























## **Student Life Conduct Regulations Process for Students**

Upon receipt of a conduct complaint, the Dean of Students/Center Director work to gather additional facts. If there is probable cause to believe that a violation of the Faulkner University Student Life Conduct Regulations has occurred, then the case will proceed to an informal stage of resolution in an attempt to eliminate the conduct at issue, prevent its recurrence and remedy its effects in a manner that meets the expressed preference of the complainant and the safety and welfare of the campus community. If the case cannot be settled with an informal resolution, the case will move to the Vice President for Student Services. Any decision made by the Vice President for Student Services may only be appealed to the President for review. The Presidents' decision is final.

For more information concerning Student Life Conduct Regulations in the Student Handbook, see [2020-2021 Faulkner University Student Handbook\(1\).pdf](#)

## **Complaint Process for Employees**

**In circumstances in which the offender is a school employee, victims may file a complaint with Human Resources in place of or in addition to criminal charges. These complaints may be submitted to:**

**Renee Kephart, Vice President of Human Resources, (334) 386-7230.**

The victim of a crime who does not want to pursue action with the Vice President of Human Resources or the criminal justice system may still consider making a report to a Campus Security Authority. A student or employee can notify any Campus Security Authority about a crime and they can file an internal report without revealing their identity.

The University cannot guarantee confidentiality; but does guarantee privacy. The purpose of a confidential report is to comply with the reporting individual's wish to keep the matter confidential, while taking steps to ensure their future safety and the safety of others. Further options will be discussed with the reporting party. With such information, the college can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential dangers. Reports filed in this manner are counted and disclosed in the annual crime statistics for the University.

## **Crisis and Other Urgent Communications**

**Clery Timely Warning Notices** are specifically related to compliance with the federal Clery Act, which requires colleges and universities to notify students and employees whenever there is a threat that a serious crime has been reported and/or may be repeated--so that campus community members can protect themselves or their property. The Clery Act identifies specific crimes that require a timely warning notice to be issued. When crimes are reported to a CSA or the police and the reported crime(s) are believed to have occurred on campus, in or on non-campus buildings or property, or on public property immediately contiguous to the campus.



students conceal books, supplies, and other valuables in the trunks of their cars or keep valuables in their possession at all times. Items such as purses, handbags, book bags, and knapsacks should not be unattended.

Everyone is encouraged to lock their vehicle and residence rooms/apartments. Do not leave your keys in your vehicle or where anyone can pick them up and make use of them.

### **Security of and Access to Campus Facilities**

Faulkner University is committed to providing a healthful, safe and secure environment for all members of the campus community. This commitment is evidenced by the fact the university employs a Police force which is on duty 24 hours every day at the Montgomery campus and anytime classes are scheduled and as many additional hours possible at the Birmingham, Huntsville, and Mobile campus locations.

Campus facilities are locked and unlocked by the Campus Police according to the normal operational hours of the college and scheduled facilities usage. Normal operational hours are:

#### **Montgomery Campus**

7:30 am-11:00 pm Monday – Friday  
As scheduled on Saturday & Sunday

#### **Birmingham Campus**

8:00 am-10:00 pm Monday -  
Thursday  
As scheduled on Friday

#### **Huntsville Campus**

8:00 am-10:00 pm Monday -  
Thursday  
As scheduled on Friday

#### **Mobile Campus**

8:00 am-10:00 pm Monday -  
Thursday  
As scheduled on Friday  
As scheduled on Saturday

As a rule, no one should be in college buildings after normal operating hours. The Campus Police have been instructed not to open buildings or allow people to remain in campus buildings after hours.

Students who need access to campus facilities outside of the hours scheduled above must authorization from the appropriate Dean, Department Chair, or Center Director. In the event of an unforeseen emergency, please contact the Campus Police for assistance.

## **Safety and Security Programs**

Safety and Security programs are provided by Campus Police when requested. To request a class, please contact Campus Police at (334) 386-7415.

## **Campus Crime Statistics Disclosure**

Faulkner University is required under Section 668.46(b) of the Campus Security Act to publish and distribute an annual security report. The Campus Crime and Security Survey as required by the United States Department of Education is available at <http://ope.ed.gov/security>. The offenses for which the Campus Security Act requires statistical reporting are defined in accordance with the FBI Uniform Crime Reporting (UCR) System, as modified by the Hate Crimes Statistics Act.

Victims or witnesses of crimes may report crimes confidentially for inclusion in the annual disclosure of crime statistics.

## **Monitoring Campus, Non-Campus and Public Property for Criminal Activity**

The Campus Police Department maintains a list of all reports of crimes that occur on Faulkner University property. Between January and July of each calendar year, letters of inquiry, or emails, are sent to local police jurisdictions inquiring about specific Clery crimes associated with each address during the preceding calendar year. These letters are sent by mail with copies stored electronically as part of the Clery Report documents. When these letters are answered, their contents are analyzed, and any crime deemed to be within the exact Clery geography of that location is added to the crime data for that year.

Letters are also sent to police agencies in areas where university sponsored travel requires overnight lodging for students. The data requested is specific to the address where lodging was provided. Staff and faculty are encouraged to provide university sponsored travel information for these purposes when requested.

## **Daily Crime Log**

Faulkner University maintains a Daily Crime Log that records the date the incident was recorded, the type of incident, the general location of the incident and the disposition of the complaint. The department posts criminal incidents on the Crime Log within two business days of receiving a report of an incident. These records are available for public inspection at the Faulkner University Campus Police Department office on the Montgomery campus during normal business hours. Daily reports of police activity are also filed each day and are available for public inspection.

## **Definitions of crimes which must be defined by the Clery Act are:**

**Domestic Violence** - Defined under federal law (42 U.S.C. 13925(a)) as any felony or misdemeanor crime of violence committed by:

1. Current or former spouse, or intimate partner, of the victim
2. Person whom the victim shares a child with
3. A person who has or is cohabitating with the victim as a spouse or intimate partner
4. A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime or violence occurred or
5. By any other person against an adult or youth victim who is protected from domestic or family violence laws of the jurisdiction, in which the crime of violence occurred.

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

**Sexual Assault** - Can include any form of actual or attempted sexual activity perpetrated upon a person without that person’s consent, including sexual behavior coerced through physical or verbal threats, force or other forms of manipulation and sexual behavior when one person cannot give consent due to incapacitation.

**Rape** – Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person without the consent of the victim. This definition includes any gender of victim or perpetrator.

**Fondling** – The touching of the private body parts of another person for the purpose of sexual gratification without the consent of the victim, including instances where the victim is incapable of giving consent because of his / her age or temporary or permanent mental or physical incapacity.

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

**Consent** - Knowing, voluntary and clear permission by word or action, to engage in mutually agreed upon sexual activity. Each party has the responsibility to make certain that the other has consented before engaging in the activity. The request of consent must be specific to each act and should be obtained with each new level of physical and/or sexual contact/conduct in any given interaction, regardless of who initiates it. For consent to be valid, there must be at the time of the act of sexual intercourse or sexual contact actual words or conduct indicating freely given agreement to have sexual intercourse or sexual contact. A person cannot consent if he or she is unable to understand what is happening or is disoriented, helpless, asleep or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or

mentally incapacitated has engaged in nonconsensual conduct.

Intoxication is not a defense against allegations that an individual has engaged in nonconsensual sexual conduct. Consent is the act of willingly and verbally agreeing to engage in specific sexual contact or conduct. Obtaining consent is an ongoing process in any sexual interaction.

**Stalking** - Stalking, defined as intentionally and repeatedly harassing or following a person and intentionally or unintentionally placing the person being followed or harassed in fear of physical harm to one's self or property or physical harm to another person or another's property. A person engages in stalking if, without lawful authority and under circumstances not amounting to a felony attempt of another crime:

1. He or she intentionally and repeatedly harasses or repeatedly follows another person; and
2. The person being harassed or followed is placed in fear that the stalker intends to injure the person, another person, or property of the person or of another person. The feeling of fear must be one that a reasonable person in the same situation would experience under all the circumstances; and
3. The stalker either intends to frighten, intimidate, or harass the person; or knows or reasonably should know that the person is afraid, intimidated, or harassed even if the stalker did not intend to place the person in fear or intimidate or harass the person.
4. If he or she attempts to contact or follow the person after being given actual notice that the person does not want to be contacted or followed. That constitutes prima facie evidence that the stalker intends to intimidate or harass the person. "Contact" includes, in addition to any other form of contact or communication, the sending of an electronic communication to the person.

## **Confidentiality**

Faulkner 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, Faulkner University Campus Police cannot hold reports of crime in confidence. Upon request for public release of reports, the Chief of Police will redact victim information. Faulkner University can't guarantee anonymity if this is appealed to any court with jurisdiction and the judge in the case requires full disclosure.

Anonymous reports to Campus Safety Authorities may be filed for statistical reporting purposes. A student's privacy concerns are weighed against the needs of the College to respond to certain incidents and crimes. To the greatest extent possible, all reports will remain private. In compelling situations, Faulkner University reserves the right to take reasonable action in response to any crime report, and information may be shared with appropriate departments and agencies under a need-to-know basis when it pertains to investigative needs and safety concerns



of the campus community. All reports submitted on a confidential or anonymous basis are evaluated for purposes of issuing a campus- wide “timely warning notification” as well as inclusion in the annual crime statistics.

### **Arrest Statistics Relating to Alcohol, Drugs and Weapons**

For compliance with the Campus Security Act, institutions must also report the numbers of arrests for liquor law violations, drug abuse violations, and weapons possession.

