

ALABAMA STATE UNIVERSITY

Annual Security Report 2019



– PUBLIC SAFETY MESSAGE –

Alabama State University is a community of more than 6,000 people located in the heart of Montgomery, Ala.

Living and working in an institution of higher learning sometimes causes us to forget that crime and other problems affect us just as in other communities. The purpose of this report is to give our constituents the information they need in order to stay safe while on and around campus. The Alabama State University Department of Public Safety (ASUDPS) works with the community to create a safe campus; however, crime prevention, risk identification and problem solving are everyone's responsibility. We ask that you join in these efforts by reading this report and referring to it for safety and security information. Our efforts to maintain a safe and secure environment rely on collaborative relationships with the many communities that make up the University. We believe that through partnership and problem solving, we can ensure that Alabama State University remains a safe campus. We are committed to the philosophy of community policing and problem solving, and we especially rely heavily on community involvement. We hope you find this report informative and helpful and that your time at ASU will be both pleasant and safe. If you have any questions or would like further information about safety and security at ASU, please visit us at ASU Police HQ, located at 1452 Carter Hill Road, on the Web at www.alasu.edu or call 334-229-4400.

Jim Graboys

Chief of Police

Alabama State University

ALABAMA STATE UNIVERSITY DEPARTMENT OF PUBLIC SAFETY

Located at 1452 Carter Hill Road, the Department is open 24 hours a day, 365 days a year. The Department consists of a professional staff made up of sworn Police Officers, Public Safety Officers and an administrative staff, all of whom are dedicated to providing excellent customer service. Officers patrol the campus on foot, on bicycle and in vehicles. Several officers and a supervisor are on duty 24 hours a day. The communications center is staffed with dispatchers who answer calls for service, dispatch officers to incidents and monitor intrusion detection equipment. Student workers employed by the Department perform duties such as writing citations for parking violations and providing escort services for campus visitors.

THE CAMPUS SECURITY ACT LEGAL REQUIREMENTS

Alabama State University Department of Public Safety must publish an annual report every year by October 1 that contains three years of campus crime statistics and certain campus security policy statements. The report also discloses crime statistics for the campus public areas immediately adjacent to or running through the campus to include non-campus facilities and remote classrooms. The statistics must be gathered from ASUDPS police, local law enforcement and other University officials who have “significant responsibility for student and campus activities;” provide “timely warning” notices of those crimes that have occurred and pose an ongoing threat to students and employees; and disclose in a public crime log “any crime that occurred on campus or within the patrol jurisdiction of the ASUDPS police or as reported to the Department of Public Safety.”

JEANNE CLERY ACT

The Jeanne Clery Act is a federal law that requires colleges and universities to disclose certain timely and annual information about campus crime and security policies. The Clery Act was originally enacted by the Congress and signed into law by President George Bush in 1990 as the Crime Awareness and Campus Security Act of 1990. The name later was renamed in honor of Jeanne Clery, a student murdered in 1986 at Lehigh University. Schools have to publish an annual report every year by October 1st that contains 3 years’ worth of campus crime statistics and certain security policy statements including sexual assault policies which assure basic victims’ rights, the law enforcement authority of campus police and where students should go to report crimes. This report contains the most recent statistics for Alabama State University.

ANNUAL DISCLOSURE OF CRIME STATISTICS

The Chief of Police, has prepared and compiled the information in this report upon receiving statistical numbers and reports from Student Affairs (Student Affairs is also the umbrella covering both the Counseling and Student Health Centers), The campus Police Department, the campus VAW Program and the Montgomery Police Department to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on our web site at www.alasu.edu . You will also be able to connect with our web site via the Alabama State University Home Page at www.alasu.edu . This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus and alternate sites. Housing and Residence Life, Student Affairs and University Officers provide updated information on their educational efforts and programs to comply with the Act.

Campus crime, arrest and referral statistics include those reported to the Alabama State University Police Department, designated campus security officials (including but not limited to directors, deans, department heads, residence life staff, student affairs, advisors to students/ student organizations, athletic coaches), and local law enforcement agencies. These statistics may also include crimes that have occurred in private residences or businesses and is not required by law. The Counseling Center and VAW Program staff shall inform their clients of the procedures to report crime to the University Police on a voluntary or confidential basis, should they feel it is in the best interest of the client. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a session.

Each year, an e-mail notification will be made to all enrolled students, faculty and staff that provides for information to visit the web site to access this report. A digital copy of this report shall also be e-mailed out with the initial announcement to ensure that each member of the campus community receives a full edition of the report. Copies of the report may also be obtained at the University Police Department located at 1452 Carter Hill Road or may also be obtained in the Office of Student Affairs located in the Hardy Center.

POWERS AND DUTIES OF ASUDPS POLICE OFFICERS

1. Section 16-50-4 § of The Code of Alabama

(a) The President of Alabama State University, with the approval of the board of trustees, is hereby authorized to appoint and employ suitable persons to act as police officers to keep off intruders and prevent trespass upon and damage to the property and grounds of the university. Such persons shall be charged with all the duties and vested with all the powers of police officers and may eject trespassers from the university buildings and grounds and may, without warrant, arrest any persons guilty of disorderly conduct or of trespass upon the property of the university, or for any public offense committed in their presence, and carry them before the nearest court or officer charged with the trial of such offenders, before whom, upon proper affidavit charging the offense, any person so arrested may be tried and convicted as in cases of persons brought before him on his warrant, and such officers shall have authority to summon a posse comitatus and may, with a warrant, arrest any persons found upon

or near the premises of the university charged with any public offense and take them before the proper officer.

(b) The police officers provided for in this section shall cooperate with and when requested, furnish assistance to the regularly constituted authorities of the City of Montgomery; and their jurisdiction and authority shall be coextensive with the corporate limits of the municipality. All police officers must complete a minimum 480-hour course approved by the Alabama Peace Officer Standards and Training Commission. This is reinforced with continuing education throughout the year. The Department works closely with municipal, county and state law enforcement agencies. The Montgomery Police Department regularly provides assistance as needed when circumstances warrant and a memorandum of understanding has been signed between our agency and MPD.

2. EXTENSION OF UNIVERSITY POLICE JURISDICTION

The University Police Department's jurisdiction extends to any University owned or leased property both on campus and in outlying areas. Some areas are patrolled jointly by both University and City Police. The jurisdiction for the police department is extended to other locations where University functions are being held or where University students may be residing. This is through a mutual agreement with the City Police Department.

Through coordination with local law enforcement agencies, any criminal activity engaged in by students at off-campus locations of student organizations, is monitored and recorded. This information is provided to the Office of Student Affairs for any action or follow-up that may be required.

3. CAMPUS LAW ENFORCEMENT

Alabama State University Police Officers, Public Safety Officers, and appointed security officers have the authority to ask persons for identification and to determine whether individuals have lawful business at Alabama State University. University Police and Public Safety officers have the authority to issue parking tickets, which are billed to financial accounts of students, faculty, and staff. University Police Officers have full state sanctioned arrest powers. Public Safety and appointed security officers do not possess arrest powers. Criminal incidents are referred to the campus police or the local police who have jurisdiction based upon the location of the incident. All crime victims and witnesses are strongly encouraged to immediately report any crime to University Police and/or the appropriate police agency. Prompt reporting will assure timely warning notices on-campus when warranted and timely disclosure of crime statistics.

RESIDENCE HALLS

The University relies on its close working relationships with local law enforcement agencies to receive information about incidents involving students on campus. The ASUDPS will actively investigate any criminal activity information it receives concerning or involving a member of the campus community. If there is a victim of a crime, the department may issue a Campus Safety Alert, detailing the incident and providing tips so that other community members may avoid similar incidents. All residence halls are staffed by residence hall directors or RAs, 24 hours a day, 7 days a week. In residence halls that are not co-ed, members of the opposite gender are only allowed in the lobby area. Emergency exits are alarmed and secure at all times except when the fire alarms are activated. Residents must enter through the front entrance of all halls.

DAILY CRIME/FIRE REPORTS CLIPBOARD

The Department maintains a Daily Reports log by posting all Incident/Offense reports on the daily clipboard. Incidents are recorded on the date the incident is reported and the report is posted to the public clip board maintained at 1452 Carter Hill Road for public viewing. All crimes, fires and other serious incidents that occur on campus or in a non-campus building or property, on public property connected to the campus, or within the department's patrol jurisdiction are logged in this method. The Daily Reports clipboard is available for public inspections at the ASUDPS headquarters.

OPERATION IDENTIFICATION

This nationally organized program encourages the engraving of personal identification numbers on valuable property such as televisions, computers, laptops and various other personal items. If an item is stolen and recovered, the number will assist in the return of the property to its owner.

CAMPUS ESCORT PROGRAM

This program provides a safe and reliable way to travel throughout the campus. When an escort is needed, call ASUDPS, give your location and a member of the police staff and/or student workers will meet and escort you to your campus destination.

Crime Statistics for Alabama State University (Dates Reported: January 1, 2018 – December 31, 2018)

Criminal Offenses - On campus

	2016	2017	2018
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses - Forcible	0	0	0
d. Rape	0	0	0
e. Fondling	0	1	0
f. Sex offenses - Non-forcible	0	0	0
g. Incest	0	0	0
h. Statutory rape	0	0	0
i. Robbery	3	0	3
j. Aggravated assault	3	5	0
k. Burglary	12	17	18
l. Motor vehicle theft (Do not include theft from a motor vehicle)	0	0	0
m. Arson	0	0	0

Criminal Offenses - On-campus Student Housing Facilities

	2016	2017	2018
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses - Forcible	0	0	0
d. Rape	0	0	0
e. Fondling	0	0	0

f. Sex offenses - Non-forcible	0	0	0
g. Incest	0	0	0
h. Statutory rape	0	0	0
i. Robbery	0	0	0
j. Aggravated assault	0	0	0
k. Burglary	10	11	10
l. Motor vehicle theft (Do not include theft from a motor vehicle)	0	0	0
m. Arson	0	0	0

Criminal Offenses – Non-campus

Total occurrences in or on Non-campus buildings or property Criminal offense

	2016	2017	2018
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	0	0	0
c. Sex offenses - Forcible	0	0	0
d. Rape	0	0	0
e. Fondling	0	0	0
f. Sex offenses - Non-Forcible	0	0	0
g. Incest	0	0	0
h. Statutory rape	0	0	0
i. Robbery	1	0	0
j. Aggravated assault	0	0	0
k. Burglary	1	0	0
l. Motor vehicle theft (Do not include theft from a motor vehicle)	0	0	0
m. Arson	0	0	0

Criminal Offenses - Public Property

	2016	2017	2018
a. Murder/Non-negligent manslaughter	0	0	0
b. Negligent manslaughter	1	0	0
c. Sex offenses - Forcible	0	0	0
d. Rape	0	0	0
e. Fondling	0	0	0
f. Sex offenses - Non-forcible	0	0	0
g. Incest	0	0	0
h. Statutory rape	0	0	0
i. Robbery	0	0	0
j. Aggravated assault	0	1	0
k. Burglary	0	1	0
l. Motor vehicle theft (Do not include theft from a motor vehicle)	0	1	2
m. Arson	0	0	0

VAWA Offenses - On Campus

	2016	2017	2018
a. Domestic violence	9	7	0
b. Dating violence	0	0	0
c. Stalking	0	0	0

VAWA Offenses - On-campus Student Housing Facilities

	2016	2017	2018
a. Domestic violence	0	0	0
b. Dating violence	0	0	0
c. Stalking	0	0	0

VAWA Offenses – Non-campus

	2016	2017	2018
a. Domestic violence	1	0	0
b. Dating violence	0	0	0
c. Stalking	0	0	0

VAWA Offenses - Public Property

	2016	2017	2018
a. Domestic violence	0	0	0
b. Dating violence	0	0	0
c. Stalking	0	0	0

Arrests - On campus

	2016	2017	2018
a. Weapons: carrying, possessing, etc.	1	1	2
b. Drug abuse violations	31	20	12
c. Liquor law violations	0	0	0

Arrests - On-campus Student Housing Facilities

	2016	2017	2018
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	3	3
c. Liquor law violations	0	0	0

Arrests – Non-campus

	2016	2017	2018
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	1
c. Liquor law violations	0	0	0

Arrests - Public Property

	2016	2017	2018
a. Weapons: carrying, possessing, etc.	0	1	0
b. Drug abuse violations	0	7	0
c. Liquor law violations	0	0	0

Disciplinary Actions - On Campus

	2016	2017	2018
a. Weapons: carrying, possessing, etc.	0	1	0
b. Drug abuse violations	17	1	3
c. Liquor law violations	0	0	0

Disciplinary Actions - On-campus Student Housing Facilities

	2016	2017	2018
a. Weapons: carrying, possessing, etc.	0	1	0
b. Drug abuse violations	0	1	0
c. Liquor law violations	0	0	0

Disciplinary Actions – Non-campus

	2016	2017	2018
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0

Disciplinary Actions - Public Property

	2016	2017	2018
a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0

CRIME STATISTICS: HATE/BIAS CRIMES

Hate Crime Statistics (ON CAMPUS)	2016	2017	2018
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses (forcible)(Rape)(Fondling)	0	0	0
Sex offenses			
Incest	0	0	0
Statutory rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0

Simple Assault	0	0	0
Larceny-theft	0	0	0
Intimidation	0	0	0
Destruction/damage/vandalism of property	0	0	0
	2016	2017	2018
Hate Crime Statistics (ON-CAMPUS RESIDENCE HALLS)			
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses(Forcible)(Rape)(Fondling)	0	0	0
Sex offenses			
Incest	0	0	0
Statutory rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny-theft	0	0	0
Intimidation	0	0	0
Destruction/damage/vandalism of property	0	0	0
	2016	2017	2018
Hate Crime Statistics(NON-CAMPUS)			
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses (Forcible)(Rape)(Fondling)	0	0	0
Sex offenses			

Incest	0	0	0
Statutory rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny-theft	0	0	0
Intimidation	0	0	0
Destruction/damage/vandalism of property	0	0	0

Hate Crime Statistics (PUBLIC PROPERTY)	2016	2017	2018
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses(Forcible)(Rape)(Fondling)	0	0	0
Sex offenses / Incest			
Statutory rape	0	0	0
	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny-theft	0	0	0
Intimidation	0	0	0
Destruction/damage/vandalism of property	0	0	0

BIAS CRIME CATEGORIES	2016	2017	2018
------------------------------	-------------	-------------	-------------

BIAS Hate Crime Statistics (based on Race)

Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses(Forcible)(Rape)(Fondling)	0	0	0
Sex offenses			
Incest	0	0	0
Statutory rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny-theft	0	0	0
Intimidation	0	0	0
Destruction/damage/vandalism of property	0	0	0

BIAS CRIME CATEGORIES	2016	2017	2018
------------------------------	-------------	-------------	-------------

BIAS Hate Crime Statistics (based on Religion)

Murder/Non-negligent manslaughter	0	0	0
--	----------	----------	----------

Negligent manslaughter	0	0	0
Sex offenses(Forcible)(Rape)(Fondling)	0	0	0
Sex offenses			
Incest	0	0	0
Statutory rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny-theft	0	0	0
Intimidation	0	0	0
Destruction/damage/vandalism of property	0	0	0

