

THE UNIVERSITY OF WEST ALABAMA POLICE DEPARTMENT

Annual Campus Security & Fire Safety Report

2023 - 2024



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Message from the Chief.....



Dear Students, Faculty, Staff, and Guests:

The University of West Alabama Police Department (UWA PD) prioritizes the safety of our faculty, staff, students and guests above all else. We are dedicated to supporting the university's academic mission through crime prevention, education, training, and law enforcement. Our commitment is to provide high quality police and security services while partnering with the campus community to ensure a safe living and learning environment.

Each year, UWA PD publishes the Annual Campus Security and Fire Safety Report. This report complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). This report includes statistics for the previous three years on reported crimes that occurred on campus, in certain off-campus buildings, and on property owned, leased or controlled by UWA. This report also includes institutional policies concerning campus security, such as policies and procedures regarding sexual assault, alcohol and other drugs. Our goal is to keep the UWA community informed about safety issues that affect our campus

Your safety and well-being are our top priorities and UWA PD takes pride in maintaining a safe and secure environment. However, even the best public safety systems rely on your cooperation and commitment to personal and community safety. We encourage you to protect yourself and your property by reporting suspicious activities or crimes you observe. Together, we can foster a safe campus where everyone can thrive. Contact UWA PD whenever you need assistance or more information about the services we provide.

For a printed copy of this report, please contact the UWA PD at UWA Station 50, Livingston, Alabama 35470; or via email at universitypolice@uwa.edu.

Thank you for your support and for taking the time to read this report.

Respectfully,

Josette White

Chief of Police



INTRODUCTION:

The University of West Alabama 2023-2024 Annual Campus Security and Fire Safety Report is published in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The crime statistics published in this report illustrates:

- 1) The reporting of crime categories as specified below,
- 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 below.

Each of these statistical categories are further broken down by geographical area: **On-Campus** (includes **On-Campus Housing** facilities), **Non-Campus** property; and **Public Property** (includes property within campus or immediately adjacent to it). See Crime Statistics for more information.

To file a report with the
UWA Police
Department, or for
other assistance call
205-652-3602 or 205-
652-5555 or 5555

In accordance with the federal regulations of the Campus Security Act, the University of West Alabama publishes *both* crime statistics for the three most recent calendar years *and* UWA 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 via UWA's website. It is also made available to students and parents during orientation through Admissions Office. UWA Public Relations emails the Annual Security Report to faculty, staff and students no later than October 1st of each year. UWA PD's Campus

Safety Report informs prospective and current students, faculty, and staff of the general procedures for reporting crimes both on and off-campus and includes tips on preventing theft of property and crimes of violence, including physical and sexual assaults.

UWA PD makes annual requests to the City of Livingston Police Department and Sumter County Sheriff's Department for crime statistics taken from the **public areas** within the campus or immediately adjacent to campus to be included in the Annual Campus Security and Fire Safety Report. The Annual Campus Security Report includes crime statistics for the following *categories of crimes*, as reported to UWA PD, other UWA 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, illegal weapon possession violations, hate crimes and violence against women including domestic violence, dating violence, and stalking).

UWA PD Authority and Jurisdiction:

The primary jurisdiction of the UWA PD is the University of West Alabama campus and University-owned property. Enforcement jurisdiction includes Sumter County and the police jurisdiction of the City of Livingston. UWA PD will enforce the Ordinances of the City of Livingston and the laws of the State of Alabama

and carry out all duties and responsibilities attributed to UWA PD by the Chief of Police. Officers are authorized by charter to assist law enforcement agencies outside the jurisdiction in mutual aid situations or to protect lives and property connected to UWA. Officers have been granted statewide authority and may take enforcement action for crimes committed within their presence or for which there is probable cause to believe have been committed in their presence. Officers who are off duty and beyond the boundaries of Sumter County should only take enforcement actions to prevent harm or injuries to self or others. On-duty officers may take reasonable enforcement action beyond the boundaries of Sumter County while acting in an official capacity. Minor offenses should be reported and handled by local jurisdictions.

UWA PD will enforce the rules and regulations of the University, the ordinances of the City of Livingston, and the laws of the State of Alabama, on all streets, and state highways, within University property and the jurisdiction of the City of Livingston. UWA PD works closely with all federal, state, and local agencies. Although University officers may assist other law enforcement agencies, the primary jurisdiction for students and student organizations off-campus in Livingston belongs to the Livingston Police Department. Although the Livingston Police Department has primary jurisdiction, UWA PD may respond to student-related incidents near campus. UWA PD have direct radio communications with Livingston Police and Fire and may assist in rapid response to any emergency situation.

UPD's Law Enforcement Authority and Arrest Powers

UWA PD offers comprehensive police and safety services to the campus community. The department is comprised of sworn law enforcement officers with full arrest powers and security personnel. At least one officer is on duty 24/7 and is certified by the State of Alabama. These officers possess the same powers, authority, and responsibilities as any police officer of the state while on property owned or operated by the University, as well as on public streets and property immediately adjacent to campus.

To enhance safety and security, UWA PD also employs security officers who help protect property and individuals through regular foot and vehicle patrol. These officers monitor parking lots, dormitories, and buildings for unauthorized persons and suspicious activities. However, security officers do not have arrest powers.

Reporting On-Campus Crimes and Other Emergencies:

To maximize safety on campus, UWA PD strongly encourages anyone with knowledge about any crime, suspicious activity, or unsafe conditions on campus to make an immediate report to UWA PD 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, come to UWA PD, which is located in the Craiger House. To make a report by phone, call UWA PD from any phone on campus at **5555 or 205-652-5555 or (205) 652-3602**. 911 calls are answered by Sumter County E911 and relayed to the UWA PD. Please be prepared to provide information describing the situation to police communications. In emergency situations, including fires and medical emergencies, you may call **5555 or 205-652-5555 or 205-652-3602 or 911**.



To report a *TIP* anonymously, call 205-652-3819.

For other emergencies including non-medical emergencies:

The University of West Alabama Health Service is operated through an agreement with University Medical Center, which is located at 711 North Washington St. Livingston, AL 35470.

The University Medical Center hours of operation are Monday through Friday from 8:30 a.m. – 5:00 p.m., closed for lunch 12 p.m. – 1:00 p.m. Students that wish to schedule an appointment should call 205-348-4055.

UWA Behavioral Health and Resources Support is available during business hours for those in need of referrals to mental health providers, counselors, and/or therapists and advocacy at (205) 652-3651. After hours, you may call West Alabama Mental Health at 1-800-239-2901.

Confidential Reporting

UWA PD encourages you to report all criminal activity even if you don't want to take legal action in order to help maintain accurate records and to assist in providing a safe on-campus environment for everyone. UWA PD is responsible for preparing the University's Annual Campus Security & Fire Safety Report and for compiling the crime statistics included in the report. Information reported may assist UWA PD in providing police response to an emergency situation.



UWA PD realizes that many people choose not to report a crime because of a reluctance to become involved. Therefore, UWA PD wants to protect the identity of those who wish to report crimes and remain anonymous, so the UWA PD Tip Hotline may be reached at **205-652-3819**. It is an automated line and, therefore, a secure way to confidentially report crimes.

UPD Response to a Crime Report

UWA PD Officers are trained to receive, document, and investigate all reported crimes. When you report a crime to UWA PD, an officer will meet with you to discuss the situation and may file a written incident report. This report will then be reviewed to determine the appropriate follow-up investigation, either by the initial reporting officer or by the Investigator.

Officers will work closely with individuals reporting a crime to gather information and evidence, identify potential witnesses, and conduct a thorough investigation aimed at identifying the responsible party. If the suspect is known and the victim wishes to press charges, the victim may be escorted to the Magistrate of the City of Livingston or the District Court of Sumter County to pursue criminal prosecution. If there is probable cause to arrest the suspect, a warrant may be issued.

UWA PD officers will serve the warrant, arresting the defendant. A court date will be set, and you may have to appear in court to provide testimony. Criminal suspects may be adjudicated through the Office of Student Life and/or the Criminal Justice System.

Reporting Off-Campus Crimes and Other Emergencies

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

| | |
|--------------------------------------------|----------------------|
| Livingston Police Department | (205)652-9525 |
| Sumter County Sheriff's Office | (205)652-7984 |
| Alabama Department of Public Safety | (205)553-5531 |

UWA PD officers can assist in notifying other law enforcement agencies in other locations as needed.

Student Organization Facilities:

The University of West Alabama operates no off-campus student organization facilities. All student organizations recognized by The University of West Alabama are headquartered on-campus and are therefore served by UWA PD. If you believe a crime has been committed within an on-campus student organization building, report the incident to the UWA PD, 205-652-5555.

Off-Campus Student Organizations

UWA PD does not provide law enforcement services to the off-campus residences of recognized student organizations. Law enforcement services, such as responding to calls for service at the location, are provided by the Livingston Police Department. UWA PD maintains a working relationship with the Livingston Police Department and other law enforcement agencies and will assist with notifications in the event law enforcement services are needed.

The University of West Alabama does not use local police to monitor criminal activity by students at non-campus locations of officially recognized student organizations.

Fringe Areas of Campus:

While the City of Livingston Police has primary jurisdiction and responsibility in all areas off-campus, UWA PD can and do respond to most incidents that occur in close proximity to campus. UWA PD have fringe patrol duties dedicated to providing additional law enforcement presence around the perimeter of campus. UWA PD regularly meet with and communicate with local law enforcement regarding the occurrence of crimes in the fringe areas. If you believe a crime has occurred in close proximity to campus, please report the crime to the City of Livingston Police Department at **205-652-9525**. If you are unsure of the police jurisdiction, contact UWA PD, and we will direct the call to the proper authorities.

Where to get up-to-date crime data:

Daily Crime Logs/Summary of Criminal Incidents

UWA PD compiles statistical information from the contents of the UWA PD daily crime log, which contains summaries of each day's crime reports made to UWA PD. The crime log summaries include each incident's location, type, date, time, case number, and disposition of the complaint. UWA PD crime logs are available for public viewing at the UWA PD during normal business hours, excluding Administrative Holidays. UWA PD is located at the Craiger House.

In addition to the daily crime log, UWA PD also maintains a log of all fires that occur in on-campus student housing facilities. The fire log includes the date a fire is reported, the nature of the fire, date and time occurred, and general location of the fire. Contents of the fire log are published in the Annual Campus and Fire Safety Report. Like the Daily Crime Log, the Fire Log is available for viewing during normal business hours, excluding Administrative Holidays.

Both the Daily Crime Report and the Fire Log are maintained in a hard copy and in electronic format and are housed at UWA PD located at the Craiger House.

Crime Alerts/UPD Advisories/UWA Alerts

The University of West Alabama has partnered with Rave Mobile Safety to provide UWA Alerts, a state-of-the-art emergency notification system. This system allows one to receive timely notification should an emergency situation affect the UWA area. One can receive alerts via email, text messaging, land-line and/or cell. This system is voluntary, although we strongly encourage everyone to sign up, so that you can be notified in case of emergency. Standard charges for incoming calls and text messages may apply (Please check with your provider if you have questions concerning those charges). This system allows you to receive an instant notification from Information Technology should an emergency occur on our campus.

During the first two weeks of each term, an email will be sent to your TigerNet email account with your login information.

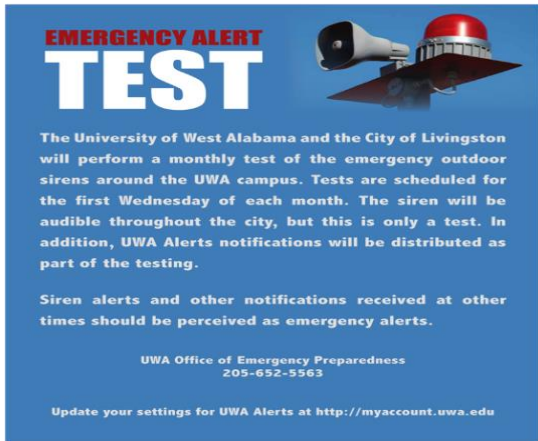
All employees as well as students are eligible to sign up for UWA Alerts to receive phone calls/text alerts. However, an email account is required to sign in to UWA Alerts. To log into the

UWA Alerts system, please visit <http://www.uwa.edu/uwaalerts>. To verify the URL, you can also go to UWA’s homepage, click Current Students, Faculty and Staff and then click UWA Alerts, located under the Emergency Preparedness section.



Test of Emergency Procedures

On the first Wednesday of each month, a test of the University of West Alabama emergency notification system (UWA Alerts) is conducted. The University of West Alabama and the City of Livingston will perform a monthly test of the emergency outdoor sirens around the UWA campus. Tests are scheduled for the first Wednesday of each month. The siren will be audible throughout the city, but this is only a test. In addition, UWA Alerts notifications will be distributed as part of the testing. Sirens, alerts and other notifications received at other times should be perceived as emergency alerts.” A text message stating “This is a test of the University of West Alabama emergency notification system. This is only a test” is also sent notifying the campus community of the test.



Timely Warning

The University of West Alabama “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 professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.”

If a serious or unique crime has occurred and the circumstances warrant (as in the case of a violent crime against a person or a major property crime), a special, **timely crime alert** is prepared and distributed. UWA Alerts are designed to give students and employees a timely notification of crimes and to heighten their safety awareness. Information Technology in

SAFETY TIPS for AFTER DARK

During normal business hours the public has open access to academic and administrative buildings, with the exception of locked areas. Students and staff who have access to administrative/academic buildings for after-hours work must secure 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 will return home. You may also request an officer escort. A police officer will escort you from one campus location to another.

conjunction with Public Relations will issue a UWA PD Advisory via UWA Alerts when a crime that represents an **imminent, ongoing threat to the campus community** is reported to any of the local law enforcement agencies or other crime reporting sources. In such situations, every attempt will be made to distribute a UWA PD Advisory when pertinent information is available regarding the incident reported; however, UWA PD decision to issue a timely warning shall be made on a case-by-case basis after consideration of the available facts, including factors such as the nature of the crime, the continuing danger or risk of the university community and the possible risk of compromising law enforcement efforts. UWA PD's cooperative working relationship with federal, state, and local law enforcement agencies facilitates communication about crimes reported to outside law enforcement agencies that, likewise, may warrant timely issuance of an Advisory.

Violence Against Women's Act Requirement: A Timely Warning shall be provided to students and employees in a manner that is timely, that withholds the names of the victims as confidential.

Additional Sources of Statistical Information/Voluntary, Confidential Reporting

Consistent with Department of Education federal regulations, UWA PD has developed, and periodically reviews, procedures to include on-campus crime statistics, reports of required crimes made to the following campus security authorities: the Office of the President, the Office of the Provost, the Office of the Vice President of Student Affairs, the Office of the Director of Student Life, Intercollegiate Athletics (including team coaches), and the Student Life Office (including residential hall directors).

We encourage anyone who witnesses or has been a victim of a crime to immediately report the incident by dialing 911 or for a non-emergency (205) 652-5555. Crimes can be reported on a voluntary, anonymous basis for inclusion in the Annual Campus Security and Fire Safety Report. UWA PD can file a report on the details of an incident without revealing your identity. The purpose of an anonymous report is to maintain anonymity, yet it allows UWA PD to take steps to ensure your future safety and that of others. With such information, the University can keep an accurate record of the number of incidents involving students, faculty, staff, and visitors and alert the campus community to potential danger if necessary. Reports filed on an anonymous basis are counted and disclosed in the annual crime statistics for the University.

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 West Alabama encourages its 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.

Submission of UWA Crime Statistics to Federal Agencies

UWA PD submits crime statistics online to the Department of Education annually. On a monthly basis, UWA PD submits crime statistics to the FBI Uniform Crime Report by submitting through the Alabama Criminal Justice Information Center.

Obtaining Information about Registered Sex Offenders

Information regarding the location of sex offenders in your area may be accessed at the following link:

Alabama Law Enforcement Agency— <https://www.alea.gov/node/270>

Safety and Access to Campus Facilities:

The UWA campus is made up of a variety of facilities, student residences, and academic and administrative buildings. Residence Halls are staffed by a Resident Hall Director and Resident Assistants. Most residence halls, and academic and administrative buildings are secured by a biometric locking system and have interior camera systems installed. Additional safety improvements are being phased in as resources become available.

Visit
<http://dps.alabama.gov/Community/>
For information about sex offenders-
right click, then click hyperlink

Residence Hall Access

For security reasons, the exterior doors at Stickney, Selden, and Gilbert Halls are locked 24 hours a day.

Stickney Hall residents must use their room key to gain entrance to the building. Selden and Gilbert Hall residents must use their UWA Student ID to gain entrance to their assigned building.

Exterior doors at Gilbert Hall have limited access. Gilbert Hall residents may enter Gilbert Hall through the East Entrance (the main door facing the parking lot) 24 hours a day, using their Student ID. Other exterior and interior entrances may only be used during the designated times below. Outside of these times, the doors will not open using a student ID and residents may not use the entrance. These times may change to meet security needs:

Visitors and Guests:

Guests must be escorted at all times by a resident of the building they are visiting and are only permitted during the following times:

| Gilbert Hall | Available For Use |
|--------------------------------------------|------------------------|
| <i>Sunday – Thursday</i> | 10:30 AM – 12 midnight |
| <i>Friday & Saturday</i> | 10:30 AM – 2:00 AM |
| Hoover, Patterson, Reed, Selden & Stickney | |
| <i>Daily</i> | 10:30 AM – 2:00 AM |

Academic & Administrative Buildings

During business hours and classroom instruction hours, academic buildings are open to the public. Administrative buildings are also open to the public during business hours. Most of the academic and administrative buildings have electronic card locking systems.

