

# **Harris Early Learning Center 2016 Auburn University Annual Security and Fire Safety Report**

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Department of Campus Safety & Security – Auburn University  
Department of Risk Safety & Management – Auburn University

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## **Introduction**

The Harris Early Learning Center (“Harris ELC”), within the Auburn University College of Human Sciences, is located approximately 110 miles from the main Auburn campus in Birmingham, Alabama. One of the primary missions of the Harris ELC is to provide training and education for college and university students who will work with young children and families. The Harris ELC serves as an internship site for graduate and undergraduate students who work under the supervision of teachers and directors as students hone their skills and attain practical experience in their chosen field. Auburn University students may intern at this location for a semester, and have the option to live on-site in a second floor apartment suite. A part-time security guard is present during peak hours to provide security presence, in addition to routine patrol by Birmingham Police and CAPs personnel.

This report has been prepared by the Auburn University Department of Public Safety & Security and the Auburn University Department of Risk Management & Safety in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act). It includes important information regarding policies on campus safety and related issues, such as crime reporting; emergency procedures and notification; alcohol and drug use; weapons; sexual violence and relationship violence; fire safety in on-campus residential facilities; and other safety and security topics. The report also includes crime statistics for the previous three calendar years covering crimes reported to have occurred within the university’s Clery geography (on campus; in certain off-campus buildings and property owned or controlled by the university and used by students; and on public property within or immediately adjacent to and accessible from the campus) and fire statistics for the previous three calendar years covering fires occurring in on-campus residential facilities.

Campus crime, arrest and referral statistics contained in this report include those reported to the City of Auburn Police Division, other law enforcement agencies, the Auburn University Department of Public Safety & Security, and designated “campus security authorities” as defined under the Clery Act (including, but not limited to Residence Life, Student Conduct, Athletics, and the Title IX Coordinator), and are compiled by the Auburn University Department of Public Safety & Security. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. Statistics are provided for crimes specified under the Clery Act as referenced in the Crime Statistics section of this report.

This report is published by October 1 each year and is available by selecting the appropriate link at [aub.ie/SecurityReport](http://aub.ie/SecurityReport). Hard copies may be obtained at the Auburn University Department of Campus Safety & Security located at 543 West Magnolia Avenue, Auburn. In addition to this report, a daily crime log and fire log are maintained, which are available for review at this location. The logs are also available online at [www.auburn.edu/safety](http://www.auburn.edu/safety).

Auburn University is an equal opportunity educational institution/employer and operates without regard to race, sex, color, age, religion, national origin, disability or veteran status. As a matter of policy, Auburn University prohibits discrimination on the basis of sexual orientation, gender identity, or gender expression in matters regarding academic acceptance, academic performance or dismissal, as well as employment decisions regarding hiring, promotion, and termination.

## **Prompt Reporting of a Crime or Emergency**

Harris ELC students, faculty, staff, contractors, and visitors are encouraged to immediately DIAL 911 to promptly and accurately report all crimes and public safety-related incidents to the Birmingham Police Department. Individuals are encouraged to report a crime when the victim elects not to or is unable to make such a report. Callers should be prepared with as much of the following information as possible:

- Name
- Exact location of the incident
- Description of the scene
- Description of any subjects
- Description and license numbers of any involved vehicles

After dialing 911, for any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or on-going threat to the health and safety of the campus community, all members of the Auburn University community should also immediately notify the Auburn University Department of Public Safety & Security at 334-750-9795. Crimes reported to the Auburn University Department of Public Safety & Security will be assessed for timely warning notification and potential inclusion in the annual statistical disclosure.

In addition to crimes, all suspicious activity should be reported to the police. For emergencies, dial 911. For non-emergencies, call 205-328-9311 or call the Metro Alabama Crime Stoppers tip line at 205-254-7777. Examples of suspicious activity include a person with a weapon; dangerous actions or comments; someone acting unusual, out of place, or loitering; and someone accessing unauthorized areas.