BIAS CRIME CATEGORIES	2016	2017	2018
------------------------------	-------------	-------------	-------------

BIAS Hate Crime Statistics (based on Sexual Orientation)

Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses(Forcible)(Rape)(Fondling)	0	0	0
Sex offenses			
Incest	0	0	0
Statutory rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0

Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny-theft	0	0	0
Intimidation	0	0	0
Destruction/damage/vandalism of property	0	0	0

BIAS CRIME CATEGORIES	2016	2017	2018
------------------------------	-------------	-------------	-------------

BIAS Hate Crime Statistics (based on Gender)

Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses(Forcible)(Rape)(Fondling)	0	0	0
Sex offenses			
Incest	0	0	0
Statutory rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny-theft	0	0	0
Intimidation	0	0	0
Destruction/damage/vandalism of property	0	0	0

BIAS CRIME CATEGORIES	2016	2017	2018
BIAS Hate Crime Statistics (based on Gender Identity)			
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses(Forcible)(Rape)(Fondling)	0	0	0
Sex offenses			
Incest	0	0	0
Statutory rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny-theft	0	0	0
Intimidation	0	0	0
Destruction/damage/vandalism of property	0	0	0

BIAS CRIME CATEGORIES	2016	2017	2018
BIAS Hate Crime Statistics (based on Disability)			
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0

Sex offenses(Forcible)(Rape)(Fondling)	0	0	0
Sex offenses			
Incest	0	0	0
Statutory rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny-theft	0	0	0
Intimidation	0	0	0
Destruction/damage/vandalism of property	0	0	0

BIAS CRIME CATEGORIES	2016	2017	2018
------------------------------	-------------	-------------	-------------

BIAS Hate Crime Statistics (based on ethnicity)

Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses(Forcible)(Rape)(Fondling)	0	0	0
Sex offenses			
Incest	0	0	0
Statutory rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0

Motor vehicle theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny-theft	0	0	0
Intimidation	0	0	0
Destruction/damage/vandalism of property	0	0	0

BIAS CRIME CATEGORIES	2016	2017	2018
------------------------------	-------------	-------------	-------------

BIAS Hate Crime Statistics (based on National Origin)

Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses(Forcible)(Rape)(Fondling)	0	0	0
Sex offenses			
Incest	0	0	0
Statutory rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor vehicle theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny-theft	0	0	0
Intimidation	0	0	0
Destruction/damage/vandalism of property	0	0	0

UNFOUNDED REPORTS OF CRIMES:

1. In rare instances when a report of a crime proves to be unfounded, that disposition will be recorded upon an standard Incident/offense report, listing the reasons and evidence that support the said disposition. An unfounded disposition will also be vetted and reviewed by the Chief of Police to ensure that such a disposition is in agreement with local, state, and federal statute. Evidence of an unfounded report will be maintained in records under the same standards related to reports that are found to be accurate. For purposes of the ASR, unfounded reports shall be counted and typed according to their original designation. At present, there were no unfounded reports to list for 2016 and there are no unfounded reports to list for 2017. There are no unfounded reports to list for 2018.

TIMELY WARNING:

1. TIMELY WARNING NOTICES

To help prevent crimes or serious accidents, ASUDPS, in conjunction with other departments on campus, issues timely warnings through campus-wide e-mail/text/ automated calling and radio to advise community members about Clery Act crimes that are a possible imminent threat in and around our community. Members of the community who know of the crime or other serious incidents should report that incident as soon as possible to ASUDPS so that an alert can be issued if warranted. If community members report crimes or serious incidents to campus security authorities or other University administrators, those individuals will notify ASUDPS. Representatives of these offices will promptly notify and collaborate with the ASUDPS to issue an alert if one is appropriate.

All students, employees and guests should promptly report criminal incidents, accidents and other emergencies to the ASUDPS either by phone or in person so that the Department can distribute an alert as soon as possible if warranted.

Timely warnings are to be made in various ways. Once the University determines that an alert should be issued, the Department then emails/texts/ automated calls and notifies the announcement to faculty, staff and students. The Department will also post flyers on bulletin boards throughout campus and utilize campus media such as radio, phones and public speakers as needed.

2. TIMELY WARNING PROCESS

In the event that an murder, sex offenses including forcible or non forcible, robbery, aggravated assault, burglary, motor vehicle theft, manslaughter, or arson incident or situation arises, either on or off campus, that, in the judgment of the University President, the Chief of Staff, the Executive Director of Public Safety or the Chief of University Police, that constitutes an ongoing or continuing threat, a

campus wide timely warning will be issued. The alert will be issued through the University media and e-mail systems and phone systems to students, faculty, staff and all other university departments.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the police may also post mass texting, automated calls and e-mails through our RE-GROUP system and may post notice on ASUall, ASUinfo and ASUstudent e-mail groups, as well as notify WVAS for radio and website notifications. This provides the university community with a more immediate notification. In such instances, phone notice will also be made to each residence hall. Anyone with information warranting a timely warning should report the circumstances to the University Police by contacting the office by phone at 334-229-4400 or in person at 1452 Carter Hill Road.

3. EMERGENCY NOTIFICATION PROCESS

In the event that an incident or situation arises, either on or off campus, that, in the judgment of the University President, the Chief of Staff, the Executive Director of Public Safety or the Chief of University Police, that constitutes an ongoing or continuing threat, a campus wide alert will be issued. The alert will be issued through the University mass notification and e-mail system to students, faculty, staff and all other university departments.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the police may also post a notice on ASUall, ASUinfo and ASUstudent e-mail groups, as well as notify WVAS for radio and website notifications. This provides the university community with a more immediate notification. In such instances, phone notice will also be made to each residence hall. Anyone with information warranting an emergency notification should report the circumstances to the University Police by contacting the office by phone at 334-229-4400 or in person at 1452 Carter Hill Road.

4. CAMPUS NOTIFICATION SYSTEM

The campus will utilize Re-Group (mass texting/automated calls/ mass e-mailing), campus e-mail, media, phone and speaker systems as warranted for communicating with faculty, staff and students in case of a crisis situation. Through this system, the University can swiftly notify university constituents of a number of unexpected events including:

- a. Emergency Broadcasts
- b. Alerts
- c. Weather Advisories
- d. School Closing
- e. Class Cancellations
- f. Significant Maintenance Events

Only emergency messages are sent out over the Re-Group system. People may sign up for the Re-Group system by contacting the Department of Public Safety and providing valid contact numbers and e-mail addresses, 334-229-4400, or can visit regroup.com to sign up. It should also be noted that all Faculty, Staff, and Student Lists as they are updated are entered into the Re-Group system to allow for notifications as listed.

CRIME PREVENTION EDUCATION AND AWARENESS

Preventing crime through collaboration and cooperation is our number one goal. Crime prevention is a top priority of the Department. Together with other campus offices, the Department provides programs to enhance personal safety, teach proactive crime reduction strategies and help community members develop self-esteem, which contributes to a healthy community. The campus crime prevention program rests on a multi-layered foundation of a proactive area patrol of the campus. Crime prevention education and training, building and area security surveys and property registration are essential to our efforts in ensuring a safe community environment. Members of the Department are available to assist any individual or group in planning, representing and coordinating programs of interest or concern.

1. Further Addressing Security Awareness and Crime Prevention Programs

During all campus orientations, new students are informed of services offered by the University Police Department. This takes place at the beginning of the Fall, Spring and Summer Semesters each year. This is done through oral presentation and the distribution of various publications to new students. Students are also told about crime on-campus and in surrounding neighborhoods. Similar information is presented to new employees during the recruitment process.

Safety Awareness and Crime Prevention Programs are offered on the Alabama State University campus at the beginning of each semester and additionally throughout the year on a per-request basis. The COP Officer for the Police Department also visits each residence hall at least once a semester to address students on the services available to them and on crime prevention. The programs offered are open to anyone within the University community. Presenters include the Chief of the University Police, Campus Safety Officer, City Police Department representatives, and individuals brought in to teach specific crime preventative and safety related subjects.

Crime Prevention Programs on personal safety and theft prevention are sponsored by the University Police Department's use of a COP Officer. The COP Officer contacts various campus organizations and residence halls throughout the year with useful information and crime prevention talks. In addition to these previously mentioned programs, police representatives also provide information and awareness training during orientation for Residence Life Resident Assistants and for faculty at the faculty conferences. Information includes strategies and tips on how to protect themselves and students from sexual assault, theft and other crimes.

Alabama State University offers a Violence Against Women (VAW) Program that provides a twenty four hour crisis line and office on campus to ensure that students, faculty and staff will have access to comprehensive information and services should they ever encounter domestic/ dating violence, sexual assault or stalking and need assistance. The VAW Program also offers an orientation course to all incoming students that is a comprehensive course that begins with awareness, prevention, risk reduction and avoidance as well as resource information on how to obtain assistance should sexually based offenses be encountered.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

When time is of the essence, information is released to the university community through security alerts through Re-Group, e-mail alerts through ASUinfo and radio alerts through WVAS.

2. Reporting a Crime or Emergency

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to the University Police in a timely manner.

To report a crime call 911 if it is an emergency or contact the Alabama State University Police Department at 334-229-4400

Dispatchers and/or personnel are available at these respective telephone numbers 24 hours a day to answer your call. In response to a call, University Police will take the required action of dispatching an officer or needed emergency medical workers. A victim can also respond to the University Police Department at 1452 Carter Hill Road to file an incident report.

University Police Department investigators will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be utilized in determining future Police Department actions.

If assistance is required from the City Police Department or City Fire Department, University Police will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including University Police, will offer the victim any services available both on and off campus to sexual assault and rape victims. Alabama State University has VAW Program Counselors on call to assist a victim 24 hours a day. The contact number is 334-229-6767.

Again, crimes should be reported to the University Police Department to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.

It should be expressed that there is a prohibition on retaliation against anyone for exercising their rights and contacting Public Safety or any University entity to either report crimes or suspicious activity or to request assistance. The Department of Public Safety will utilize all legal and criminal sanctions to ensure that rights are being protected. Under State Federal and Local Laws, any member of the community, officer, employee, or agent of the school, who retaliates, intimidates, threatens, coerces, or otherwise discriminates against any individual for exercising their rights or responsibilities, can face sanctions and prosecution under Federal and State Law. Suspected retaliation and intimidation or witness tampering should be reported to Law Enforcement as soon as possible.

3. Reporting of Criminal Offenses

Contact University Police office at 334-229-4400 or dial 9-1-1 (emergency only) to report a criminal offense. Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around the Residence Halls should be reported to the police department. In addition you may report a crime to the following offices:

Student Affairs	The Hardy Student Center 334-229-5104
Human Resources	Councill Hall 334-229-4334
Athletic Department	Acadome 334-229-5214
University Provost	Councill Hall 334-229-4231
Residence Life	The Hardy Student Center 334-229-4647
Student Health Center	Simpson Hall 334-229-4438

For off campus options you should contact the City Police Department at 911 for an emergency or at 334-241-2651 (non-emergency) The University will assist the local Police in any way possible to assure for investigations, arrests, and prosecutions when warranted.

4. Confidential Reporting Procedures

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

Alabama State University encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the University Police Department cannot hold reports of crime in confidence. Confidential reports for

purposes of inclusion in the annual disclosure of crime statistics can generally be made to other ASU campus security authorities, as identified above. Confidential reports of crime may be made by calling your campus police or one of the other offices listed above to report criminal offenses.

5. Addressing Counselors (Confidential Reporting Procedures)

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus “Pastoral Counselors” and Campus “Professional Counselors”, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged; if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. The rulemaking committee defines counselors as:

a. Pastoral Counselor

An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

b. Professional Counselor

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

6. GUIDELINES FOR STUDENT SAFETY AND SECURITY

Listed below are certain special procedures and guidelines designed to ensure the safety and security of all students as members of the University community.

ILLNESS

Sick or injured students can report to the Health Center located in Simpson Hall before seeking services off campus. If the Center is closed, students who live in a residence hall should contact the Residence Hall Supervisor and/or Campus Police. Students who live off campus and have a condition that requires emergency medical attention, call 911 or report to Jackson Hospital and request the University physician. Students should go to an emergency room in the city when there is a serious health emergency that can cause lasting injury or death.

POLICE AND SECURITY

Campus Police are located in the Public Safety Building located at 1452 Carter Hill Road. It is open 24 hours a day, 365 days a year.

COP Officer — This Community Oriented Policing Officer provides several services to the University community, such as safety talks, crime assessments, operation ID and crime prevention seminars.

Investigation Unit — This unit is staffed by officers who specialize in crime prevention duties and conducting investigations. Some of the programs available through this unit include sexual assault prevention presentations and drug and alcohol abuse prevention seminars. This unit covers all criminal investigations on campus.

University Escort Service — It is generally safer after hours of darkness for students to walk in groups and to carry their University IDs at all times. However, we also offer an escort service from dusk until dawn for those students who must walk alone on campus at night. This service is available only on campus. There is no off-campus escort service. Contact the Police Department or Student Affairs to make arrangements for this service.

Access Gates — One feature of our continuous efforts to keep the ASU Family safe and secure is through the use of gates for traffic control. These gates are at various locations and provide restricted entrance into the campus between 7 p.m. and 5 a.m. All faculty, staff and students entering the main entrance of the ASU campus during these hours must show a valid campus ID card. Anyone who isn't currently enrolled must get a visitor's pass from either the officers posted at the main entrance on Tullibody Drive or the Police Station located on Carter Hill Road. To get a visitor's pass, guests must present a photo ID. After visiting hours, or based upon safety concerns, access may be restricted by either the Chief of Police or the Director of Public Safety to only allowing access to current students, faculty, or staff who can produce valid University ID cards.

Boot — A boot is an immobilizing device that is attached to the wheel of un-registered, unauthorized vehicles parked on the ASU campus. It is also used on vehicles that are parked in "no-parking" and loading areas illegally. Parking in front of yellow curbs is prohibited and will result in either a boot or parking citation. To have the immobilizing device removed from your vehicle, you must pay \$75 at the Cashier's Window from 8:15 a.m. to 4:45 p.m. (located on the second floor of the Hardy Center).

Housing Security — Alabama State University maintains residence halls and apartments on campus that are supervised 24 hours per day by residence hall supervisors or RAs. The ASU Police Department and the Housing and Residential Life office are jointly responsible for developing procedures and programs to promote the safety and security of the halls. Campus police officers have police power in these facilities, as in any other building on campus.

Off-Campus Students — The ASU Police Department has police power over those off-campus facilities leased or owned by the University, but not over those facilities owned and controlled privately. Students living off campus in privately owned and controlled accommodations should contact the police department, if needed. The Montgomery Police Department can be reached by calling 241-2651 or 911.

Drugs, Alcohol, and Weapons — Alabama State University does not allow the possession, sale or consumption of alcoholic beverages by students on its campus. The same policy applies to illegal drugs. Violation of this policy will lead to disciplinary and legal action up to and including dismissal from the University and/or arrest and

imprisonment. ASU provides useful and informative prevention education programs throughout the year. A variety of departments sponsor workshops and lectures on alcohol-and-drug-related issues to support and encourage healthy, productive lifestyles. For more information, call the ASU Counseling Center at 229-4354/4380 or 4382. You may also contact the Student Health Services at 229-4436 or 229-4438.