As another added security measure for residence halls, academic buildings, and administrative buildings, video surveillance cameras are utilized in and around such buildings. Cameras are not placed in locations that would have an expectation of privacy. Police and security officers also walk, check, and patrol residence halls, and academic and administrative buildings during each shift. Police and security personnel check buildings, parking lots and areas of campus for broken locks, lighting outages, hazardous situations, etc. and report it to the appropriate personnel for maintenance.

UWA PD's Working Relationships with State and Local Law Enforcement Agencies

UWA PD 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 UWA PD can be used to facilitate the resolution of an investigation. Local police agencies and UWA PD exchange information on a regular basis and work together during UWA sporting and other community events. These cooperative efforts enable UWA PD to work with, and for, UWA students and employees in situations that occur on and off-campus.

Memoranda Of Understanding – The University of West Alabama has an agreement with the following agencies for the investigation of alleged criminal incidents:

| | |
|-------------------------------------------------|--------------------------------------------|
| Livingston Police Department | Sumter County Sheriff's Department |
| York Police Department | Marengo County Sheriff's Department |
| Cuba Police Department | Demopolis Police Department |
| Eutaw Police Department | Greene County Sheriff's Department |
| 17th Judicial Drug Task Force | |

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 UWA PD 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 UWA PD 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 Safety & Fire Report.

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 UWA PD annually publishes the Campus Safety Report, 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.

EaTurning Point which is a Domestic Violence and Sexual Assault Service Agency provides the University with information and items for promotional campaigns for Sexual Assault Prevention Month in April. The University also partners with Tuscaloosa SAFE Center which is also a sexual assault crisis center that provides forensic exams, follow up care, medical advocacy, education/outreach, counseling and support group services.

Community Oriented Policing Program (COP):

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

Descriptions of Drug-Abuse and/or Substance Education Programs:

A full range of education and treatment programs are available to students and employees of The University of West Alabama. Programs fall generally into three categories.

1. Information/Education/Referral
2. Self-Help
3. Professional Treatment

Local Programs

- West Alabama Mental Health Center
1215 South Walnut Avenue
Demopolis, AL 36732
334-289-2410

Other Area Programs

- Alethia House (**Residential & Outpatient**)
201 Finely Avenue West
Birmingham, Alabama 35204
(205) 324-6502
- Bradford Health Services (**Outpatient**)
515 Energy Center Blvd.
Northport, AL 35473
205-750-0227
- Bradford Health Services (**Residential**)
1189 Allbritton Rd
Warrior, AL 35180
205-647-1945
800-333-1865
- Hill Crest Behavioral Health Services (**Residential**)
6869 5th Avenue South
Birmingham AL 35212
205-833-9000
- Weems Mental Health Services in Meridian (**Residential/Outpatient**)
145 College Drive
Meridian, Mississippi 39307
601-483-4821
- Alliance Health Center of Meridian (**Residential/Outpatient**)
5000 Hwy 39 North
Meridian, Mississippi 39301
(601)581-9901 or (866)936-5518

Drug-Free Campus & Workplace Policy Statement

The University of West Alabama is committed to providing a campus environment free of the abuse of alcohol and the illegal use of alcohol and other drugs.

In order to promote a safe and efficient educational as well as work environment, the Drug-Free Campus and Workplace Policy Statement has been adopted to supplement existing University policies, practices and procedures.

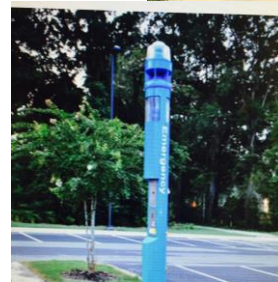
Implementation of this policy statement is subject to restrictions contained in all local, state, and federal laws. This policy statement is in compliance with the Drug-Free

EMERGENCY CODE BLUE PHONES

Code Blue phones are conveniently located on the UWA campus. They are a direct link to UWA PD and are monitored 24 hours a day. The Blue Light Call Boxes can be used to:

- Request help
- Report a crime
- Report suspicious activities
- Request an escort
- Report any other emergency you may encounter

If you need help, simply press the button on the call box. The call will be answered by a Police Dispatcher. Dispatchers send Officers to unanswered activated phones, so if you need assistance or change your mind, please wait for the officer. It is our goal to have more code blue phones throughout campus for your emergency needs as resources are available.



Workplace Act of 1988 and Drug-Free Schools and Communities Act Amendments of 1989.

Drug Abuse Policies

In accordance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989, The University of West Alabama has an official policy on maintaining a drug-free community and work place. The policy clearly states that the University of West Alabama will not tolerate the use of illegal drugs by members of the University community and establishes sanctions to be taken against students, faculty, or staff members involved with illegal drugs or with the abuse of legal medication or alcohol. The policy further requires the distribution to all members of the University community of a description of the sanctions under local, State, and federal law relating to the use and/or abuse of illicit drugs and alcohol and a list of available drug counseling, rehabilitation, and assistance programs in the area.

In addition, the policy requires that any full-time or part-time employee who is working under a federal grant must sign a statement certifying that he/she will, as a condition of employment under the grant, abide by the University policy statement on a drug-free environment and will notify the University of West Alabama of any criminal drug statute conviction, guilty plea, or nolo contendere plea for a violation occurring in the workplace. The University is required to take these actions in order to remain eligible for federal programs. All faculty and staff members are urged to familiarize themselves with the following policy statement and other relevant information relating to a drug-free community.

Documents Relating to a Drug-Free Environment Policy Statement on Maintaining a Drug-Free Community and Workplace

The regulations implementing the Drug-Free Schools and Communities Act Amendments of 1989 (Public Law 101-226) require that each institution receiving federal grant funds must certify, prior to the award, that it will maintain a drug-free workplace and community. The University of West Alabama, therefore, establishes the following policy standard:

The use of illegal drugs and the abuse of legal medication and alcohol threaten the health and welfare of members of the University community. The University of West Alabama takes pride in its members and, therefore, is committed to eliminating substance abuse among its students, faculty, and staff members both on and off campus.

The University of West Alabama hereby notifies all of its employees and students, both full-time and part-time, that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance by an employee or student on the University of West Alabama campus, or at any other location where the employee or student is performing official duties or representing the University of West Alabama, or performing any work pursuant to a federal grant, is prohibited.

The primary objective of the University in the area of substance abuse is prevention. Through the presentation of drug, alcohol, and other health-related educational programs, the University of West Alabama hopes to inform the campus community of the problems related to substance abuse. Although the University of West Alabama does not independently require drug-testing of

students involved in campus activities, the University supports and agrees to comply with drug-testing requirements of all applicable athletic associations in which membership is held. The Division of Nursing also has additional requirements related to substance abuse and detection, including mandatory testing. The University supports these additional policies applicable to Nursing students. For students, faculty, and staff members who recognize that an abuse problem exists, counseling and/or referral services will be made available. It is hoped that all substance abuse problems can be handled at the counseling level; however, it is the responsibility of the individual to seek help prior to disciplinary action or criminal apprehension or prosecution, as well as to conduct himself/herself in accordance with federal, State and local law whether or not on the campus of the University of West Alabama.

The use of illegal drugs will not be tolerated by the University of West Alabama. Members of the University community apprehended for or convicted of substance abuse will be subject to appropriate University action. Indicators of abuse, such as arrest for driving under the influence of alcohol (DUI) or possession of illegal drugs, will serve as reasonable cause for disciplinary action, whether or not a criminal conviction is ultimately obtained. Those convicted of substance abuse will be subject to disciplinary action and criminal prosecution by the appropriate authorities. Any violation of this policy by an employee or student will render the employee or student subject to disciplinary action (consistent with federal, State or local law), including, but not limited to, expulsion or immediate termination of employment. The University may also require the employee or student to complete a drug rehabilitation program. The University of West Alabama will fully cooperate with law enforcement authorities in the investigation or prosecution of any criminal violations and may refer any suspected violations to these authorities for prosecution. At all times, members of the University community remain responsible for conducting themselves in accord with federal, State, and local law. Substance abuse is counter to the educational mission of the University of West Alabama. This policy of prevention, counseling, and discipline will serve as a catalyst to discourage abuse by members of the University community.

The University of West Alabama has implemented a drug-free awareness program. The statement above, setting forth the University's policy of maintaining a drug-free workplace and community and the penalties that may be imposed upon employees for drug abuse violations occurring in the workplace and community, is a part of this program, but the University also distributes annually to all employees:

1. Information on the dangers of drug abuse in the workplace and community.
2. Information on the legal sanctions under local, State, and federal law for unlawful possession, use or distribution of illicit drugs and alcohol.
3. Information on available drug counseling, rehabilitation, and employee assistance programs in the area.

Further, each employee and student who is employed under a federal grant will be given a copy of this policy statement and will sign a statement certifying that the employee or student will, as a condition of employment under the grant:

1. Abide by the terms of this policy statement on a drug-free workplace, and
2. Notify the University of West Alabama of any criminal drug statute conviction, guilty plea, or nolo contendere plea for a violation occurring in the workplace no later than five

days after such conviction.

Upon receiving such notification from an employee or otherwise receiving actual notice of such conviction, the University of West Alabama will:

1. Within ten days, notify the agency responsible for the grant, and,
2. Within thirty days, take appropriate personnel action against any employee who is so convicted, up to and including termination; and/or require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, State, or local health, law enforcement, or other appropriate agency.

The University of West Alabama hereby affirms that it will make a good faith effort to continue to maintain a drug-free workplace and community through implementation of the policies and procedures stated above. Further, a biennial review of the program will be conducted to determine its effectiveness and uniform application.

This Policy Statement is published pursuant to the Drug-Free Workplace Act of 1988, and the Drug-Free School and Communities Act Amendments of 1989.

Standard of Conduct

The unlawful manufacture, distribution, dispensation, possession, or use of illicit drugs or alcohol by students or employees is prohibited at any time on any University property or at any University activity. No employee who is impaired by an illegal drug or by alcohol will report to work or will work or be present in the workplace. No student who is impaired by illegal drugs or alcohol will attend classes or any University activity.

Disciplinary Sanction

The University will impose sanctions (consistent with local, state, and Federal Law) upon all employees and students who violate these standards of conduct. Such sanction may include but are not limited to:

- referral for prosecution
- probation, suspension or expulsion of students
- suspension or termination of employees

Types of Drugs & Possible Effects

Alcohol

Alcohol is a powerful depressant. Alcohol use decreases alertness and inhibition. Accidents and/or risky behaviors occur with negative consequences to health such as disease transmission. Long-term, heavy drinking is linked to cancer, gastrointestinal problems, heart and liver damage, birth defects, and psychological dependence develop.

Tobacco

Tobacco use in the form of cigarette smoking is linked to emphysema, lung cancer, heart disease, and other illnesses. Physical and psychological dependence can develop. Smokeless tobacco use leads to cancer of the head and neck areas. Passive smoking increases upper respiratory illness.

Anabolic Steroids

Anabolic Steroids may produce behavior effects including aggressiveness, irritability, impaired judgment, impulsiveness, mania, and paranoid delusion. Sexual functioning is frequently impaired. Serious health problems include liver and heart disease, cancer, and death.

Stimulants

Stimulants, such as dextroamphetamine (Dexedrine) and methylphenidate (Ritalin) increase blood pressure, heart rate, and respiration. Taking high doses of a stimulant can result in an irregular heartbeat, dangerously high body temperatures, and/or the potential for cardiovascular failure or seizures. Taking high doses of some stimulants repeatedly over a short period of time can lead to hostility or feelings of paranoia in some individuals. Tolerance as well as psychological and physical dependence develop. Continued use can cause heart problems, malnutrition, and death.

Methamphetamine

Methamphetamine is a highly addictive drug that strongly activates certain systems in the brain. Methamphetamine is chemically related to amphetamine, but the central nervous system effects of methamphetamine are greater. Methamphetamine is referred to by many names, such as “speed,” “meth,” and “chalk.” Methamphetamine hydrochloride, clear chunky crystals resembling ice, which can be inhaled by smoking, is referred to as “ice,” “crystal,” “glass,” and “tina.” The use of methamphetamine can cause irritability, insomnia, confusion, tremors, convulsions, anxiety, paranoia, and aggressiveness. Methamphetamine causes increased heart rate and blood pressure and can cause irreversible damage to blood vessels in the brain, producing strokes. Other effects of methamphetamine include respiratory problems, irregular heartbeat, and extreme anorexia. Its use can result in cardiovascular collapse and death.

Cocaine and Crack

Cocaine is a powerfully addictive drug. The powdered, hydrochloride salt form of cocaine can be snorted or dissolved in water and injected. Crack is cocaine that has not been neutralized by an acid to make the hydrochloride salt. This form of cocaine comes in a rock crystal that can be heated and its vapors smoked. The term “crack” refers to the crackling sound heard when it is heated. The use of cocaine or crack can cause confusion, depression, and hallucinations. Tolerance and physical dependence develop. Effects are unpredictable; psychosis, convulsion, coma, cardiac arrest, and death are possible. Nasal membranes may be destroyed. Smoking causes lesion in the lungs. Brain damage may occur.

Depressants

Depressants relax the central nervous system. Barbiturates, tranquilizers (Valium, Xanax), and Methaqualine may cause confusion and loss of coordination. Tolerance as well as physical and psychological dependence develop. Overdoses cause coma and death. Overdoses taken in combination or with alcohol are especially dangerous due to their combined effects.

Cannabis

Cannabis alters mood and perception. Marijuana may cause confusion and loss of coordination. Long-term use leads to tolerance and psychological dependence. Users frequently begin using other drugs. Long-term use causes damage to lung tissue and other illnesses.

Hallucinogens

Hallucinogens temporarily distort reality. Lysergic Acid Diethylamine (LSD causes hallucinations and panic. Effects may recur (“flashback”) even after use is discontinued. Tolerance and psychological dependence develop. Birth defects occur in user’s children.

Phencyclidine (PCP)

Phencyclidine causes depression, hallucinations, confusion, and irrational behavior. Tolerance develops. Overdoses cause convulsion, coma, and death.

Mescaline, Ecstasy, and other “Designer Drugs”

“Designer Drugs” cause anxiety, depression, paranoia, illusion, and hallucination. Impaired perception occurs. Irreversible brain damage may occur.

Narcotics

Narcotics lower perception of pain. Heroin, Morphine, Codeine, and Opium cause lethargy, apathy, loss of judgment and self-control. Tolerance as well as physical and psychological dependence develops. Overdoses cause convulsions, coma and death. Risks of use include malnutrition, hepatitis and AIDS.

Deliriants

Deliriants cause mental confusion. Aerosol products, lighter fluid, paint thinner, amyl nitrate and glue cause loss of bowel and bladder control, confusion, and hallucinations. Overdoses cause convulsions, cardiac arrest, and death. Psychological dependence develops. Permanent damage to lungs, brain, liver and immune system may occur.

Laws Relating to a Drug-Free Community

Alabama Law

The unlawful distribution of a controlled substance (including marijuana, cocaine, “crack,” heroin, LSD and PCP) is punishable by imprisonment (two to twenty years) and a fine (up to \$10,000).

The unlawful possession of a controlled substance is punishable by imprisonment (one to ten years) and fine (up to \$5,000). Possession of marijuana for other than personal use is punishable by imprisonment (one to ten years) and fine (up to \$5,000).

The unlawful possession of marijuana for personal use is punishable by imprisonment (up to one year) and fine (up to \$2,000).

Distribution of a controlled substance to a person under eighteen years of age is punishable by imprisonment (ten to ninety-nine years) and fine (up to \$20,000).

Drug trafficking is punishable by imprisonment and fine depending upon the specific controlled substance and its quantity. For example, the sale of between 2.2 to 100 lbs. of cannabis is punishable by three years imprisonment and a fine of \$25,000.

The unlawful sale of a controlled substance within a three-mile radius of the University of West Alabama is also punishable by five years imprisonment without probation, in addition to any other penalties otherwise provided for by law. This list is far from exhaustive.

The purchase or consumption of alcohol by a person under twenty-one years of age is punishable by imprisonment (up to 30 days) and fine (between \$45 to \$100). The sale of alcohol to a minor is punishable by imprisonment (up to three months) and fine (\$50 to \$500). A first conviction for

DUI is punishable by imprisonment (up to one year) and fine (\$250 to \$1,000) and also results in a ninety-day driver's license suspension.

City of Livingston

A crime punishable by the State of Alabama is also punishable by the City of Livingston by imprisonment (up to six months) and fine (up to \$500). A DUI conviction is also punishable by imprisonment (up to one year) and fine (up to \$5,000).

Federal Law

Federal law also prohibits the manufacture, distribution, sale, or possession of controlled substances. The specific prison term or fine varies with the particular substance, the quantity involved, and whether death or bodily injury results. For example, the sale of LSD (one gram or more), cocaine (five grams or more) or PCP (ten grams or more) is punishable by imprisonment (five to forty years) and fine (up to \$5,000,000). The minimum prison term is twenty years if death or bodily injury results. Simple possession of a controlled substance is punishable by imprisonment (up to one year) and a minimum fine of \$1,000. The Attorney General of the United States may also fine a person convicted of possession up to \$10,000.