Definitions of crimes for which arrests must be reported also as defined by the National Association of College and Universities Attorneys College Law Digest are:

- Liquor law violations: violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages (with the exception of “driving under the influence” or “drunkenness”).
- Drug abuse violations: violations of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation or use.
- Weapons possessions: violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

### **Disciplinary Referrals Statistics Relating to Alcohol, Drugs and Weapons**

For compliance with the Clery Act, institutions must also report the numbers of disciplinary referrals for liquor law violations, drug abuse violations, and weapons possession.

Definitions of crimes for which disciplinary referrals must be reported also as defined by the National Association of College and Universities Attorneys College Law Digest are:

- Liquor law violations: violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages (with the exception of “driving under the influence” or “drunkenness”).
- Drug abuse violations: violations of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation or use.
- Weapons possessions: violations of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

## Montgomery Campus Crime Statistics

Offense	Year	On Campus Property	On Campus Student Housing Facilities	Non Campus Property	Public Property
<b>Murder/ Non-Negligent Manslaughter</b>	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
<b>Negligent Manslaughter</b>	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
<b>Sex Offenses Forcible</b>	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	1	0	0
	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0

<b>Offense</b>	<b>Year</b>	<b>On Campus Property</b>	<b>On Campus Student Housing Facilities</b>	<b>Non Campus Property</b>	<b>Public Property</b>
<b>Sex Offenses Non Forcible</b>	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
<b>Incest</b>	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
<b>Statutory Rape</b>	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0

<b>Offense</b>	<b>Year</b>	<b>On Campus Property</b>	<b>On Campus Student Housing Facilities</b>	<b>Non Campus Property</b>	<b>Public Property</b>
<b>Robbery</b>	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
<b>Aggravated Assault</b>	2012	0	0	0	0
	2013	1	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
	2021	1	0	0	0
<b>Burglary</b>	2012	1	6	0	0
	2013	3	18	0	0
	2014	0	2	0	0
	2015	0	0	3	0
	2016	0	0	0	1
	2017	1	9	0	0
	2018	1	6	2	0
	2019	0	2	0	0
	2020	2	1	0	0
	2021	13	9	0	0



Offense	Year	On Campus Student			
		On Campus Property	Housing Facilities	Non Campus Property	Public Property
<b>Stalking *</b>	2015	0	0	2	0
	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
	2020	1	1	0	0
	2021	1	0	0	0
<b>Arrests: Weapons – Carrying, Possessing, Etc.</b>	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
<b>Disciplinary Referrals: Weapons – Carrying, Possessing, Etc.</b>	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
	2017	2	0	0	0
	2018	0	1	0	0
	2019	0	1	0	0
	2021	2	1	0	1
<b>Arrests: Drug Abuse Violations</b>	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	2	0	0
	2015	1	0	0	0
	2016	0	0	0	0
	2017	1	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
	2021	1	0	0	0

Offense	Year	On Campus Student			
		On Campus Property	Housing Facilities	Non Campus Property	Public Property
<b>Disciplinary Referrals: Drug Abuse Violations</b>	2012	16	0	0	0
	2013	6	4	0	0
	2014	6	0	0	0
	2015	4	0	0	0
	2016	0	0	0	0
	2017	26	0	0	0
	2018	3	12	0	1
	2019	1	6	0	0
	2020	10	8	0	2
	2021	9	20	0	0
<b>Arrests: Liquor Law Violations</b>	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0
<b>Disciplinary Referrals: Liquor Law Violations</b>	2012	11	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
	2015	1	0	0	0
	2016	2	0	0	0
	2017	19	0	0	0
	2018	2	13	0	2
	2019	1	4	0	0
	2020	7	6	0	1
	2021	2	7	0	0

Offense	Year	On Campus Student			
		On Campus Property	Housing Facilities	Non Campus Property	Public Property
<b>Unfounded Crimes Reported</b>	2012	0	0	0	0
	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
	2021	0	0	0	0

\*These offenses were added to the reporting requirements under the Cleary Act in 2016.

No Data was collected on these offenses prior to 2015.

\*\*This includes crime data received from the Montgomery Police Department.

Faulkner University Police Officers responded to approximately 4,620 calls for service and events during the year. In addition to the above mandatory reporting, Faulkner University Police responded to and documented Traffic Accidents, Theft of Property events (Non-Clery), Medical Assists, Natural Deaths, Identity Theft/Unemployment Compensation Fraud events, Unauthorized Use of a Motor Vehicle (Non-Clery), Criminal Mischief events, Email Scams, Motorist Assists, Locking and Unlocking doors, Suspicious Persons/Activities, assists to other University Departments, and assists to other law enforcement agencies.

### Montgomery Campus Hate Crime Statistics

No Hate related crimes have been reported for the years of 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, or 2021.



## Mobile Campus Crime Statistics

<b>Offense</b>	<b>Year</b>	<b>On Campus Property</b>	<b>Non Campus Property</b>	<b>Public Property</b>
<b>Murder/ Non- Negligent Manslaughter</b>	2012	0	0	0
	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
<b>Negligent Manslaughter</b>	2012	0	0	0
	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
<b>Sex Offenses Forcible</b>	2012	0	0	0
	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
	2021	0	0	0

<b>Offense</b>	<b>Year</b>	<b>On Campus Property</b>	<b>Non Campus Property</b>	<b>Public Property</b>
<b>Sex Offenses Non Forcible</b>	2012	0	0	0
	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	1
	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
<b>Incest</b>	2012	0	0	0
	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
<b>Statutory Rape</b>	2012	0	0	0
	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
<b>Robbery</b>	2012	0	0	0
	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	4
	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
	2021	0	0	0



<b>Offense</b>	<b>Year</b>	<b>On Campus Property</b>	<b>Non Campus Property</b>	<b>Public Property</b>
<b>Domestic Violence *</b>	2015	0	0	0
	2016	0	0	0
	2017	0	0	19
	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
<b>Dating Violence *</b>	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
<b>Stalking *</b>	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
<b>Arrests: Weapons – Carrying, Possessing, Etc.</b>	2012	0	0	0
	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	2
	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
	2021	0	0	0

<b>Offense</b>	<b>Year</b>	<b>On Campus Property</b>	<b>Non Campus Property</b>	<b>Public Property</b>
<b>Disciplinary Referrals: Weapons – Carrying, Possessing, Etc.</b>	2012	0	0	0
	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
<b>Arrests: Drug Abuse Violations</b>	2012	0	0	0
	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	5
	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
<b>Disciplinary Referrals: Drug Abuse Violations</b>	2012	0	0	0
	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
<b>Arrests: Liquor Law Violations</b>	2012	0	0	0
	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	5
	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
2021	0	0	0	



## Birmingham Campus Crime Statistics

<b>Offense</b>	<b>Year</b>	<b>On Campus Property</b>	<b>Non Campus Property</b>	<b>Public Property</b>
<b>Murder/ Non- Negligent Manslaughter</b>	2012	0	0	0
	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
<b>Negligent Manslaughter</b>	2012	0	0	0
	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
	2021	0	0	0
<b>Sex Offenses Forcible</b>	2012	0	0	0
	2013	0	0	0
	2014	0	0	0
	2015	0	0	0
	2016	0	0	0
	2017	0	0	0
	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
	2021	0	0	0































































## **STATE ALCOHOLIC BEVERAGE LAWS AND PENALTIES**

Various Alabama statutes address alcohol-related laws and penalties. Most offenses expose an individual to 30 days to six months in jail and a fine no greater than \$500. Penalties for DUI increase with the number of offenses, with the fourth DUI exposing a person to a felony charge, with imprisonment from 1-10 years and fine from \$4,100 to \$10,100. Significantly, the fourth DUI will result in mandatory revocation of the person's driver's license for five years. Adults who authorize a party at a residence they control and allow the party to continue with persons under age 21 illegally possessing or consuming alcohol without taking reasonable action to prevent it expose themselves to a \$3,000 fine and up to six months in jail. Finally, in addition to criminal penalties, civil monetary damages are available through the Alabama Civil Damages Act and/or Alabama Dram Shop Act if injuries are caused by a minor who has consumed alcohol.

## **HEALTH RISKS ASSOCIATED WITH USE OF CONTROLLED SUBSTANCES AND ABUSE OF ALCOHOL**

Substance abuse and drug dependency are problems of staggering proportions in our society today. They are the leading causes of preventable illness, disability, and death in the U.S. and afflict millions of Americans. This number increases dramatically when one considers the harm done to the families of substance abusers as well as to those injured or killed by intoxicated drivers or in drug-related work accidents. Alcoholism can develop in anyone. It tends to appear first between the ages of 20 and 40 and to be more prevalent in persons with a family history of alcoholism.

### **ALCOHOL**

Alcoholism is a disorder that has profound psychological, biological, and societal effects. Directly, it affects over 18 million people; indirectly, it affects another 56 million. It is usually characterized by one of three different patterns:

1. Regular daily intoxication;
2. Drinking large amounts of alcohol at specific times; or
3. Periods of sobriety interspersed with periods of heavy daily drinking.

Alcoholism is usually progressive, and physical dependence can develop; if this happens, serious, sometimes life-threatening symptoms can develop when alcohol is withdrawn. Short term effects of alcohol use can include depression, gastritis, liver disease, automobile accidents, and domestic violence. Chronic alcohol abuse can produce irreversible health changes, including dementia, sexual impotence, cirrhosis of the liver, and heart disease. Death can occur either as a complication of one of these chronic problems, or acutely, secondary to alcohol intoxication by poisoning or to aspiration of vomitus, or as the result of any automobile accident while driving intoxicated.