Weapons — Weapons fall under the “ZERO TOLERANCE” policy. The University does not allow the discharge of firearms on its campus. Further, it does not allow the possession or use of firearms, look-alike firearms, weapons, explosives or devices commonly intended to be used as weapons. Violation of this policy will lead to disciplinary and legal action including dismissal from the University and/or arrest and imprisonment.

7. EVERY DAY Safety Tips

Personal Safety Tips

- a) Walk to your vehicle in pairs or in a group.
- b) Follow a well-lit pathway or roadway.
- c) Be aware of your surroundings. Watch for suspicious people or activities.
- d) When you enter your vehicle, lock all doors and turn on your headlights. This will allow you to see anyone outside in the dark.
- e) Have your keys in your hand so that you don’t have to search for them when you reach your vehicle.
- f) When you know you will be returning to your vehicle later that night, try to park in a well-lit area of the parking lot.
- g) Before getting into your vehicle, visually inspect the interior for anything suspicious.
- h) Report any safety concerns to the University Police Department or the local police department.
- i) Do not offer rides to strangers.
- j) If you suspect that someone is following you, drive to the nearest open public place, to the University Police or local police department.

Car Safety

- a) Always lock your vehicle no matter how long you will be gone.
- b) Don’t play your radio loud before you park somewhere- it attracts attention, including thieves.
- c) Don’t leave your car unattended in neutral gear. It can roll out of parking space and hit people or cars
- d) If you have an aftermarket CD player with a detachable face, remove it before parking. Keep CDs and other property out of sight

Apartment/ Residence Hall Safety

- a) Never let a stranger enter the building, including people who say “parcel delivery”, “I forgot my key”, or “paper boy”. Unless you know them personally, do not let them in the building.
- b) Never hold the outer door open for strangers when you come in or go out. Tell them to call the person they’re visiting or the resident assistant/ property manager. If you’re uncomfortable, “hang back” to avoid a confrontation.

Keep the Doors Locked

- a) Make a habit of locking the door when you come into your apartment or room. A thief can steal your valuables in the time it takes to have a shower. Remember, even if you live above the first level, you could become a victim.
- b) Always lock your door, windows, and patio doors when you leave, even if you are just going to the laundry room or mailbox.
- c) Make sure all doors with locks have shut behind you after you come in or out.
- d) Never prop open the entrance doors and leave them unattended. If you’re moving have someone posted at the doors.
- e) Report any burned out lights, non-functional locks or doors, or broken windows to the residential assistants or property managers.
- f) Report lost keys to the resident assistant or property manager immediately
- g) Never put your identification or address on your apartment key or car key rings.
- h) Never hide spare keys
- i) If your door doesn’t have a deadbolt lock or peephole, it’s a good idea to ask the resident assistant or property manager for permission to have them installed.
- j) Have your keys ready as you approach the door.
- k) Get to know your neighbors. Then you’ll know if someone doesn’t belong.

UNIVERSITY ACCESS:

a) Access to the University

During business hours, the University (excluding certain housing facilities) will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours access to all University facilities is by key, if issued, or by admittance via the University Police Department with written permission. In the case of periods of extended closing, the University will admit only those with prior written approval to all facilities.

Over extended breaks, only those students and staff approved to be in the residence halls will be given access. Some facilities may have individual hours. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility.

Emergencies may necessitate changes or alterations to any posted schedules. Areas that are revealed as problematic can have security surveys conducted of them. These surveys examine security Issues such as landscaping, locks, alarms, lighting, and communications.

b) Criminal Activity Off Campus

When an Alabama State University student is involved in an off-campus offense, University Police officers may assist with the investigation in cooperation with local, state, or federal law enforcement. The City Police routinely work and communicate with campus officers on any serious incidents occurring off-campus or in the immediate neighborhood and business areas surrounding the campus. Many students live in the neighborhoods surrounding the campus of Alabama State University. While the City Police Department has primary jurisdiction in all areas off campus, University Police officers can and do respond to student-related incidents that occur in close proximity to campus. Alabama State University Police officers have communications with the city police, fire department, and ambulance services through the ASU Public Safety 24 hour command center to facilitate rapid response in any emergency situation.

For purposes of clarification, the following Clery Act definitions are included in this section.

ON CAMPUS:

Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and

Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor). On-campus definition citation 34 CFR 668.46(a)

PUBLIC PROPERTY:

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

ON CAMPUS STUDENT HOUSING FACILITY:

On-campus student housing facility definition citation 34 CFR 668.41(a) For purposes of the Clery Act regulations (as well as HEA missing student notification and fire safety regulations which are discussed in Chapters 10 and 11–14, respectively), any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

This definition includes the following types of housing:

- *Undergraduate, graduate and married student housing.*
- *Single family houses that are used for student housing.*

c) STUDENT AND VISITOR IDENTIFICATION

1. Each student in the University is furnished an identification (ID) card which must be carried at all times, presented upon request by University officials and reported immediately if lost or found to the Police Department. A replacement fee is charged if a duplicate identification card is issued.
2. An identification card is required for a student to check out books and materials from the Learning Resources Center; to visit residence halls; to obtain meals in the campus dining facility; to obtain medical services in the Health Center; and for access to other University functions.
3. Visiting hours in the residence halls are from 1:00 p.m. to 1:00 a.m. During this period, all visitors and students who do not reside in the hall must deposit a current student pictured identification card or current pictured driver's license with the residence hall official on duty in order to gain access to the building. The identification items will be returned to the departing individuals upon their exit.

d) MOTOR VEHICLE OPERATIONS

1. Students who operate motor vehicles on the campus are required to register each vehicle with the Department of Public Safety. This can be done at the ID Station located on the second floor of the Hardy Center. Students are also expected to obey all parking and traffic regulations. Vehicles that are not registered with ASU will be ticketed, towed and/or immobilized at the owner's/operator's expense.
2. Principal parking and traffic flow regulations are described below:
 - a) Students must park in areas designated for students. b) Restrictions pertaining to parking in "No Parking", Loading, Reserved and Handicapped areas will be strictly enforced. c) Parking on campus is prohibited except for registered vehicles of campus residents and patrons at University-approved events. However, motor vehicles may be parked for brief periods for loading and unloading passengers in designated areas. d) Entrance to and exit from the University will be through designated areas. e) All visitors who drive to the University campus and expect to park for any purposes must report to the Police Department and must be issued a visitor's permit. Accordingly, students expecting visitors who drive vehicles must advise such individuals to report to the Police Department to receive a parking permit.

ZERO TOLERANCE

ZERO TOLERANCE means the University prohibits all illegal and unauthorized possession and/or use of weapons or drugs and/or fighting/assault and battery that directly contributes to the emotional or physical detriment of University personnel or enrolled students. The Zero Tolerance Policy is effective as it relates to on-campus activities and University sponsored off-campus activities. Any student found responsible for violating the Zero Tolerance Policy may receive the maximum sanction of suspension or expulsion from the University. Students who violate the Zero Tolerance Policy may be summarily (temporarily) suspended pending a hearing.

Drug-Free Workplace and Drug-Free School Act

Drug and alcohol use and abuse are threats to American society. The use of illicit drugs and abuse of alcohol interferes with the rights of everyone to a safe and productive educational environment or workplace. Alabama State University has both a legal and moral obligation to maintain a drug-free school and drug-free workplace.

The unlawful possession, use, consumption, manufacture, distribution or dispensation of alcohol or controlled substances on Alabama State University property, in the workplace of any employee of the University, or as any part of any functions or activities by any student or employee of the University is prohibited. In any of the instances above, Alabama State University will act swiftly to prevent recurrence of such actions.

*The Drug-Free Schools and Communities Act Amendments of 1989 (PL 101-226) and The Drug-Free Workplace Act of 1988 (PL 100-690).

Alcoholic Beverages

Alabama State University recognizes that the use of illicit drugs and the abuse of alcohol interfere with the rights of everyone to a safe and productive educational environment or workplace. The University has a legal obligation to maintain a drug-free school and drug-free workplace. Accordingly, Alabama State complies with and upholds all federal, state, and local laws that regulate or prohibit the usage of alcoholic beverages or illicit drugs. The University follows a "ZERO TOLERANCE" policy.

SEXUAL ASSAULT, DOMESTIC/ DATING VIOLENCE AND STALKING

Comprehensive Statement:

At Alabama State University, domestic violence, dating violence, sexual assault and stalking will not be tolerated and are prohibited from the ASU campus. In publishing this statement, the University does not intend to substitute or supersede related civil and criminal law. Students, faculty and staff are expected to comply with and abide by the University protocols and guidelines, as well as all federal, state, and local laws. It should be clearly understood that there is a fundamental difference between the nature and purpose of student discipline and criminal law. Victims are encouraged to use all of the services provided on campus (I.E. CAMPUS VIOLENCE AGAINST WOMEN PROGRAM 334-229-6767/ 24 HOURS) or any off campus services that they shall choose such as the Family Justice Center. It is important that all criminal violations are immediately reported to appropriate authorities, including the law enforcement officials or agencies with jurisdiction in the location of the incident.

I. DEFINITIONS

DOMESTIC VIOLENCE

Domestic violence is a pattern of abusive behaviors by one or both partners in an intimate relationship such as marriage, dating, family, or cohabitation. Domestic violence has many forms, including, but not limited to; physical aggression, assault, restraining, slapping, criminal mischief, or threats. Other aspects can include; sexual abuse, emotional abuse, controlling or domineering behavior, intimidation, and economic deprivation. It often is made up of acts of endangerment, criminal coercion, kidnapping, trespassing, stalking, and unlawful imprisonment. Some definitions follow:

Physical Abuse: Hitting, slapping, shoving, grabbing, pinching, biting, hair pulling, etc. are types of physical abuse. This type of abuse includes denying a partner medical care or forcing alcohol and/or drug use upon him or her.

Sexual Assault/ Abuse: Coercing or attempting to coerce any sexual contact or behavior without consent. It includes, but is not limited to, rape, attacks on sexual parts of the body, forcing sex, or treating one in a sexually demeaning manner.

Psychological and Emotional Abuse: Elements include - but are not limited to - causing fear by intimidation; threatening physical harm to self, partner, children, partner's family, friends, or pets; and to destroy property; and forcing isolation from family, or friends. It can be name calling and an undermining of an individual's sense of self-worth and/or self-esteem.

Domestic violence can happen to anyone regardless of race, age, sexual orientation, religion, or gender. It affects people of all socioeconomic backgrounds and education levels.

Domestic violence can happen to intimate partners who are married, living together, or dating.

DATING VIOLENCE

Dating violence is very similar to domestic violence in that the behaviors exhibited and defined as domestic violence are still present in the relationship. The main difference is the status designation of the type of relationship as a “dating relationship”

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim is dating violence.

When a dating relationship is established, domestic violence laws and protections apply to any acts of violence or abuse between the parties in the relationship.

STALKING

Stalking is a term commonly used to refer to patterns of unwanted and obsessive attention by an individual or group to another person. Stalking behaviors are related to harassment and intimidation and may include following the victim in person and/or monitoring them via the internet. Stalking is unwanted contact between two or more people that directly or indirectly communicate a threat or that place the victim in fear. In Alabama, Stalking is a Felony and can carry with it criminal penalties. Stalking can include:

1. Repeated, unwanted, intrusive, and frightening communications from the perpetrator by phone, mail, and/or email.
2. Repeatedly leaving or sending victim unwanted items, presents, or flowers.
3. Following or lying in wait for the victim at places such as home, school, work, or recreation.
4. Making direct or indirect threats to harm the victim, the victim's children, relatives, friends, or pets.
5. Damaging or threatening to damage the victim's property.
6. Harassing victim through the internet (I.E. cyber-stalking).

Cyber-stalking involves offensive, threatening communication through the Internet, via e-mail, chat rooms, or instant messaging or through other electronic means, such as cellular telephones or pagers. It is methodical, deliberate, and persistent. It disturbs and creates fear in the recipient. It needs to be treated seriously both by the victim and anyone that he or she reports it to.

SEXUAL ASSAULT

Sexual assault is any type of sexual contact or behavior that occurs without the explicit consent of the recipient. It is any involuntary sexual act in which a person is threatened, coerced, or forced to engage in against their will. Falling under the definition of sexual assault are sexual activities such as forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, and attempted rape. In Alabama the criminal laws that would fall under this term would include; rape, sodomy, sexual misconduct, sexual torture, and sexual abuse.

Lack of consent can be construed from either the forcible compulsion involved in the assault or the lack of the victim's ability, due to age, competency, or consciousness, to give consent.

II. PROTOCOL STATEMENTS:

1. Alabama State University will not tolerate domestic and dating violence, stalking and sexual assault, and will enlist all available resources in order to provide assistance, aid, and comfort to the victim, while pursuing all available avenues of criminal sanctions against the perpetrator.
2. The University strongly encourages victims to report all incidents and violations to law enforcement officials, the campus VAW Program and agencies with appropriate jurisdiction, Student Affairs, or any University Officials.
3. Acts of date rape, gang rape, acquaintance rape, marital rape, stranger rape and all sexually based offenses are punishable by Alabama Criminal Statutes and disciplined by the appropriate administrative authority. Both men and women can be victims and perpetrators of sexual assaults.
4. Victims of sexual assault are strongly encouraged to seek medical care, and if the assault occurred within the past 72 hours, victims are strongly encouraged to have a rape protocol exam as soon as possible.
5. Whether the victim chooses to immediately involve law enforcement officials or not, the victim is urged to contact the campus VAW Program, Student Affairs, the Family Justice Center or any faculty or staff for assistance with coordinating services, accessing resources, and other accommodations and to help the victim engage in safety planning.
6. All students should encourage victims to report and fully disclose incidents(s) of domestic or dating violence/ stalking/ sexual assault to the police. This will assist them in gaining the protections of the criminal justice system.
7. Students who have legal protection orders are encouraged to inform and provide a copy of such order to the Campus Police and Student Affairs.
8. The use of alcohol and other drugs, in conjunction with an incident of sexual assault, does not mitigate accountability for the commission of this crime or diminish the seriousness of the crime.

9. Healthy sexual activities involve mutually expressed consent. Consent is defined as follows:
 - a. Both individuals are legally and physically free and capable to act;
 - b. Both are clear about their intent to engage in sexual activities and their willingness to do so;
 - c. Silence may not in and of itself constitute consent;
 - d. Past consent of sexual activities does not imply ongoing future consent.

Sexual Assault Prevention and Response

The University educates the student community about sexual assaults and date rape through mandatory freshman orientations and through new student orientation classes. The University Police and the VAW Program offer sexual assault education and information programs to University students and employees upon request. Literature on date rape education, risk reduction, and University response is available through the Department of Public Safety and the VAW Program Office on campus.

If you are a victim of a sexual assault at this institution, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. The University Police/Security Departments strongly advocate that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to a University Police Officer and/or to a VAW Program representative. Filing a police report with a University Police Officer will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a report will

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim
- Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothes prior to a medical/ legal exam)
- Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention

When a sexual assault victim contacts the Alabama State University Police Department, a representative from the VAW Program will also be notified. The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system and the University Disciplinary system, or only the former or latter.