Distribution of a controlled substance to a person under age twenty-one is punishable by imprisonment and fine up to twice that otherwise authorized by law, with a minimum prison term of one year. The distribution of a controlled substance on or within one-thousand feet of the University of West Alabama is also punishable by imprisonment and fine twice that otherwise authorized by law, with a minimum prison term of one year. Employing a person under 18 years old in distributing a controlled substance is also punishable by imprisonment and fine twice that otherwise authorized, with a minimum prison term of one year. A conviction may also result in a forfeiture to the United States government of any property or proceeds resulting from the crime. The federal government may also deny certain federal benefits for a period of up to five years.

This notice is published pursuant to the Drug-Free Workplace Act of 1988, and the Drug-Free Schools and Communities Act Amendments of 1989.

Available Drug Counseling, Rehabilitation, and Employee Assistance Programs in the Area

Local Programs

Alcoholics Anonymous
Contact Person: Mike Gullette
392-4408
(or 392-7034 in emergencies)

West Alabama Mental Health
Center
P.O. Drawer J
Demopolis, AL 36732
289-2410

Hill Hospital Chemical
Dependency Unit
751 Derby Drive
York, AL 36925
392-4408

Other Area Programs

Alethia House
3600-8th Avenue, South
P.O. Box 1514
Birmingham, AL 35201
324-6502

Hill Crest Hospital (Adult)
6869 Fifth Avenue, South
Birmingham, AL 35212
833.9000

Bradford/Birmingham Adults
1221 Alton Drive
Birmingham, AL 35210
833-4000

Laurel Wood
Highway 39 North
Meridian, MS 39303
(601) 693-3344

DCH Rehab/Druid Oaks
1101-6th Avenue, East
Tuscaloosa, AL 35401
759-7375

Parkside Lodge of Birmingham
P.O. Box 129
1189 Allbritton Road
Warrior, AL 35180
647-1945

Federal Drug-Free Workplace Act Requirements

Each employee who is employed under a federal grant will be given a copy of this policy statement and will sign a statement certifying that the employee will, as a condition of employment under the grant:

1. Abide by the terms of this policy statement on a drug-free workplace, and
2. Notify the University of West Alabama of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

Upon receiving such notification from an employee or otherwise receiving actual notice of such conviction, the University of West Alabama will:

1. Within ten days, notify the agency responsible for the grant, and
2. Within thirty days, take appropriate personnel action against any employee who is so convicted, up to and including termination; and/or require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement or other appropriate agency.

Implementation of the University of West Alabama Drug Prevention Program

Implementation of the University of West Alabama Drug Prevention Program

An Advisory Committee for a Drug-Free Campus and Workplace has been appointed to:

- establish procedures and develop informational materials for annual distribution to students and employees,
- provide recommendations to promote and further develop the University's drug prevention program, and
- evaluate the University's drug prevention program biennially to determine its effectiveness and ensure that disciplinary sanctions are consistently enforced.

Further Information

The University's full policy statement is available for review in the Student Affairs Office. Inquiries concerning matters described here or the full policy statement should be directed to the Office of Student Affairs at 205-652-3581.

Housing Alcohol and Drug Policy

Alcohol and Drug Policy The use and/or possession of alcoholic beverages, non-prescribed (illicit) drugs, or any other controlled substances, is prohibited in all residence halls, campus apartments, and on all University property, and are subject to confiscation. If you are in a room where an alcohol or drug violation occurs, you will also be in violation. Alcoholic beverage containers (bottles, cans, etc.) and drug paraphernalia (pipes, bongs, etc.) are also prohibited and may not be in your room, even as decorations. While the Housing Office does not regulate off campus consumption of alcohol and illegal drugs, residents will be held responsible for their behaviors and actions in the residence halls, due to the use of alcohol and illegal substances.

Examples:

- Resident vomits in the lobby or causes a disruption to the community due to alcohol intoxication
- Resident causes damage while under the influence of drugs

Students who violate the alcohol policy are subject to disciplinary action, including educational sanctions and fines. For students under 21, parents are notified. All alleged violations of the drug policy will be referred to the Student Conduct Committee, with sanctions for a first offense ranging from complete social probation to suspension from the University. A second offense will result in suspension or expulsion from the University.

Residence Hall Rules and Regulations

The following policies apply to all University residence halls and apartments. Resident Assistants, hall directors, and other members of the University staff have the authority to enforce these regulations and to report individuals suspected of violating these rules and policies in or around the campus housing facilities. These regulations apply to residents, their guests and all other persons who enter a UWA residence hall or apartment. Each resident is responsible for their room and/or apartment. Residents are also directly responsible for the behavior of their guests and will be held jointly responsible for any violations of these regulations by their guests. Residents are expected to inform their guests of these regulations; however, failure on the part of the resident to inform their guests does not exempt guests from following these policies. If you are accused of violating a Housing policy, you will be notified by e-mail of the alleged violation and be summoned to a disciplinary hearing to discuss the charges. If you are found in violation of a Housing regulation, you will be sanctioned. Minor violations may result in a fine, educational sanction, and/or work reparation. Major violations, or repeated minor violations, may also result in removal from campus Housing and/or referral to the UWA Student Conduct Committee. If you disagree with a disciplinary decision, you may appeal your case by submitting a written request, as outlined in your decision letter, within 48 hours. If you violate a Housing parking policy (parking in an orange parking space, etc.), you will be fined a minimum of \$50. Since the violation is generally clear when a parking violation occurs, disciplinary hearings are not usually held. However, if you do not believe that you violated the Housing parking policy, you should contact the Director of Housing and Residence Life at Housing@uwa.edu within 48 hours of notification of the violation, and request a hearing.

Alcohol, Drugs & Tobacco

A. The use and/or possession of alcoholic beverages, non-prescribed (illicit) drugs or any other controlled substances is prohibited in residence halls and on all University property, and are subject to confiscation. Anyone present in a room or apartment when an unauthorized beverage or substance is found or being used, will be in violation of this policy. The smell of marijuana will be considered evidence that this policy is being violated.

B. Alcoholic beverage containers (bottles, cans, etc.) and drug paraphernalia (pipes, bong, etc.) are also prohibited in residence halls, campus apartments, and in parking lots adjacent to these residential buildings.

C. Public intoxication (from alcohol or drugs) is prohibited in and around residential buildings.

D. Smoking or the use of any type of pipe, cigar, cigarette, e-cig, or similar product is prohibited in the residential areas, both in common areas and in individual rooms, and within 50 feet of the residence halls and campus apartments. Water pipes, hookahs, and other smoking devices are prohibited, and are subject to confiscation. The presence of tobacco smoke, e-cig vapor, cigarette butts, ashtrays with ashes, and other remnants often associated with smoking and smokeless tobacco are considered evidence that this policy is being violated. Anyone present in a room or apartment when someone is smoking, or one of the above listed devices is found, will be in violation of the policy.

E. The use of smokeless tobacco, such as chewing tobacco, snuff, and smokeless pouches, is prohibited within the residence halls and campus apartments.

Prevention & Reporting Sexual Assaults



Prevention and Reporting of Sexual Assaults

New Reporting Requirements:

Violence Against Women Act SaVE Act (VAWA) provision imposes new reporting requirements:

The Clery Act requires annual report of statistics of various criminal offenses, including forcible and non-forcible sex offenses and aggravated assault. VAWA's SaVE Act provision adds domestic violence, dating violence, and stalking to the categories that, if the incident was reported to the Campus Security Authority or local police agency, must be reported under Clery. Parsed for clarity, these offenses are defined as:

- 1. Domestic Violence** includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law or anyone else protected under domestic or family law.
- 2. Dating Violence** means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its

length, type and frequency of interaction. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

- 3. Stalking** means course of conduct directed at a specific person that would cause a reasonable person to fear for his, her or others' safety, or to suffer substantial emotional distress.

The University of West Alabama is committed to maintaining a supportive and safe education environment, one which seeks to enhance the well-being of all members of its community.

Title IX

What is Title IX

<https://www.uwa.edu/titleix>

Title IX is a federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. It states:

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance.”

The University of West Alabama is committed to providing an educational and employment environment free of harassment and other forms of discrimination on the basis on Race, Religion, Hearing status, Personal appearance, Color, Sex, Pregnancy, Political affiliation, Religion, Creed, Ethnicity, National origin (including ancestry), Citizenship status, Physical or mental disability (including perceived disability), Age, Marital status, Sexual orientation, Gender identity, Gender expression, Veteran or military status, Predisposing genetic characteristics, Domestic violence victim status, or any other protected category under applicable local, state, or federal law, including protections for those opposing discrimination or participating in any grievance process on campus, with the Equal Employment Opportunity Commission, or other human rights agencies. University policies relating to harassment and/or discrimination are published and are accessible on the University's web page.

All members of the University community should be aware that the University prohibits and will not tolerate sexual harassment of its faculty, staff, and students. Each member of the University community is expected to support efforts to keep the campus free of sexual harassment.

Who is protected under Title IX?

All University of West Alabama students, faculty, staff, and volunteers are protected under Title IX. Title IX protects those who experience sex discrimination, sexual harassment, sexual assault, sexual misconduct, interpersonal violence (including dating and domestic violence), stalking, or discrimination on the basis of pregnancy.

Sexual Violence

Risk-reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to victim-blame, and with recognition that only those who commit sexual violence are responsible for those actions, these suggestions may nevertheless help you to reduce your risk of experiencing a non-consensual sexual act:

- If you have limits, make them known as early as possible.
- Tell a sexual aggressor “NO” clearly and firmly.
- Try to remove yourself from the physical presence of a sexual aggressor.
- Find someone nearby and ask for help.
- Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
- Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk for being accused of sexual misconduct:

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.
- **DON'T MAKE ASSUMPTIONS** about consent; about someone's sexual availability; about whether they are attracted to you; about how far you can go or about whether they are physically and/or mentally able to consent. If there are any questions or ambiguity then you **DO NOT** have consent.
- Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. They may not have figured out how far they want to go with you yet. You must respect the timeline for sexual behaviors with which they are comfortable.
- Don't take advantage of someone's drunkenness or drugged state, even if they did it to themselves.
- Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Don't abuse that power.
- Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.
- Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

Reporting a Title IX Incident

In the event of sex or gender-based discrimination, harassment, violence, or the crimes of sexual assault, stalking, dating violence, or domestic violence occurring, the University takes the matter very seriously. If a University student or employee faces such accusations, he or she is subject to action in accordance with the [Policies and Procedures Regarding Equal Opportunity, Harassment, and Nondiscrimination](#).

A student wishing to officially report such an incident may do so by contacting the University's Title IX Coordinator, Byron Thetford, bthetford@uwa.edu, Brock Hall 129, [\(205\) 652-3435](tel:2056523435).

Anyone with knowledge about sex- or gender-based discrimination, harassment, or violence, or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence is encouraged to report it immediately to the University's Title IX Coordinator, Byron Thetford, bthetford@uwa.edu, Brock Hall 129, [\(205\) 652-3435](tel:2056523435).

Anonymous reports are accepted by the Title IX Coordinator but can give rise to a need to investigate. The University tries to provide supportive measures to all Complainants, which is impossible with an anonymous report. Because reporting carries no obligation to initiate a formal response, and as the University respects Complainant requests to dismiss complaints unless there is a compelling threat to health and/or safety, the Complainant is largely in control and should not fear a loss of privacy by making a report that allows the University to discuss and/or provide supportive measures. You can report anonymously through the online reporting form here.

The University employs supportive and protective measures such as no contact orders or emergency removal in cases in which a violence risk assessment indicates such action is warranted. Supportive and protective measures for individuals who have experienced these incidents are available from the campus whether the individual chooses to report to local and/or campus law enforcement, and irrespective of whether the individual pursues a formal complaint through the University's resolution process.

Reporting to Law Enforcement

It is the policy of University to notify campus law enforcement when sex or gender-based discrimination, harassment, or violence occurs, typically without providing identifying information about the incident. However, the University will not notify law enforcement if a Complainant wishes that information not to be shared, unless an emergency requires disclosure.

Complainants have the option to notify law enforcement directly, or to be assisted in doing so by campus authorities. If requested, campus officials can facilitate reporting to campus or local law enforcement but may also respect a Complainant's request not to do so. To report to the University Police, call [\(205\) 652-5555](tel:2056525555), or to report to the City of Livingston Police Department dial **911**.

Title IX Resources

UWA offers [behavioral health services](#) to students and employees free of charge. Each consultation is confidential.

Additional Counseling for Victims of Sexual Assault can also obtain counseling through:

Turning Point 24-hour Crisis Line

[\(205\) 758-0808](tel:(205)758-0808)

Collect calls accepted

Care Lodge Domestic Violence Shelter

[\(601\) 693-HOPE](tel:(601)693-HOPE)

24-hour crisis line

1. Glossary

- Advisor means a person chosen by a party or appointed by the University to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct cross-examination for the party at the hearing, if any.
- Complainant means an individual who is alleged to be the victim of conduct that could constitute harassment or discrimination based on a protected class; or retaliation for engaging in a protected activity.
- Complaint (formal) means a document filed/signed by a Complainant or signed by the Title IX Coordinator alleging harassment or discrimination based on a protected class or retaliation for engaging in a protected activity against a Respondent and requesting that the University investigate the allegation.
- Confidential Resource means an employee who is not a Mandated Reporter of notice of harassment, discrimination, and/or retaliation (irrespective of Clery Act Campus Security Authority status).
- Day means a business day when the University is in normal operation.
- Education program or activity means locations, events, or circumstances where the University exercises substantial control over both the Respondent and the context in which the sexual harassment or discrimination occurs and also includes any building owned or controlled by a student organization that is officially recognized by the University.
- Final Determination: A conclusion by preponderance of the evidence that the alleged conduct occurred and whether it did or did not violate policy.
- Finding: A conclusion by preponderance of the evidence that the conduct did or did not occur as alleged.
- Formal Grievance Process means “Process A,” a method of formal resolution designated by the University to address conduct that falls within the policies included below, and which complies with the requirements of 34 CFR Part 106.45.
- Grievance Process Pool includes any investigators, hearing officers, appeal officers, and Advisors who may perform any or all of these roles (though not at the same time or with respect to the same case).
- Hearing Panel refers to those who have decision-making and sanctioning authority within the Recipient’s Formal Grievance process.
- Investigator means the person or persons charged by the University with gathering facts about an alleged violation of this Policy, assessing relevance and credibility, synthesizing the evidence, and compiling this information into an investigation report and file of directly related evidence.

- Mandated Reporter means an employee of the University who is obligated by policy to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Title IX Coordinator.¹
- 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.
- Official with Authority (OWA) means an employee of the University explicitly vested with the responsibility to implement corrective measures for harassment, discrimination, and/or retaliation on behalf of the University.
- Parties include the Complainant(s) and Respondent(s), collectively.
- Process A means the Formal Grievance Process detailed below and defined above.
- Process B means the informal alternative resolution procedures detailed in Appendix F.
- Recipient means a postsecondary education program that is a recipient of federal funding, and in terms of these policies and procedures refers to the University of West Alabama (“University” or “UWA”).
- Remedies are post-finding actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore access to the University’s educational program.
- Respondent means an individual 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.
- Resolution means the result of an informal or Formal Grievance Process.
- Sanction means a consequence imposed by the University on a Respondent who is found to have violated this policy.
- Sexual Harassment is the umbrella category including the offenses of sexual harassment, sexual assault, stalking, and dating violence and domestic violence. See Section 17.b., for greater detail.
- Title IX Coordinator is at least one official designated by the University to ensure compliance with Title IX and the University’s Title IX program. References to the Coordinator throughout this policy may also encompass a designee of the Coordinator for specific tasks.
- Title IX Team refers to the Title IX Coordinator, any deputy coordinators, and any member of the Grievance Process Pool.
- University of West Alabama is a postsecondary education program that is a recipient of federal funding. University of West Alabama is referred to as “University” and “UWA” throughout.

2. Rationale for Policy

The University of West Alabama is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from discrimination, harassment, and retaliation. To ensure compliance with federal and state civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity, the University has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of protected class status, and for allegations of retaliation. The University values and upholds

the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process during what is often a difficult time for all those involved.

1. **Applicable Scope**

The core purpose of this policy is the prohibition of all forms of discrimination.

Sometimes, discrimination involves exclusion from activities, such as admission, athletics, or employment. Other times, discrimination takes the form of harassment or, in the case of sex-based discrimination, can encompass sexual harassment, sexual assault, stalking, sexual exploitation, dating violence, or domestic violence. When an alleged violation of this anti-discrimination policy is reported, the allegations are subject to resolution using the University's "Process A" or "Process B," as determined by the Title IX Coordinator, and as detailed below.

When the Respondent is a member of the University community, a grievance process may be available regardless of the status of the Complainant, who may or may not be a member of the University community. This community includes, but is not limited to, students,² student organizations, faculty, administrators, staff, and third parties such as guests, visitors, volunteers, invitees, and campers. The procedures below may be applied to incidents, to patterns, and/or to the campus climate, all of which may be addressed and investigated in accordance with this policy.

