not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this section.

e. Informal Resolutions are otherwise permitted under the Policy pursuant to procedures developed by the Title IX Coordinator.

8. Sanctions and Remedies

a. Following any determination of Responsibility under this Policy, the University may implement Sanctions and/or Remedies.

b. After a determination is made by the decision-maker(s) that a Respondent is responsible for a policy violation, the decision-maker(s) may review additional information for the limited purpose of determining sanctions, including, but not limited to:

   i. Written impact statements prepared and provided, in advance, from any parties;

   ii. Circumstances surrounding or contributing to the incident, including the inherent severity of the incident, whether the behavior intentional, or premeditated and whether there was physical violence or a weapon involved;

   iii. Factors specific to the Respondent, such as a history of misconduct, evidence of a pattern of behavior, and/or multiple violations within the same occurrence; and

   A. In the case of a faculty Respondent, after determining that a responsible finding is forthcoming, the decision-maker(s) will make a recommendation on sanctions to the Vice Provost. The Vice Provost will consult with the Dean of the faculty member’s college and review any relevant employee files in determining whether to agree with or deviate from the decision-maker(s) sanction. The Vice Provost will return their determination regarding sanctions, and a rationale for such sanctions and any deviation from the decision-maker(s) recommendation, to the decision-maker(s) in no more than 10 days.

   iv. Whether any additional mitigating, aggravating, or compounding factors are at play.

c. Sanctions may be implemented pursuant to the specifications laid out in the accompanying procedures to this Policy. Those procedures will also include a non-exhaustive list of sanctions pursuant to the following ranges:

   i. A staff member found responsible for violation of this Policy is subject to sanctions up to and including termination from the University.

   ii. A faculty member found responsible for violation of this Policy is subject to sanctions up to and including the revocation of tenure and/or termination from the University.
iii. A student found responsible for violation of this Policy is subject to sanctions up to and including expulsion from the University.
iv. A student organization found responsible for violation of this Policy is subject to sanctions including deactivation, de-recognition, and loss of all privileges for a specified or indefinite amount of time.
d. Remedies are designed to restore or preserve a Complainant’s equal educational access if a Respondent is found responsible for Prohibited Conduct under this Policy. The Title IX Coordinator is responsible for effectively implementing remedies. Upon finding a Respondent in violation of this Policy, remedies will be provided to the Complainant pursuant to the specifications laid out in the accompanying procedures to this Policy.

Remedies may include:
i. Permanent one-sided No-Contact Orders, preference in class registration; preference in student-group, club, or athletics participation;
ii. Counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.
iii. The continuation or implementation of any service the Complainant could have been eligible for or was receiving as Supportive Measures.
iv. Other remedies determined by the Title IX Coordinator.

XII. ADVISORS
1. Each party is required to have an Advisor present during the live hearing. It will be the responsibility of the Advisor to conduct questioning for the party at the live hearing. All questioning is subject to procedures developed by the Title IX Coordinator.
2. The University will provide an Advisor to any party who does not otherwise have an Advisor present for any reason at the time of the live hearing. This Advisor will be provided under this Policy pursuant to procedures developed by the Title IX Coordinator.
3. Aside from the live hearing, a party is permitted, but not required, to use an Advisor under this Policy pursuant to procedures developed by the Title IX Coordinator.
4. Any Advisor under this Policy may be, but is not required to be, an attorney.

XIII. TRAINING AND RECORDS
1. Members of the Title IX Team will be trained on an annual basis.
a. The University will provide training under this policy pursuant to procedures developed by the Title IX Coordinator to the following individuals:
i. Title IX Coordinator(s), including Deputy Title IX Coordinators
ii. Title IX Investigators
iii. Decision-Makers
iv. Appeals Officers
v. Facilitators of Informal Resolutions
vi. University-provided Advisors

b. The University will provide training to the above-listed individuals under this policy pursuant to procedures developed by the Title IX Coordinator on the following topics:
   i. The definition of Sexual Harassment under 34 CFR 106.30;
   ii. The scope of the University’s education program and activity;
   iii. Conducting an investigation;
   iv. The Grievance Process, including hearings, appeals, and informal resolution processes; and
   v. Impartiality, including avoiding prejudgment, conflicts of interest, and bias.
   vi. The University will provide additional training to Investigators on the following topics:
      i. Relevancy; and
      ii. How to create an investigative report.
   vii. The University will provide additional training to decision-makers on the following topics:
      i. Technology that may be used at a live hearing; and
      ii. Relevancy, including questions about the Complainant’s sexual predisposition or prior sexual behavior.
   viii. The University will provide additional training to the Title IX Team on other topics as determined by the Title IX Coordinator.

c. The University will not provide any training that “relies” on sex stereotypes in training Title IX personnel on how to serve in those roles impartially and without prejudgment, so that decisions are made on the basis of the individualized facts at issue and not on stereotypical notions of what “men” or “women” do or do not do.

2. Publication of Training
   a. The University will make current materials used to train the Title IX Coordinator, investigators, decision-makers, appeals officers, and facilitators of informal resolutions publicly available on the University’s website.
   b. The training will be published under this Policy pursuant to procedures developed by the Title IX Coordinator.

3. Records Retention
   a. The University will maintain all records under this Policy for a minimum of 7 years.
   b. The types of records that will be retained include:
      i. Documents related to any investigation under this Policy, including any recordings and/or transcripts of any hearing conducted;
      ii. Documents related to any appeal or results from an appeal;
      iii. Documents related to any informal resolution or results from an informal resolution;
      iv. Documents related to training as discussed elsewhere in this Policy;
      v. Documents related to any supportive measure taken;
vi. Documents related to the University’s rationale for not implementing supportive measures;

vii. Any other types of documentation in compliance with procedures developed by the Title IX Coordinator

c. Notwithstanding other provisions under this Section, the University will maintain and dispose of all records in accordance with the Public Universities of Alabama General Records Disposition Authority.

d. The records will be retained under this Policy pursuant to procedures developed by the Title IX Coordinator.