## **MARIJUANA (CANNABIS)**

Though physiological consequences do depend on frequency, duration, and quantity of use, marijuana use has been linked to impairment of short-term memory, concentration, judgment, perception, and fine motor skills. Therefore, the use of this drug increases the risk of machinery or motor vehicle accident and injury for four to six hours after ingestion. Impairment of memory may last for three to six months, even if use of the drug is discontinued completely. The active chemical in marijuana (THC) remains stored in body fat cells long after ingestion. Marijuana use is associated with chronic anxiety, depression, and paranoid feelings. It can exacerbate or increase significantly underlying emotional problems. Frequent and/or ongoing use by children and adolescents may have long term developmental consequences resulting in lack of motivation, apathy, and difficulty managing current stresses and responsibilities, as well as making appropriate plans for the future. Pregnant women who use marijuana may be at a higher risk for giving birth to children with developmental or birth defects.

## **HALLUCINOGENS**

This category includes drugs such as lysergic acid diethylamino (LSD, also known as "acid"), mescaline, psilocybin (also known as mushrooms) and peyote. These drugs cause delusions, hallucinations, and impaired perception of time and space. Phencyclidine (PCP, or "angel dust") and amphetamine variants known as "ecstasy" are included in this category, though they rarely cause hallucinations in the true sense. They are, however, potent drugs that have mind-altering effects and impair perception and cognition. Hallucinogens can produce a "bad trip" with anxiety, agitation, hallucinations, and paranoia leading to impulsive behavior. After a "bad trip" the person can be subject to "flashbacks," which are recurrences of the experiences of the "bad trip" without taking any more of the drug. Psychosis and impaired thinking may result after long-term use.

## **COCAINE**

The use of cocaine, an illegal stimulant drug, has risen dramatically in the United States. Other names for this drug are code, C., lady, and snow. Cocaine is a white powder that is snorted, injected into veins, or smoked freebase or as "crack." Crack is a crystalline form of cocaine that is also known as "rock", from its small, white rock-like appearance. "Speed balls" are cocaine mixed with heroin, which is a particularly dangerous combination. Crack produces the most intense cocaine high; addiction can occur after using it only once or twice. Cocaine highs are characterized by feelings of extreme happiness and a sense of limitless power and energy. However, the physical effects include high blood pressure and heart palpitations. A cocaine "crash" follows the high and includes symptoms of depression, dullness, great irritability, and paranoia. Serious medical complications occur with cocaine use, such as heart attacks (even in young people), seizures, and strokes due to high blood pressure. The

psychological effects of cocaine use include violence, paranoia, and personality changes as well as symptoms such as depression, anxiety, and confusion. Pregnant women using cocaine have increased risk of miscarriages and still-births. Newborns addicted to cocaine are irritable, unresponsive, they are prone to have malformed kidneys and genitals, and to have heart attacks and strokes. Addiction to cocaine controls aspects of the user's life, impinges on the lives of those closest to the user, and occurs in people of all ages, classes, and educational levels.

### **AMPHETAMINES, METHAMPHETAMINE AND OTHER STIMULANTS**

In addition to cocaine, a number of other drugs stimulate the nervous system and are very addictive. Most of them belong to the amphetamine family of drugs. Dexedrine (present in "diet" pills) may at times be prescribed by a physician, but its use as a legitimate medication is now infrequent. Street drugs of the amphetamine group include "ecstasy" and "ice." Ice is a smokable amphetamine compound that is very potent, and the effects are long-lasting and devastating. The health risks of these and other stimulants are similar to those of cocaine use.

### **NARCOTICS, INCLUDING HEROIN**

Various medications are taken to relieve pain. Most non-prescription pain relievers (such as aspirin, Tylenol, Motrin, and Nuprin) are not considered addictive. However, there is a class of stronger pain relievers, available by prescription only, which are referred to as narcotics and most of which are opiates. Examples of these drugs include morphine, codeine, Tylenol No. 3, Darvon, Darvocet, Percocet, Percodan, Demerol, and certain prescription cough medicines. These drugs differ from non-prescription pain relievers in their potential for abuse and dependence. With close medical supervision, these drugs may be safely used in specific medical circumstances for a limited time. However, addiction may occur, and the person may not want to stop the drug even when the pain has stopped. Tolerance to the drug is shown by an increase in the amount of drug necessary to relieve pain. This becomes progressive and leads to the craving or need for larger and larger doses, without which the person becomes extremely uncomfortable and physically ill. The time may come when the person "needs" such a large dose of the drug that it is poisonous or lethal. Under these circumstances, coma, suffocation, and death may ensue. The malignant course of this problem is similar to that of addiction to heroin. Although heroin is not available by prescription, it is a narcotic which belongs to the same chemical family as the above drugs. The use of heroin is mainly by injection into a vein, which carries the additional medical dangers of contracting AIDS and hepatitis from unclean needles and syringes.

## **SEDATIVES AND TRANQUILIZERS**

Barbiturates and benzodiazepines are two of the most commonly used classes of sedatives. Barbiturates (such Phenobarbital, Seconal, and Amytal) are highly addictive and can be fatal if taken in excess. Although they still have medical uses, they have largely been replaced by benzodiazepines, used for relief of anxiety and to promote sleep. Benzodiazepines include such drugs as Valium, Librium, Ativan, Xanax, Dalmane, Halcion, and Restoril. While safe and effective at moderate doses for short periods of time (weeks), all benzodiazepines have a potential for physical and psychological dependence if used at higher doses for longer periods of time. Frequently, benzodiazepines are abused by adults who become dependent on them because of their anti-anxiety effects. Other tranquilizers which may be abused include methaqualone (Quaaludes), Doriden, and Equanil. Intoxication may result from benzodiazepine use and resembles alcoholic drunkenness. Drowsiness, slurred speech, unsteady gait, and lack of coordination are common signs. The effects of benzodiazepines (barbiturates and other sedatives) add to those of alcohol; taken together, they can lead to coma and even death. Withdrawal from benzodiazepines resembles alcohol withdrawal and is most apparent if the drugs are stopped abruptly. Withdrawal takes place within hours to days of stopping the drug. Once a person is addicted to benzodiazepines, a physician should supervise the plan for gradually stopping them, to minimize serious effects of withdrawal.

## **IMPACT OF SUBSTANCE ABUSE ON FAMILIES**

Families are often gravely affected by a substance-abusing member. This can occur on many levels. As a very direct, physiological consequence, the infants of alcohol and cocaine-abusing mothers often have low birth weight and may suffer from malformations and a variety of developmental problems. In addition, abusers often affect the economic well-being of their families as their inability to hold down a job or, in some instances, their stealing from relatives, reduces the family's financial means and stability. In many cases substance abuse leads to violence at home. Substance abuse takes an emotional toll on the functioning of individual members and the family. Family members may actively deny the problem, may become symptomatic in an effort to deflect attention from the substance-abusing member, or may assume the abuser's responsibilities at home and even at work. On the other hand, very often the family's intervention with the user is an essential step in getting the abusing member to seek treatment. Support groups or family members, such as Al-Anon, Nar-Anon or COC-Anon, as well as family therapy can provide needed assistance to families as they confront the destructive effects of the user's addiction.

## **RECOGNIZING SIGNS AND SYMPTOMS OF ALCOHOL AND SUBSTANCE ABUSE**

Everyone occasionally has days when they exhibit behavior not normally associated with an educational or work environment nor characteristic of himself or herself.

Unusual behavior during times of stress can be understood and accepted. However, when unusual behavior is displayed on a gradually increasing scale accompanied by general decline in work habits over a period of time, it indicates that an individual needs professional help. Below are some of the more common signs or symptoms of unusual behavior.

### **ABSENTEEISM AND TARDINESS**

- Arriving late and leaving early
- Absences before and after payday or holidays
- Sporadic but significant use of sick time
- Taking frequent breaks
- Unexplained absences
- Friday and Monday absences
- Absences due to accidents both on and off the work site

### **IMPAIRED JOB PERFORMANCE**

- Increasing operating errors
- Lost time on the job
- "Putting things off"
- Irresponsibility in completing tasks
- Faulty decision making
- Increased accident rates
- Wasted materials or damaged equipment
- High performance that slowly declines over time
- Job performance that becomes focused on a specialized, repetitious activity (rather than the entire array of job duties)
- Irregular or non-existent office hours
- Sudden, extreme gaps in performance (missing a grant deadline, unexpected missing of final exams)

### **UNUSUAL INTERPERSONAL INTERACTIONS**

- Sudden emotional outburst including anger, tears, laughter
- Mood swings, especially early or late in the work day
- Overreactions to criticism
- Blaming others for poor performance
- Making inappropriate statements
- Rambling or incoherent speech
- Isolation from co-workers or increasing social withdrawal

### **DECLINING PHYSICAL APPEARANCE (SUDDEN OR GRADUAL)**

- Poor personal hygiene (e.g. body odor or dirty hair, nails, and skin)
- Less interest in dress and appearance (or a noticeable decline from previous meticulousness)
- Glazed or red eyes
- Slurred speech
- Poor coordination, staggering
- Tremors, poor eye-hand coordination
- Frequent gastrointestinal distress
- Deterioration of oral hygiene
- Legal problems, such as arrest for driving under the influence (DUI)
- Domestic situation, including children's drug use (children of alcoholics sometimes have drug abuse problems)
- Financial concerns, such as high debt load, bad loans, wages garnished, unusual spending patterns

### **Communication**

To ensure all employees are aware of their critical roles in this, they receive a summary of the Alcohol- and Drug-Free Workplace policy. Faulkner University will make good faith efforts to have and maintain an alcohol and drug-free workplace.



## Annual Fire Safety Report

The Higher Education Opportunity Act (HEOA) requires two (2) new safety-related requirements on institutions that participate in federal student financial aid programs which follow:

**1. Fire Log:** Institutions must keep a fire log that states the nature of the fire, date, time, and general location of each fire in on-campus student housing facilities. Faulkner University complies with this rule by including all fire-related incidents in the Daily Crime and Fire Log. The public can also view the most recent 60 days of crime and fire-related incidents by visiting the Campus Police Department at building 6103. Requests for information older than 60 days must be directed to the Chief of Police at [pcalvert@faulkner.edu](mailto:pcalvert@faulkner.edu). Information will be made available within two (2) business days of a request for public inspection.