2. **Title IX Coordinator**

Byron Thetford serves as the Title IX Coordinator and oversees implementation of the University's policy on equal opportunity, harassment, and nondiscrimination. The Title IX Coordinator has the primary responsibility for coordinating the University's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited under this policy.

3. **Independence and Conflict-of-Interest**

The Title IX Coordinator manages the Title IX Team, which acts with independence and authority free from bias and conflicts of interest. The Title IX Coordinator oversees all resolutions under this policy and these procedures. 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 any concern involving bias or conflict of interest by the Title IX Coordinator, contact the University's President, Dr. Ken Tucker, at ktucker@uwa.edu. Concerns of bias or a potential conflict of interest by any other Title IX Team member should be raised with the Title IX Coordinator.

Reports of misconduct or discrimination committed by the Title IX Coordinator should be reported to the University's President, Dr. Ken Tucker, at ktucker@uwa.edu, or designee. Reports of misconduct or discrimination committed by any other Title IX Team member should be reported to the Title IX Coordinator.

4. **Administrative Contact Information**

Complaints or notice of alleged policy violations, or inquiries about or concerns regarding this policy and procedures, may be made internally to:

Name: Byron Thetford

Title IX Coordinator
Brock Hall 129
(205) 652-3435
Email: bthetford@uwa.edu

The University has determined that the following administrators are Officials with Authority to address and correct harassment, discrimination, and/or retaliation. In addition to the Title IX Team members listed above, these Officials with Authority listed below may also accept notice or complaints on behalf of the University. Officials with Authority: President; Vice President of Academic Affairs (Provost); Vice President of Student Affairs; Vice President of Financial Affairs; Director of Athletics; Chief of University Police; Director of Human Resources; and Director of Student Life.

The University has also classified **all** employees as Mandated Reporters of any knowledge they have that a member of the community is experiencing harassment, discrimination, and/or retaliation. The section below on Mandated Reporting details which employees have this responsibility and their duties, accordingly.

Inquiries may be made externally to:

Office for Civil Rights (OCR)

U.S. Department of Education 400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Customer Service Hotline #: (800) 421-3481
Facsimile: (202) 453-6012
TDD#: (877) 521-2172
Email: OCR@ed.gov
Web: <http://www.ed.gov/ocr>

For complaints involving employees:

Equal Employment Opportunity Commission (EEOC)
131 M Street, NE Washington, DC 20507
(202) 663-4900
Web: <http://www.eeoc.gov/contact>

5. Notice/Complaints of Discrimination, Harassment, and/or Retaliation

Notice or complaints of discrimination, harassment, and/or retaliation may be made using any of the following options:

- 1) File a complaint with, or give verbal notice to, the Title IX Coordinator – Byron Thetford, Brock Hall 129, bthetford@uwa.edu, 205-652-3435. Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator or any other official listed.
- 2) Anonymous reports are accepted by the Title IX Coordinator but can give rise to a need to investigate. The University tries to provide supportive measures to all Complainants, which is impossible with an anonymous report. Because reporting carries no obligation to initiate a formal response, and as the University respects Complainant requests to dismiss complaints unless there is a compelling threat to health and/or safety, the Complainant is

largely in control and should not fear a loss of privacy by making a report that allows the University to discuss and/or provide supportive measures.

A Formal Complaint means a document filed by the Complainant or signed by the Title IX Coordinator alleging sexual harassment by a Respondent and requesting that the University investigate the allegation(s) of sexual harassment. A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information in the section immediately above, or as described in this section. As used in this paragraph, the phrase “document filed by a Complainant” refers to a document or electronic submission (such as an email or through an online portal provided for this purpose by the University) that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the formal complaint.

If notice is submitted in a form that does not meet this standard, the Title IX Coordinator will contact the Complainant to ensure that it is filed correctly.

6. Supportive Measures

The University will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged harassment, discrimination, and/or retaliation. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to the University’s education program or activity, including measures designed to protect the safety of all parties or the University’s educational environment, and/or deter harassment, discrimination, and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available to the parties upon receiving notice or a complaint. At the time that supportive measures are offered, the University 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. The Title IX Coordinator works with the Complainant to ensure that their wishes are taken into account with respect to the supportive measures that are planned and implemented.

The University will maintain the privacy of the supportive measures, provided that privacy does not impair the University’s ability to provide the supportive measures. The University will act to ensure as minimal an academic impact on the parties as possible. The University will implement measures in a way that does not unreasonably burden the other party.

These actions may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to community-based service providers
- Visa and immigration assistance
- Student financial aid counseling
- Education to the community or community subgroup(s)
- Altering campus housing assignment(s)

- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus safety escorts
- Providing transportation accommodations
- Implementing contact limitations (no contact orders) between the parties
- Academic support, extensions of deadlines, or other course/program-related adjustments
- Trespass or Be-On-the-Lookout (BOLO) orders
- Timely warnings
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Title IX Coordinator

Violations of no contact orders will be referred to appropriate student or employee conduct processes for enforcement.

7. Emergency Removal

The University can act to remove a Respondent entirely or partially from its education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal. This risk analysis is performed by the Title IX Coordinator in conjunction with the Behavioral Intervention Team (also known as “BIT”) using its standard objective violence risk assessment procedures.

In all cases in which an emergency removal is imposed, the student, employee, or two (2) representatives from a student organization will be given notice of the action and the option to request to meet with the Title IX Coordinator prior to such action/removal being imposed, or as soon thereafter as reasonably possible, to show cause why the action/removal should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. When this meeting is not requested in a timely manner, objections to the emergency removal will be deemed waived. A Complainant and their Advisor may be permitted to participate in this meeting if the Title IX Coordinator determines it is equitable to do so. This section also applies to any restrictions that a coach or athletic administrator may place on a student-athlete arising from allegations related to Title IX. There is no appeal process for emergency removal decisions.

A Respondent may be accompanied by an Advisor of their choice when meeting with the Title IX Coordinator for the show cause meeting. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The Title IX Coordinator has sole discretion under this policy to implement or stay an emergency removal and to determine the conditions and duration. Violation of an

emergency removal under this policy will be grounds for discipline, which may include expulsion or termination.

The University will implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the Title IX Coordinator, these actions could include, but are not limited to: removing a student from a residence hall, temporarily re-assigning an employee, restricting a student's or employee's access to or use of facilities or equipment, allowing a student to withdraw or take grades of incomplete without financial penalty, authorizing an administrative leave, and suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural athletics.

At the discretion of the Title IX Coordinator, alternative coursework options may be pursued to ensure as minimal an academic impact as possible on the parties.

8. Promptness

All allegations are acted upon promptly by University once it has received notice or a formal complaint. Complaints can take 60-90 business days to resolve, typically. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but the University will avoid all undue delays within its control.

Any time the general timeframes for resolution outlined in the University's procedures will be delayed, the University will provide written notice to the parties of the delay, the cause of the delay, and an estimate of the anticipated additional time that will be needed as a result of the delay.

9. Privacy

Every effort is made by the University to preserve the privacy of reports. The University will not share the identity of any individual who has made a report or complaint of harassment, discrimination, or retaliation; any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under these policies and procedures.

The University reserves the right to designate which University officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Only a small group of officials who need to know will typically be told about the complaint, including but not limited to: Division of Student Affairs and the BIT.

Information will be shared as necessary with Investigators, Hearing Panel members, witnesses, and the parties. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy.

The University may contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk, but will usually consult with the student first before doing so.

Confidentiality and mandated reporting are addressed more specifically below.

10. Jurisdiction of the University

This policy applies to the education program and activities of the University, to conduct that takes place on the campus or on property owned or controlled by the University, at University-sponsored events, or in buildings owned or controlled by University's recognized student organizations. The Respondent must be a member of the University community in order for its policies to apply. This policy can also be applicable to the effects of off-campus misconduct that effectively deprive someone of access to the University's educational program. The recipient may also extend jurisdiction to off-campus and/or to online conduct when the Title IX Coordinator determines that the conduct affects a substantial University interest.

Regardless of where the conduct occurred, the Recipient will address notice/complaints to determine whether the conduct occurred in the context of its employment or educational program or activity and/or has continuing effects on campus or in an off-campus sponsored program or activity. A substantial University interest includes:

- a.** Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law;
- b.** Any situation in which it is determined that the Respondent poses an immediate threat to the physical health or safety of any student or other individual;
- c.** Any situation that significantly impinges upon the rights, property, or achievements of oneself or others or significantly breaches the peace and/or causes social disorder; and/or
- d.** Any situation that is detrimental to the educational interests or mission of the University.

If the Respondent is unknown, or is not a member of the University community, the Title IX Coordinator will assist the Complainant in identifying appropriate campus and local resources and support options and/or, when criminal conduct is alleged, in contacting local or campus law enforcement if the individual would like to file a police report.

Further, even when the Respondent is not a member of the Recipient's community, supportive measures, remedies, and resources may be accessible to the Complainant by contacting the Title IX Coordinator.

In addition, the University may take other actions as appropriate to protect the Complainant against third parties, such as barring individuals from University property and/or events.

All vendors serving the University through third-party contracts are subject to the policies and procedures of their employers.

When the Respondent is enrolled in or employed by another institution, the Title IX Coordinator can assist the Complainant in liaising with the appropriate individual at that institution, as it may be possible to allege violations through that institution's policies.

Similarly, the Title IX Coordinator may be able to advocate for a student or employee Complainant who experiences discrimination in an externship, study abroad program, or other environment external to the University where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may give recourse to the Complainant.

11. Time Limits on Reporting

There is no time limitation on providing notice/complaints to the Title IX Coordinator. However, if the Respondent is no longer subject to the University's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible.

Acting on notice/complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) is at the discretion of the Title IX Coordinator, who may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

When notice/complaint is affected by significant time delay, the University will typically apply the policy in place at the time of the alleged misconduct and the procedures in place at the time of notice/complaint.

12. Online Harassment and Misconduct

The policies of the University are 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 University, it 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 Snaps 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, cyberstalking, 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.

13. Policy on Nondiscrimination

The University adheres to all federal and state civil rights laws and regulations prohibiting discrimination in public institutions of higher education.

The University does not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of:

- Race,
- Religion,
- Hearing status,
- Personal appearance,
- Color,
- Sex,
- Pregnancy,
- Political affiliation,
- Religion,
- Creed,
- Ethnicity,
- National origin (including ancestry),
- Citizenship status,
- Physical or mental disability (including perceived disability),
- Age,
- Marital status,
- Sexual orientation,
- Gender identity,
- Gender expression,
- Veteran or military status,
- Predisposing genetic characteristics,
- Domestic violence victim status,

- or any other protected category under applicable local, state, or federal law, including protections for those opposing discrimination or participating in any grievance process on campus, with the Equal Employment Opportunity Commission, or other human rights agencies.

This policy covers nondiscrimination in both employment and access to educational opportunities. Therefore, any member of the University community whose acts deny, deprive, or limit the educational or employment access, benefits, and/or opportunities of any member of the University community, guest, or visitor on the basis of that person's actual or perceived membership in the protected classes listed above is in violation of the University policy on nondiscrimination.

When brought to the attention of the University, any such discrimination will be promptly and fairly addressed and remedied by the University according to the grievance process described below.

14. Policy on Disability Discrimination and Accommodation

The University is committed to full compliance with the Americans With Disabilities Act of 1990 (ADA), as amended, and Section 504 of the Rehabilitation Act of 1973, which prohibit discrimination against qualified persons with disabilities, as well as other federal and state laws and regulations pertaining to individuals with disabilities.

Under the ADA and its amendments, a person has a disability if they have a physical or mental impairment that substantially limits a major life activity.

The ADA also protects individuals who have a record of a substantially limiting impairment or who are regarded as disabled by the University, regardless of whether they currently have a disability. A substantial impairment is one that significantly limits or restricts a major life activity such as hearing, seeing, speaking, breathing, performing manual tasks, walking, or caring for oneself.

Will Atkinson, watkinson@uwa.edu, has been designated as the University's ADA/504 Coordinator responsible for overseeing efforts to comply with these disability laws, including responding to grievances and conducting investigations of any allegation of noncompliance or discrimination based on disability.

Grievances related to disability status and/or accommodations will be addressed using the procedures below.

a. Students with Disabilities

The University is committed to providing qualified students with disabilities with reasonable accommodations and support needed to ensure equal access to the academic programs, facilities, and activities of the University.

All accommodations are made on an individualized basis. A student requesting any accommodation should first contact the ADA Coordinator, who coordinates services for students with disabilities.

The ADA Coordinator reviews documentation provided by the student and, in consultation with the student, determines which accommodations are appropriate for the student's particular needs and academic program(s).

b. Employees with Disabilities

Pursuant to the ADA, the University will provide reasonable accommodation(s) to all qualified employees with known disabilities when their disability affects the performance of their essential job functions, except when doing so would be unduly disruptive or would result in undue hardship to the University.

An employee with a disability is responsible for submitting a request for an accommodation to the ADA/504 Coordinator and providing necessary documentation. The ADA/504 Coordinator will work with the employee's supervisor to identify which essential functions of the position are affected by the employee's disability and what reasonable accommodations could enable the employee to perform those duties.

15. Policy on Discriminatory Harassment

Students, staff, administrators, and faculty are entitled to an employment and educational environment that is free of discriminatory harassment. The University's harassment policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include germane but controversial or sensitive subject matters protected by academic freedom.

The sections below describe the specific forms of legally prohibited harassment that are also prohibited under University policy. When speech or conduct is protected by academic freedom and/or the First Amendment, it will not be considered a violation of University policy, though supportive measures will be offered to those impacted.

a. Discriminatory Harassment

Discriminatory harassment constitutes a form of discrimination that is prohibited by University policy. Discriminatory harassment is defined as unwelcome conduct by any member or group of the community on the basis of actual or perceived membership in a class protected by policy or law.

The University does not tolerate discriminatory harassment of any employee, student, visitor, or guest. The University will act to remedy all forms of harassment when reported, whether or not the harassment rises to the level of creating a "hostile environment."

A hostile environment is one that unreasonably interferes with, limits, or effectively denies an individual's educational or employment access, benefits, or opportunities. This discriminatory effect results from harassing verbal, written, graphic, or physical conduct that is severe or pervasive and objectively offensive.

When discriminatory harassment rises to the level of creating a hostile environment, the University may also impose sanctions on the Respondent through application of the grievance process below.

The University reserves the right to address offensive conduct and/or harassment that 1) does not rise to the level of creating a hostile environment, or 2) that is of a generic nature and not based on a protected status. Addressing such conduct will not result in the imposition of discipline under University policy, but may be addressed through respectful conversation, remedial actions, education, effective Alternate Resolution, and/or other informal resolution mechanisms.

For assistance with Alternate Resolution and other informal resolution techniques and approaches, employees should contact the Director of Human Resources, and students should contact the Director of Student Life.

b. Sexual Harassment

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the State of Alabama 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, and is defined as: Conduct on the basis of sex that satisfies one or more of the following:

- 1) **Quid Pro Quo:** a. an employee of the recipient, b. conditions the provision of an aid, benefit, or service of the recipient, c. on an individual's participation in unwelcome sexual conduct; and/or
- 2) **Sexual Harassment:** a. unwelcome conduct, b. determined by a reasonable person, c. to be so severe, and d. pervasive, and, e. objectively offensive, f. that it effectively denies a person equal access to the University's education program or activity.
- 3) **Sexual assault, defined as:**
 - a) Sex Offenses, Forcible:
 - i) Any sexual act directed against another person,
 - ii) without the consent of the Complainant,
 - iii) including instances in which the Complainant is incapable of giving consent.
 - b) Forcible Rape:
 - i) Penetration,
 - ii) no matter how slight,

- iii) of the vagina or anus with any body part or object, or
- iv) oral penetration by a sex organ of another person,
- v) without the consent of the Complainant.

c) Forcible Sodomy:

- i) Oral or anal sexual intercourse with another person,
- ii) forcibly,
- iii) and/or against that person's will (non-consensually), or
- iv) not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

d) Sexual Assault with an Object:

- i) The use of an object or instrument to penetrate,
- ii) however slightly,
- iii) the genital or anal opening of the body of another person,
- iv) forcibly,
- v) and/or against that person's will (non-consensually),
- vi) or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

e) Forcible Fondling:

- i) The touching of the private body parts of another person (buttocks, groin, breasts),
- ii) for the purpose of sexual gratification,
- iii) forcibly,
- iv) and/or against that person's will (non-consensually),
- v) or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

f) Sex Offenses, Non-forcible:

i) Incest:

- 1) Non-forcible sexual intercourse,
- 2) between persons who are related to each other,
- 3) within the degrees wherein marriage is prohibited by Alabama law.

ii) Statutory Rape:

- 1) Non-forcible sexual intercourse,
- 2) with a person who is under the statutory age of consent in Alabama.

4) Dating Violence, defined as:

- a. violence,
- b. on the basis of sex,
- c. committed by a person,
- d. who is in or has been in a social relationship of a romantic or intimate nature

with the Complainant.

- i. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
- ii. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- iii. Dating violence does not include acts covered under the definition of domestic violence.

5) Domestic Violence, defined as:

- a. violence,
- b. on the basis of sex,
- c. committed by a current or former spouse or intimate partner of the Complainant,
- d. by a person with whom the Complainant shares a child in common, or
- e. by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
- f. by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Alabama, or
- g. 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 Alabama.