A victim also has the right to not contact Law Enforcement and to contact the VAW Program directly to ask for any or all services without involving police. The VAW Program can be reached directly through a 24 hour hotline 334-229-6767.

Based upon the victim's wishes, a University representative from the Police Department or the VAW Program will guide the victim through the available options and support the victim in his or her decision. Various counseling, housing and safety options are available both on and off campus.

University disciplinary proceedings are detailed in the student handbook, *The Pilot*. Both the victim and accused will be informed of the outcome of the hearing. A student found guilty of violating the University sexual assault or harassment policy could be criminally prosecuted in the state courts and may be suspended or expelled from the University.

Since this offense falls under “Zero Tolerance”, a student accused of this violation may be summarily suspended from the campus until his or her hearing. Student victims have the option to change their academic and/or on-campus living situations after an alleged sexual assault.

Below is a check list for response to sexual assault.

- 1. Get to a safe place.
- 2. Contact Campus Police as soon as possible at 229-4400 or call 911 if danger is still immediate.
- 3. Contact a friend, family member or someone you trust to come and stay with you.
- 4. Seek medical attention if injured. Go to the closest emergency room for a full physical examination. If you suspect that you were given any drug, ask for a blood and urine test. If you were sexually assaulted, try to preserve collectible evidence. If you were physically assaulted, try to refrain from touching any possible evidence.
- 5. As soon as possible, write down as much as you can remember about the assault.
- 6. Make an appointment with a counselor.
- 7. You have multiple options to file charges.
- 8. Assess your need for a Protection Order.
- 9. If you choose, you may have civil remedies to pursue against the perpetrator along with criminal charges.

The Violence Against Women Program at Alabama State University

The purpose of the Violence Against Women (VAW) Program is to create and foster a campus environment that is protective, compassionate and helpful to victims of Domestic/ Dating violence, Sexual Assault and stalking while promoting “zero-tolerance” towards the offenses and offenders. There is a 24 hour Crisis line available to anyone who may feel a need for assistance or information. The number is: 334-229-6767

HELPFUL PHONE NUMBERS FOR THOSE NEEDING SERVICES, ACCOMODATIONS OR INFORMATION IN REGARDS TO SEXUAL ASSAULT, STALKING, DOMESTIC VIOLENCE, AND DATING VIOLENCE:

ON CAMPUS SERVICES:

ASU VIOLENCE AGAINST WOMEN PROGRAM 334-229-6767 (24 hour hotline)

ASU Student Counseling Center 334-229-4382 After Hours Crisis Line 334-224-6592

ASU Department of Public Safety 334-229-4400

ASU Judicial Affairs Officer 334-229-5104

ASU University Health Services Center 334-229-4438 After Hours Emergency Line 334-318-9797

OFF CAMPUS SERVICES:

EMERGENCY 911

STAR sexual assault 24 hour Crisis Line 334-213-1227

Family Sunshine Center 24 hour Domestic Violence Crisis Line 1-800-650-6522/ 334-263-0212

Family Justice Center 334-262-7378

Montgomery Police Department 334-241-2651

Montgomery County District Attorney’s VAW Prosecution Unit 334-832-2550

MISSING STUDENT POLICY

If a member of the University community has reason to believe that a student residing in on-campus housing is missing, he or she should immediately notify ASUDPS at 334-229-4400. The Department will initiate an investigation and, if necessary, will seek assistance from local law enforcement in investigating each report. The ASU Investigative Unit will have primary responsibility for investigating reports of missing students residing in on-campus housing and will make an official determination as to whether a student is missing. Should the ASU Investigative Unit determine that the student is missing, Alabama State University will notify the student's emergency contact within 24 hours of such determination. If the missing student is under the age of 18 and is not an emancipated individual, Alabama State University will notify the student's parent or legal guardian within 24 hours of receiving notification from the Department of Public Safety that the student has been determined to be missing. Alabama State University will make reasonable efforts to assist with missing person investigations for all local ASU students, whether they reside on or off campus.

Missing Persons Process

The purpose of this protocol is to establish procedures for the university's response to reports of missing University residential students, as required by the Higher Education Opportunity Act of 2008. (Note: Missing University non-residential students are reported to the local law enforcement authorities.)

For purposes of this protocol, a University residential student may be considered to be a *"missing person"* if the person's absence is contrary to his/her usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include, but not be limited to, a report or suspicion that the missing person may be the victim of foul play, has expressed suicidal thoughts, is drug dependent, is in a life-threatening situation, or has been with persons who may endanger the student's welfare.

Procedures for designation of emergency contact information

Residential students age 18 and above and emancipated minors:

- a) Students will be given the opportunity during each semester registration process to designate an individual or individuals to be contacted by the university no more than 24 hours after the time that the student is determined to be missing in accordance with the procedures set forth below. A designation will remain in effect until changed or revoked by the student.
- b) Residential students under the age of 18 In the event a student who is not emancipated is determined to be missing pursuant to the procedures set forth below, the university is required to notify a custodial parent or guardian no more than 24 hours after the student is determined to be missing in accordance with the procedures set forth below.

Official notification procedures for missing persons

- a) Any individual on campus who has information that a residential student may be a missing person must notify University Police as soon as possible.
- b) University Police will gather all essential information about the residential student from the reporting person and from the student's acquaintances (description, clothes last worn, where

student might be, who student might be with, vehicle description, information about the physical and mental well-being of the student, an up-to-date photograph, class schedule, etc.). Appropriate university staff will be notified to aid in the search for the student.

- c) If the above actions are unsuccessful in locating the student or it is apparent immediately that the student is a missing person (e.g., witnessed abduction), the University Police will contact the appropriate local law enforcement agency to report the student as a missing person and request assistance as needed.
- d) No later than 24 hours after determining that a residential student is missing, Student Affairs or the Police Department will notify the emergency contact (for students 18 and over) or the parent/guardian (for students under the age of 18) that the student is believed to be missing. If the missing student is under the age of 18 and is not an emancipated individual, Alabama State University will notify the student's parent or legal guardian within 24 hours of receiving notification from the Department of Public Safety that the student has been determined to be missing. Alabama State University will make reasonable efforts to assist with missing person investigations for all local ASU students, whether they reside on or off campus.

University communications about missing students

In cases involving missing persons, law enforcement personnel are best situated to provide information to the media that is designed to elicit public assistance in the search for a missing person. Therefore, all communications regarding missing students will be handled by law enforcement authorities. All inquiries to the university regarding missing students, or information provided to any individual at the university about a missing student, shall be referred to the Alabama State University Police.

SEX OFFENDER REGISTRY

In accordance to the “Campus Sex Crimes Prevention Act” of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the Alabama State University Police Department is providing a link to the Alabama Bureau of Investigation Sex Offender Registry.

This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In the State of Alabama, convicted sex offenders must register with the Sex Offender Registry maintained by the Alabama Bureau of Investigation.

The Sex Offender Registry is available via Internet pursuant to Title 15 Article 2 Section 15-20-25, Adult criminal sex offender - Community notification procedures, of the Code of Alabama. Registry information provided under this section shall be used for the purposes of the administration of criminal justice, screening of current or prospective employees, volunteers or otherwise for the protection of the public in general and children in particular. The Alabama Bureau of Investigation is responsible for maintaining this registry. To access the Sex Offender Registry go to <http://dps.alabama.gov/> and it can be found under the Alabama Bureau of Investigation’s link.

ACTIVE SHOOTER RESPONSE PROCEDURE

Violent incidents can occur at or near public institutions, such as universities, with little or no warning. Such incidents may include acts of terrorism, an active shooter, assaults or other incidents of workplace violence. An active shooter is one who has not been contained and whose actions cause serious injury or death.

The Alabama State University Police Department (ASUPD) is adopting nationally accredited law enforcement response procedures to contain and terminate such threats as quickly as possible. The ASUPD works with local law enforcement agencies to keep campus police officers up-to date in terms of training. Officers are trained to use the appropriate force to engage threatening individuals and to contain or curtail escalation of threatening activity. The ASUPD also has developed a preliminary perimeter plan to ensure the security of areas in which campus events are held. Current plans involve the use of campus assets to prevent individuals with weapons from entering any event venue. Plans for upcoming events will always be reviewed so that sufficient on-scene resources are available to provide adequate security. The University’s communications assets will be used to call in additional law enforcement or EMS responders as needed. Traffic and perimeter plans and existing operational orders for events are designed to provide the best and most secure event coverage possible so that the safety of campus guests is assured.

ACTIVE SHOOTER / CRITICAL INCIDENT PROCESS

Active Shooter

Violent incidents, including but not limited to: acts of terrorism, an active shooter, assaults, or other incidents of workplace violence, can occur on the University grounds or in close proximity with little or no warning. An active shooter is considered to be a suspect or assailant whose actions are immediately causing serious injury or death and has not been contained.

The Alabama State University Police Department has adopted nationally accredited law enforcement response procedures to contain and terminate such threats as quickly as possible. The following information regarding law enforcement response will enable you to take appropriate protective actions for yourself. Try to remain calm as your actions will influence others. The following instructions are intended for incidents that are of an emergent nature (i.e. imminent, or in progress).

1. Immediate Action

Secure the immediate area. Whether a classroom, residence hall room, office or restroom:

- a. Lock or barricade the door, if able. Block the door using whatever is available, such as desks, tables, file cabinets, other furniture, etc.
- b. After securing the door, stay behind solid objects away from the door as much as possible.
- c. If the assailant enters your room and leaves, lock or barricade the door behind them.
- d. If safe to do so, allow others to seek refuge with you.

2. Protective Actions.

Take appropriate steps to reduce your vulnerability:

- a. Close blinds.
- b. Block windows.
- c. Turn off radios and computer monitors.
- d. Silence cell phones.
- e. Place signs in interior doors and windows, but remember the assailant can see these as well.
- f. Place signs in exterior windows to identify your location and the location of injured persons.
- g. Keep people calm and quiet.
- h. After securing the room, people should be positioned out of sight and behind items that might offer additional protection, such as walls, desks, file cabinets, bookshelves, etc.

3. Open Areas.

If you find yourself in an open area, immediately seek protection:

- a. Put something between you and the assailant.
- b. Consider trying to escape, if you know where the assailant is and there appears to be an escape route immediately available to you.
- c. If in doubt, find the safest area available and secure it the best way that you can.

4. Call 911.

Emergency situations should be reported to law enforcement by dialing 911. You may hear multiple rings but stay on the line until it is answered, do not hang up. Be prepared to provide the 911 operator with as much information as possible, such as the following:

- a. What is happening?
- b. Begin by saying, "I am at Alabama State". Next include the building name and room number.
- c. Number of people at your specific location.
- d. Injuries, if any, including the number of injured and types of injuries.
- e. Your name and other information as requested.
- f. Try to provide information in a calm, clear manner so that the 911 operator can quickly relay your information to responding law enforcement and emergency personnel.

5. What to Report.

Try to note as much as possible about the assailant, including:

- a. Specific location and direction of the assailant(s).
- b. Number of assailant(s).
- c. Gender, race, and age of the assailant(s).
- d. Language or commands used by the assailant(s).
- e. Clothing color and style.
- f. Physical features, e.g., height, weight, facial hair, glasses.
- g. Type of weapons, e.g., handgun, rifle, shotgun, explosives.
- h. Description of any backpack or bag.
- i. Do you recognize the assailant(s)? Do you know their name?
- j. What exactly did you hear, e.g., explosions, gunshots, etc.

6. Treat the Injured.

The 911 operator will notify law enforcement and other emergency service agencies. The fire and rescue departments will respond to the site, but they will not be able to enter the area until it is secured by law enforcement. You may have to treat the injured as best you can until the area is secure. Remember basic first aid:

- a. For bleeding apply pressure and elevate. Many items can be used for this purpose, e.g. clothing, paper towels, feminine hygiene products, newspapers, etc.
- b. Reassure those in the area that help will arrive and try to stay quiet and calm.

7. When to Leave.

- a. The assailant may not stop until his objectives have been met or until engaged or neutralized by law enforcement.
- b. Always consider the risk of exposure by opening the door for any reason.
- c. Attempts to rescue people should only be made if it can be done without further endangering either yourself or the persons inside of the secured area.
- d. Be aware that the assailant may bang on the door, yell for help, or otherwise attempt to entice you to open the door of a secured area.

- e. If there is any doubt about the safety of the individuals inside the room, the area needs to remain secured.

Law Enforcement Response

Alabama State University Police will immediately respond to the area, assisted by other local law enforcement agencies, if necessary. Remember:

1. **Help is on the way.** It is important for you to:
 - a. Remain inside the secure area, so long as it remains safe to do so.
 - b. Law enforcement will locate, contain, and stop the assailant.
 - c. The safest place for you to be is in a locked/barricaded room.
 - d. The assailant may not flee when law enforcement enters the building, but instead may target arriving officers.

2. **Injured Persons.** Initial responding officers will not treat the injured or begin evacuation until the threat is neutralized and the area is secure.
 - a. You may need to explain this to others to calm them.
 - b. Once the threat is neutralized, officers will assist EMS with treatment and evacuation of injured and other personnel.

3. **Evacuation.** Responding officers will establish safe corridors for persons to evacuate.
 - a. This may be time consuming.
 - b. Remain in secure areas until instructed otherwise.
 - c. You may be instructed to keep your hands on your head.
 - d. You may be searched.
 - e. You may be escorted out of the building by law enforcement personnel, simply follow their directions.
 - f. After evacuation you may be taken to a staging or holding area for medical care, interviewing, counseling, etc.
 - g. Once you have been evacuated you will not be permitted to retrieve items or access the area until law enforcement releases the crime scene.

Decision Maker(s)

Assistance from local and state law enforcement fire and EMS agencies will be provided as needed. The decision to call in outside supporting agencies, or to close all or a portion of the grounds, will be made by law enforcement command staff on scene as needed. Information will be released to the University community as quickly as circumstances permit.

Subsequent Procedures/Information

Following an active shooter incident look for directions from law enforcement, first responders, and information as released over CS Notify as to when it is safe to move about. If you were a witness to the incident, make yourself available to law enforcement officers to aid in the investigation. Support services, such as temporary shelter, medical care, and counseling, will be made available for anyone involved in or impacted by the incident.

Additional Resources

www.ready.gov/campus

IS-907 Active Shooter online course at www.training.fema.gov.

(Enter the subject that you wish to receive more information about into the search tool located at each web site)

Service Numbers

Emergency

(334) 229-4400 or 911

Non-Emergency

(334) 229-4717

ADDENDUMS CAMPUS VAW PROGRAM AND LAW ENFORCEMENT RESPONSE TO SEXUAL ASSAULT (INSTRUCTIONS TO FIRST RESPONDERS)

NOTE: The following is provided for informational purposes so that individuals reading this report will be informed of the process of initial response by ASU campus authorities to these incidents

SUBJECT: Standing Protocol for VAW Crisis Calls and on Scene Response

Please use the following guidelines when providing on-call VAW Crisis Services.

Policy: It is the policy of the VAW office to provide assistance to survivors of Sexual Assaults, Domestic and Dating Violence and/or Stalking incidents by offering support and information to them during a crisis situation.