**2. Annual Fire Safety Report:** Institutions with on-campus student housing facilities must publish annually a fire safety report that provides information on campus fire safety practices and standards. Faulkner University complies with this regulation by including all fire-related incidents at on-campus student housing facilities as part of the Annual Police & Fire Safety Report. Information contained in this annual fire safety report includes: number and cause of fires at all on-campus student housing facilities; number of fire-related deaths; related injuries; value of fire-related property damage; information on evacuation procedures; fire safety education and training programs; fire safety systems in each student housing facility; number of regular mandatory supervised fire drills; and policies on portable electrical appliance, smoking and open flames. The Annual Police & Fire Safety Report must include three (3) years of data.

If a fire occurs in any building, community members should immediately notify 911 or by calling (334) 239-5496. The Police Department will initiate a response. If a member of the Faulkner University community finds evidence of a fire that has been extinguished, and the person is not sure whether the Police Department has already responded, the community member should immediately notify the Police Department to investigate and document the incident.

The various campus fire alarm systems alert community members of potential hazards. Community members are required to heed an activated fire alarm system, and evacuate a building immediately. Use the nearest available exit to evacuate the building. Gather outside at either the primary or secondary gathering area as noted on the building's Emergency Preparedness Bulletin. Community members should familiarize themselves with the exits in each building.

When a fire alarm is activated, the elevators in most buildings will automatically recall to a pre-designated fire safe floor. Occupants should use the stairs to evacuate the building. If you are caught in the elevator, push the emergency phone button.

### ***Fire Protection Equipment/Systems***

Some residential buildings and University buildings are equipped with fire/smoke detection and/or alarm systems which are defined by code at the time of building construction or last major update. Other residential buildings and University buildings are equipped with stand alone smoke detectors that are not monitored. See page 68 for a listing of devices for residential buildings.

### ***Health and Safety Inspections***

The Residence Life Staff and University Maintenance perform residential inspections each semester. Residents are notified beforehand of the inspection process. The inspections are conducted to identify safety violations as well as conditions which may be detrimental to the health or well being of the wider residential community.

The inspections include a visual examination of sprinkler heads, smoke detectors and other life safety systems. In addition, each room is examined for the presence of prohibited items such as candles, halogen lamps, open coiled appliances, pets, etc. Rooms are also examined for evidence of prohibited activity such as smoking in the room, removal of door closers, unauthorized door locking or alarm mechanisms, removal of Police screens or other equipment, tampering with life safety equipment, etc. This inspection also includes a general assessment of cleanliness of the room, including food and waste storage.

Conditions warranting follow up are reported to the Assistant Dean of Residence Life, who will communicate with those residents, apply sanctions that can range from fines to expulsion from housing; and to document such follow up. Health and Safety policies and procedures are outlined in the Student Handbook. Per the Student Handbook, Residence Life personnel may enter any room at any time for the purposes of inspection, establishment of order, maintenance, extermination, inventory correction, cleaning, or in case of emergency or other reasonable purposes.

### ***Fire Definitions***

**Fire:** Rapid oxidation of combustible material accompanied by heat, light and smoke of combustible material, which is found outside of its normal appliance, whether or not it is extinguished prior to arrival of emergency personnel.

**Fire-related Deaths:** Number of persons who were fatalities because of a fire incident, including death resulting from a natural or accidental cause while involved in fire control, attempting a rescue, or persons escaping from the fire scene (an individual who dies within one (1) year of injuries sustained as a result of a fire).

**Fire-related Injuries:** Number of persons receiving injuries from fire-related incidents, including an injury from a natural or accidental cause who received medical treatment at a local medical facility. This includes first responders attempting to control the fire, attempting a rescue, or persons escaping from the fire scene. Persons may include students, faculty, staff, visitors, firefighters, or any other individuals.

**Estimated U.S. Dollar Loss Related to Fire Incidents:** Estimated total U.S. dollar loss of both contents and structure or property destroyed because of a fire incident, not loss of business.

Evacuation Procedures Posted: When a fire alarm is activated, evacuation is mandatory. DO NOT use elevators; evacuate the building using the nearest available exit and proceed to the gathering area to begin an accountability and assessment process.

Fire Alarms Monitored: Some automated fire alarms are monitored 24 hours a day, seven days a week, 52 weeks a year by contracted alarm company. Notice of fire alarm activation is sent to the Montgomery Fire Department and the Campus Police Department.

Fire Safety Training Programs Delivered: Training programs delivered by Fire and Emergency Services or other responsible persons of authority within the University or City of Montgomery to occupants of residence halls concerning fire prevention and preparedness.

Buildings Equipped with Fire Alarm Systems and Smoke Detectors: Buildings that have functional fire alarm systems and smoke detectors installed. Please note, all residence halls are equipped with functional smoke detectors.

Buildings Protected with Automatic Sprinkler System Throughout: Indicates an automatic sprinkler system protects all areas of a building. Residence Halls have wet-pipe automatic sprinkler systems.

Emergency Evacuation Drills (formerly known as Fire Drills): The number of supervised scheduled drills or actual events at campus residence halls, fraternities or sororities that are facilitated and certified by the Assistant Dean of Residence Life. Various drills are conducted throughout the year to familiarize students, faculty and staff with emergency procedures and individual roles. Two Emergency Evacuation Drills are conducted for each Residence hall every semester.

All academic and administrative buildings undergo two (1) emergency drill each year, while all residence halls undergo two (2) emergency drills per semester and one (1) during the summer.

### ***Fire Policies for On-Campus Student Housing Facilities***

Portable Electrical Appliances: Hot plates, halogen lamps, immersion coils, air conditioners, freezers, dishwashers, washing machines, and open-coil appliances are prohibited in University residences as they pose a threat of electrical overload and/or fire.

Microwaves, computers, stereos, televisions, radios, irons, non-commercial hairdryers, and other similar appliances are permitted, unless specifically prohibited by the residence staff.

All appliances must have a manufacturer's label that show the electrical ratings and listing by a nationally recognized testing laboratory (e.g., ETL, UL, etc). We strongly recommend the use of surge protectors(s). No more than one refrigerator may be installed per room or apartment, not including those provided by the University.

Caution should be taken to prevent fire hazards resulting from excessive use of appliances and over-dependence on power strips and extension cords.

**Lamps:** A Special Safety Advisory – The use of halogen lamps is prohibited.

- Carefully read all safety instructions and warnings that accompany any lamp.
- Never use bulbs of a higher wattage or of a different style than is recommended by the manufacturer’s instruction.
- Never remove or discard a bulb that is hot to the touch; don’t try to operate a lamp that has damaged or missing parts.
- Do not place lamps near clothing, draperies, or bedding, as incidental contact with the lamp bulb could ignite the material. Keep lamps away from windows, bunk beds, and closets.
- NEVER place materials such as towels or clothing on top of lamps.
- Avoid placing lamps in location where they may be knocked over.
- Always remember to turn off or unplug any lamp when changing bulbs or when leaving your room/apartment.
- Taking proper precautions and guarding against potential hazards posed by lamps will help ensure community safety.

**Smoking:** Smoking, including hookahs and other smoking paraphernalia, is prohibited anywhere on campus and in all residential buildings. Those who violate this policy may face disciplinary actions, fines, and possible termination of their Housing Agreement.

**Open Flames:** Fire or smoke producing articles, such as Bunsen burners, portable stoves, kerosene lamps, cut trees, incense and candles are prohibited in residence. Possession of hibachis, barbecue grills, smokers, potpourri burning units or other fire-starting devices/substances is prohibited in residences, as is their use in residential areas or adjacent outdoor space without staff supervision. Violators are subject to judicial action and criminal prosecution.

**Grills:** It is a violation of the state fire code to have a grill or any open flame device on the balcony of any apartment or residence hall. Grills are available in designated areas for use by resident students.

### Type of Fire Suppression and Monitoring for each Residence Hall at Faulkner University

Resident Halls	Sprinkled	Smoke Detectors Single Station, not Monitored	Smoke Detectors Monitored by Building Fire Alarm System
<b>Margaret Harris Women's Dorm</b>	Yes	Yes	Yes
<b>Burton Dorm</b>	No	Yes	No
<b>Baldwin Dorm</b>	No	Yes	No
<b>Davis A Wing</b>	No	Yes	No
<b>Davis B Wing</b>	No	Yes	No
<b>Harrison 4000 Apartment Building</b>	Yes	Yes	Yes
<b>Harrison 5000 Apartment Building</b>	Yes	Yes	Yes
<b>Harrison 6000 Apartment Building</b>	Yes	Yes	Yes
<b>Harrison 7000 Apartment Building</b>	Yes	Yes	Yes
<b>9000 Apartment Building</b>	Yes	Yes	Yes
<b>10,000 Dorm</b>	Yes	Yes	Yes

### Reported Fires for Residence Halls at Faulkner University

Name of Facility	2019			2020			2021		
	Fires	Injuries	Deaths	Fires	Injuries	Deaths	Fires	Injuries	Deaths
<b>Burton Dorm</b>	0	0	0	0	0	0	0	0	0
<b>Baldwin Dorm</b>	0	0	0	0	0	0	0	0	0
<b>Davis Dorm</b>	0	0	0	0	0	0	0	0	0
<b>Harris Dorm</b>	0	0	0	0	0	0	0	0	0
<b>Harrison 4000</b>	0	0	0	0	0	0	0	0	0
<b>Harrison 5000</b>	0	0	0	0	0	0	0	0	0
<b>Harrison 6000</b>	0	0	0	0	0	0	1	0	0
<b>Harrison 7000</b>	0	0	0	0	0	0	0	0	0
<b>9000 Apts</b>	0	0	0	0	0	0	0	0	0
<b>10000 (New Men's Dorm)</b>	0	0	0	0	0	0	0	0	0
<b>Total</b>	0	0	0	0	0	0	1	0	0

On February 26, 2021 Resident Housing staff and Faulkner PD officers conducted a complete Fire Drill for 9000 Apartments with positive results.