*To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

6) Stalking, defined as:

- a. engaging in a course of conduct,
- b. on the basis of sex,
- c. directed at a specific person, that
 - i. would cause a reasonable person to fear for the person's safety, or
 - ii. the safety of others; or
 - iii. 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 Respondent 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.

The University reserves the right to impose any level of sanction, ranging from a reprimand up to and including suspension or expulsion/termination, for any offense under this policy.

c. Force, Coercion, Consent, and Incapacitation

As used in the offenses above, the following definitions and understandings apply:

Force: 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 (e.g., “Have sex with me or I’ll hit you,” “Okay, don’t hit me, I’ll do what you want.”).

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.

Coercion: Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Consent is:

- knowing, and
- voluntary, and
- clear permission
- by word or action
- to engage in sexual activity.

Since individuals may experience the same interaction in different ways, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

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 from the outset is strongly encouraged.

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.

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.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on the University to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the

perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced. Consent in relationships must also be considered in context. When parties consent to BDSM⁷ 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 the University’s evaluation of communication in kink situations should be guided by reasonableness, rather than strict adherence to policy that assumes non-kink relationships as a default.

Incapacitation: A person cannot consent if he/she is unable to understand what is happening or is disoriented, helpless, asleep, or unconscious, for any reason, including by alcohol or other drugs. As stated above, a Respondent violates this policy if he/she engages in sexual activity with someone who is incapable of giving consent.

It is a defense to a sexual assault policy violation that the Respondent neither knew nor should have known the Complainant to be physically or mentally incapacitated. “Should have known” is an objective, reasonable person standard which assumes that a reasonable person is both sober and exercising sound judgment.

Incapacitation occurs when someone cannot make rational, reasonable decisions because they lack the capacity to give knowing/informed consent (e.g., to understand the “who, what, when, where, why, or how” of their sexual interaction).

Incapacitation is determined through consideration of all relevant indicators of an individual’s state and is not synonymous with intoxication, impairment, blackout, and/or being drunk.

This policy also covers a person whose incapacity results from a temporary or permanent physical or mental health condition, involuntary physical restraint, and/or the consumption of incapacitating drugs.

d. Other Civil Rights Offenses

In addition to the forms of sexual harassment described above, which fall within the coverage of Title IX, the University additionally prohibits the following offenses as forms of discrimination outside of Title IX when the act is based upon the Complainant’s actual or perceived membership in a protected class.

- Sexual Exploitation, defined as: taking non-consensual or abusive sexual advantage of another for their own benefit or for the benefit of anyone other than the person being exploited, and that conduct does not otherwise constitute sexual harassment under this policy. Examples of Sexual Exploitation include, but are not limited to:
 - Sexual voyeurism (such as observing or allowing others to observe a person undressing or using the bathroom or engaging in sexual acts, without the consent of the person being observed)
 - o Invasion of sexual privacy.
 - o Taking pictures, video, or audio recording of another in a sexual act, or in any other sexually-related activity when there is a reasonable expectation of privacy during the activity, without the consent of all involved in the activity, or exceeding the boundaries of consent (such as allowing another person to hide in a closet and observe sexual activity, or

disseminating sexual pictures without the photographed person's consent), including the making or posting of revenge pornography

- o Prostituting another person
- o Engaging in sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or a sexually-transmitted disease (STD) or infection (STI), without informing the other person of the infection
- o Causing or attempting to cause the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity, or for the purpose of making that person vulnerable to nonconsensual sexual activity
- o Misappropriation of another person's identity on apps, websites, or other venues designed for dating or sexual connections
- o Forcing a person to take an action against that person's will by threatening to show, post, or share information, video, audio, or an image that depicts the person's nudity or sexual activity
- o Knowingly soliciting a minor for sexual activity
- o Engaging in sex trafficking
- o Creation, possession, or dissemination of child pornography
 - Threatening or causing physical harm, extreme verbal, emotional, or psychological abuse, or other conduct which threatens or endangers the health or safety of any person;
 - Discrimination, defined as actions that deprive, limit, or deny other members of the community of educational or employment access, benefits, or opportunities;
 - Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
 - Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the University community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity;
 - Bullying, defined as:
 - o Repeated and/or severe
 - o Aggressive behavior
 - o Likely to intimidate or intentionally hurt, control, or diminish another person, physically and/or mentally
 - o That is not speech or conduct otherwise protected by the First Amendment.

Violation of any other University policies may constitute a Civil Rights Offense when a violation is motivated by actual or perceived membership in a protected class, and the result is a discriminatory limitation or denial of employment or educational access, benefits, or opportunities.

Sanctions for the above-listed Civil Rights Offenses range from reprimand through expulsion and/or termination.

18. Retaliation

Protected activity under this policy includes reporting an incident that may implicate this policy, participating in the grievance process, supporting a Complainant or Respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct that constitutes a violation of this policy.

Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. The University is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

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.

Charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment but arise out of the 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.

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

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.

19. Mandated Reporting

All University employees (faculty, staff, administrators) are expected to report actual or suspected discrimination or harassment to appropriate officials immediately, though there are some limited exceptions.

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 and are not required to report actual or suspected discrimination or harassment. They may offer options and resources without any obligation to inform an outside agency or campus official unless a Complainant has requested the information be shared.

If a Complainant expects formal action in response to their allegations, reporting to any Mandated Reporter can connect them with resources to report crimes and/or policy violations, and these employees will immediately pass reports to the Title IX Coordinator (and/or police, if desired by the Complainant), who will take action when an incident is reported to them.

The following sections describe the reporting options at the University for a Complainant or thirdparty (including parents/guardians when appropriate):

a. Confidential Resources

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with:

- On-campus licensed professional counselors
- Off-campus (non-employees):
 - Licensed professional counselors and other medical providers

- Local rape crisis counselors
- Domestic violence resources
- Local or state assistance agencies
- Clergy/Chaplains
- Attorneys

All of the above-listed individuals will maintain confidentiality when acting under the scope of their licensure, professional ethics, and/or professional credentials, except in extreme cases of immediacy of threat or danger or abuse of a minor or individual with a disability, or when required to disclose by law or court order.

Campus counselors are available to help free of charge and may be consulted on an emergency basis during normal business hours.

University employees who are confidential will timely submit anonymous statistical information for Clery Act purposes unless they believe it would be harmful to their client or patient.

b. Anonymous Notice to Mandated Reporters

At the request of a Complainant, notice may be given by a Mandated Reporter to the Title IX Coordinator anonymously, without identification of the Complainant. The Mandated Reporter cannot remain anonymous themselves.

If a Complainant has requested that a Mandated Reporter maintain the Complainant's anonymity, the Mandated Reporter may do so unless it is reasonable to believe that a compelling threat to health or safety could exist. The Mandated Reporter can consult with the Title IX Coordinator on that assessment without revealing personally identifiable information.

Anonymous notice will be investigated by the University to the extent possible, both to assess the underlying allegation(s) and to determine if supportive measures or remedies can be provided.

However, anonymous notice typically limits the University's ability to investigate, respond, and provide remedies, depending on what information is shared.

When a Complainant has made a request for anonymity, the Complainant's personally identifiable information may be withheld by a Mandated Reporter, but all other details must be shared with the Title IX Coordinator.

c. Mandated Reporters and Formal Notice/Complaints

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 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.

Though this may seem obvious, 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.

Finally, it is important to clarify that 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.

20. When a Complainant Does Not Wish to Proceed

If a Complainant does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal complaint to be pursued, they may make such a request to the Title IX Coordinator, who will evaluate that request in light of the duty to ensure the safety of the campus and to comply with state or federal law.

The Title IX Coordinator has ultimate discretion over whether the University proceeds when the Complainant does not wish to do so, and the Title IX Coordinator may sign a formal complaint to initiate a grievance process upon completion of an appropriate violence risk assessment.

The Title IX Coordinator’s decision should be based on results of the violence risk assessment that show a compelling risk to health and/or safety that requires the University to pursue formal action to protect the community.

A compelling risk to health and/or safety may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/or violence. The University may be compelled to act on alleged employee misconduct irrespective of a Complainant’s wishes.

The Title IX Coordinator must also consider the effect that non-participation by the Complainant may have on the availability of evidence and the University’s ability to pursue a Formal Grievance Process fairly and effectively.

When the Title IX Coordinator executes the written complaint, they do not become the Complainant. The Complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of this policy.

When the University proceeds, the Complainant (or their Advisor) may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under this policy irrespective of their level of participation. Typically, when the Complainant chooses not to participate, the Advisor may be appointed as proxy for the Complainant throughout the process, acting to ensure and protect the rights of the Complainant.

Note that the University's ability to remedy and respond to notice may be limited if the Complainant does not want the University to proceed with an investigation and/or grievance process. The goal is to provide the Complainant with as much control over the process as possible, while balancing the University's obligation to protect its community.

In cases in which the Complainant requests confidentiality/no formal action and the circumstances allow the University to honor that request, the University will offer informal resolution options (see below), supportive measures, and remedies to the Complainant and the community, but will not otherwise pursue formal action.

If the Complainant elects to take no action, they can change that decision if they decide to pursue a formal complaint at a later date. Upon making a formal complaint, a Complainant has the right, and can expect, to have allegations taken seriously by the University, and to have the incidents investigated and properly resolved through these procedures.

21. Federal Timely Warning Obligations

Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that under the Clery Act, the University must issue timely warnings for incidents reported to them that pose a serious or continuing threat of bodily harm or danger to members of the campus community.

The University will ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

22. False Allegations and Evidence

Deliberately false and/or malicious accusations under this policy, as opposed to allegations which, even if erroneous, are made in good faith, are a serious offense and will be subject to appropriate disciplinary action.

Additionally, witnesses and parties knowingly providing false evidence, tampering with or destroying evidence after being directed to preserve such evidence, or deliberately misleading an official conducting an investigation can be subject to discipline under University policy.

23. Amnesty for Complainants and Witnesses

The University community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to report to University officials or participate in grievance processes because they fear that they themselves may be in violation of

certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of the University community that Complainants choose to report misconduct to University officials, that witnesses come forward to share what they know, and that all parties be forthcoming during the process.

To encourage reporting and participation in the process, the University maintains a policy of offering parties and witnesses amnesty from minor policy violations – such as underage consumption of alcohol or the use of illicit drugs – related to the incident.

Amnesty does not apply to more serious allegations such as physical abuse of another or illicit drug distribution. The decision not to offer amnesty to a Respondent is based on neither sex nor gender, but on the fact that collateral misconduct is typically addressed for all students within a progressive discipline system, and the rationale for amnesty – the incentive to report serious misconduct – is rarely applicable to Respondent with respect to a Complainant.

Students: Sometimes, students are hesitant to assist others for fear that they may get in trouble themselves (for example, an underage student who has been drinking or using marijuana might hesitate to help take an individual who has experienced sexual misconduct to the University Police).

The University maintains a policy of amnesty for students who offer help to others in need. While policy violations cannot be overlooked, the Recipient may provide purely educational options with no official disciplinary finding, rather than punitive sanctions, to those who offer their assistance to others in need.

Employees: Sometimes, employees are hesitant to report harassment or discrimination they have experienced for fear that they may get in trouble themselves. For example, an employee who has violated the consensual relationship policy and is then assaulted in the course of that relationship might hesitate to report the incident to University officials.

The University may, at its discretion, offer employee Complainants amnesty from such policy violations (typically more minor policy violations) related to the incident. Amnesty may also be granted to Respondents and witnesses on a case-by-case basis.

24. Federal Statistical Reporting Obligations

Certain campus officials – those deemed Campus Security Authorities – have a duty to report the following for federal statistical reporting purposes (Clery Act):

- a) All “primary crimes,” which include homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson;
- b) Hate crimes, which include any bias motivated primary crime as well as any bias motivated larceny or theft, simple assault, intimidation, or destruction/damage/vandalism of property;
- c) VAWA-based crimes, which include sexual assault, domestic violence, dating violence, and stalking; and

d) Arrests and referrals for disciplinary action for weapons-related law violations, liquor-related law violations, and drug abuse-related law violations.

All personally identifiable information is kept private, but statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on or off-campus or in the surrounding area, but no addresses are given) for publication in the Annual Security Report and daily campus crime log.

Campus Security Authorities include: student affairs/student conduct staff, campus law enforcement, local police, coaches, athletic director, residence life staff, student activities staff, human resources staff, advisors to student organizations, and any other official with significant responsibility for student and campus activities.

CONFIDENTIALITY, PRIVACY AND REPORTING POLICY

Reporting Procedures

UWA PD strongly encourages individuals to report all crimes including sexual assaults to the appropriate law enforcement agencies. Reporting is the only effective way that action can be taken against the alleged attacker and knowing your rights as a victim of a crime. Victims are encouraged to use the following procedures:

Report to the Police: Individuals are strongly urged to first contact UWA PD (if assaulted on campus) or local police authorities (if assaulted off campus). All agencies may be reached by calling 911. UWA PD officers can assist in notifying local police authorities. During business hours, you may also contact Byron Thetford, Title IX Coordinator at (205)652-3435 or via email at bthetford@uwa.edu

Report to other University Officials: In the event, a victim does not report to UWA PD, we encourage you to report to another official such as:

| | | |
|-------------------------------------|-------------------------------------------------|----------------------|
| Dr. Melissa Haab | Vice President of Student Affairs | (205)652-5571 |
| Mr. Byron Thetford | Dean of Students/Title IX Coordinator | (205)652-3435 |
| Ms. Angela Ward | Director of Housing & Residence Life | (205)652-5399 |
| University Police Department | | (205)652-5555 |

UWA PD encourage that you contact someone you can talk to if you are the victim of a crime and report it to UWA PD or your local authorities immediately.

Reporting Options

An individual has the option to pursue a criminal complaint with the appropriate law enforcement agency, to pursue a formal complaint through the University of West Alabama disciplinary

process, or to pursue both processes simultaneously. **Regardless of the option chosen, the University of West Alabama must initiate an administrative investigation under Title IX.**

Option 1: Criminal Complaint

The University of West Alabama encourages individuals to report all incidents of sexual violence or sexual assault to the police. If the incident occurred on University of West Alabama property, UWA PD is the appropriate agency with which to file a report, **205-652-5555**. Off-campus incidents will likely fall in the jurisdiction of the Livingston Police Department (for incidents within the City's police jurisdiction) or the Sumter County Sheriff's Office (for incidents outside the City's police jurisdiction but within Sumter County). To reach these law enforcement agencies dial **911**, or **205-652-9525** for the Livingston Police Department, or **205-652-7984** for the Sheriff's Office.

Incidents of gender-based misconduct that are reported to UWA PD will also be referred to the Title IX Coordinator for follow-up and administrative investigation, regardless of whether a formal investigation is requested by the complainant. Similarly, the Title IX Coordinator will follow up where appropriate in those instances when the University of West Alabama has a report of an incident of sexual misconduct or sexual assault that has been reported to another law enforcement agency.

The administrative investigation conducted by the Title IX Coordinator or his/her designee is distinct and separate from the criminal investigation and flows from the University of West Alabama's obligation under Title IX to ensure that it is providing a safe environment for all students. If a complainant wishes to pursue a criminal complaint exclusively, the complainant may choose to temporarily defer the formal University investigation and/or disciplinary process by making a formal written request to the Title IX Coordinator, which may delay the formal investigation and the University of West Alabama's ability to respond. **The University of West Alabama will continue its administrative investigation in all instances and must continue its formal investigation where it has reason to believe that the alleged harasser may be an imminent threat to the safety of the complainant and/or other students.** At any time, the complainant may choose to rescind the deferral by making a formal written request to the Title IX Coordinator, electing to resume the formal investigation and/or disciplinary process. The University of West Alabama will maintain documentation of the date of deferral. Information obtained through the criminal investigation may be used by the University for consideration in the University's disciplinary process.

If a student pursues a criminal complaint only, a member of UWA PD will request that the Sumter County District Attorney's Office keep the University of West Alabama informed and immediately advised of its decision whether to prosecute the complaint. The University of West Alabama will maintain documentation of the date of the request to the District Attorney's Office. In cases where the District Attorney declines prosecution, a member of UWA PD will provide written notice to the complainant of the District Attorney's decision and the University of West Alabama will pursue its formal investigation and/or disciplinary process as appropriate.

Option 2: University Disciplinary Process

Gender-based misconduct involving students, faculty, staff or some third parties, including sexual assaults, whether or not the assaults have been reported to a law enforcement agency, should be reported to the University of West Alabama for investigation and resolution through University processes.

For information regarding the University of West Alabama’s disciplinary procedures for addressing incidents of alleged gender-based misconduct, see Policies and Procedures regarding Equal Opportunity, Harassment, and Non-Discrimination.

Option 3: Simultaneous Processes

An individual has the option and right to pursue a criminal complaint through the appropriate law enforcement agency, to pursue the University of West Alabama’s disciplinary process, or to pursue both avenues simultaneously.

Written Notice of Reporting Options

Individuals who report alleged gender-based misconduct will be provided with written notice of the above-referenced reporting options. The University of West Alabama, through the Title IX Coordinator or his/her designee, must also obtain written acknowledgment from the individual of his/her decision regarding which options, if any, the student wishes to pursue.