Overall Procedure: VAW Support Staff may/will offer as indicated:

To accompany a survivor during a police interview

To independently talk with a survivor about an assault or a concern

To provide survivors of VAW issues with general information regarding their legal rights as well as their rights as an ASU student

To provide survivors/callers with information on available VAW referral services (see checklist for rights and services)

To complete and submit a 24 hr. Crisis Line Weekly Report to the VAW office

To provide survivors with Survivor Packets

VAW Support Staff will explain their role:

To offer immediate support

To inform contact of their rights,

To inform contact of the available services

To help contact make informed decisions about what he/she may want to do

VAW will:

Complete the checklist with each survivor as indicated

Send out a Group Notification Text to the following areas: Counseling and Health Services and to Law Enforcement (LE) if they are not already aware when a VAW Crisis situation presents.

On the Phone Procedure:

When answering say: VAW Crisis Line; how may I assist you?

1. If Caller is a victim of a Sexual Assault, Caller is asked:

- A. Are you safe, (if no, explain the need to dispatch LE immediately). If caller says yes they are safe but, appears to be under duress, dispatch LE to assess situation
- B. Do you need emergency medical attention, (If yes, dispatch emergency medical services)
- C. Do you want LE at this time (reporting does not mean you will or have to prosecute or give a detailed interview if you are not ready)

- D. Ask do you want to have a forensic Sexual Assault Examination (if yes, advise not to change, wash, shower, brush, drink, potty, or disturb scene).

If victim is 18 or above, explain the option to have a Jane Doe exam and forego involving LE. Have survivor call or assist them with a call to STAR's SART/SANE program @334-213-1227.

An appointment must be made ASAP to get victim to SART-SANE (STAR Program) 334-213-1227, 530 S. Lawrence Street in the One Place Family Justice Center to set up appointment (appointments are usually scheduled 45 minutes from the time the call is made).

2. If caller wants to report other crisis issues such as (DV, Stalking or Dating Violence), listen then offer/inform of referral services. Offer to do follow-up and assistance with appointments etc. for other services.
(Stalking Kits are available in the VAW office, Emergency Shelter is available for DV at the Family Sunshine Center, or through the Housing Office as appropriate; On or Off Counseling Services are available for any of these issues.

Let them know that you are kindly offering support and information and your encounter is not a substitute for counseling.

On the scene

Follow D & E as noted previously,

1. If SA matter, assist with transportation arrangements to the SART-SANE office.
2. Assure that victim has transportation to destination of choice after SART-SANE service.

LAW ENFORCEMENT/FIRST RESPONDERS

SUBJECT: PUBLIC SAFETY PROCEDURE FOR INITIAL RESPONSE TO SEXUAL ASSAULTS

1. Whenever a sexual assault is reported to Departmental Personnel, the following immediate steps need to be taken by Department of Public Safety first responding Personnel.

On the Phone

2. Caller is Asked:
 - A. Are you safe, (if no, dispatch LE immediately) (ask location of caller)
 - B. Do you need medical attention, (if yes, dispatch emergency medical services)
 - C. Suspect information for a look out will be asked, for immediate radio and notification look outs
 - D. Would you like to talk with ASU 24hr VAW Staff who will offer you immediate support, and explain to your rights, what services are available so you can make informed decisions about what you may want to do
 - E. Do you want to have a forensic SAE (if yes, advise not to change, wash, shower, brush, drink, potty, or disturb scene).

On the scene

3. Assess Safety of Victim.

If medically stable, move to a safe room within the facility if possible or to the nearest safe room/area.

4. Establish victims' need for medical assistance; ask about injuries etc. ask if assailant attempted to strangle. (Recommend medical evaluation)
5. Preliminary questioning to determine what happened, suspect information.
6. Offer opportunity to speak with VAW Support Staff to services requested by victim.
7. If victim requests services, contact should be made immediately with the VAW on-call person 334-229-6767.
8. If VAW not available or victim wants a SAE, call SART/SANE @334-213-1227.

An appointment must be made ASAP to get victim to:

SART-SANE (STAR Program) 334-213-1227, 530 S. Lawrence Street to set up appointment (appointments are usually 45 minutes from the time the call is made).

9. Assist with transportation arrangements or transport victim to the SART-SANE office. Provide victim transport to destination of choice after SART-SANE service.
10. Contact must be made with University Investigators to respond to start investigation of the offense.
11. Evidence/ and scene must be secured for processing.
12. Suspect lookout and emergency notifications, actions to secure campus. Command Center, 334-229-4400 must be notified so that CS Notify messages will be sent out ASAP. Command Center will notify MPD ASAP to obtain patrol units responding to campus area to assist in locating the suspect. Residence Halls will be notified and secured, this includes Halls being called and units responding to search and ensure residence halls are secure. The Montgomery Police Department and any additional surrounding agencies will be notified, to respond to area and given an updated lookout

The above listed process will run until initial responders are relieved of these duties by supervision or investigators, as the Investigatory process begins. The Campus Title IX Officer will be notified of the offense within four days of the report to Police.

FIRE SAFETY REPORT

A Report of the Three Most Recent Years' Fire Statistics in On-Campus Student Housing Facilities

In accordance with the federal regulations of the Campus Fire Safety Right-to-Know Act and the Department of Education regulations, Alabama State University publishes both fire statistics for the three most recent calendar years and ASU fire-related protocols and procedures. This information is distributed each year to enrolled students and current employees and is also made available to prospective employees and students. The fire statistics published in this report by facility name illustrate the reporting of fires in on-campus student housing facilities. See the Daily Report clipboard for more details related to any fire that takes place on campus. Any reports related to fires will be placed upon the Daily Report clipboard and includes information like the location and date the fire was reported, the time of the fire and a brief explanation of each fire.

Also, in compliance with the above regulations, a description of each on-campus student housing facility's fire safety system is included in this document along with the number of regular mandated supervised fire drills that occur yearly at each facility. Procedures for evacuation and certain practices (e.g., smoking, candles, and open flames) are included along with potential plans for improvements in fire safety.

Reporting On-Campus Fires and Other Emergencies

To maximize safety on campus, the University Department of Public Safety strongly encourages anyone with knowledge about any fire or unsafe action or condition on-campus to immediately report to the University Police by telephone or in person. Reporting fires and unsafe actions or conditions help University officials keep the community informed about fires on-campus and address the unsafe actions or conditions.

To make a report by telephone, call The Alabama State Police Department (ASUPD) at 334-229-4400 and describe the situation to the Police Communications Operator. In emergency situations, including fires, call ASUPD 334-229-4400 or 911 once you have evacuated the location. All 911 calls made from campus phones go directly to the ASU Police Department; all cell phone 911 calls are routed to ASUPD through the local 911 center.

ASU Response to On-Campus Fires

When you report a fire emergency to the ASU Police Department, the Montgomery Fire

Department will be dispatched, as well as other Public Safety representatives from the ASU Police Department and/or governmental Environmental Health & Safety officials as warranted. The Public Safety representatives will meet with you, listen to what happened and if necessary make a preliminary report. A Public Safety representative will review the report and conduct a follow-up interview if necessary. During cases of arson, State Fire Marshalls will be notified and investigators will review the scene and conduct a follow-up investigation. If occupants or residents must be relocated following a fire,

information regarding the relocation or the emergency at hand will be provided through to Housing and Residential Communities through the ASU Office of Media Relations.

The Alabama State University Department of Public Safety encourages you to report fires on campus. The Department of Public Safety is responsible for preparing the University's Annual Campus Security and Fire Safety Report and for compiling the fire statistics included in the report. We would like to keep the community as informed as possible. The information you report may require the ASUPD to issue a "CS Notify" alert in the case of Arson or if it is determined that the circumstances warrant such action.

Reporting Off-Campus Fires and Other Emergencies

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

- 911 for Emergency Situations
- Montgomery Police Department 334-241-2656
- Montgomery Fire Department 334-241-2651 (NON-EMERGENCY, DIAL 911 FOR ALL EMERGENCIES)

No Smoking Policy (Smoking Violations)

Smoking is prohibited on campus.

"No Smoking" signs have been posted in all University Facilities. Smoking in a campus building could warrant a range of disciplinary sanctions up to and including dismissal.

Fire Safety Violations

Alabama State University prohibits under the Code of Student Conduct, the entering false fire alarms or bomb threats, tampering with fire extinguishers, alarms or other safety equipment and this behavior is treated by the student disciplinary process as misconduct as it disrupts order and exhibits a disregard of health & safety. Any student found to have violated the Code can be sanctioned with a warning, probation, loss of privileges, fines, restitution, discretionary sanctions, resident hall suspension, resident hall expulsion, university suspension or university expulsion.

Community Living Standards (Fire Safety Violations)

Residential Life and Housing outline the responsibilities of the students living in on-campus housing facilities in the University housing contracts that each student is expected to sign and comply with as a condition of residing in a Residence Hall or any designated University housing. Students are expected to uphold these standards while living in campus housing as they promote a safe and secure community. The campus disciplinary system as administered by Student Affairs holds students liable for any violations that compromise the safety and security of residents and these violations may result in appropriate disciplinary sanctions, including or up to contract termination from on-campus housing. All residents must adhere to the fire safety guidelines, they must evacuate during a fire drill or alarm, they must not interfere with the emergency evacuation procedures of the residence hall, they must never falsely report a fire emergency by activating the fire alarm system or contacting police, fire or staff

members and they must never tamper with fire safety or life safety equipment. The No Smoking policy at ASU also prohibits occupants from smoking in any residence hall or on campus.

Occupants of Residence Halls are prohibited from using or storing items that pose a fire hazard, such as open flame sources (including, but not limited to, hookah lamps, candles, incense, etc.), flammable liquids, trees, branches, halogen lamps and bulbs, ammunition, explosives, fireworks and open coil or high heat appliances. Violations of these prohibitions or of the University Housing Contract which compromise the safety and security of occupants or others, may result in relocation, contract termination, and other appropriate disciplinary sanctions. Included in these violations are tampering, alarming, discharging, disconnecting, or dismantling the fire safety equipment and starting fires in the residence halls.

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

For the safety and well-being of all occupants at Residence Halls and Housing Facilities; appliances with an exposed heating element or exposed heating coil are not approved for use. Examples of other non-approved appliances in residence hall rooms include, but are not limited to, personal space heaters, personal air conditioners, halogen lamps, deep fat fryers, electric griddles, electric grills, electric waffle irons, electric woks, hot oil popcorn poppers, hot plates, indoor grills, indoor broilers, toaster ovens or any cooking tool that doesn't have automatic shut off.

Fire Safety, Procedures & Guidelines and Evacuation information

Open lights and flames are not allowed on campus without prior approval by the Department of Public Safety/ State or local Fire Marshalls, as it is unlawful for any person to light, build, make or deposit ashes or embers which could cause fire in any building or on the campus grounds without this approval.

Basic principles of evacuation exist. If a fire is noticed, leave the hazard area. Do not risk a life by remaining in the unsafe building. If operating a heat source or flame, extinguish it before exiting the building, if possible. On the way out of the building, pull a fire alarm system pull station. It may be necessary to break the glass or raise the pull station cover in order to pull the alarm. Some common locations of pull stations are at stairwell doors and exits.

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

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

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

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

Although Alabama State University requires all occupants of a building to evacuate when the fire alarm is activated, individuals with disabilities may need assistance or special procedures to evacuate effectively. For this reason, they should inform other individuals, especially Residence Hall Directors or Residential Advisors that they may need assistance in a fire alarm during the emergency evacuation-planning phase.

One tip that may prove useful during a fire alarm evacuation is to utilize the buddy system. During the first few days at a new job or at classes, discuss with others your need for a "buddy" if the fire alarm goes off. Obtain several buddies in different locations where you may be during an alarm and discuss your evacuation plan with your buddies (especially Residence Hall Directors or Residential Advisors). Explain what type of assistance you would need during a fire alarm. Plan and practice your procedure or evacuation during a fire alarm. If possible, your buddy should assure your location, capabilities and need for assistance during a fire alarm (however, do not risk life). Your buddy should inform ASU Police or the Montgomery Fire Department of your need for assistance, plan, and location during a fire alarm.

During the evacuation phase, persons utilizing wheelchairs should be taken to an area of rescue assistance (usually stairwell landings) or stay where they are located. This still requires their buddy to notify ASU Police or the Montgomery Fire Department of their location once they reach the assembly location outside. If the mobility-impaired individual is alone, he/she should dial 911 and inform the dispatcher of his/her location, inability to evacuate and/or area of rescue assistance where they are located. Persons with mobility impairments but without the need of a wheelchair will need to attempt to evacuate the building, allowing traffic to pass, when needed, in areas like stairwells. These individuals may decide to remain in place and contact 911 with their location if there is no sign of imminent hazard, and due to their impairment, they would not be able to evacuate the building at this time without

assistance. Individuals who are visually impaired may need a buddy to assist him/her through the evacuation route. If the visually impaired individual is unable to evacuate alone, he/she should dial 911 and inform the dispatcher of his/her location, inability to evacuate and/or the area of rescue assistance where they are located.

Once occupants have successfully evacuated the building and are outside, occupants should move away from the building to a pre-designated location where a headcount should be initiated by the building representative, Residential Advisor, or another designated individual. Occupants should also notify ASU Police of anyone needing assistance exiting the building. The building representative or some other supervisory personnel should notify ASU Police of anyone unaccounted for during the evacuation. Occupants should remain outside and away from the building until you are given further instructions from Montgomery Fire Department, ASU Police or an appropriately designated University Representative.

Future Improvements in Fire Safety

Alabama State University is dedicated to improving fire safety and fire safety systems. Older fire alarm systems are replaced and buildings are retrofitted with sprinkler systems as renovations occur. All new housing facilities are equipped with sprinkler systems. ASU PD does utilize a fire safety officer to ensure recurring Fire Drills and Fire Safety Training each semester.

Additional safety information:

The following information is provided as general fire safety information in addition to that previously recommended and is sourced directly from the Montgomery Fire Department.

Fires in the home take a great toll on life and property each year. During the five-year-period from 2005-2009, NFPA estimates that U.S. fire departments responded to an average of 373,900 reported home structure fires per year. These fires caused an estimated average of 2,650 civilian deaths, 12,890 civilian injuries, and \$7.1 billion in direct property damage per year. Smoking materials remain the leading cause of home fire deaths, while cooking equipment is the leading cause of home structure fires and home fire injuries.

Installing systems such as smoke alarms and residential fire sprinklers, as well as identifying potential hazards, can reduce the risk of home fires and property loss, injury, or death due to fire. Nearly two-thirds of home structure fire deaths occur in homes where there was no smoke alarm, or where smoke alarms were present but failed to operate.

Escape Planning

- Develop and practice a home fire escape plan with your family.
- Draw a plan of your home, locating all possible exits.
- Keep all exits free of obstacles.
- Have the ways out of each room, but develop a primary escape route, which should be the fastest and easiest way out of your home.

- Choose a meeting place for your family and make sure you practice your escape plan at least twice a year.