## **Addendum A – Statutory Authority**

*Code of Alabama 1975, as amended:*

Section 16-22-1

### ***Police officers at state colleges and universities or Institute for Deaf and Blind - Employment; powers and duties; nonlethal weaponry.***

(a) The president or chief executive officer of any state college or university, the president or chief executive officer of the Alabama Institute for Deaf and Blind, the Presidents of Talladega College, Concordia College, Samford University, Birmingham-Southern College, Miles College, Stillman College, Tuskegee University, Spring Hill College, Faulkner University, and Selma University may appoint and employ one or more suitable persons to act as police officers to keep off intruders and prevent trespass upon and damage to the property of the college or university or of the institute. These persons shall be charged with all the duties and invested with all the powers of police officers.

(b) Any person appointed to act as a police officer, pursuant to subsection (a), while on duty, shall carry and be trained in the proper use of a nonlethal weapon. For the purposes of this subsection, a nonlethal weapon is a weapon that is explicitly designed and primarily employed to immediately incapacitate the targeted person while minimizing fatalities and permanent injury. A nonlethal weapon is intended to have a reversible effect on the targeted person.

(c) A person appointed as a police officer pursuant to subsection (a) shall be certified through the Alabama Peace Officers' Standards and Training Commission.

(d) This section is cumulative.

*(Acts 1969, No. 1125, p. 2084, §1; Acts 1971, No. 960, p. 1718, §2; Acts 1994, No. 94-587, p. 1083, §1; Acts 1996, No. 96-430, p. 543, §1; Act 2005-296, 1st Sp. Sess., p. 555, §1; Act 2006-607, p. 1671, §1; Act 2013-191, p. 349, §1; Act 2014-156, p. 439, §1; Act 2015-409, §1.)*

Section 16-22-2

### ***Police officers at state colleges and universities or Institute for Deaf and Blind - Extension of jurisdiction.***

(a) Any police officer appointed pursuant to the provisions of Section 16-47-10 or 16-22-1, is a peace officer whose authority extends to any place in the state; provided, that the primary duty of any such police or peace officer shall be the enforcement of the law on property owned or leased by the institution of higher education employing said peace officers; provided further, that he shall not otherwise act as a peace officer in enforcing the law except:

(1) When in pursuit of any offender or suspected offender who is charged with the commission of a crime while on the premises of said institution; or

(2) To make arrests otherwise lawfully for crimes committed, or for which there is probable cause to believe have been committed, within his presence or within the boundaries of said property owned or leased.

(b) The provisions of this section granting authority to police officers at institutions of higher learning in the State of Alabama are not intended to limit or abridge any powers heretofore granted to said officers by law, and the provisions of this section are, therefore, to be considered cumulative.

(c) Nothing in this section shall grant authority to any persons appointed under the provisions of this section to enter a classroom for the purpose of enforcing traffic or parking citations.

*(Acts 1975, No. 924, p. 1836, §§1-3.)*



## **Addendum B – 2020 Eagle Alert Summary**

2/15/2021 @ 6:01 AM – Campus Closed/Weather – Huntsville  
Text: 110 in 1 second and Email: 126 in 12 seconds

2/15/2021 @ 4:25 PM – Winter Weather Information – Montgomery  
Text: 1582 in 1 second and Email: 2525 in 28 seconds

2/15/2021 @ 4:34 PM – Winter Weather Information – Mobile  
Text: 284 in 1 second and Email: 339 in 20 seconds

2/15/2021 @ 4:42 PM – Winter Weather Information – Birmingham  
Text: 223 in 1 second and Email: 245 in 19 seconds

2/15/2021 @ 4:45 PM – Winter Weather Information – Huntsville  
Text: 119 in 1 second and Email: 136 in 19 seconds

2/16/2021 @ 6:17 AM – Weather Update – Montgomery  
Text: 1536 in 1 second and Email: 2526 in 28 seconds

2/16/2021 @ 6:22 AM – Weather Update – Mobile  
Text: 275 in 1 second and Email: 333 in 18 seconds

2/18/2021 @ 6:14 PM – Winter Weather Information – Huntsville  
Text: 102 in 1 second and Email: 129 in 36 seconds

3/17/2021 @ 12:33 PM – Severe Weather Information – All Campus Locations  
Text: 2243 in 1 second and Email: 3367 in 18 seconds

3/25/2021 @ 12:58 PM – Tornado Warning – Birmingham  
Text: 214 in 1 second and Email: 236 in 6 seconds

3/25/2021 @ 1:01 PM – Tornado Warning – Birmingham  
Text: 214 in 1 second and Email: 236 in 10 seconds

3/25/2021 @ 2:35 PM – Birmingham Campus Closed – Birmingham  
Text: 221 in 1 second and Email: 242 in 5 seconds

5/4/2021 @ 6:35 PM – Tornado Warning – Montgomery  
Text: 1701 in 1 second and Email: 2487 in 22 seconds

5/4/2021 @ 6:52 PM – Weather Update – Montgomery  
Text: 1650 in 1 second and Email: 2407 in 14 seconds

5/12/2021 @ 10:52 AM – Eagle Alert Test – RSS Setup

7/23/2021 @ 10:32 AM – Ready Education Demo – CAP Setup

7/29/2021 @ 12:05 AM – Ready Education Demo – CAP Setup

8/10/2021 @ 12:05 AM – Ready Education Demo – CAP Setup

8/11/2021 @ 11:21 AM – Ready Education Demo – CAP Setup

8/18/2021 @ 10:38 AM – Ready Education Demo – RSS Setup

8/18/2021 @ 10:46 AM – Ready Education Demo – RSS Setup

8/18/2021 @ 10:50 AM – Ready Education Demo – RSS Setup

8/18/2021 @ 10:57 AM – Ready Education Demo – RSS Setup

8/18/2021 @ 11:01 AM – Ready Education Demo – RSS Setup

8/29/2021 @ 9:19 AM – Campus Closed/Weather – Mobile  
Text: 265 in 1 second and Email: 306 in 10 seconds

8/30/2021 @ 7:34 PM – Classes Resume/Offices Open – Mobile  
Text: 268 in 1 second and Email: 307 in 8 seconds

## **Addendum C – Faulkner University’s Drug Free Campus and Workplace Policy**

Faulkner University is a drug-free campus and workplace. The possession, use, consumption, manufacture, distribution, or dispensation of alcohol or illegal drugs on any Faulkner University property, in the workplace of any employee, or as any part of any University function or activity, whether held on or off campus, by any employee or student of the University is strictly prohibited. This includes the unlawful possession, use or distribution of controlled substances, prescription medications and steroids. Also prohibited is the possession, use or distribution of any simulated or synthetic psychoactive substance, including synthetic marijuana/cannabinoids, which are designed, intended, possessed or used for the purposes of producing an intoxicating, hallucinogenic or psychoactive effect on the user.

**Students** suspected of or reported to have been using illegal drugs or controlled substances, on or off campus, may be required to submit to drug testing. Failure to comply may result in further disciplinary action. Any student testing positive for any illegal drug or controlled substance, including steroids, or found in violation of the university drug policy, will be subject to disciplinary action.

The university upholds local, state and federal laws about the possession, use and distribution of illegal drugs and/or drug paraphernalia. Offenses involving on-campus possession, use or distribution of illegal drugs and controlled substances may be referred to the Faulkner University Police Department for investigation and possible filing of applicable criminal charges. Violations of this policy will be assessed the full range of disciplinary responses, including the possibility of immediate dismissal from the university.

Students must notify the appropriate University administration (usually the Dean of Students) of any alcohol or drug-related criminal conviction within five (5) days of the date of such conviction. Within ten (10) days after having received such notice of conviction of any student for any alcohol or drug-related offence, Faulkner University will notify the appropriate federal funding agency if required.

**Employees** - As a condition of employment, each employee must agree to abide by the terms of the drug-free policy of Faulkner University. Additionally, the use of alcohol off University premises that adversely affects an employee's work performance, or an employee's safety or the safety of others is strictly prohibited. Each employee agrees to notify his or her immediate department supervisor not later than five (5) days after conviction for violation of any criminal drug statute occurring in the workplace. The department or division head must report this information to Human Resources. If the convicted employee is employed under a contract or grant, Faulkner University will notify granting or contracting agencies within ten (10) days after receiving notice of a criminal drug statute conviction. Employees should contact the Human Resources office if they are having a problem with drugs or alcohol or become aware of problems occurring with another employee.

## **Addendum D – Faulkner University’s Standards of Conduct Policy**

Policy # 350 – *Standards of Conduct* for additional details regarding standards of conduct and sanctions for students and employees.

The University will impose sanctions (consistent with local, state and federal law) upon all employees and students who violate these standards of conduct. Such sanctions may include but are not limited to: referral for prosecution; probation, suspension or expulsion of students; suspension or termination of employees.