Notification of Final Results

The Title IX Coordinator will, at the conclusion of the proceedings, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.

Resources for Medical and Counseling Care

It is especially important for individuals who have been sexually assaulted to seek immediate and appropriate medical treatment. In addition to contacting UWA PD, 205-652-5555, for emergency treatment, the following hospitals and clinics are located near the University of West Alabama campus:

Hospitals/Clinics

Whitfield Regional Hospital

105 Highway 80 East
Demopolis, AL 36732
(334) 289-4000
info@bwwmh.com

Anderson Regional Medical Center

2124 14th Street
Meridian, MS 39301
(601) 553-6000

DCH Regional Medical Center

809 University Boulevard East
Tuscaloosa, AL 36401-2029
(205) 759-7111

Hill Hospital of Sumter County

751 Derby Drive

York, AL 36925
(205) 392-5263

University Medical Center
711 North Washington St.
Livingston, AL 35470
(205)348-4055

Clinic
Rush Medical Group
1221 N. Washington Street
Livingston, AL 35470
(205) 652-9575
Stephanie.Mason@rushhealth.com

Counseling services for sexual misconduct and sexual assault are available through the West Alabama Mental Health Center at the Demopolis office, and referrals to the Center may be made through the Vice President for Student Affairs, 205-652-5571. Additionally, victims of sexual assault can obtain counseling through the Turning Point, 205-758-0808, collect calls accepted, through its 24-hour crisis line or Tuscaloosa SAFE Center at 205-860-SAFE (7233).

Federal Statistical Reporting Obligations

Certain campus officials have a duty to report sexual misconduct for federal statistical reporting purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the annual Campus 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. The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the victim and may be done anonymously.

Federal Timely Warning Reporting Obligations

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

Voluntary, Confidential Reporting of Sexual Offenses:

Although victims of sexual offenses are not required to report offenses to the police, reporting is strongly encouraged.

Parameters of Confidentiality and Mandated Title IX Investigations

To the extent possible under federal law, the University of West Alabama will protect the privacy of all parties to a report of gender-based misconduct. That said, under federal law, University officials who receive a report of gender-based misconduct, whether from the individual involved

or a third party, are required to share that information with the appropriate University authorities for investigation and follow-up. The University is obligated under federal law to investigate a complaint/report, to take action to eliminate gender-based misconduct, to prevent its recurrence, and to address its effects. An administrative investigation under Title IX must be initiated if the University has enough information to reasonably determine key facts, e.g., time, date, location and names of parties involved in an alleged incident. Ordinarily, this administrative investigation will include a review of statements obtained from either party, interviews with both parties, interviews with witnesses as appropriate and review of relevant documentary evidence, and will be conducted by the Title IX Coordinator or his/her designee. The University is obligated to conduct this investigation regardless of the complainant's requests. The Title IX Coordinator or his/her designee will conclude all investigations within 60 calendar days except in extraordinary circumstances. If an investigation cannot be completed within 60 days, the Title IX Coordinator or his/her designee will contact the reporting party and provide a timeframe in which the investigation will be complete. In the course of investigations, information will be shared as necessary with people who need to know, such as investigators, witnesses, and the accused.

Intimidation or Threats to Inhibit Reporting

The University strongly encourages individuals to report any incident of gender-based misconduct. The University takes such reports seriously. It is a violation of University policy to retaliate against any person making a complaint of gender-based misconduct or against any person cooperating in the investigation of (including testifying as a witness to) any allegation of gender-based misconduct. For these purposes, "retaliation" includes intimidation, threats, harassment, and other adverse action threatened or taken against any such complainant or third party. Retaliation should be reported immediately to the Title IX Coordinator and may result in disciplinary action independent of the sanction or interim measures imposed in response to the underlying allegations of gender-based misconduct.

What about confidentiality?

1. Counseling services is confidential for all persons. No information regarding your visit(s) will be divulged to any person(s) or agencies, parent, faculty, prospective employers without written permission specifying what may be disclosed; nor will any record of your visit(s) exist within your official academic transcripts or medical records. The only exceptions are when:

- a.) a client threatens to harm him/herself or harm others
- b.) there is reasonable suspicion of abuse of a child or elderly person
- c.) when ordered to release records to a court of law having proper jurisdiction

2. 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.

3. 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 Medical Facility. 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 needing assistance should call UWA PD at 205-652-3602.

Procedures Followed After a Report of a Sexual Offense Is Made To UWA PD

When a sexual assault is investigated, the victim may be unprepared for the lengthy, public process of bringing the perpetrator to justice. UWA PD respects 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:

The University reserves the right to take whatever measures it deems necessary in response to an allegation of gender-based misconduct in order to protect individuals' rights and personal safety. Such measures include, but are not limited to, modification of living arrangements, interim suspension from campus pending the outcome of the investigation, and reporting the matter to the local police. Not all forms of gender-based misconduct will be deemed to be equally serious offenses, and the University reserves the right to impose different sanctions, ranging from verbal warning to expulsion or termination, depending on the severity of the offense. The University will consider the concerns and rights of both the complainant and the person accused of gender-based misconduct.

After an assault has occurred and the victim contacts campus or city police, patrol officers will respond to the victim, ensure his or her well-being, and necessary support services.

(A.) The responding patrol officers, after receiving a brief description of what happened from the victim, will inform the appropriate support personnel. Officers will secure the crime scene and interview any witnesses and preserve the crime scene for evidence collection. The officers will help the victim arrange medical care to treat injuries and potential sexually transmitted diseases and preserve physical evidence of the assault.

(B.) When ready, the victim will be asked to provide a detailed statement of the assault to police personnel.

(C.) Officers may ask the victim to try and identify the suspect from a photo or physical lineup.

(D.) 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 at the discretion of the judge or magistrate.

(E.) 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 indicted, a trial will be scheduled.

(F.) The trial will typically be held in the Circuit Court of Sumter County. Sexual assault trials generally involve testimony from the victim, the police, the emergency-room personnel, and other witnesses. If the accused defendant is found to be guilty of the crime, the judge will set a sentencing hearing which may require further testimony for those involved in the trial.

UWA Student Code of Conduct

The University of West Alabama expects all students and organizations to be knowledgeable of the **Code of Student Conduct**, and they should be aware that they are expected to conform to that order.

The **Code of Student Conduct** governs the conduct of students and organizations in all behavioral matters. Any questions regarding the Code should be directed to the Dean of Students (“Dean”).

By enrollment at the University, a student or organization neither relinquishes rights nor escapes responsibility for compliance with local, state and/or federal laws and regulations. Additionally, the University has a responsibility to maintain a campus environment conducive to its educational mission while protecting the safety, health, and well-being of all students and other persons on campus. Students and organizations are thus obligated to abide by the rules and policies promulgated by the University.

Interference, injury or the intentional attempt to injure or interfere with the personal or property rights of any person, whether a student, another member of the University community, visitor, or the University itself, is strictly prohibited by the Code of Student Conduct.

Jurisdiction

The Code of Student Conduct and the student conduct process apply to the conduct of individual students, both undergraduate and graduate, and all UWA-affiliated student organizations.

If sanctioned, a hold may be placed on the student’s ability to re-enroll [and/or obtain official transcripts and/or graduate] and all sanctions must be satisfied prior to re-enrollment eligibility.

The Code of Student Conduct applies to behaviors that take place on the campus, at UWA-sponsored events, and may also apply off-campus when the Dean or designee determines, in his/her sole opinion, that the off-campus conduct affects a substantial UWA interest. A substantial UWA interest is defined to include:

- Any situation where it appears that the student’s conduct may present a danger or threat to the health or safety of him/herself or others; and/or
- Any situation that significantly impinges upon the rights, property, or achievements of self or others, or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational mission and/or interests of the University;

The Code of Student Conduct may be applied to behavior conducted online, via email, or other electronic medium. Students should also be aware that online postings such as blogs, web postings, chats, and social networking sites are in the public sphere and are not private.

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

Student Conduct Authority

A. Authority

The Dean is vested with the authority over student conduct and overseeing and managing the student conduct process. The Dean may appoint administrative hearing and appeal officers as deemed necessary to efficiently and effectively supervise the student conduct process.

The Dean (or designee) will assume responsibility for the investigation of an allegation of misconduct to determine if the complaint has merit, except in cases involving Title IX, wherein the complaint will be forwarded to the Title IX Coordinator for investigation.

B. Gatekeeping

No complaint will be forwarded for a hearing unless there is reasonable cause to believe a policy has been violated. Reasonable cause is defined as some credible information to support each element of the offense, even if that information is merely a credible witness or a victim's statement. A complaint wholly unsupported by any credible information will not be forwarded for a hearing.

C. Conflict Resolution Options

The Dean has discretion to refer a complaint for mediation or other forms of appropriate conflict resolution. All parties must agree to conflict resolution and to be bound by the decision with no review/appeal. Any unsuccessful conflict resolution can be forwarded for formal processing and hearing; however, at no time will complaints of physical sexual misconduct or violence be mediated as the sole institutional response. Dean may also suggest that complaints that do not involve a violation of the *Code of Student Conduct* be referred for mediation or other appropriate conflict resolution.

D. Interpretation and Revision

The Dean will develop procedural rules for the administration of hearings that are consistent with provisions of the *Code of Student Conduct*. Material deviation from these rules will, generally, only be made as necessary and will include reasonable advance notice to the parties involved, either by posting online and/or in the form of written communication. The Dean may vary procedures with notice upon determining that changes to law or regulation require policy or procedural alterations not reflected in this *Code*. The Dean may make minor modifications to procedure that do not materially jeopardize the fairness owed to any party. Any question of interpretation of the *Code of Student Conduct* will be referred to the Vice President for Student Affairs & Enrollment Management, whose interpretation is final. The *Code of Student Conduct* will be updated annually under the direction of the Dean with a comprehensive revision process being conducted every 5 years.

UWA students are responsible for knowing the information, policies and procedures outlined in this document. The University reserves the right to make changes to this code as necessary and once those changes are posted online, they are in effect.

Code of Student Conduct

The following behaviors, or attempted behaviors, are considered violations of the University Code of Student Conduct:

1. **Abuse of Conduct Process.** Abuse or interference with, or failure to comply in, UWA processes including conduct and academic integrity hearings including, but not limited to:
 - a. Falsification, distortion, or misrepresentation of information;
 - b. Failure to provide, destroying, or concealing information during an investigation of an alleged policy violation;
 - c. Attempting to discourage an individual's proper participation in, or use of, the campus conduct system;
 - d. Harassment (verbal or physical) and/or intimidation of a member of a campus conduct body prior to, during, and/or following a campus conduct proceeding;
 - e. Failure to comply with the sanction(s) imposed by the campus conduct system;
 - f. Influencing, or attempting to influence, another person to commit an abuse of the campus conduct system.
2. **Academic Dishonesty.** Acts of academic dishonesty such as cheating, plagiarism, and/or misrepresentation will be addressed as outlined in the [*Disciplinary Procedures for Academic Infractions*](#).
3. **Alcohol.** Use, possession, or distribution of alcoholic beverages or paraphernalia except as expressly permitted by law and the University's [*Alcohol Policy*](#);
4. **Collusion.** Action or inaction with another or others to violate the *Code of Student Conduct*;
5. **Damage and Destruction.** Intentional, reckless, and/or unauthorized damage to or destruction of UWA property or the personal property of another;
6. **Disruptive Behavior.** Substantial disruption of UWA operations including obstruction of teaching, research, administration, other UWA activities, and/or other authorized non-UWA activities which occur on campus;
7. **Drugs.** Use, possession, or distribution of illegal drugs and other controlled substances or drug paraphernalia;
8. **Failure to Comply.** Failure to comply with the reasonable directives of UWA officials or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so;
9. **Falsification.** Knowingly furnishing or possessing false, falsified, or forged materials, documents, accounts, records, identification, or financial instruments.
10. **Fire Safety.** Violation of local, state, federal, or campus fire policies including, but not limited to:
 - a. Intentionally or recklessly causing a fire that damages UWA or personal property or which causes injury.

- b. Failure to evacuate a UWA-controlled building during a fire alarm;
 - c. Improper use of UWA fire safety equipment; or
 - d. Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on UWA property. Such action may result in a local fine in addition to UWA sanctions;
11. **Gambling.** Gambling as prohibited by the laws of the State of Alabama. (Gambling may include lotteries, sports pools, and online betting activities);
 12. **Harassment.** Unwelcome conduct (written, verbal, or via electronic communication) that is so severe, pervasive, objectionably offensive, and that so undermines and detracts from a student's educational experience, that it denies or limits a student's equal access to an institution's resources, activities, and opportunities.
 13. **Harm.** Intentionally or recklessly causing physical harm or endangering the health or safety of any person.
 14. **Hazing.** Defined as an act that endangers the mental or physical health or safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation. Failing to intervene to prevent (**and/or**) failing to discourage (**and/or**) failing to report those acts may also violate this policy.
 15. **Health and Safety.** Creation of health and/or safety hazards (dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.) or violation of institutional, local, state, and/or federal public health directives.
 16. **IT and Acceptable Use.** Violating the [Information Technology Policy](#),
 17. **Other Policies.** Violating other published UWA policies or rules, including all [Residence Hall policies](#), etc;
 18. **Prescription Medications.** Abuse, misuse, sale, or distribution of prescription or over-the-counter medications; 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.
 19. **Retaliatory Discrimination or Harassment.** Any intentional, adverse action taken by a responding or persistent and objectively offensive individual or allied third party, absent legitimate nondiscriminatory purposes, against a participant or supporter of a participant in a civil rights grievance proceeding or other protected activity under this Code.
 20. **Rioting.** Causing, inciting, or participating in any disturbance that presents a clear and present danger to self or others, causes physical harm to others, or damages and/or destruction of property;
 21. **Sexual Harassment.** Quid Pro Quo sexual harassment, Hostile Environment sexual harassment, sexual assault, domestic violence, dating violence, stalking, and retaliation as defined in the [University of West Alabama Policies and Procedures Regarding Equal Opportunity, Harassment, and Nondiscrimination](#).

22. **Sexual Misconduct.** Sexual Contact and Sexual Exploitation as defined in the [University of West Alabama Policies and Procedures Regarding Equal Opportunity, Harassment, and Nondiscrimination](#).
23. **Stalking.** A repetitive and menacing pursuit, following, harassing, and/or interfering with the peace and/or safety of another on grounds other than the basis of gender/sex.
24. **Stolen Property.** Knowingly taking or maintaining possession of stolen property; including but not limited to using another student's ID card,
25. **Taking of Property.** Intentional and unauthorized taking of UWA property or the personal property of another, including goods, services, and other valuables;
26. **Threatening Behaviors: Harm to Persons.**
 - a. **Threat.** Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
 - b. **Intimidation.** Intimidation is defined as implied threats or acts that cause a reasonable fear of harm in another.
27. **[Traffic/Parking Policy](#)** - Violation of traffic and parking rules and regulations including, but not limited to:
 - a. Repeated or flagrant violations of the rules as set forth in;
 - b. Tampering with, removal, or theft of wheel locks, barricades, traffic cones, or traffic control devices.
28. **Unauthorized Access.** Unauthorized access to any UWA building (i.e. keys, cards, etc.) or unauthorized possession, duplication, or use of means of access to any University building or failing to timely report a lost UWA identification card or key;
29. **Unauthorized Entry.** Misuse of access privileges to UWA premises or unauthorized entry to or use of buildings, including trespassing, propping, or unauthorized use of alarmed doors for entry into or exit from a UWA building;
30. **Weapons.** Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on University premises, or use of any such item, even if legally possessed, in a manner that harms, threatens, or causes fear to others, including the storage of any item that falls within the category of a weapon in a vehicle parked on UWA property (for more information, see Firearms Policy in the Tiger Paw Student handbook);
31. **Violations of Law.** Evidence of violation of local, state or federal laws, when substantiated through the University's conduct process

Conduct Sanctions

One or more of following sanctions may be imposed upon any student for any single violation of the Code of Student Conduct:

Warning: An official written notice that the student has violated University policies and/or rules and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at the University.

Restitution: Compensation for damage caused to the University or any person's property. This could also include situations such as failure to return a reserved space to proper condition - labor costs and expenses. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.

Fines: Reasonable monetary fines may be imposed.

Community/UWA Service Requirements: For a student or organization to complete a specific supervised UWA service.

Loss of Privileges: The student will be denied specified privileges for a designated period of time.

Confiscation of Prohibited Property: Items whose presence is in violation of University policy will be confiscated and will become the property of the University. Prohibited items may be returned to the owner at the discretion of the Director of Student Life & Support and/or Campus Police.

Behavioral Requirement: This includes required activities including, but not limited to, seeking counseling or substance abuse screening, writing a letter of apology, behavioral contract, etc.

Educational Program: Requirement to attend, present, and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student or organization was found responsible. Audience may be restricted.

Restriction of Visitation Privileges: May be imposed on a resident or non-resident student. The parameters of the restriction will be specified.

UWA Housing Probation: Official notice that, should further violations of University residences or University policies occur during a specified probationary period, the student may immediately be removed from University housing. Regular probationary meetings may also be imposed.

UWA Housing Reassignment: Reassignment to another UWA housing facility. University residences personnel will decide on the reassignment details.