XIV. PREVENTION AND AWARENESS

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

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

- Widely disseminate this Policy to the University community through email communications, publications, websites, training programs, and other appropriate channels of communication.
- Identify conduct that is considered a violation of this Policy by defining Prohibited Conduct.
- Create multiple reporting options and inform students, employees, and community members of those options to encourage reporting.
- Educate students, employees, and community members about University disciplinary procedures.
- Inform students, employees, and community members of available University resources.
- Provide safe and positive options for bystander intervention.
- Provide information regarding risk reduction, general safety recommendations, and the warning signs of abusive behaviors.
- Provide information about healthy relationships and encounters.

For specific information about prevention, education, or awareness programs offered by the University, contact the Title IX Coordinator.

XV. APPLICABILITY

1. In cases of allegations under this Policy, the protections of the First Amendment must be considered if issues of speech or artistic expression are involved. Free speech rights apply in the classroom and in all other educational programs and activities of public institutions, and First Amendment rights apply to the speech of students and employees. Great care must be taken not to inhibit open discussion, academic debate, and
expression of personal opinion, particularly in the classroom. Nonetheless, speech or conduct of a harassing or hostile nature that occurs in the context of educational instruction may exceed the protections of academic freedom and constitute prohibited harassment if it meets the definition of sexual harassment.

2. Nothing in this Policy and related procedures should be interpreted to restrict any rights guaranteed under existing law, including the First Amendment, Due Process Clause of the Fifth and Fourteenth Amendments, or the Fourth Amendment of the United States Constitution.

3. Nothing in this Policy and related procedures should be interpreted to restrict or limit any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

XVI. CONFLICTS OF INTERESTS

The Title IX Coordinator acts with independence and authority free of conflicts of interest. To raise any concern involving a conflict of interest by the Title IX Coordinator, contact the University President in 110 Bibb Graves Hall, (256) 765-4211. The members of the Title IX Team are vetted and trained to ensure they are not biased for or against any party in a specific case, or for or against Complainants and/or Respondents, generally. To raise concerns regarding a potential conflict of interest with any other individual involved in the procedures set forth under this Policy, please contact the Title IX Coordinator.

Matters related to this Policy should be addressed by people free of any actual or reasonably perceived conflicts of interest. Any person exercising investigative or decision-making authority under this Policy who believes they may have a conflict of interest or bias that would prevent them from impartially exercising their authority will disclose the potential conflict/bias to the Title IX Coordinator (or designee) as soon as practicable after it is discovered. Arrangements will then be made to designate a conflict/bias-free alternative investigator or decision-maker in the case at issue.

Furthermore, if a party believes a person exercising investigative or decision-making authority under this Policy has a conflict of interest or bias relating to a party that would prevent the person from exercising their authority impartially, the party may make a prompt objection to the Title IX Coordinator (or designee) within five (5) days of becoming aware of the potential conflict. The Title IX Coordinator shall conduct an inquiry into any such potential conflict, and in the case of an actual conflict, Arrangements will then be made to designate a conflict/bias-free alternative investigator or decision-maker in the case at issue.

XVII. INQUIRIES ABOUT THE POLICY

1. Inquiries about and reports regarding this policy and procedure may be made internally to:
   Kayleigh Baker, Title IX Coordinator and Compliance Administrator 202
   Guillot University Center
   UNA Box 5023
   Florence, AL 35632
   (256) 765-4223
Inquiries may be made externally to:

a. Office for Civil Rights (OCR)
   U.S. Department of Education 400
   Maryland Avenue, SW Washington, DC
   20202-1100
   Customer Service Hotline #: (800) 421-3481
   Fax: (202) 453-6012
   TDD#: (877) 521-2172
   Email: OCR@ed.gov
   Web: http://www.ed.gov/ocr

b. Atlanta Office
   Office for Civil Rights
   U.S. Department of Education 61 Forsyth
   St. S.W., Suite 19T10 Atlanta, GA 30303-8927
   Telephone: 404-974-9406
   Fax: 404-974-9471; TDD: 800-877-8339
   Email: OCR.Atlanta@ed.gov

c. Equal Employment Opportunity Commission (EEOC)
   Contact: http://www.eeoc.gov/contact/
   Birmingham Office
   Equal Employment Opportunity Commission (EEOC) Ridge
   Park Place
   1130 22nd Street South, Suite 2000
   Birmingham, AL 35205
   (800) 669-4000

XVIII. REVISION

1. These policies and all accompanying procedures will be reviewed annually by the
   Title IX Coordinator. The University reserves the right to make changes to this
   document as necessary and once those changes are posted online, they are in
   effect. If government regulations change in a way that impacts this document, this
   document will be construed to comply with government regulations in their most
   recent form.

2. Any technical changes, including locations, confidential resources, contact
   information, and other related changes may be made by the Title IX Coordinator in
   consultation with the University General Counsel without going through Shared
   Governance. Any additional changes required by law may be approved by the
   University General Counsel and updated with the appropriate date of effect
   identified without going through Shared Governance. Shared Governance
   Executive Committee and the University Executive Council will be notified of those
   changes.

3. This document does not create legally enforceable protections or confer rights
   beyond the protection and rights of the background state and federal laws which
   frame such codes generally.