### **Non-disciplinary Process/Administrative Agreements**

In keeping with the redemptive intent of Faulkner University’s disciplinary philosophy, students who come forward voluntarily confessing a violation of the university policies or an addictive lifestyle associated with a violation (such as alcohol, illegal drugs and controlled substances) to the Dean of Students, Residence Life staff, or other Student Services personnel may be afforded an opportunity to submit to a range of possibilities outside the disciplinary process. The University maintains the right to require the student to enter into professional counseling and/or medical treatment as a condition of continued enrollment if, in the judgment of the Dean of Students, the behavior in question warrants such a response. The following conditions must be met in order for students to take advantage of this non-disciplinary policy:

- a. The student must take the first step by discussing his or her situation with the Dean of Students or other Student Services staff in order to develop an appropriate response. If a violation is identified or reported before the student voluntarily comes forward, the normal disciplinary process will ensue, and the student will no longer have the option of a non-disciplinary response.
- b. The student must be willing to submit to any intervention deemed appropriate.
- c. The student must understand that in cases where the behavior is repetitive, self-destructive or endangering to others or involves legal issues, the university has the responsibility to take appropriate action, including suspension or dismissal from the university.

Under the Higher Education Opportunities Act of 2008, federal law requires the university to notify students that a criminal conviction for any drug offense may result in the student losing his/her financial assistance related to any Title IV, HEA grant, loan, or work-study programs. Therefore, a student’s ability to obtain financial assistance upon returning to the university after completion of a suspension may be impacted.

Those convicted of **possessing illegal drugs** may lose financial aid eligibility for:

- First offense: 1 year from date of conviction
- Second offense: 2 years from date of conviction
- Third+ offense(s): Indefinitely

Those convicted of **selling illegal drugs** may lose financial aid eligibility for:

- First offense: 2 years from date of conviction
- Second offense: Indefinitely

For more information, go to <https://www.studentaid.ed.gov/eligibility>

The University has both a legal and moral obligation to maintain a drug-free learning environment and a drug-free workplace for the University. Therefore, in accordance with the Drug-Free Workplace Act

of 1988 PL 100-690 and the Drug-Free Schools and Communities Act Amendments of 1989 PL 101-226, Faulkner University has adopted an official policy on maintaining a drug-free community and workplace.

The Drug-Free Schools and Communities Act Amendments of 1989 require that, as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education must certify that it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees.

Faulkner University shall distribute annually, in writing, to each student (regardless of the length of the student's program of study) and each employee (regardless of classification, status, percent of time, etc.) the following information:

1. The standards of conduct that clearly prohibit the unlawful manufacture, distribution, dispensation, consumption, possession or use of illicit drugs and alcohol by students and employees on the institution's property or as a part of any of its activities;
2. A description of the health risks associated with the use of illicit drugs (controlled substances) and the abuse of alcohol;
3. A description of available drug or alcohol counseling, treatment, or rehabilitation or re-entry programs;
4. A description of applicable legal sanctions under local, state or federal law; and
5. A statement specifying the actions which will be taken against students and employees violating the policy, including termination of employment, expulsion from the University, referral for prosecution, or mandatory participation in a rehabilitation program.

The University shall review the program, biennially at a minimum, to determine its effectiveness, ensure that disciplinary sanctions are enforced, and make changes to the program if warranted.

Upon request by the Secretary of the U.S. Department of Education, the University shall make available personnel records and other information as necessary for a program review by the Secretary.

## **Addendum E – Faulkner University’s General and Sexual Harassment Policy**

### ***General Provisions***

Faulkner University’s mission and core values support the creation of a caring Christian environment where every individual matters every day. The University’s mission and core values are consistent with and support the provisions in state and federal laws (cf. Title IX; Equal Employment Opportunity policy) that all faculty, staff, and students have the right to work and learn in an environment free from all forms of discrimination based on federal and state protected characteristics (i.e., race, color, national origin, religion, gender, age, and disability) including conduct which can be considered harassing, including sexual harassment when such conduct is based on the referenced protected characteristics.

Faulkner University will not tolerate harassment, including sexual harassment of its faculty, staff, and students by anyone, including but not limited to supervisors, faculty, staff, students, or third parties (alumni, visitors, vendors, etc). Harassment of any type is an insidious practice which demeans individuals and creates unacceptable stress for the entire organization. Such harassment is against the Biblical principles upon which Faulkner University is founded and operates. Persons who are found to have harassed others will be dealt with swiftly and vigorously.

In determining whether alleged harassing or sexual harassing conduct warrants corrective action, all relevant circumstances, including the context in which the conduct occurred, will be considered. Facts will be judged on the basis of what is reasonable to persons of ordinary sensitivity and not on the particular sensitivity or reaction of an individual. Due consideration will also be given to the nature and mission of the institution, such that conduct that may not be proscribed by law will nonetheless be prohibited by the University.

### ***Harassment Defined***

This policy prohibits “quid pro quo” and “hostile environment” sexual harassment as defined below and also prohibits “hostile environment” harassment when the harassing conduct is based upon a federal or state protected characteristic of the victim.

### **Quid Pro Quo Sexual Harassment**

Unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature by one in a position of power or influence constitutes “quid pro quo sexual harassment” when:

- a. Submission by an individual is made either an explicit or implicit term or condition of employment or of academic standing,
- b. Submission to or rejection of such conduct is used as the basis for academic or employment decisions affecting that employee or student. As defined here, “quid pro quo sexual harassment” normally arises in the context of an authority relationship. This relationship may be direct as in the case of a supervisor and subordinate or teacher and student or it may be indirect when the harasser has the power to influence others who have authority over the victim.

### **Hostile Environment Sexual Harassment**

Unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature constitute “hostile environment sexual harassment” when such conduct is directed toward an individual because of his or her gender and:

- a. with regard to employees, such conduct is sufficiently severe or pervasive to alter the conditions of the victim’s employment and create an intimidating, threatening or abusive working environment
- b. with regard to students, such conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an education program or activity, or creates an intimidating, threatening or abusive educational environment.

Generally, a single sexual joke, offensive epithet, or request for a date does not constitute hostile environment sexual harassment; however, being subjected to such jokes, epithets or requests repeatedly may constitute hostile environment sexual harassment.

### ***Hostile Environment Harassment in General***

Verbal and physical conduct constitutes “hostile environment harassment” when such conduct is directed toward an individual because of his or her membership in a class protected by state or federal law and:

- a. With regard to employees, such conduct is sufficiently severe or pervasive to alter the conditions of the victim’s employment and create an intimidating, threatening or abusive working environment
- b. With regard to students, such conduct is so severe, persistent, or pervasive that it affects a student's ability to participate in or benefit from an education program or activity, or creates an intimidating, threatening or abusive educational environment.

Generally, a single joke, offensive epithet, or such like does not constitute hostile environment harassment; however, being subjected to such jokes, epithets or incidents repeatedly may constitute hostile environment harassment.

### ***ACADEMIC FREEDOM AND HARASSMENT***

In cases of alleged sexual harassment or general harassment in a classroom context, both the intrinsic academic nature and the Christian mission of the University must be considered if issues of speech or artistic expression are involved. Great care must be taken not to inhibit open discussion and academic debate particularly in the classroom.

The free and open discussion of issues or theories relating to sexuality, gender, or any other federal or state protected characteristic, either directly or indirectly, in an academic or professional setting, when appropriate to the subject matter, will be presumed not to constitute harassment even if it offends or embarrasses an individual.

Nonetheless, speech or conduct of a sexual or hostile nature which occurs in the context of educational instruction may exceed the protections of academic freedom and constitute prohibited sexual harassment or general harassment if it meets the definition of harassment noted above and:

- 1) Is reasonably regarded as non-professional speech (i.e., advances a personal interest of the faculty member as opposed to furthering the learning process or legitimate objectives of the course), or

2) Lacks accepted pedagogical purpose or is not germane to the academic subject matter.

### ***REPORTING OF SEXUAL HARASSMENT OR OTHER HARASSMENT ALLEGATIONS***

Persons who believe they have been victims of sexual harassment or other harassment should report the incident(s) immediately to appropriate administrative officials as set forth below. Delay in reporting makes it more difficult to establish the facts of a case and may contribute to the repetition of offensive behavior.

#### **Confidentiality**

The University will do everything consistent with enforcement of this policy and with the law to protect the privacy of the individuals involved and to ensure that the complainant and the accused are treated fairly. Information about individual complaints and their disposition is considered confidential and will be shared only on a “need to know” basis.

#### **Assurance against Retaliation**

This policy seeks to encourage students, faculty, and other employees to express freely, responsibly, and in an orderly way opinions and feelings about any problem or complaint of sexual harassment or other harassment. Retaliation against persons who report or provide information about general harassment, sexual harassment or behavior that might constitute harassment is also strictly prohibited. Any act of reprisal, including internal interference, coercion, and restraint, by a University employee or by one acting on behalf of the University, violates this policy and will result in appropriate disciplinary action.

#### **Frivolous and Malicious Complaints**

This harassment policy shall not, however, be used to bring frivolous or malicious complaints against students, faculty and other employees or third parties. If a complaint has been made in bad faith, disciplinary action may be taken against the person bringing the complaint.

#### **Reporting Channels**

The following sections identify appropriate harassment resource persons and complaint-receiving officials, students and employees should contact regarding sexual harassment or general harassment.

##### ***1. Responsibilities of Supervisory Personnel and Faculty***

All members of the university community have a general responsibility to contribute in a positive way to a university environment that is free of harassment. Supervisory personnel, however, have additional responsibilities. Supervisory personnel are not only responsible for educating and sensitizing employees in their units about harassment issues, but they are also directed to take all appropriate steps to prevent and stop harassment in their areas of responsibility. Supervisory personnel who are contacted by an individual seeking to file a complaint about harassment in their unit or area of responsibility shall assist the complainant in contacting the Vice President of Human Resources, Renee Kephart, at (334) 386-7230.