UWA Housing Suspension: Removal from UWA housing for a specified period of time after which the student is eligible to return. Conditions for re-admission to UWA housing may be specified. Under this sanction, a student is required to vacate UWA housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, University residences personnel. This sanction may be enforced with a trespass action if deemed necessary. Prior to reapplication for UWA housing, the student must request a Housing Readmission Review with the Department of Housing & Residence Life to determine whether or not the student may return to University Housing, if so, whether any restrictions apply.

UWA Housing Expulsion: The student's privilege to live in and/or visit, any University housing structure is revoked indefinitely. This sanction may be enforced with a trespass action if deemed necessary.

UWA Probation: The student is put on official notice that, should further violations of University policies occur during a specified probationary period, the student may face suspension or expulsion. Regular probationary meetings may also be imposed.

Eligibility Restriction: The student is deemed “not in good standing” with the University for a specified period of time. Specific limitations or exceptions may be granted by the Director of Student Life & Support or his/her designee and terms of this conduct sanction may include, but are not limited to, the following:

- a) Ineligibility to hold any office in any student organization recognized by the University or hold an elected or appointed office at the University; or
- b) Ineligibility to represent the University to anyone outside the University community in any way including: participating in the study abroad program, attending conferences, or representing the University at an official function,

UWA Suspension: Separation from the University for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. The student is required to vacate the campus within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Director of Student Life & Support or his/her designee. During the suspension period, the student is banned from University property, functions, events and activities without prior written approval from the Director of Student Life & Support or his/her designee. This sanction may be enforced with a trespass action as necessary.

UWA Expulsion: Permanent separation from the University. The student is banned from University property and the student’s presence at any University-sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary.

Other Sanctions: Additional or alternate sanctions may be created and designed as deemed appropriate to the offense with the approval of the Director of Student Life & Support or designee.

The following sanctions may be imposed upon groups or organizations found to have violated the *Code of Student Conduct*:

1. One or more of the sanctions listed above.
2. Deactivation, de-recognition, loss of all privileges (including status as a University registered group/organization), for a specified period of time.

Student Conduct Process

Possible violations of University policy and/or the Student Code of Conduct may be reported by any member of the University community. Once a Referral Form/report is submitted, the following procedures will be followed:

- Based on the information in the report, the Dean, or his/her designee, conducts an initial inquiry to determine whether the alleged behavior may be a violation of the Code of Student Conduct or other University policy.
- If determination is made in the affirmative, the Responding Party is notified in writing of the possible violation and the date, time, and place of the student conduct conference. The conference is an informal, non-adversarial meeting between a student and a University Conduct Officer.

- At any point during the investigation, if it is determined there is no reasonable cause to believe that University policy has been violated, the Dean has authority to terminate the investigation and end resolution proceedings.
- All investigations are conducted so as to provide the Responding Party with appropriate due process, including written notice of the allegations. The Director will fully inform the Responding Party of all evidence obtained in the course of the investigation, and will offer the Responding Party a full and fair opportunity to respond to and rebut the allegations of misconduct. In this sense, interviews during the course of the investigation are conducted as administrative hearings.
- During the conference, the Director presents the information in the report, listens to the student, discusses circumstances regarding the incident, and hears student concerns.
- If the Responding Party admits responsibility, the Director will render a finding that the individual is in violation of the Code of Student Conduct and will implement sanctions.
- If the Responding Party denies responsibility, a full investigation begins and, where applicable, written statements and/or interviews will be requested from witnesses, and involved parties.
 - Witnesses (as distinguished from the parties) are expected to cooperate with and participate in UWA's investigation. Witnesses may provide written statements in lieu of interviews during the investigation and may be interviewed remotely by phone, Zoom (or similar technology), if they cannot be interviewed in person or if the investigators determine that timeliness or efficiency dictate a need for remote interviewing.
- Based upon the investigation and the preponderance of evidence, a determination will be made ultimately resulting in a finding of responsible or not responsible.
- In cases of accusations of violations of the Student Code of Conduct that could result in suspension from the University or removal from the residence halls, the Dean or his/her designee may appoint other investigators (panel) to investigate the student conduct case. All investigations will be thorough, reliable, impartial, prompt, and fair. Investigations entail interviews with all relevant parties and witnesses, obtaining available evidence and identifying sources of expert information, as necessary.
- If a student respondent fails to appear for the conference, the meeting may be held without his/her presence or statements and/or the student may be charged with failing to comply and may be suspended until they do appear.
- In cases of sexual misconduct and/or other violations that fall under Title IX (sexual harassment, sexual assault, stalking, domestic violence, relationship violence), such investigations are handled pursuant to the [University of West Alabama Policies and Procedures Regarding Equal Opportunity, Harassment, and Nondiscrimination](#).
- If during a Title IX investigation it is determined that there is not a Title IX violation, there may still be a violation according to the University Student Code of Conduct or other university policies and the individual may be sanctioned accordingly.

Student's Procedural Rights

When a student or student organization representative appears for a student conduct conference before the Dean or before a University Student Conduct Panel(s), the following procedural rights will be accorded:

- To receive a letter of notification with the date, time, and place of the student conduct conference.
- To have a student conduct hearing that shall be scheduled within three (3) business days after the date of the notice except in extenuating circumstances with approval from the Dean.
 - Note: Computation of time: When any period of time is referred to, such period in all cases are computed to exclude the first and include the last day of such period. Business days include normal University operating days and exclude holidays and weekends. The last business day ends at 5 p.m.
- Allowed to have an advisor present during the student conduct conference; however, the advisor may not participate in presenting the case, question witnesses, or make statements during the conference. The advisor may not act as legal counsel. An attorney may be present, but only in an advisory role.
 - Advisors are chosen by the student, and not provided by the University.
- To receive written notification of the decision of the student conduct conference within ten (10) business days, barring unforeseen circumstances.
- To either accept responsibility for the violation(s) and the assigned sanction(s) or submit a written appeal to the Dean within three (3) business days from the date of receipt of the decision. A student found responsible for a Code of Student Conduct violation may only appeal a sanction of Removal from University Housing, Suspension or Expulsion from the University, with the exception of cases involving allegation of sexual misconduct.

Appeals

Appeal requests are limited to findings where one of the following sanctions was handed down:

- Removal from University Housing,
- Suspension, or
- Expulsion from the University.

And such appeal requests are limited to the following grounds:

- A procedural error occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures, etc.).
- To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction.
 - Failure to provide information during or participate in an investigation or a hearing, even resulting from concern over pending criminal or civil proceedings, does not make evidence “unavailable” at the time of the hearing.

- The sanctions imposed are substantially outside the parameters or guidelines set by the University for this type of offense or the cumulative conduct record of the responding student.

Appeals shall be heard by the Vice President for Student Affairs & Enrollment Management or his/her designee. A written request for an appeal by the student must be submitted to the Dean within three (3) business days of notification of results of the original hearing or conference. The Dean may administer the notification of hearing results via student's official University email address.

- Note: Computation of time: When any period of time is referred to, such period in all cases are computed to exclude the first and include the last day of such period. Business days include normal University operating days and exclude holidays and weekends. The last business day ends at 5 p.m.

The Vice President for Student Affairs & Enrollment Management or his/her designee may sustain or modify the sanction set by the Office of Student Life & Support when he/she determines that the sanction recommended was outside the University's sanction range for such violations and/or not justified by the nature of the offense. The person conducting the appeal will forward a written decision and rationale to the Dean and/or Title IX Coordinator within ten (10) business days of receiving the sanction review request.

Missing Person Procedures

Students who reside in on campus housing facilities are encouraged to report a student has been missing for 24 hours to UWA PD or a campus security authority. The Campus Security Authority (CSA) will be required to report any official missing student to the UWA PD 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 UWA PD.

Students' contact information will be registered confidentially and this information will be accessible only to authorized campus officials and the UWA PD. 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 UWA PD receives a report that the student is missing, the UWA PD will conduct an investigation to determine if the student is officially missing. If the student has designated a contact person, the UWA PD will notify that contact person within 24 hours. If the student is under 18 years of age and is not emancipated, the UWA PD 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 18, or is an emancipated minor, UWA PD will conduct an investigation to determine if the student is officially missing within 24 hours.

The University of West Alabama takes student safety very seriously. To this end, and in compliance with the Missing Student Notification Policy and Procedures (Section 488 of the Higher Education Opportunity Act of 2008), the following policy has been developed in order to assist in locating UWA students living on-campus, who, based on the facts and circumstances

known to the University, are determined to be missing. It is the policy of the University of West Alabama to actively investigate any report of a missing resident student (an enrolled student that lives on –campus). Each resident is notified of the missing students policy and procedures in the event that they are reported missing.

Each resident, upon checking into campus housing, is requested to identify the name and contact information of the individual that is to be contacted in case of an emergency, including in the event of the resident being reported missing for a period of no more than 24 hours. For any resident under the age of 18, and not an emancipated individual, the institution is required to notify a custodial parent or guardian no later than 24 hours after the time that the resident is determined to be missing by the UWA Housing Office or UWA PD.

Most missing person reports in a university environment results from a student changing his/her routine without informing friends of the change. If a member of the University community has reason to believe that a student is missing, all efforts will be immediately (with no waiting period) to locate the student to determine his or her state of health and well-being. These efforts include, but are not limited to, checking the resident’s room, class schedule, friends, ID card access, contacting University Police, locating the resident’s vehicle, calling the resident’s cell phone number (if provided).

If, upon investigation by UWA PD and the UWA Housing staff, the resident is determined to be missing, the Vice President for Student Affairs (or his designee) will contact the resident’s designated emergency contact person. UWA PD will continue to investigate utilizing established police investigative procedures and in collaboration with staff from the UWA Housing Office. UWA PD will also coordinate its efforts with outside law enforcement agencies in full compliance with legal obligations and good police practice.

Crime Statistics:

The Annual Security Report for the University of West Alabama includes statistics for the previous three years concerning reported crimes that occurred on campus, in certain off -campus buildings or property owned or controlled by UWA and on public property within, or immediately adjacent to and accessible from the campus. In accordance with mandated reporting requirements, information concerning the monitoring and recording of any criminal activity in which students engaged, at off campus locations and/or within student organizations that are officially recognized by the University, are gathered from local police agencies. These agencies include any City, County, State, or Federal agencies that may have relevant information and the statistics are published in this disclosure. The report also includes institutional policies concerning campus security, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault and other matters.

UWA PD is aware that crimes may go unreported to law enforcement and encourages employees of UWA, who have significant responsibility for students and student activities, to report to UWA PD any crimes that they may have become aware of in their daily contact with students.

UWA CRIME STATISTICS

| Criminal Offenses | | GEOGRAPHIC LOCATION | | | |
|------------------------------------------|------|---------------------|---------------------------|--------------------|-----------------|
| OFFENSE | YEAR | ON-CAMPUS PROPERTY | ON-CAMPUS STUDENT HOUSING | NONCAMPUS PROPERTY | PUBLIC PROPERTY |
| Murder/Non-negligent Manslaughter | 2021 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 |
| | 2023 | 0 | 0 | 0 | 0 |
| Negligent Manslaughter | 2021 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 |
| | 2023 | 0 | 0 | 0 | 0 |
| Rape | 2021 | 0 | 0 | 0 | 0 |
| | 2022 | 1 | 1 | 0 | 0 |
| | 2023 | 0 | 0 | 0 | 0 |
| Fondling | 2021 | 0 | 0 | 0 | 0 |
| | 2022 | 1 | 1 | 0 | 0 |
| | 2023 | 0 | 0 | 0 | 0 |
| | | | | | |

| | | | | | |
|-----------------------|------|---|---|---|---|
| Incest | 2021 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 |
| | 2023 | 0 | 0 | 0 | 0 |
| Statutory Rape | 2021 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 |
| | 2023 | 0 | 0 | 0 | 0 |
| Robbery | 2021 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 |
| | 2023 | 0 | 0 | 0 | 0 |
| | | | | | |

| Criminal Offenses | | GEOGRAPHIC LOCATION | | | |
|---------------------------|-------------|----------------------------|----------------------------------|---------------------------|------------------------|
| OFFENSE | YEAR | ON-CAMPUS PROPERTY | ON-CAMPUS STUDENT HOUSING | NONCAMPUS PROPERTY | PUBLIC PROPERTY |
| Aggravated Assault | 2021 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 |
| | 2023 | 1 | 1 | 0 | 0 |
| | | | | | |

| | | | | | |
|----------------------------|------|---|---|---|---|
| Burglary | 2021 | 1 | 0 | 0 | 0 |
| | 2022 | 1 | 0 | 0 | 0 |
| | 2023 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 2021 | 0 | 0 | 0 | 0 |
| | 2022 | 2 | 0 | 0 | 0 |
| | 2023 | 1 | 0 | 0 | 0 |
| Arson | 2021 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 |
| | 2023 | 0 | 0 | 0 | 0 |
| | | | | | |

| VAWA OFFENSES | | GEOGRAPHIC LOCATION | | | |
|--------------------------|-------------|----------------------------|----------------------------------|---------------------------|------------------------|
| OFFENSE | YEAR | ON-CAMPUS PROPERTY | ON-CAMPUS STUDENT HOUSING | NONCAMPUS PROPERTY | PUBLIC PROPERTY |
| Domestic Violence | 2021 | 0 | 0 | 0 | 0 |
| | 2022 | 1 | 1 | 0 | 0 |
| | 2023 | 0 | 0 | 0 | 0 |
| | | | | | |

| | | | | | |
|------------------------|------|---|---|---|---|
| Dating Violence | 2021 | 0 | 0 | 0 | 0 |
| | 2022 | 1 | 1 | 0 | 0 |
| | 2023 | 1 | 1 | 0 | 0 |
| Stalking | 2021 | 1 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 |
| | 2023 | 0 | 0 | 0 | 0 |

| Arrests & Disciplinary Referrals | | GEOGRAPHIC LOCATION | | | |
|--------------------------------------------------------------------------------|-------------|----------------------------|----------------------------------|---------------------------|------------------------|
| OFFENSE | YEAR | ON-CAMPUS PROPERTY | ON-CAMPUS STUDENT HOUSING | NONCAMPUS PROPERTY | PUBLIC PROPERTY |
| Arrests: Weapons: Carrying, Possessing, etc. | 2021 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 |
| | 2023 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals: Weapons: Carrying, Possessing, etc. | 2021 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 |
| | 2023 | 0 | 0 | 0 | 0 |
| Arrests: | 2021 | 0 | 0 | 0 | 0 |
| | | | | | |

| | | | | | |
|------------------------------------------------------|------|---|---|---|---|
| Drug Abuse Violations | 2022 | 0 | 0 | 0 | 0 |
| | 2023 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals: Drug Abuse Violations | 2021 | 3 | 3 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 |
| | 2023 | 1 | 1 | 0 | 0 |
| Arrests: Liquor Law Violations | 2021 | 0 | 0 | 0 | 0 |
| | 2022 | 0 | 0 | 0 | 0 |
| | 2023 | 0 | 0 | 0 | 0 |
| Disciplinary Referrals: Liquor Law Violations | 2021 | 0 | 0 | 0 | 0 |
| | 2022 | 1 | 1 | 0 | 0 |
| | 2023 | 0 | 0 | 0 | 0 |

| Unfounded Crimes | | |
|-------------------------|-------------|---|
| OFFENSE | YEAR | |
| Unfounded | 2021 | 0 |
| | 2022 | 1 |
| | 2023 | 0 |

Hate Crimes:

There were no reported Hate Crimes for the years 2021, 2022 or 2023

Annual Fire Safety Report

This information is provided to all students, faculty, and staff of the University of West Alabama in compliance with the Higher Education Opportunity Act (Public Law 110-315), which became law in August 2008. All academic institutions are required to produce an annual fire safety report outlining the fire safety practices, standards, and all fire-related on-campus housing statistics. Any questions regarding these statistics should be directed to the Director of Housing and Residence Life at (205) 652-5399.

For current Residence Life Guide click link below

<https://www.uwa.edu/wp-content/uploads/2023/10/Residence-Life-Guide-2023-2024.pdf>

Housing Policies 2023-2024 click link below

<https://www.uwa.edu/sites/default/files/inline-files/Residence%20Life%20Guide%202023%20-%202024.pdf>

Fire Alarms:

Each residence hall is equipped with a fire alarm that will sound in the case of a fire. When the fire alarm sounds, you **MUST** exit the building. Every occupied residence hall holds a fire drill each semester. Residents are required to evacuate the building during all alarms. Failure to leave the residence hall during a fire drill, false alarm, or actual warning, will result in disciplinary action. Due to the need to evacuate the building quickly, in the case of an emergency, members of the housing staff will not personally notify you of the emergency. Your notification of the emergency is the sounding of the alarm. If you are a deep sleeper or otherwise concerned that you may not hear the alarm, it is your responsibility to arrange with your roommate or neighbors to inform you when the alarm rings. If you need assistance in evacuating, you should make prior arrangements with neighbors to assist you during an emergency. You should also meet with your hall director, to create an emergency plan of action. If you are hearing impaired and/or need evacuation assistance due to a disability covered by the Americans with Disabilities Act, you should contact the Director of Retention and Student Advocacy, Will Atkinson. If you notice a fire in your residence hall, you should pull the fire alarm nearest to you, as you exit the building. If the emergency alarm should sound in your building, please use the procedures below as you leave the building in a quick, but orderly manner. We need to clear the residence hall as soon as possible, but our main concern is to prevent injuries and save lives. Evacuation plans showing the exit stairways, evacuation routes, and fire extinguishers, are available throughout the residence hall, but are also available from the housing office upon request. If the weather is cold, bring a coat or jacket. Do not forget to put on shoes.