Individuals identified as Responsible Employees as defined in *Policy on Sexual and Gender-Based Misconduct and Other Forms of Interpersonal Violence* have additional crime reporting obligations as outlined in that policy. Campus Security Authorities have additional crime reporting obligations as outlined below.

<b>Call Any of the Following Authorities 24 hours a Day</b>	
<b>Birmingham Police Department– Emergency</b> <b>DIAL 911</b>	<b>Report emergencies of any type or non-emergency crimes in progress</b> 911 from a public phone, university phone or cell phone
<b>Birmingham Police Department – Non-Emergency</b> 205-328-9311	<b>Report non-emergency requests for police services</b>
<b>Panic Buttons</b> (Located throughout facility)	<b>Direct Access to the Birmingham Police Department</b> Push the button to notify police that you need immediate assistance
<b>Auburn University Campus Safety &amp; Security</b> 334-844-8888	<b>Report non-emergency campus safety and security concerns</b>
<b>Metro Alabama Crime Stoppers</b> 205-254-7777	<b>Metro Alabama crime reporting tip line</b> Call to report any information you may have regarding a crime or suspicious incident or submit a tip anonymously online: <a href="https://www.tipsubmit.com/WebTips.aspx?AgencyID=646">https://www.tipsubmit.com/WebTips.aspx?AgencyID=646</a>
<b>Auburn University Safe Harbor</b> 334-844-7233 (SAFE)	<b>Services and support to survivors of sexual assault, domestic violence, dating violence and stalking</b> <a href="http://www.auburn.edu/safeharbor">http://www.auburn.edu/safeharbor</a>
<b>Harris Early Learning Center Facility Manager</b> 205-252-5060 ext. 234	<b>Report all emergency or facilities-related issues such as utility outages</b>



<b>Main Campus Resources</b>	
<b>Division of Student Affairs</b> 334-844-1304	<b>Access to a full range of services for students</b> 4-1304 from a university phone <a href="http://www.auburn.edu/studentaffairs">http://www.auburn.edu/studentaffairs</a>
<b>Student Counseling Center</b> 334-844-5123	<b>Counseling and other mental health services</b> 4-5123 from a university phone <a href="http://www.auburn.edu/scs">http://www.auburn.edu/scs</a>
<b>Title IX Coordinator</b> 334-844-4794	<b>Investigations of harassment, discrimination, sexual assault, domestic/dating violence, and stalking</b> 4-4794 from a university phone
<b>Office of International Programs</b> 334-844-5001	<b>Support and services to international students and students, faculty and staff traveling abroad</b> 4-5001 from a university phone
<b>Clery Compliance</b> 334-844-2207/8824	<b>Information regarding Clery Act compliance for Auburn University</b> 4-2207 or 4-8824 from a university phone
<b>Auburn University Threat Assessment Team</b> 334-844-5010	<b>Report non-emergency concerns regarding individuals who may be a threat to themselves or others</b> 4-5010 from a university phone; E-mail: <a href="mailto:autat@auburn.edu">autat@auburn.edu</a>

<b>Additional Community Resources</b>	
<b>Jefferson County Sheriff's Office</b> 205-325-5700	<b>County law enforcement agency</b>
<b>J.B.S. Mental Health Authority</b> 205-595-4555	<b>Mental Health Services</b> <a href="http://jbsmha.com/index.html">http://jbsmha.com/index.html</a>
<b>CAP Services</b> 205-251-0111	<b>Request security escort to and from your vehicle &amp; stranded motorist assistance</b> <a href="http://capisdowntown.com/home.html">http://capisdowntown.com/home.html</a>
<b>UAB Hospital</b> 205-934-3411	<b>Emergency medical services, 24 hours a day</b> <a href="http://www.uabmedicine.org/locations/uab-hospital">http://www.uabmedicine.org/locations/uab-hospital</a>
<b>Children's Hospital of Alabama</b> 205-638-9100	<b>Medical services for children, 24 hours a day</b>
<b>Crisis Center</b> 205-323-7273 (24/7)	<b>Sexual assault support services, 24 hours a day</b> Provides forensic medical exams performed by specially trained SANEs (sexual assault nurse examiners), counseling, law enforcement advocacy, and prevention education. <a href="http://www.crisiscenterbham.com/about-sexual-assault-support-services.php">http://www.crisiscenterbham.com/about-sexual-assault-support-services.php</a>
<b>YWCA Central Alabama</b> 205-322-9922 205-322-4878 (24/7) 800-650-6522 (24/7)	<b>Advocacy services and shelter for survivors of domestic violence and sexual assault, 24 hours a day</b> <a href="http://www.ywcabham.org/domestic-violence-services-and-programs">http://www.ywcabham.org/domestic-violence-services-and-programs</a>