Smoke Alarms

- For maintenance of your smoke alarms, vacuum or blow dust from the alarms once a month and press the test button.
- Change the batteries on your smoke alarms twice a year, when you change the clocks.
- Replace your smoke alarms with new ones every 10 years

Cooking

- In the event of a grease fire on your stovetop, place a lid on the pan to smother and put out the fire. Never move a burning pan and never use water or a fire extinguisher on a grease fire.
- Never leave your food, grease, or oil cooking unattended.
- Wear short or tight fitting clothes when cooking.
- If your clothing catch fire, STOP, DROP and ROLL to put out the flames.
- Keep children and pets away from the stove when cooking

Smoking Materials (REMEMBER SMOKING IS PROHIBITED AT ASU)

- Quitting is the best way to prevent fire from smoking materials.
- Use a deep, wide ashtray on a sturdy table and make sure the cigarette is completely out, every time.
- Never smoke in bed.
- Never smoke when tired.
- Never smoke when oxygen is used.

FIRE REPORT, YEARLY NUMBERS:

The log for the current year is available at the Alabama State University Police Department.

02 Fire and evacuation Drills were held each semester in each residence hall during the calendar year of 2016. 02 Fire and evacuation Drills were held each semester in each residence hall during the calendar year of 2017. 02 Fire and evacuation Drills were held each semester in each residence hall during the calendar year of 2018.

The use of hot plates and other cooking appliances is strictly prohibited in residential halls.

Students are required to evacuate housing immediately in case of fire. Fire Safety information has been included in this report.

Plans for future improvements in fire safety, have been listed in this report and take place at the discretion of the University.

Below is the Three Year Description of each campus student housing facility/fire safety system/number of fires:

2016	Fire Alarm	Sprinkler System	# of Fires
G.N. Card Hall	Yes	Yes	0
Dunn Towers	Yes	Yes	0
Bibb Graves	Yes	Yes	0
Simpson Hall	Yes	Yes	0
Abercrombie Hall	Yes	Yes	0
Martin L. King Hall	Yes	Yes	0
Bessie Benson Hall	Yes	Yes	0
McGinty Apt.	Yes	No	0
Girard Apt.	Yes	No	0
Peyton Finley Apt.	Yes	No	0
William Benson Hall	Yes	No	0
Bessie Estelle Hall	Yes	Yes	0
New Facility 1	Yes	Yes	0
New Facility 2	Yes	Yes	0

2017	Fire Alarm	Sprinkler System	# of Fires
G.N. Card Hall	Yes	Yes	0
Dunn Towers	Yes	Yes	0
Bibb Graves	Yes	Yes	0
Simpson Hall	Yes	Yes	0
Abercrombie Hall	Yes	Yes	0

Martin L. King Hall	Yes	Yes	0
Bessie Benson Hall	Yes	Yes	0
McGinty Apt.	Yes	No	0
Girard Apt.	Yes	No	0
Peyton Finley Apt.	Yes	No	0
William Benson Hall	Yes	No	0
Bessie Estelle Hall	Yes	Yes	0
New Facility 1	Yes	Yes	0
New Facility 2	Yes	Yes	0

2018	Fire Alarm	Sprinkler System	# of Fires
G.N. Card Hall	Yes	Yes	0
Dunn Towers	Yes	Yes	0
Bibb Graves	Yes	Yes	0
Simpson Hall	Yes	Yes	0
Abercrombie Hall	Yes	Yes	0
Martin L. King Hall	Yes	Yes	0
Bessie Benson Hall	Yes	Yes	0
McGinty Apt.	Yes	No	0
Girard Apt.	Yes	No	0
Peyton Finley Apt.	Yes	No	0
William Benson Hall	Yes	No	0
Bessie Estelle Hall	Yes	Yes	0
New Facility 1	Yes	Yes	0
New Facility 2	Yes	Yes	0

Additional Emergency Procedures:

Evacuation Drills

Students living in the residence halls at Alabama State University participate in semiannual evacuation procedures and drills, which are held during the fall and spring academic semesters. The evacuation and emergency/fire drills are designed to inform students of emergency exits and emergency planning for the residence halls. The Department of Compliance, Alabama State University Department of Public Safety (ASUDPS) and Housing and Residential Life are responsible for the coordination of these drills. Residents of the halls will be notified of the drills by the Residential Housing staff.

Shelter-in-Place Procedures

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

Basic “Shelter-in-Place” Guidance

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

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

A shelter-in-place notification will come from ASUDPS, or other authorized officials on campus. Alerts either by email or outdoor notification will be the primary means of disseminating the notification; however, other means of communication may also be employed.

How to “Shelter-in-Place”

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

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of an emergency. If you are outdoors, proceed into the closest University building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
 - a. An interior room
 - b. Above ground level

- c. Without windows or with the least number of windows. If there is a large group of people inside a building, several rooms may be necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (University employees will turn of ventilation system as quickly as possible.)
6. Make a list of people and ask someone to call campus police or 911 so they will know where you are sheltering.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.

APPLICABLE EXCERPTS FROM “THE PILOT” STUDENT HANDBOOK

STUDENT RIGHTS AND RESPONSIBILITIES

PREAMBLE

Attending an institution of higher learning is a privilege that many people cannot enjoy.

Students are expected to respect this privilege while attending Alabama State University on and off campus. Students will conduct themselves with propriety, conforming to the high standards of the University, and respect the rights and opinions of others. They are expected to comply with the University’s policies, regulations, and rules, such as visitation policies of the residence halls, academic regulations, drug possession and use policy, pledging and hazing policy, alcohol policy, missing property policy, search and seizure policy, disruptive behavior policy, weapons policy, illegal possession or unauthorized use of keys policy.

Students are expected to conform to recognized University standards of conduct, behave with decency, and dress appropriately while on and off campus and in academic settings, social events, extracurricular activities, and other public functions. Male students are expected to remove hats when the Alma Mater is being sung or played, and prior to entering any building on campus including the dining hall, library, classroom buildings, residence halls, and other buildings. All students are expected to stand when the Alma Mater is being sung or played.

Integrity must be practiced in all endeavors and relationships on and off campus. Students found to be dishonest and indulging in acts of serious misconduct including cheating on tests and examinations, plagiarism, alteration or misuse of college documents, records or identification cards, forgery, misrepresentation, unauthorized use of another’s property, lying, fighting, theft, or receiving stolen goods will be subject to dismissal from Alabama State University. Students must refrain from using four-letter words and other obscenities that are not accepted standards of decency at Alabama State University to parents, students, visitors, professional staff, and others. Violations may be subject to judicial action under the category of verbal abuse.

STUDENT RESPONSIBILITIES

Attending an institution of higher learning is a privilege that many cannot enjoy. Students are expected to respect this privilege while attending Alabama State University.

Students are responsible for using their time effectively in pursuit of educational goals and maintaining high standards of academic achievement.

Students will conduct themselves with propriety conforming to the high standards of the University.

Students will respect the rights and opinions of others.

Students are expected to preserve healthful, wholesome physical and hygienic conditions.

Students should actively participate in life at the University.

Students have the responsibility to comply with the University's policies, regulations, and rules that apply to students and student conduct.

Students have the responsibility to uphold the reputation and high standards of the University.

Students have the responsibility to attend classes punctually and regularly and to devote themselves earnestly to their studies in order to learn.

Students have the responsibility to assist and take pride in the maintenance and preservation of University property.

Students have the responsibility to adopt positive patterns of behavior and values in order to develop a wider understanding of themselves and society.

Students are expected to use their varied abilities to make their years at Alabama State University a meaningful experience.

CODE OF CONDUCT ARTICLE I INTRODUCTION

Regulations affecting students as members of the University community apply throughout all aspects of campus life, whether in the classroom, on University property or at an organization-related activity off-campus.

The University regards all acts of unethical, immoral, dishonest, disruptive or destructive behavior as serious offenses and has established regulations that govern certain conduct. Any charges under these categories must cite a specific alleged offense or offenses.

The University hearing procedures are not set up to enforce criminal or civil laws or to operate in place of civil authority. Their use is limited in instances of student misconduct which distinctly and adversely affect the University's educational purposes and processes. It should be noted that when student conduct warrants involvement of civil authorities, the University shall notify said authorities. When feasible, the University will advise students before notifying civil authorities. A student shall be held accountable for disciplinary offenses committed while enrolled, even though he or she may have completed his or her course work.

ARTICLE II ZERO TOLERANCE

ZERO TOLERANCE means the University prohibits all illegal and unauthorized possession and/or use of weapons or drugs and/or fighting/assault and battery that directly contributes to the emotional or physical detriment of University personnel or enrolled students. The Zero Tolerance Policy is effective as

it relates to on-campus activities and University sponsored off-campus activities. Any student found responsible for violating a Zero Tolerance Policy may receive the maximum sanction of suspension or expulsion from the University. Students who violate the Zero Tolerance Policy maybe summarily (temporarily) suspended pending a hearing.

ALCOHOL POLICY

Although the legal drinking age in Alabama is 21, University regulations prohibit any student from possessing or consuming alcohol in the residence halls, dining hall, at student functions and at off-campus University-sponsored or supervised functions, regardless of age. Any student found responsible for violating this policy will be subject to University disciplinary and/or criminal action.

ALCOHOL SANCTIONS

Under age 21 possession and/or consumption

Open container of alcohol in public

Hosting a party involving illegal use of alcohol

Dispensing alcohol to minors

Intoxication

Constitution of a public nuisance by being offensive to public order or decency

FIRST OFFENSE

Disciplinary probation for one year

Alcohol education

\$50 fine

Parent notification

SECOND OFFENSE

Deferred suspension from Residence Halls for one year

Substance abuse referral

\$100 fine

Parent notification

THIRD OFFENSE

Suspension from Residence Halls for one year. The student will be held responsible for the full cost of the residence hall for the remainder of the academic year

Suspension from University for one year

Parent notification

Over age 21 possession and/or consumption

Open container of alcohol in public

Hosting a party involving illegal use of alcohol

Dispensing alcohol to minors

Intoxication

Constitution of a public nuisance by being offensive to public order or decency

FIRST OFFENSE

Disciplinary probation for one year

Alcohol education

\$50 fine

SECOND OFFENSE

Deferred suspension from Residence Halls for one year

Substance abuse referral

\$100 fine

THIRD OFFENSE

Suspension from Residence Halls for one year.

ARTICLE III PROHIBITED CONDUCT

Any student found to have committed the following, including but not limited to, misconduct is subject to the disciplinary sanctions articulated under Article VI, Sanctions.

PROHIBITED OFFENSES AGAINST THE UNIVERSITY COMMUNITY

Acts of dishonesty, including but not limited to, the following:

Plagiarism: Intentionally or knowingly using sources of another in an academic exercise without proper identification of the source(s).

Cheating: Intentionally using or attempting to use unauthorized materials, information, or study aids in any academic exercise; helping or attempting to help a student commit an act of dishonesty, including buying, selling or transmitting a copy of any examination or test before it shall have been administered; allowing another to copy information during an examination or other academic exercise.

Fabrication: Intentional falsification or invention of information or citation in an academic exercise.

Forgery, alteration or misuse of any University document, record or instrument of identification.

Tampering with the election process of any University-recognized student organization.

The willful furnishing of false or misleading information to University officials or on University records pertaining to names and addresses, information related to drug use or possession, weapons, assault, and other prohibited acts including affidavits for financial aid; or the altering or tampering with such records, including official identification cards.

Falsification of a signature.

Disruption of academic activities (including classroom teaching) and/ or disruption or the attempt to disrupt the peace of the University.

Misuse of identification card, failure to present identification card for inspection or failure to surrender identification card upon lawful request of a University police officer.

Failure to comply with regulations relating to the use of campus buildings and other University-owned or operated facilities and services.

Failure to obey a lawful order of University officials, including student officials, acting in line of official duty.

The obstruction of or interference with or aiding and abetting others in the obstruction of and/or interference with the ongoing activities of the University.

PROHIBITED OFFENSES AGAINST INDIVIDUALS

The use of coercion, threat of violence, physical and/or verbal abuse, riot or other interference with the legitimate rights of any member or guest of the university community.

Hazing as defined by “Alabama Law Prohibiting Hazing.”

Endangering or the threat of endangering the safety, health or life of any person or persons on University property or at University-sponsored activities.

PROHIBITED OFFENSES AGAINST PROPERTY

Theft of or damage to (including the defacing of) property of the University or property of a member of the University community or the property of a visitor of the University.

Unauthorized possession, duplication or use of keys to any University premises or unauthorized entry to and/or use of University property, including residence halls.

OTHER PROHIBITED OFFENSES

Possession or use of alcohol on campus except as expressly permitted by law or specifically approved for academic research programs. Consumption of alcohol off campus that places one under the influence of such substances when he or she returns to campus is prohibited.

Possession for sale or distribution of alcohol.

Possession or use of drugs or controlled substances on campus except as expressly permitted by law or specifically approved for academic research programs. Consumption of drugs or controlled substances off campus that places one under the influence of such substances when he or she returns to campus is prohibited.

Possession with the intent to distribute drugs or other controlled substances.

Possession, use or storage of firearms, explosives or instruments classified as weapons. Such items are treated as contraband and will be confiscated.

Gambling, disorderly or offensive behavior not specifically described herein but impermissible by civil law.

Violation of University regulations concerning the operation of motor vehicles.

Misuse of University property to commit or induce another to commit a violation of local, state or federal laws or of University regulations.

The intentional false reporting of a fire, bomb or other explosives having been placed in any building or elsewhere on University property; unauthorized setting of fires on University premises; or the tampering with fire extinguishers, fire alarms, door-locking mechanisms, elevators and safety equipment.

Any conduct which is a misdemeanor or felony under public law or is a violation of established University regulations as published in this handbook and in other University bulletins, handbooks and executive memoranda.

Abuse of the judicial system or disciplinary procedures, including but not limited to:

Failure to appear as a witness or for other reasons when summoned by the Office of Student Affairs.

Disruption or interference with the orderly conduct of a disciplinary proceeding.

Falsification, distortion or misrepresentation of information before a judicial body.

Filing a false complaint.

Harassment (verbal or physical) before, during and/or after a judicial proceeding.

Failure to comply with sanction(s) imposed under Article VI, Sanctions.

Influencing or attempting to influence another person to commit an abuse of the judicial system.

Any other act which is intended to have or has the effect of delaying or interfering with the orderly operation of the judicial process.

ARTICLE IV JUDICIAL AUTHORITY

The vice president for Student Affairs is responsible to the president for the supervision, administration, and operation of University policy related to student discipline. The assistant vice president will receive complaints on student conduct, direct such investigations as may seem appropriate and determine the disposition of cases within the University's jurisdiction. As discussed below, cases with merit may be resolved either administratively or through a formal hearing.

UNIVERSITY HEARING OFFICER

The University Hearing Officer, appointed by the vice president of Student Affairs, has authority (a) for the conduct of hearings on charges of alleged offenses as related to student conduct; (b) for the investigation of grievances involving employee-student relations; and (c) for the adjudication of contested violations of University motor vehicle regulations. The hearing officer will record all hearings and maintain the taped records for any possible future proceedings.

For the purpose of investigation, he or she has entry to all University offices and access to pertinent records as permissible by law. He or she also has authority to summon witnesses. Upon investigation of grievances, the hearing officer may pursue various roles to assist in resolving problems but may do no more than recommend action or redress. He or she may also recommend a change in procedures and policies where change is considered necessary.