##### ***2. Student Complaints of Harassment***

Students with complaints of general harassment or sexual harassment should follow the procedures outlined in the Faulkner University Student Complaint and Conflict Resolution Policy. Any employee to whom a student has come with a complaint of general harassment or sexual harassment should



recommend that the student follow the procedures outlined in the Faulkner University Student Complaint and Conflict

Resolution Policy (also listed in the Student Handbook).

Students who believe for any reason that they cannot effectively communicate their concern through any of these channels may consult the University Diversity Officer in the Office of Human Resources, or if conflicts exist with the University Diversity Officer, students may consult with the Vice President for Academic Affairs.

In addition, students who are victims of sexual assault or sexual harassment or general harassment may seek advice and referral from both the University Counseling Center and/or Health Services Office. These offices, which keep all information confidential, neither receive formal complaints nor conduct investigations.

For assistance, students may contact:

- 1) Renee Kephart, Vice President, Department of Human Resources, Title IX Coordinator
- 2) Candace Cain, Dean of Students and Title IX Deputy-Coordinator.
- 3) Amanda Lewis, Title IX Deputy-Coordinator
- 4) David Fowler, Chief of Police

### ***3. Employee Complaints of Harassment***

Employees should report complaints of general harassment or sexual harassment to the employee's immediate supervisor. If the complaint involves the immediate supervisor, the employee should contact their next higher level of supervision. In lieu of or in addition to notification of supervisory personnel, any University employee with such complaints may contact the Director of Human Resources directly to register a complaint or request advice and counsel.

Employees who are victims of sexual assault or sexual harassment or general harassment may seek advice and referral from the University Counseling Center; however, the University Counseling Center neither receives formal complaints nor conducts investigations.

For assistance, employees may contact the Vice President of Human Resources, Renee Kephart, at (334) 386-7230 or Ms. Amanda Lewis, Compliance Officer, Department of Human Resources.

### **Handling Complaints of Sexual Harassment or General Harassment**

Individuals who believe they are victims of sexual harassment or general harassment in their working or academic environments are encouraged to respond to the alleged harasser directly, by objecting and by requesting that the unwelcome behavior stop. However, neither students nor employees are required to approach the harasser. Individuals may seek assistance or intervention, from the University complaint-receiving officials referenced under the section titled Reporting Channels previously provided within this policy.

An initial discussion between the complainant and the complaint-receiving official will be kept confidential to the extent practical in this situation. The complainant should be advised that once a situation has been brought to the complaint-receiving official's attention, it is that official's responsibility to follow through with the appropriate procedures. The complainant must decide after an initial meeting with the complaint-receiving official, whether he/she would like to file a formal

complaint and thereby provide a written statement describing the complaint.

Complaints will receive prompt attention. Complaints may be resolved through the process described below, and appropriate action will be taken.

## **Complaint Resolution and Investigation Procedures**

### **1. General Guidelines**

Upon notice of conduct which allegedly constitutes general or sexual harassment under the definition set forth herein, the officials listed previously, or their appointed designees along with other appropriate university personnel, will conduct whatever inquiry is reasonably necessary to fully investigate the matter and will arrange conferences with the complainant, the alleged offender, and any other appropriate persons. The investigation will afford the accused an opportunity to respond to the allegations.

If a complaint is found to be valid, appropriate counseling may be made available to the offender and disciplinary action consistent with the degree of seriousness of the harassment may be instituted.

Those directing investigations will make a record of the case, including a record of their decision, and a copy of that record will be forwarded to the Director of Human Resources (for claims involving employees) and the Dean of Students (for claims involving students), where it will be retained in confidential files. The complainant and the alleged offender will be notified of the outcome of the investigation; however, that information should be treated by both parties as confidential and private.

### **2. Student Complaints of Harassment**

In cases where a student is the alleged harasser, the investigation and resolution of the complaint will be done in accordance with the disciplinary procedures outlined in the Code of Student Conduct in the Student Handbook.

In cases where the alleged harasser is a student acting in an employment capacity, or a regular employee or third party, the Director of Human Resources shall be involved in the investigation and resolution of the complaint.

Point of contact will be Ms. Candace Cain, Dean of Students. (334) 386-7539.

### **3. Employee Complaints of Harassment**

In cases where an employee or third party is the alleged harasser, the investigation and resolution of the complaint will be done in accordance with the general guidelines set forth in this section. The Director of Human Resources will coordinate the investigation.

In cases where a student is the alleged harasser the Dean of Students will be notified and will partner with the Director of Human Resources in the investigation and resolution process.

Point of contact will be the Vice President of Human Resources, Renee Kephart, at (334) 386-7230 or Amanda Lewis, Compliance Officer, Department of Human Resources.

## **DISCIPLINARY SANCTIONS**

A conclusion that general or sexual harassment has occurred shall subject the offender to appropriate disciplinary action and may result in suspension, discharge, expulsion or dismissal. University disciplinary procedures and possible sanctions are described for students in the Code of Student Conduct in the Student Handbook. The point of contact for enforcing appropriate sanctions for students will be Dr. Jean-Noel Thompson, Vice President for Student Services. (334) 386-7300.

For faculty and staff, sanctions imposed will be proportional to the severity of the conduct therefore, determined on the basis of the facts of each case but will result in corrective action up to and including termination of employment. The alleged harasser's employment history and any similar complaints of prior harassment will be taken into consideration. The point of contact will be Vice President of Human Resources, Renee Kephart, at (334) 386-7230.

Faulkner University trusts that all of its employees and students will continue to act responsibly to establish a pleasant work environment free of discrimination.

## **STUDENT COMPLAINTS AND CONFLICT RESOLUTION POLICY**

Student complaints and/or other problems must be submitted in writing to the appropriate division of the University. Undergraduate student's desiring to register a complaint should reference the current Faulkner University Student Handbook for the specific procedures to submit a complaint and complete the appropriate Student Complaint Record Form. Graduate student's desiring to register a complaint should reference the current Faulkner University Graduate Student Handbook for the specific procedures to submit a complaint and complete the appropriate Student Complaint Record Form. Jones School of Law student's desiring to register a complaint should reference the current Faulkner University Jones School of Law Student Handbook for the specific procedures to submit a complaint and complete the appropriate Student Complaint Record Form. All student complaints will be handled in an unbiased manner, with emphasis on respecting confidentiality, preventing reprisals and seeking a resolution. A written response summarizing the resolution of the complaint/conflict will be provided.

## **UNDERGRADUATE STUDENTS**

### **ACADEMIC COMPLAINTS AND CONFLICT RESOLUTION**

Student complaints and/or other problems relating to academic matters such as course content, grades, academic/course policies, are handled through the Division of Academic Affairs. All student complaints must be submitted in writing on the Student Complaint Record Form for Academics. Students wanting to register a complaint should follow the procedures detailed in the current Faulkner University Student Handbook and outlined as follows:

1. Student Complaint Record Form for Academics.

Students must complete the Student Complaint Record Form: Academic and provide a written narrative describing the complaints and/or other problems relating to academic matters.

2. Submission of Student Complaint Record Form: Academic.

- Submission to Instructor. Students should initially submit the Student Complaint Record: Form to the relevant course instructor. If the nature of the complaint makes it

inappropriate for the student to submit the complaint to the Instructor, then the student should submit the complaint to the Department Chair, Program Director, and/or Center Director.

- Submission to the Department Chair, Program Director, and/or Center Director.

Student complaints (a) not resolved by the instructor, (b) inappropriate for submission to instructor, or (c) referred to the Department Chair, Program Director, and/or Center Director, must be submitted by the student to the Department Chair, Program Director, and/or Center Director. If the nature of the complaint makes it inappropriate for the student to submit the complaint to the Department Chair, Program Director, and/or Center Director, then the student should submit the complaint to the Dean of the appropriate college or the Director of Student Success.

### 3. Submission to Director of Student Success

Students complaints (a) not resolved by the Department Chair, Program Director, and/or Center Director, (b) inappropriate for submission to instructor and Department Chair, Program Director, and/or Center Director, or (c) referred to the Director of Student Success, must be submitted by the student to the Director of Student Success.

### 4. Submission to the Dean of the appropriate college

Students complaints (a) not resolved by the Department Chair, Program Director, and/or Center Director, (b) inappropriate for submission to instructor and Department Chair, Program Director, and/or Center Director, or (c) referred to the Dean of the appropriate college, must be submitted by the student to the Dean of the appropriate college. If the nature of the complaint makes it inappropriate for the student to submit the complaint to the Dean of the appropriate college, then the student should submit the complaint to the Vice President of Academic Affairs.

### 5. Submission to the Vice President of Academic Affairs.

Students complaints (a) not resolved by the Dean of the appropriate college, (b) inappropriate for submission to Dean of the appropriate college, or (c) referred to Vice President of Academic Affairs, must be submitted by the student to the Vice President of Academic Affairs.

## **NON-ACADEMIC COMPLAINTS AND CONFLICT RESOLUTION**

Student complaints and/or other problems relating to non-academic matters such as housing, financial aid, facilities, are handled through the Division of Student Services. All student complaints must be submitted in writing on the Student Complaint Record Form for Non-Academics. Students wanting to register a complaint should follow the procedures detailed in the current Faulkner University Student Handbook and outlined as follows:

1. Student must complete the Non-Academic Student Complaint Record Form and provide a written narrative describing the complaints and/or other problems relating to non-academic matters.

2. Submission of Student Complaint Record Form: Non-Academic.
  - a. Submission to the Department Head, Program Director, and/or Center Director.