## **Response to Reports**

The Birmingham Police Department is available 24 hours a day to answer calls for emergency police, fire or medical assistance. In response to a call appropriate action will be taken by either dispatching an officer and/or other emergency services or asking the individual reporting the crime to go to the Birmingham Police Station to file an incident report. All reported crimes will be investigated by the Birmingham Police Department and may become a matter of public record. The Auburn University Department of Campus Safety & Security requests information about crimes occurring on Harris ELC's Clery geography from the Birmingham Police Department. Certain details from these reports may be shared with the Division of Student Affairs for review and referral to the Office of Student Conduct for potential action, as appropriate. If sexual assault, domestic/dating violence or stalking is reported, details from the incident report will be shared with the Title IX Coordinator for investigation and personnel receiving the report will offer the victim a wide variety of services, detailed in the section of this report on sexual assault, domestic violence, dating violence and stalking.

## **Voluntary Confidential Reporting and Anonymous Reporting**

Anyone who witnessed or has been a victim of a crime is encouraged to immediately report the incident to the Birmingham Police by dialing 911, or for non-emergency situations, 205-328-9311. Police reports in the state of Alabama are public records, meaning that police cannot hold reports of crime in confidence and thus do not allow voluntary confidential reporting. The Metro Alabama Crime Stoppers tip line can be used for reporting security and safety related concerns, or to provide tips about criminal incidents or behavior on campus or within the City of Birmingham. Call 205-254-7777 to reach this line, or submit a tip online at <https://www.tipsubmit.com/WebTips.aspx?AgencyID=646>.

The Clery Act requires Auburn University to include in our annual crime statistics disclosure all reported crimes that fall into one of the Clery reportable crime categories and occur on our Clery geography. (See the section of this report on Clery Act reporting definitions for more information about Clery reportable crime categories and geography.) Confidential reports for inclusion in the annual disclosure of crime statistics, and for assessment for a timely warning notice, generally can be made to those campus security authorities; however, if a violation of the Title IX Policy is reported, or if there is a potential for a serious or ongoing threat to the campus community, some information may be required to be shared with certain campus administrators. In all cases, every effort will be made to maintain the confidentiality of crime victims to the extent possible. Individuals are always encouraged to report incidents to the police so they can be properly investigated.

## **Campus Security Authorities**

Campus security authorities are defined by the Clery Act as City of Auburn Police Division officers assigned to the AU Precinct, Auburn University Department of Campus Safety & Security personnel, other individuals who have responsibility for campus security but who do not work for the Department of Campus Safety & Security (including contracted security providers), or officials who have significant responsibility for student and campus activities. The Auburn University Department of Campus Safety & Security maintains a list of all campus security authorities and the training they receive.