The hearing officer has original and exclusive jurisdiction for hearing all cases where suspension of a student is considered the sanction for violation of a University regulation. He or she also has authority to summon any member of the University community as a witness. He or she may also impose any sanction deemed appropriate in a given case subject to the policy of the University and the board of trustees.

In matters of motor vehicle regulations, the hearing officer may render judgments, impose sanctions, waive and adjust citations. He or she has the power to condition, restrict or deny further use of parking facilities and/or operation of motor vehicles on the campus based upon the gravity or frequency of offenses. His or her decisions in matters of motor vehicle regulations and operations are final with the University.

ARTICLE V

PROCEDURES AND STUDENT RIGHTS RELATING TO THE ADJUDICATION OF STUDENT MISCONDUCT

The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community. In the matter of developing responsible student conduct, primary reliance is placed on student development, guidance, counseling and admonition. In circumstances where these preferred means fail, the University will use the disciplinary authority inherent in its responsibility to protect its educational purpose. In the exercise of this authority, safeguards shall be observed to protect the students from unfair imposition of penalties.

CHARGES AND HEARINGS

The assistant vice president for Student Affairs shall be responsible to the vice president for Student Affairs for the administration of University policy with respect to student discipline. He or she will receive complaints on student conduct, direct such investigations as may seem appropriate, and determine the disposition of cases within the University's jurisdiction. It is the assistant vice president's responsibility to determine whether to take no action, resolve the case administratively, or schedule the case for a formal hearing with the University Hearing Officer. The sanctions issued administratively or through a formal hearing are not limited to the sanctions listed under Article V of this student handbook. In the performance of these duties, the assistant vice president may request the assistance of appropriate officers of the Student Government Association.

Any member of the University community may file charges against a student for violating any provision of the Code of Conduct. Charges shall be in writing and submitted to the Office of Student Affairs and/or to the University Police and Campus Security. Upon request, students being charged with alleged violations are allowed to review the written charges filed against them.

In presenting his or her defense at a pre-hearing meeting or hearing, the student may be advised by any member of the University community. While the accused student may choose his or her adviser, no person shall be obligated to serve in such capacity. When the accused student elects to be advised by professional legal counsel, he or she must inform the assistant vice president for Student Affairs in writing at least 48 hours before the hearing date. In such an instance, the University may exercise the option to contact and arrange for the attendance of the University legal counsel at any or all judicial proceedings. Attorney(s) will not be allowed to address the Hearing Officer or any other tribunal. He or she may not cross-examine witnesses, raise questions or objections, or make opening or closing statements. Attorney(s) may serve in an advisory capacity only. The alleged offender is solely responsible for any and all fees incurred as a result of employing his or her attorney.

The assistant vice president for Student Affairs shall conduct an investigation into the alleged misconduct to determine if the charges have merit. Depending on the nature of the allegation, the assistant vice president for Student Affairs will determine if the misconduct should be dismissed or disposed of administratively by mutual consent of the parties involved. The assistant vice president for student affairs may administratively impose sanctions up to but not including permanent suspension or expulsion from the University.

If there is no mutual consent to resolve the charges administratively, the assistant vice president for Student Affairs will review the written charges with the alleged offender. Upon request, the alleged offender may receive a copy of the written charges. The written charges will be thoroughly explained by the assistant vice president for Student Affairs. The notice of charges will (a) be in writing and sufficiently precise to enable the student to understand the grounds upon which the University seeks to justify the imposition of sanction and to enable him or her to adequately prepare any defense which may be available to him or her; (b) state the alleged misconduct; and (c) state the date and time for a pre-hearing meeting and/or hearing.

During the pre-hearing meeting, the alleged offender may ask any questions he or she desires about the student discipline process. The student shall be given the right to review all statements and evidence submitted against him or her and the names of those presenting the evidence. He or she will have an opportunity to present his or her interpretation of the alleged incident. He or she may also call witnesses to verify his or her interpretation of the alleged incident. The assistant vice president for Student Affairs, having heard the interpretation of the alleged offender and/or witnesses, will decide whether to proceed with the case or drop the charges against the alleged offender or adjourn the pre-hearing meeting pending further consultation with the complainant. Should the assistant vice president for Student Affairs decide to drop the charges, the pre-hearing meeting will end, and the student will receive such notification.

If the assistant vice president for Student Affairs decides to bring the case to a hearing, the student will be informed of the pleas available through the student discipline system. The alleged offender may then

decide to plead or may request a maximum of one academic day in which to plead. The pleas which are available to students and the subsequent outcomes are described below:

Responsible: A student who pleads responsible waives his or her right to a hearing and accepts the sanction(s) offered by the University Hearing Officer. The responsible plea will be given in writing to the University Hearing Officer and in the presence of two witnesses. Should the offender perceive that the sanctions are too severe, he or she may appeal to the vice president for student affairs in writing within five class days of the date the sanction is received.

No Contest: The alleged offender may plead no contest and accept the sanctions by the University Hearing Officer. (This plea is for students who are involved in either civil or criminal proceedings arising out of the same incident.)

Not Responsible: A student who pleads not responsible will have his or her case heard by the University Hearing Officer. A date and time shall be set for a hearing. The student may elect to waive his rights to the two class day notification. This waiver must be given in writing to the assistant vice president for Student Affairs and/or the hearing officer in the presence of two witnesses. Conditions permitting, the assistant vice president for Student Affairs will make every effort to schedule the hearing within 10 class days after the student has made his or her "not responsible" declaration.

During the hearing, the burden of proof is on the University or the individual presenting the charges.

The role of the hearing officer is to receive evidence and to hear arguments and other testimony and to make rulings on procedural matters. A verbatim record in the form of a tape recording shall be made of each hearing which could possibly lead to suspension or expulsion as a sanction. At the conclusion of the hearing, the hearing officer will compile his or her findings of the facts and render a judgment consistent with the weight of the evidence and facts in the case. He or she shall transmit copies of his or her statement of fact and judgment to the accused student and to the assistant vice president for Student Affairs. If the sanction involves suspension from the University, he or she shall also send a copy to the vice president for Student Affairs.

The statement of the hearing officer shall contain detailed findings of fact and conclusions, including the charges and the basic reasons for the decisions made on all relevant issues raised at the hearings. Unless notice of appeal to the vice president for Student Affairs is given, the judgment of the hearing officer is final and shall take effect immediately upon the date of issue. If notice of appeal is given to the hearing officer and/ or the vice president for Student Affairs, the assistant vice president for Student Affairs shall defer the effective date of the sanction pending action of the vice president for Student Affairs. The right of appeal to the vice president for Student Affairs shall be forfeited unless written notice is given within five class days of receipt of the sanction. The student must sign an acknowledgement receipt upon receiving the sanction. (For more information related to filing an appeal, see Article IX, Judicial Appeal Procedures).

An accused student shall have the right to testify on his or her own behalf, to present evidence and witnesses to hear and question adverse witnesses and to rebut unfavorable statements. A student's status in the University, including the right to reside on campus and to attend classes, shall remain

unaltered while charges are pending, except for reasons relating to his or her physical or emotional safety and well-being, or for reasons relating to the safety of students, faculty, staff or University property. A summary suspension resulting from such reason shall be in effect until the University hearing officer has had a hearing and submitted his or her recommendation to the assistant vice president for Student Affairs. (See Article VIII, “Summary Suspension.”)

Hearings are normally conducted privately with the accused party and counsel or adviser; however, admission of any person to the hearing shall be at the discretion of the hearing officer with the consent of the accused student(s).

There shall be records of all formal hearings. The record shall be the property of the University.

The decision of the University hearing officer of whether a student is responsible or not responsible will be based on the evidence submitted at the hearing. Unless written notice of appeal is given to the vice president for Student Affairs, within five class days, the judgment of the hearing officer is final and shall take effect immediately upon the date of issue.

Pursuant to the Family Educational Rights and Privacy Act (FERPA), students are permitted to inspect and review their judicial file in the Office of Student Affairs between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. With the exception of the Office of Student Affairs and other University officials with an established need-to-know, the student’s disciplinary status and disciplinary records may not be released to any outside party without the written permission of the student.

ARTICLE VI SANCTIONS

1. In order to protect its educational purposes and processes, the University has the authority to impose sanctions on any student found guilty of an offense or breach of regulations. The sanctions listed below may be imposed upon any student found to have violated the code of conduct. This list is not exclusive.

Reprimand: an official verbal or written statement to the student that he or she has violated a University regulation. It is a warning that further misconduct may result in a more severe sanction.

Assessment/Fine: a forced monetary compensation appropriate to the violation, including a motor vehicle violation.

Disciplinary Probation: the placing of a student on social and behavioral restrictions for a specified length of time or until a stated condition is met. Further violations of regulations will result in consideration of his or her suspension from the University.

Loss of Privileges: denial of specified privileges for a designated period of time.

Restitution: forced compensation to the University or, in the case of private property, to the owner who has suffered the loss. This sanction is applied in cases involving damages to or theft of University or private property.

Educational Sanctions: mandatory participation in a specific educational program, work assignment or the completion of a research assignment. The student is responsible for all related expenses.

Residence Hall Suspension: separation of the student from the residence halls for a specified length of time, after which the student is eligible to return.

Residence Hall Expulsion: permanent separation of the student from the residence halls.

Suspension (Held in Abeyance): student, although suspended, is allowed to remain at the University if he or she adheres to the conditions of sanctions imposed by the University hearing officer. In case of non-compliance with the sanctions, the assistant vice president will notify the hearing officer and the student in writing. Student will be immediately suspended for failing to comply with the imposed sanctions.

Suspension: forced withdrawal from the University for a stated period of time, after which readmission may be allowable. Suspension may extend for the remainder of the current semester or more semesters or until a specified condition is met.

Summary Suspension: See Article VIII

Expulsion: permanent separation of the student from the University.

2. Any student found to have violated the code of conduct may receive more than one sanction.

ARTICLE VII ORGANIZATION MISCONDUCT

In the investigation of alleged violations conducted by the Office of Student Affairs, the organization shall be represented by its president or chief student officer and its chief faculty adviser of record in the Office of Student Affairs. In the event a student group or organization violates University regulation(s), sanctions which may be imposed on the organization include, but are not limited to:

Withdrawal of University Recognition: permanent loss of all privileges as a student organization affiliated with the University.

Educational Sanction: mandatory participation in a specific educational program, work assignment, or the completion of a research assignment. The student organization is responsible for all related expenses.

The assistant vice president for Student Affairs may, for cause, impose sanctions and he or she may summarily suspend a student organization until such time as a hearing takes place.

ARTICLE VIII SUMMARY SUSPENSION

In cases to protect the physical or emotional well-being of the alleged offender or to protect the safety of students, faculty, staff or University property, the assistant vice president for Student Affairs may summarily suspend a student or student organization from the University and all of its facilities and grounds pending a disciplinary hearing or medical evaluation. The summary suspension shall be in effect until a hearing has taken place on the charge(s) and a decision has been reached. If the student elects to appeal the decision of the hearing officer, the assistant vice president for Student Affairs will decide if summary suspension will be lifted or remain in effect until completion of the appeal process.

ARTICLE IX

JUDICIAL APPEAL PROCEDURES

In each case involving imposition of a penalty or sanction, the accused shall have the right to appeal the decision.

An appeal shall be in writing and shall be delivered to the vice president for Student Affairs within 5 class days following the decision by the hearing officer or the assistant vice president for Student Affairs. A student who fails to file an appeal within the 5 class day period forfeits the right to any appeal.

An appeal to the vice president for Student Affairs may be made only on the following grounds:

Lack of due process, i.e., when a student can show an error in the hearing; or arbitrariness in finding against the weight of the evidence.

Lack of substantial evidence.

Evidence that was not considered or available that would subsequently change the nature of the case.

Upon receipt of an appeal, the vice president for Student Affairs may render a decision within 5 class days. The vice president for Student Affairs shall review the case and make one of the following determinations:

find no error and affirm the decision of the tribunal which adjudicated the case;

find irregularities, additional pertinent evidence or prejudicial errors sufficient to overturn the decision or remand the case to the appropriate body for further adjudication.

The vice president for Student Affairs will communicate the decision to the adjudicatory body, the student, and the president of the University.

ARTICLE X

STUDENT GRIEVANCE PROCEDURE

Students who have grievances resulting from conflict with officials of the University (administrators, staff, and/or faculty), may seek consultation with the assistant vice president for Student Affairs. The assistant vice president for Student Affairs will receive confidential statements during the initial interview and will assist students in clarifying the issue and compiling a summary report of the complaint. With consent of the student, a report of the circumstances will be submitted to the vice president for Student Affairs for review and appropriate action. The decision in a student's grievance action may be appealed to the president of the University within three class days following the decision. Complaints concerning grades should follow the policy set forth in this handbook under "Academic Appeals Procedures." These procedures are available in the Dean's Office of each college or school.

When a student has a complaint about mistreatment by another student he or she should follow the procedure listed under the section entitled, "Prohibited Offenses Against Individuals." Students can also report their complaints directly to the assistant vice president for Student Affairs.

UNIVERSITY POLICIES

The policy statements described below are provided to assist you in better understanding ASU, especially the rules and regulations governing the University. Keep in mind, however, that the University acknowledges and complies with local, state, and federal policies as they are approved, and new institutional policy may be introduced while this handbook is in circulation.

UNIVERSITY POLICY ON NONDISCRIMINATION

Alabama State University is an equal opportunity institution and does not discriminate on the basis of race, religion, color, physical disability, national origin, sex, marital status, political affiliation or age in any of its programs, including admission of students or employment. To file a complaint or for additional information, contact the vice president for Student Affairs, in 108 McGehee Hall, (334) 229-4241. In matters regarding sex discrimination, the University does comply with Title IX of the Education Amendments of 1982. Information regarding the application of Title IX may be obtained from the director of Personnel and Human Relations (who is the University EEO officer) at

(334) 229-4267 and the vice president for Student Affairs.

Regarding students with physical disabilities, ASU will provide reasonable accommodations for individuals qualifying under the Americans with Disabilities Act (ADA) and other state and federal laws and regulations. The service is dependent upon verifiable student needs. Students with "documented" special needs who intend to enroll in ASU should contact the University Counseling Center Office and the ADA Coordinator at (334) 229-4382.

POLICY ON GENDER EQUITY

Alabama State University takes seriously its commitment to gender equity in employment and education. While the University has in place procedures dealing with sex discrimination, informal mediation is available through the vice president for Student Affairs or the director of Personnel Services, depending on the circumstances of the incidents. In the event an individual is not satisfied with the mediation or elects not to pursue the informal process to remedy an alleged discriminatory practice, the student or employee may file a formal grievance.

The purpose of the grievance procedure is to facilitate resolution of a grievance in an orderly and consistent manner as established in the Title IX Grievance Manual of the Office for Civil Rights of the U.S. Department of Education and ASU. Information regarding the application of Title IX may be obtained from the director of Personnel Services at (334) 229-4267 and the vice president for Student Affairs (334) 229-4241.

DEFINITION OF TERMS

As a first step in understanding Title IX grievance procedures for sex discrimination, the following definitions are offered:

Grievance – A complaint alleging any action, policy, procedure or practice which would be prohibited by Title IX.