- Bring a towel to cover your nose and mouth to prevent smoke inhalation.
- If the hallway is covered with smoke, get on the floor and crawl to the nearest exit.
- Under no circumstances should the elevator be used when the emergency alarm is ringing. If a resident has a disability that might hinder mobility, they should make prior arrangements with other residents to assist them in case of an emergency.
- Take the nearest exit and once you are safely out of the residence hall, go to your hall's meeting point and locate your RA. You may be redirected to an alternative location if the situation requires it. Do not re-enter the building until campus police have deemed the hall safe. Your meeting points are as follow:
 - o **Gilbert Hall:** Behind the residence hall, close to Wallace Hall
 - o **Hoover Apartments:** The grassy area behind the laundry room.
 - o **Patterson Hall:** In the middle island
 - o **Reed Hall:** In circle near Selden and Spieth
 - o **Selden Hall:** The bench area behind Reed Hall
 - o **Stickney Hall:** Across the parking lot, in grass near Washington St.

False fire alarms (those where there is no actual fire) disturb the community. So, it is important to prevent false fire alarms by taking the following actions:

- Do not leave appliances unattended.
- Open your window when cooking.
- Only use appliances approved for use in your residence hall, and only use them appropriately.
- Close your bathroom door and use the ventilation fan when showering or when using a hair iron (The steam from the hair iron has been known to set off the alarm).
- Follow the directions on the package when preparing food, including using water as needed and setting your microwave for the appropriate amount of time (i.e.: Popcorn does not take 30 minutes to cook).
- Do not overload circuits. Only use surge protectors with circuit breakers.
- Follow UWA Housing policies regarding prohibition of items such as candles, incense, hot plates, etc.

If university or emergency personnel determine that a false fire alarm has been caused by the negligence of a resident, including those reasons listed above, the resident will be subject to disciplinary action. A first offense will result in a minimum \$100 fine and educational sanctions. Additional offenses may result in removal from campus housing.

Any student found responsible for the following, will be subject to disciplinary action, which may result in removal from campus housing and/or suspension or expulsion from the University:

- Tampering with fire extinguishers, smoke detectors, exit lights, emergency lights and other fire safety devices
- Propping fire doors
- Obstructing halls and stairways with furniture or debris

Firearms and Fireworks

Except as otherwise stated in this policy or as otherwise allowed by law, the University prohibits the possession, transportation, and use of firearms and other dangerous weapons on campus. This policy applies to all persons on campus, including faculty, staff, students, contractors, and visitors. University students may not possess firearms at any time on campus, except as expressly authorized by UWA PD.

“Campus” means all property owned, leased or controlled by the University and any affiliated buildings and outdoor premises, such as parking lots and other outdoor property. “Dangerous weapon” is defined to include:

- Any device that shoots or delivers a bullet, BB, pellet, arrow, dart, flare, electrical charge, or other projectile, whether loaded or unloaded, including those devices powered by CO₂.
- Any explosive device, including fireworks.
- Any instruments/devices that are designed or may be used as a weapon to injure or threaten another individual, including non-culinary knives with a blade greater than four (4) inches.

“Firearm” means a pistol, handgun, rifle, or shotgun and any ammunition. Student violations will be addressed in accordance with the Code of Student Conduct as well as other applicable policies and may include sanctions, up to and including expulsion. At minimum, the student’s Housing agreement is generally terminated.

Cooking

While cooking is permitted in the residence halls, the following policies have been established for the safety of our residents.

- Appliances may not be left unattended, even for a moment, while in use. This includes the prohibition of leaving a pan unattended on the stove-top while the burner is turned on.
- A microwave oven, not to exceed 800 watts, may be used in the kitchenette area. In Selden, a microwave may be placed on a stable surface, on the wall across from the dresser cabinet.
- Coffee makers and toasters may only be used on countertops in the kitchenette area of each room or apartment. These appliances are only permitted if they have an automatic shut-off capability. In Selden, these appliances may only be used on a solid, stable surface.

- Follow the directions on the package when preparing food, including using the recommended amount of water and setting the appliance for the appropriate amount of time.

Prohibited Cooking Devices:

The following cooking devices are not permitted in campus residence halls and student apartments:

- George Forman grills (and similar device)
- Rice cookers without auto shut-offs
- Fry Daddies (and other types of deep fryers)
- Air fryers
- Coffee makers and electric tea kettles without auto shut-offs
- Waffle makers
- Electric woks
- Crock pots (and other brands of slow cooker)
- Instant Pots (and other pressure cookers)
- Fondue pots
- Toaster ovens (and pizza ovens)
- Hot plates
- Charcoal and propane grills (and other types of grills and hibachis)
- Microwave ovens that use more than 800 watts
- Other appliances with a heating element

Other Prohibited Items:

- Washers and dryers (and other large appliances)
- LED Light Strips attached to *any* university property
- Refrigerators (Except mini-fridges at Reed, Selden, and Gilbert)
- Electric blankets
- Hover Boards
- Exercise poles, chin-up bars and any other exercise equipment that attached to the floor, ceiling, wall or doorframe.
- Halogen lamps (and other halogen lights)
- Electric heaters (and other types of space heaters)
- Wireless routers
- Multi-plug adapters without surge protection
- Wireless printers
- Irons (unless they have auto shut-offs and are used with ironing boards)
- Candles and incense
- LED and other string, rope and strip lights
- Lava and oil lamps
- Potpourri simmer pots and wax warmers
- Weapons, ammunition and fireworks

- Darts and dartboards
- Bed risers and bed lofting equipment
- Water beds
- Ashtrays (Smoking inside is prohibited)
- Alcoholic beverages and alcoholic beverage containers
- Non-prescribed medications
- Prescribed drugs that are illegal in Alabama
- Drug paraphernalia
- Live Christmas trees
- Fabric/Tapestries attached to/hanging from the ceiling or walls
- Dogs and cats (and all other animals, domestic or wild)
- Pets (Non-poisonous fish in a 20-gallon or smaller aquarium are permitted)
- Any item not listed here that is deemed by housing staff to pose a threat.

While not prohibited, high-powered appliances, such as hair dryers, should not be plugged into the outlet over the dresser at Selden Hall, as they will cause a fuse to blow. This outlet is intended for lower watt appliances such as TVs and video game consoles only.

Tobacco & Smoking Policy:

Smoking and/or the use of tobacco in any form (cigarettes, e-cigarettes, cigars, chewing tobacco, pipes, water pipes, snus, snuff, etc.), is prohibited in residence halls and campus apartments, both in common areas and in individual rooms. Although receptacles have been placed near entrances to each residence hall to dispose of smoking materials, smoking is prohibited within 50 feet of the residence halls and campus apartments. The use of smokeless tobacco, such as chewing tobacco and smokeless pouches, is also prohibited within the residence hall and campus apartments. The presence of cigarette butts, ashtrays with ashes, spit cups, and other remnants often associated with smoking and smokeless tobacco are considered evidence that the Tobacco and Smoking policy is being violated in the room.

Violations of the Tobacco and Smoking policy will result in disciplinary action, including educational sanctions and a \$100 fine for a first offense. A second offense may result in dismissal from Housing. Note that a violation of this policy that also sets off a fire alarm will result in an additional fine of at least \$100.

Tornado Watches and Warnings

A tornado watch means that conditions are such that a tornado is likely to form, but one has not been sighted at that time. With a watch, you should remain alert and know what to do in case it becomes a warning. The siren above the Student Union Building WILL NOT sound for a tornado watch.

A tornado warning means that a tornado has been sighted and may affect our area. The siren at the Student Union Building will sound for three minutes, but may not be heard in all of the residence halls. On-campus residents must sign up for emergency message notification with the University. An e-mail about this service is sent out at the beginning of each semester. Weather

radios are also a great investment, as you will receive timely notification of warnings and watches in our area.

When there is a tornado warning, you **MUST** go to the designated location below, if you are in a residence hall or campus apartment at the time of the warning. **NOTE** - If you have any mobility issues, you must make prior arrangements with your neighbors to assist you during a tornado warning or other emergency:

- **Gilbert Hall:** Must go to the first floor of Wallace Hall, where staff will direct you. Anyone with mobility impairments must go to Spieth Hall, as the first floor of Wallace is only accessible via stairs. If you do not have time to get to your designated location, you should go to the nearest stairwell in Gilbert Hall and proceed to the lowest level possible.
- **Hoover Apartments:** Must go to the first floor of Wallace Hall, where staff will direct you. Anyone with mobility impairments must go to Spieth Hall, as the first floor of Wallace is only accessible via stairs. If you do not have enough time to get to Wallace (or Spieth), you should go to your bathroom, close the door, and get into your tub.
- **Stickney Hall:** Must go the first floor hallway; however, if you do not have enough time to get to the first floor hallway, you should go to your bathroom, close the door, and get into your tub.
- **Reed Hall:** Must go to the first floor of Spieth Hall, where staff will direct you. However, if you do not have enough time to get to Spieth, you should go to your bathroom, close the door, and get into the tub.
- **Patterson Hall:** Must go the first floor of Spieth Hall, where staff will direct you. If you do not have enough time to get to Spieth Hall, you should go to your bathroom, close the door, and get into the tub.
- **Selden Hall:** Must go to the basement of Selden Hall, where staff will direct you.

Other Emergency Concerns

Emergency Notifications and Testing Each resident must sign up for UWA Alerts here

<https://www.uwa.edu/weather/>

The University uses this alert system to send texts and make calls regarding emergency alerts, as well as alerts regarding inclement weather. Each month, in cooperation with local authorities, the university tests this alert system and the university's siren system. These monthly tests are generally held on the first Wednesday of each month at 10 AM.

Shelter in Place "Shelter in Place" is a general term meaning to stay in a safe place. If you are outside, go into the closest building to avoid possible danger. If you are in your residence hall, go to your room. You should lock your door and window, close your blinds, and stay in your location for further information.

Active Shooter

In the case of an active shooter or other campus violence, you should move to a safe area that can be secured immediately. Personal judgement will be needed to determine which option is most

prudent for each situation. The most common method for determining course of action is called **Run. Hide. Fight.**

- **Run:** Have an escape route and plan in mind. If it is safe to do so, RUN, leaving your belongings behind, and keep your hands visible.
- **Hide:** If it is not safe to run, HIDE in an area out of the shooter’s view, block entry into your hiding place, lock and barricade the doors, and silence your cell phone.
- **Fight:** As a last resort and only when your life is in imminent danger, attempt to incapacitate the shooter. Act with physical aggression and throw items at the active shooter.

Finally, as always, call UWA PD at 205 652-5555 when it is safe to do so. For an instructional video from the city of Houston regarding surviving an active shooter event, click here

<https://www.youtube.com/watch?v=LO04cQBdcHM>

For an informative guide from The Washington Post, click here

<https://www.washingtonpost.com/graphics/national/activeshooter/?noredirect=on>

Reporting a Fire:

If a fire takes place in your residence hall, you should exit your building follow evacuation procedures and exit the building immediately. If a fire occurs in your room that does not require evacuation (for example, a small fire that you are able to extinguish on your own with a fire extinguisher), you must still report the fire to your hall director.

Fire Safety Systems in On-Campus Student Housing Facilities

| | Smoke Detectors | Sprinkler System | Pull Stations | Fire Extinguishers in Unit | Number of Fire Drills Held During the Calendar Year |
|------------------------------------------------------|-----------------|------------------|-----------------------|----------------------------|-----------------------------------------------------|
| Residence Hall | | | | | |
| Gilbert Hall – 185 Student Union Drive | Yes | Yes | Yes | Yes | 2 |
| Hoover Apts. (Phase 1) - 494 University Drive | Yes | No | Yes (in RA room only) | Yes | 2 |
| Hoover Apts. (Phase 2) - 494 University Drive | Yes | Yes | Yes (in RA | Yes | 2 |

| | | | | | |
|-----------------------------------------|-----|-----|------------|------------------|---|
| | | | room only) | | |
| Patterson Hall – 95 Student Union Drive | Yes | No | No | Yes | 2 |
| Reed Hall – 321 Student Union Drive | Yes | No | Yes | Yes | 2 |
| Selden Hall – 261 Student Union Drive | Yes | No | Yes | Yes (in hallway) | 2 |
| Stickney Hall – 134 Washington Street | Yes | Yes | Yes | Yes | 2 |

Fire Statistics in On-Campus Student Housing Facilities for the Three Previous Calendar Years

| Statistics and Related Information Regarding Fires in Residential Facilities for the 2021 Calendar Year | | | | | | |
|----------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------------|-------------------------------------|----------------------------------------------------|--------------------------------------|---------------------------------------|
| Residence Hall | Total Fires in Each Facility | Fire Incident Number for Building | Cause of Fire | Number of Injuries that Required Medical Treatment | Number of Deaths Related to the Fire | Value of Property Damaged by the Fire |
| Gilbert Hall – 185 Student Union Drive | 1 | 1 | Unintentional Notebook on lamp fire | 0 | 0 | \$0 |
| Hoover Apts. (Phase 1) - 494 University Drive | 0 | 0 | N/A | N/A | N/A | N/A |
| Hoover Apts. (Phase 2) - 494 University Drive | 1 | 1 | Stove Fire | 0 | 0 | \$49.00 |

| | | | | | | |
|-----------------------------------------|---|---|-----|-----|-----|-----|
| Patterson Hall – 95 Student Union Drive | 0 | 0 | N/A | N/A | N/A | N/A |
| Reed Hall – 321 Student Union Drive | 0 | 0 | N/A | 0 | 0 | N/A |
| Selden Hall – 261 Student Union Drive | 0 | 0 | N/A | N/A | N/A | N/A |
| Stickney Hall – 134 Washington Street | 0 | 0 | N/A | N/A | N/A | N/A |

| Statistics and Related Information Regarding Fires in Residential Facilities for the 2022 Calendar Year | | | | | | |
|----------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------------|---------------|----------------------------------------------------|--------------------------------------|---------------------------------------|
| Residence Hall | Total Fires in Each Facility | Fire Incident Number for Building | Cause of Fire | Number of Injuries that Required Medical Treatment | Number of Deaths Related to the Fire | Value of Property Damaged by the Fire |
| Gilbert Hall – 185 Student Union Drive | 0 | 0 | N/A | N/A | N/A | N/A |
| Hoover Apts. (Phase 1) - 494 University Drive | 0 | 0 | N/A | N/A | N/A | N/A |
| Hoover Apts. (Phase 2) - 494 University Drive | 0 | 0 | N/A | N/A | N/A | N/A |
| Patterson Hall – 95 Student Union Drive | 0 | 0 | N/A | N/A | N/A | N/A |
| Reed Hall – 321 Student Union Drive | 0 | 0 | N/A | N/A | N/A | N/A |

| | | | | | | |
|---------------------------------------|---|---|-----|-----|-----|-----|
| Selden Hall – 261 Student Union Drive | 0 | 0 | N/A | N/A | N/A | N/A |
| Stickney Hall – 134 Washington Street | 0 | 0 | N/A | N/A | N/A | N/A |

Statistics and Related Information Regarding Fires in Residential Facilities for the 2023 Calendar Year

| Residence Hall | Total Fires in Each Facility | Fire Incident Number for Building | Cause of Fire | Number of Injuries that Required Medical Treatment | Number of Deaths Related to the Fire | Value of Property Damaged by the Fire |
|-----------------------------------------------|------------------------------|-----------------------------------|---------------|----------------------------------------------------|--------------------------------------|---------------------------------------|
| Gilbert Hall – 185 Student Union Drive | 0 | 0 | N/A | N/A | N/A | N/A |
| Hoover Apts. (Phase 1) - 494 University Drive | 0 | 0 | N/A | N/A | N/A | N/A |
| Hoover Apts. (Phase 2) - 494 University Drive | 0 | 0 | N/A | N/A | N/A | N/A |
| Patterson Hall – 95 Student Union Drive | 0 | 0 | N/A | N/A | N/A | N/A |
| Reed Hall – 321 Student Union Drive | 0 | 0 | N/A | N/A | N/A | N/A |
| Selden Hall – 261 Student Union Drive | 0 | 0 | N/A | N/A | N/A | N/A |
| Stickney Hall – 134 Washington Street | 0 | 0 | N/A | N/A | N/A | N/A |

Plans for Future Improvements in Fire Safety:

Yes.

In Closing,

The University of West Alabama is dedicated to helping faculty, staff, students and guest maintain personal safety and protect property through comprehensive services provided by UWA PD. We believe that an informed community is a safer community, and sharing information can significantly reduce the risk of becoming a victim of crime or accidents.

Please take a moment to familiarize yourself with this report, as it will help you become an informed member of our community and support the UWA PD's efforts to foster a safe environment for living, studying, working, and playing. Always exercise good safety judgment, and do not hesitate to contact the UWA PD if you need assistance or further information about our services.

You may request a printed copy of this report from UWA PD by writing to:

Attention: Chief of Police
UWA Station 50
Livingston, Alabama 35470

Or by emailing UWA PD at universitypolice@uwa.edu