Students should initially submit the Student Complaint Record: Form to the relevant Department Head, Program Director, and/or Center Director. If the nature of the complaint makes it inappropriate for the student to submit the complaint to the Department Head, Program Director, and/or Center Director, then the student should submit the complaint to the Dean of Students or the Director of Student Success.
  - b. Submission to the Dean of Students  
Students complaints (a) not resolved by the Department Head, Program Director, and/or Center Director, (b) inappropriate for submission to instructor and Department Head, Program Director, and/or Center Director, or (c) referred to the Dean of Students, must be submitted by the student to the Dean of Students. If the nature of the complaint makes it inappropriate for the student to submit the complaint to the Dean of the appropriate college, then the student should submit the complaint to the Vice President of Academic Affairs.
  - c. Submission to the Director of Student Success  
Students complaints (a) not resolved by the Department Head, Program Director, and/or Center Director, (b) inappropriate for submission to Department Head, Program Director, and/or Center Director and Dean of Students, or (c) referred to the Director of Student Success, must be submitted by the student to the Director of Student Success.
  - d. Submission to Vice President of Student Services  
Students complaints (a) not resolved by the Dean of Students, (b) inappropriate for submission to Dean of Students, or (c) referred to Vice President of Student Services, must be submitted by the student to the Vice President of Student Services.

## ***GRADUATE STUDENTS***

### **ACADEMIC COMPLAINTS AND CONFLICT RESOLUTION**

Student complaints and/or other problems relating to academic matters such as course content, grades, academic/course policies, are handled through the Division of Academic Affairs. All student complaints must be submitted in writing on the Student Complaint Record Form for Academics. Students wanting to register a complaint should follow the procedures detailed in the current Faulkner University Student Handbook and outlined as follows:

1. Student Complaint Record Form for Academics. Students must complete the Student Complaint Record Form: Academic and provide a written narrative describing the complaints and/or other problems relating to academic matters.
2. Submission of Student Complaint Record Form: Academic.
  - a. Submission to Instructor.

Students should initially submit the Student Complaint Record: Form to the relevant course instructor. If the nature of the complaint makes it inappropriate for the student to submit the complaint to the Instructor, then the student should submit the complaint to the Department Chair, Program Director, and/or Center Director.
  - b. Submission to the Department Chair, Program Director, and/or Center Director.

Student complaints (a) not resolved by the instructor, (b) inappropriate for submission to instructor, or (c) referred to the Department Chair, Program Director, and/or Center





Students who believe for any reason that they cannot effectively communicate their concern through any of these channels may consult the University Diversity Officer in the Office of Human Resources, or if conflicts exist with the University Diversity Officer, students may consult with the Vice President for Academic Affairs.

In addition, students with such complaints may seek advice and referral from both the University Counseling Center and/or Health Services Office. These offices, which keep all information confidential, neither receive formal complaints nor conduct investigations.

### ***Confidentiality Concerns***

An initial discussion between the complainant and the complaint-receiving official will be kept confidential to the extent practical in this situation. The complainant is hereby advised that once a situation has been brought to the complaint-receiving official's attention, it is that official's responsibility to follow through with the appropriate procedures. The complainant must decide after an initial meeting with the complaint-receiving official whether he/she would like to file a formal complaint and thereby provide a written statement describing the complaint.

If a student requests that his or her name not be revealed to the alleged perpetrator or asks that the University not investigate or seek action against the alleged perpetrator, honoring this request may limit the University's ability to respond fully to the incident including pursuing disciplinary action against the alleged perpetrator. Student-complainants should be aware that Title IX includes protections against retaliation and that school officials will not only take steps to prevent retaliation but will also take strong responsive action if retaliation is attempted or occurs—this protection against retaliation includes retaliation by the University, its employees or third parties.

Despite a request by a student that his or her name not be disclosed to the alleged perpetrator or that the school not investigate or seek action against the alleged perpetrator, the appropriate University official(s) will have to determine whether the University can honor such a request while still providing a safe and nondiscriminatory environment for all students, including the complainant and **in some cases may not therefore honor such requests.**

### ***Interim Measures to Protect the Complainant***

If as a result of a complaint or during the investigation of a complaint, a Title IX Deputy-Coordinator reasonably believes that interim steps must be taken either to ensure equal access to the University's education programs and activities or to protect the complainant as necessary, the Deputy-Coordinator will report to the appropriate University officials such concerns and they will be obligated to take such steps as are necessary under the circumstances to ensure equal access or to protect the complainant.

### ***Initial Investigation***

Once a complaint has been made to one of the Title IX Deputy-Coordinators, he/she will inform the Title IX Coordinator and one or both of the Deputy-Coordinators will commence a thorough investigation, including but not limited to interviewing any witnesses, others with corroborating evidence and the alleged perpetrator. Both the accuser and the accused have a right to have present in any interview an advisor of their choice for the purpose of providing to them support, guidance or advice. The Title IX Deputy-Coordinators have the right to establish such restrictions as seem prudent



to them regarding the extent to which the advisors may participate in the process as long as such restrictions apply equally to both advisors.

At the conclusion of the investigation one or both Title IX Deputy-Coordinators will prepare a detailed written summary of the investigation and will forward the same to the Title IX Coordinator; once reviewed for compliance it will be sent to the appropriate decision maker. In cases involving any students except law students, the decision maker shall be the Vice President for Student Services and in cases involving only law students, the decision maker shall be the Dean of the Law School. In cases involving both a law student and any other non-law student, the decision maker will be that person under whose jurisdiction the alleged perpetrator falls.

### ***Decision Making Process***

After receiving the summary of the investigation, the decision maker may interview both the complainant and the alleged perpetrator. This interview may be conducted either separately or simultaneously. If the interview is to be separate, the decision maker may conduct such interview either telephonically, in person or via Skype or FaceTime or other such method).

Both the accuser and the accused have a right to have present in any interview an advisor of their choice for the purpose of providing to them support, guidance or advice. The decision maker has the right to establish such restrictions as seems prudent to him regarding the extent to which the advisors may participate in the process as long as such restrictions apply equally to both advisors.

If the interview is to be simultaneous, both parties should be notified of same and at the request of the complainant, the decision maker must ensure that both parties do not have to be present in the same room at the same time, either by using closed circuit television or other means. Neither party shall be allowed to directly question the other party. All questions will be asked by the decision maker. Each party will be given an opportunity to submit written questions to the decision maker to be asked of the other party but the decision maker shall not be obligated to ask any question he/she deems to be inappropriate, irrelevant, redundant or otherwise unworthy of being pursued.

The decision maker may also interview (either telephonically, in person or via Skype or FaceTime or other such method) any person he/she deems may have relevant evidence to offer or he/she may rely solely on the facts as set forth in the written summary of the investigation. Neither the complainant nor the alleged perpetrator have the right to be present during such interviews but if one is allowed to be present, the other must be allowed to be present as well.

### ***Standard of Proof and Related Matters***

The decision maker shall not disregard any evidence that is not contradicted; however, the decision maker shall have the discretion to resolve issues of credibility as between witnesses who present conflicting testimony.

Upon his conclusion of such interviews as he/she chooses to undertake, the decision maker shall then decide whether he/she is satisfied by a preponderance of the evidence that the alleged perpetrator has committed one or more of the conduct violations described in this policy or in Policy #351. The decision maker shall issue a written decision to both parties announcing his or her decision in the

matter, setting forth his findings of facts and, if finding against the accused, including any sanctions that are to be enforced against the perpetrator, as well as the rationale therefore.

The following sanctions may be imposed upon a finding that the accused has committed an offense under this policy: placing the offender on conduct probation for a specified period of time such that any further violations of this policy or other University conduct regulations will result in suspension for one or more semesters or expulsion; suspension for one or more semesters; expulsion; sanctions to prevent the offender's access to the complainant, including but not limited to, changes in the offender's class schedule, changes in the offender's on campus living arrangements (including denial of the ability to live on campus), changes in the offender's ability to participate in co-curricular and extra-curricular activities (including but not limited to, University athletic teams, social clubs, band, chorus, etc.), restriction of the offender to move freely about the campus.

### *Appeals*

No sanction imposed by the decision maker will take effect until the time to appeal has lapsed or until the SaVE Act Appeals Committee has issued a written ruling denying the appeal.

Either party may appeal the ruling of the decision maker to the SaVE Act Appeals Committee, provided that the appeal is made in writing to the committee and received by a member of the committee within seven calendar days of the decision's having been communicated to the parties via e-mail to their Faulkner student e-mail address.

A copy of the appeal must also be provided to the decision maker (via e-mail to his Faulkner e-mail address) and to the other party (via e-mail to his or her Faulkner student e-mail address), both of whom shall have seven days in which to respond in writing to the Appeals Committee regarding the materials contained in the appeal.

Upon his receipt of an appeal, the decision maker shall immediately forward to the SaVE Act Appeals Committee a copy of his decision as well as a copy of the report provided by the Title IX Deputy-Coordinator(s). The Appeals Committee may decide to issue a decision based on the written materials or may decide to allow both parties an opportunity to appear before the Committee. The Appeals Committee will return its decision as quickly as is possible under the circumstances.

All matters of fact as determined by the decision maker will be presumed to be correct on appeal and will not be reversed on appeal unless the appellant provides clear and convincing evidence to the contrary.

All sanctions imposed by the decision maker will be upheld on appeal unless the appellant provides proof that the sanctions were so disproportionate to the offense (either too severe or not severe enough) that the Committee concludes the decision maker abused his discretion.

The Appeals Committee shall issue a written decision as to its disposition of the appeal and shall distribute same simultaneously to both parties and the decision maker via e-mail to the respective Faulkner e-mail addresses. The Appeals Committee's determination as to its decision will be made by majority vote of the Committee.



The offense of incest is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law of the State of Alabama.

The offense of statutory rape is non-forcible sexual intercourse with a person who is under the statutory age of consent in the State of Alabama.

“Stalking” is as defined in the Violence Against Women Act of 1994 and means “engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress” and includes, as per proposed 34 CFR 668.46(a), the following definitions:

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

“substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling;

“reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.