Title IX – Title IX of the Education Amendments of 1972, the 1980 implementing regulations and any memoranda, directives, guidelines or subsequent legislation that may be issued or enacted.

Grievant – A student or employee of ASU who submits a grievance relevant to Title IX or an individual or group submitting a grievance on behalf of a student(s) or employee(s).

(Name of Institution/Agency): Any reference to Alabama State University means any school, department, subunit or program operated by the University.

Title IX Coordinator – The employee(s) designated to coordinate ASU’s efforts to comply with and carry out its responsibilities under Title IX and the Title IX implementing regulation.

Title IX Grievance Representative – Any person designated by ASU or by the Title IX coordinator as a person with whom Title IX grievances may be filed. The Title IX grievance representative may be delegated other tasks by the Title IX Coordinator.

Respondent – A person alleged to be responsible, or who may be responsible, for the Title IX violation alleged in a grievance. The term may be used to designate persons with direct responsibility for a

particular action or those persons with supervisory responsibility for procedures and policies in those areas covered in the grievance.

Hearing Officer – The representative(s) of ASU, or its governing body, who is delegated authority for hearing/resolving a grievance at a specified level of grievance processing.

Grievance Answer – The written statement of the respondent regarding the grievance allegations and possible corrective action.

Grievance Decision – The written statement of a hearing officer on his or her findings regarding the validity of the grievance allegation and the corrective action to be taken, which become effective with the president’s concurrence.

Day – A class day; the calculation of days in grievance processing shall exclude Saturdays, Sundays and holidays.

Corrective Action – The action which is taken by Alabama State University to eliminate or modify any policy, procedure or practice found to be in violation of Title IX and/or to provide redress to any grievant injured by the identified violation.

FILING A TITLE IX GRIEVANCE

Any student, employee or any individual or group acting on behalf of a student or employee shall file any grievance alleging sex discrimination in writing with the Title IX coordinator or other designated Title IX grievance representative.

A grievance may be filed by an individual student or an employee or a group that files a complaint on behalf of a student(s) with the Title IX coordinator at ASU as designated by the president of the University. A copy of the grievance shall be sent to the vice president for Student Affairs. All grievances shall be processed in accordance with the following procedure that follows:

A grievance shall be filed in writing within five class days after the event giving rise to the grievance. The written grievance shall contain the action that is being grieved, the alleged violation of what rule, regulation, practice or procedure and the remedy being sought. The grievance shall first be filed with the Title IX coordinator with a copy to the vice president for Student Affairs. The grievant shall complete a form entitled, “Title IX Grievance Filing Form,” which can be obtained from the Office of Personnel Services.

The Title IX coordinator shall respond to the grievant in writing within 10 class days of receiving the grievance.

Within two class days of receipt of the complaint the Title IX coordinator shall notify the respondent(s) involved in writing that a complaint alleging violation of Title IX has been filed against him or her with a copy of the complaint with attachments. The respondent must send in writing a grievance answer within 10 class days back to the Title IX coordinator.

If the Title IX coordinator fails to respond within the 10 class days or if the response is unfavorable, a grievance petition may be filed with the hearing officer within 10 class days of the date on which the Title IX coordinator(s)' response was received or should have been received.

The Title IX coordinator shall notify the hearing officer of the complaint and shall set up a hearing. The coordinator shall set the date, time and place of the hearing and notify the respondent of the hearing at least five class days before the hearing.

Each party may be represented by professional legal counsel. However, if any party elects to be advised or represented by legal counsel, the hearing officer must be notified in writing no later than 48 hours before the hearing. In such a case, the University may exercise the option to present its case through use of legal counsel.

At the conclusion of the hearing, the hearing officer shall compile his or her findings regarding the validity of the grievance allegation and the recommended corrective action in a document called the "grievance decision" on the appropriate hearing form. The hearing officer shall transmit written copies of the "grievance decision" to the grievant, vice president for Student Affairs, and the Title IX coordinator. The Title IX coordinator shall send a copy to the president of the University. A verbatim record in the form of a tape recording shall be made of each hearing. All correspondence sent to the grievant must be by signature or certified mail.

The hearing officer's "grievance decision" shall contain a statement of the facts, finding of fact with respect to the matters at issue and recommended corrective actions.

If notice of appeal of the hearing officer's decision is received by the Title IX coordinator within five class days of receipt of the decision, another hearing shall be scheduled the grievant request an appeal with the University president. In the hearing, the burden of proof is on the grievant.

The respondent shall have the right to testify in his or her own behalf, to present evidence and witnesses, to hear and question adverse witnesses, and to rebut administrative or hearing committee by his or her peers. The judgment of the hearing officer shall be based solely on the evidence presented in the hearing.

The Title IX coordinator shall do a follow-up and monitor each case brought to a hearing on the designated form.

Source: U.S. Department of Education, Office of Civil Rights, Title IX Grievance Procedures: An Introductory Manual, 1987.

UNIVERSITY POLICY ON ACCESS TO AND RELEASE OF STUDENT RECORDS

Alabama State University maintains, collects and compiles information on its students in order to enhance University operations. The University fully complies with the Buckley Amendment of the Family Educational Rights and Privacy Act of 1974. The Buckley Amendment requires that students be advised of their rights concerning their educational records. The law guarantees students three important rights: (1) the right to inspect their student records, (2) the right to challenge incorrect information in those records and (3) the right to keep their records private.

Each student may exercise his or her right to inspect and review any and all official records, files and data directly related to him or her by initiating a request in writing with the custodian of the records desired. For request to review or correct records, a student should report to the Office of Records and Registration, 27 Council Hall, or call the office at (334) 229-4243 during regular business hours.

Students who are or who have been in attendance at the University may challenge in writing, by submitting their request to the University Registrar, the content of the records maintained. They must be provided an opportunity for the correction or deletion of any alleged inaccurate, misleading or otherwise inappropriate data contained in such records and to insert into such records a written explanation respecting the content thereof.

COMMITTEE ON PRIVACY OF STUDENT RECORDS

The Committee on the Privacy of Student Records shall review policies relating to records of students, monitor continuously the security of student record keeping, evaluate requests for research use of student record data and offer consultation on other issues that may occur.

UNIVERSITY POLICY ON SEXUAL ASSAULT AND RAPE

This policy applies to same sex and heterosexual sexual assault and rape. Sexual assault is defined as any unwanted touching of a sexual nature. This includes but is not limited to:

Unwanted kissing, touching or fondling

Penetration with a finger or a foreign object

Rape (vaginal or anal intercourse, oral – genital contact)

These acts constitute sexual assault when they are attempted or committed through force, threat, or intimidation, when the perpetrator has been informed that his/her actions are unwanted: or by taking advantage of the victim's incapacity or helplessness caused by alcohol or other drugs.

Rape is defined as “unlawful sexual intercourse by force or deception.” A person is responsible of rape in the first degree when one intentionally engages in sexual intercourse with another person without consent.

Alabama State University categorization of rape is as follows:

Stranger Rape – The sexual assault of an individual by someone the victim does not know.

Acquaintance Date Rape – the sexual assault of an individual by someone the victim knows, usually an acquaintance or a date. Date rape is the most common type of rape occurring on college or university campuses, but the least frequently reported.

Group/Gang Rape – the sexual assault of an individual by multiple perpetrators. Many gang rapes on college campuses occur in residence halls, fraternity houses or at off-campus parties and in vehicles.

ALABAMA STATE CRIMINAL LAWS

Rape in the first degree:

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

He or she engages in sexual intercourse with a member of the opposite sex by forcible compulsion; or

He or she engages in sexual intercourse with a member of the opposite sex who is incapable of consent by reason of being physically helpless or mentally incapacitated; or

He or she, being 16 years or older, engages in sexual intercourse with a member of the opposite sex who is less than 12 years old.

Rape in the first degree is a Class A felony.

Rape in the second degree:

A person commits the crime of rape in the second degree if: Being 16 years old or older, he or she engages in sexual intercourse with a member of the opposite sex less than 16 and more than 12 years old; provided, however, the actor is at least two years older than the member of the opposite sex.

He or she engages in sexual intercourse with a member of the opposite sex who is incapable of consent by reason of being mentally defective.

Rape in the second degree is a Class B felony.

Sodomy in the first degree:

A person commits the crime of sodomy in the first degree if: He engages in deviant sexual intercourse with another person by forcible compulsion; or

He engages in deviant sexual intercourse with a person who is incapable of consent by reason of being physically helpless or mentally incapacitated; or

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

Sodomy in the first degree is a Class A felony.

Sodomy in the second degree:

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

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

He engages in deviant sexual intercourse with a person who is incapable of consent by reason of being mentally defective.

Sodomy in the second degree is a Class B felony.

Anyone who is a victim of a sexual assault or rape should contact one of the following offices:

University Police Department – 229-4400

Montgomery Police Department – 241-2652

Counseling Center – 229-4382

Office of the Assistant Vice President for Student Affairs – 229-5104

Office of the Vice President for Student Affairs – 229-4241

UNIVERSITY POLICY ON SEXUAL HARASSMENT

Alabama State University is firmly committed to providing an environment that is free of discrimination. Sexual harassment is reviewed as a form of sex discrimination and as a most reprehensible offense, whether committed on or off campus. ASU will vigorously investigate and impose sanctions when investigation confirms that sexual harassment has occurred. The University is especially sensitive to this matter where students are involved and will not hesitate to impose the maximum disciplinary sanction where warranted. Deliberate false accusation of sexual harassment will not be condoned and will result in disciplinary action being taken against anyone who knowingly makes a false report.

SEXUAL HARASSMENT DEFINED

Unwelcomed sexual advances, requests for sexual favor and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic decisions, (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions or academic decisions affecting such individual or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive working or academic environment or the assignment of better academic grades or favorable consideration for academic or social advancement. Sexual harassment may be of a homosexual or heterosexual nature and may consist of the following:

sexually suggestive language;

derogatory sexual comments;

unsolicited touching of the body;

outright solicitation of sexual intercourse;

subtle pressure for sexual favors or social encounters;

demands for sexual favors or social activity accompanied by threats or insinuations that failure to submit will adversely affect one's employment, wages, work conditions or academic advancement;

demands for sexual favors or social activity accompanied implied or direct promises that submission will result in better job treatment or academic advancement; and

8. patting or pinching.

REPORTING INCIDENTS OF SEXUAL HARASSMENT

A student who believes he or she has experienced sexual harassment shall immediately report the allegation to the vice president for Student Affairs or the Department of Police and Campus Security. A formal investigation of the matter will begin when a written complaint is filed. If charges of sexual harassment are formally filed against any officer of the University who serves at or above the level of an area vice president or the director of intercollegiate athletics, the EEO officer shall within 10 days report that fact and the results of any preliminary investigation to both the president and the chairman of the board of trustees.

INVESTIGATING REPORTED INCIDENTS OF SEXUAL HARASSMENT

Prior to initiating an investigation, the director of Personnel Services and Human Relations will notify the accused person(s) of the sexual harassment charge and of the impending investigation. The investigation will be non-adversarial. Therefore, attorneys for neither side will be permitted. The investigation committee will be composed of three disinterested members. Two members will be appointed by either of two divisional vice presidents. The third member will be selected by the two members appointed by the vice presidents. If the two cannot agree on naming a third member, the director of Personnel and Human Relations will name the third member. If the sexual harassment charge involves a student, at least one member of the committee will be a student appointed by the vice president for Student Affairs. All correspondence should be in writing that requires a signature or use of certified mail.

The committee will interview and obtain relevant testimony from any and all persons who may have knowledge of the matter within 30 days of notification. Upon completion of the investigation, the committee will compile its findings, formulate recommendations and forward its report through the director of Personnel Services and Human Relations to the vice president for Student Affairs.

DRUG-FREE CAMPUS AND WORKPLACE POLICY

Alabama State University is committed to fostering a campus environment in which the effects of alcohol and drugs do not interfere with the academic development and work of students and institutional faculty and staff. Furthermore, the effects of drug and alcohol abuse pose a danger to the individual, students, faculty members and the public. Alabama State University acknowledges and complies with the laws of the state of Alabama which prohibit the sale, distribution, manufacture, possession or use of a controlled substance in the state. Therefore, individuals are specifically prohibited

from using, selling, distributing or, in any other way, involving themselves with controlled substances except as permitted in relevant legislation.

DRUG AWARENESS PROGRAM

The University has established a Drug Awareness Program administered through the University Counseling Center in cooperation with the University Health Services Center. The program includes the following activities:

Alcohol/Drug Education: Through student workshops, information on drug abuse is provided, including drug effects, signs and symptoms of drug abuse, effect of drugs on personal performance, and the University's Drug-Free School and Campus Policy

Counseling and Referral: For students in need of counseling, in-patient treatment or other diagnostic services, a listing of alcohol/drug, self-help and in-patient services is available in the University Counseling Center.

Print and Audio-Visual Materials: An array of brochures, pamphlets, monographs, research reports and audio visuals on Drug Awareness Programs for Alabama State University is available in the University Counseling Center.

Additionally, confidential assistance with substance abuse problems is available through several greater Montgomery area agencies. University counselors must confidentially refer for counseling any student who appears to be having difficulty with substance abuse.

SANCTIONS APPLICABLE TO STUDENTS

The University will enforce sanctions as it relates to illegal use, possession or distribution of controlled substances on its premises or at any of its activities. Specifically, depending upon the facts relating to any drug or alcohol conviction or use, students who violate the University's drug-free policy may be required to participate in a drug abuse assistance program or may be subject to sanctions up to and including suspension for a specified period of time or expulsion.

POLICY DISSEMINATION AND EVALUATION

It is the policy of ASU to maintain a drug-free campus. In order to inform University students of this policy as well as the dangers of substance abuse, copies of the University's policy are made available from the following offices: the University Counseling Center; University Health Center; the library;

offices of the vice presidents; and the Student Government Association. At the time of registration, copies of the policy will also be available.

The Office of Student Affairs will evaluate and review various measures to better understand the effectiveness of the University's Drug-Free Campus and Workplace Policy. These measures include the following:

1. Trends of drug and alcohol arrests by the Police and Security Department:

The number of disciplinary actions issued to students related to controlled substance abuse.

The number of students referred or required to participate in classes and counseling sessions.

The number of reported violations of housing regulations.

The amount of vandalism in the residence halls associated with drug and alcohol abuse.

The number of incidents of violence influenced by alcohol and drug abuse

ALABAMA STATE UNIVERSITY CODE OF CONDUCT

ALL ALABAMA STATE UNIVERSITY (ASU) STUDENTS ARE EXPECTED TO CONFORM TO RECOGNIZED UNIVERSITY STANDARDS OF CONDUCT, BEHAVE WITH DECENCY, AND DRESS APPROPRIATELY WHILE ATTENDING ON AND OFF CAMPUS FUNCTIONS AND IN ACADEMIC SETTINGS, SOCIAL EVENTS, EXTRACURRICULAR ACTIVITIES AND OTHER PUBLIC FUNCTIONS.

(Approved by the Board of Trustees in May 2006)

DRAFT COPY OF ASR COMPILED AND WORKED ON 09-16-19 BY JNG