The Auburn University Department of Campus Safety & Security collects crime reports from the identified campus security authorities, which typically include (but are not limited to) certain staff from the following units: Auburn University Campus Safety & Security, Auburn Police Division, Parking Services, Residence Life, Office of Health Promotion and Wellness Services, Office of Student Conduct, Athletics (directors/coaches/ assistant coaches), Greek Life advisors, Student Involvement, Student Center, advisors to student organizations, Title IX coordinators and investigators, First Year Experience staff, Campus Recreation staff, and International Programs coordinators. Campus security authorities are asked to promptly notify the Department of Campus Safety & Security of all crimes reported to them through the crime reporting form available at [www.auburn.edu/safety](http://www.auburn.edu/safety). Each of these reports is reviewed by Department of Campus Safety & Security personnel to assess whether it meets reporting requirements under the Clery Act (including timely warning notification) and to avoid duplicate reporting where possible.

## **Campus Counselors and Confidential Reporting**

Campus “pastoral counselors” and “professional counselors,” when acting as such, are not considered to be campus security authorities and are not required to report crimes for inclusion in the annual disclosure of crime statistics. Counselors are defined as:

**Pastoral Counselor:** An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor. Auburn University does not have any pastoral counselors.

**Professional Counselor:** A professional counselor is an employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

Auburn University does not have procedures that encourage pastoral and professional counselors to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual statistical disclosure of crime statistics. The staff of Student Counseling Services, if and when they deem it appropriate, does encourage clients to report crimes to the City of Auburn Police Division.

## **Timely Warning of Crimes**

The Auburn University Department of Campus Safety & Security will issue timely warning notices (called Campus Safety Notices) to members of the university community whenever a crime is reported directly to Auburn University Department of Campus Safety and Security, campus security authorities or local law enforcement that is determined by the executive director of Campus Safety & Security, or a designee, to represent a serious or ongoing threat to students or employees. Such warnings will be provided to students and employees in a manner that is timely and that withholds the names of victims as confidential. Timely warnings will include pertinent information about the crime that triggered the warning and information that promotes safety and aids in the prevention of similar crimes. Resources and reporting options may also be included in timely warnings.

Timely warnings are usually distributed for the following crime classifications when they are determined to pose a serious or ongoing threat to the campus community and they occur on campus; in certain off-campus buildings and property owned or controlled by the university and used by students; and on public property within or immediately adjacent to and accessible from the campus:

- Murder/non-negligent manslaughter;
- Sexual assault (considered on a case-by-case basis depending on the facts of the case, when the incident occurred, when it was reported, and the amount of information known by the Auburn University Department of Campus Safety & Security);
- Robbery, involving force or violence (cases involving pick pocketing and purse snatching are classified as larceny in the Uniform Crime Reporting system and will typically not result in the issuance of a crime alert, but will be assessed on a case-by-case basis);
- Aggravated assault (cases involving assaults, such as two students fighting, which result in aggravated injury, will be evaluated on a case-by-case basis to determine if there is an ongoing threat to the Auburn University community);
- Major incidents of arson;
- Other crimes as determined necessary by the executive director of Campus Safety & Security or, in the executive director’s absence, a director or associate director within the Auburn University Department of Campus Safety & Security.

Timely warnings will generally be distributed to the university community via blast e-mail and via Auburn University Department of Campus Safety & Security non-emergency social media outlets (Facebook, Twitter and/or Instagram: @AuburnSafety). The Auburn University Department of Campus Safety & Security develops the contents of the messages and initiates distribution of the messages via these systems.

## **Emergency Preparedness**

Emergencies can occur at any time, often without warning. Auburn University's emergency guidelines can help you deal with many emergency situations appropriately. Your judgment often determines whether an incident is an emergency. If in doubt, err on the side of safety. Visit the Auburn University Emergency Management Web page for more information on emergency management: [www.auburn.edu/emergency](http://www.auburn.edu/emergency). Emergency guidelines are also available in the Auburn University official mobile app available for download through iTunes and the Google Play store.

### **What to Do in the Event of a Campus Emergency**

If you have an EMERGENCY requiring police, fire or ambulance, DIAL 911 without delay.

- When you dial 911 for emergency services, stay on the line and give the following information:
  - Your name, telephone number, and exact location.
  - The location of the emergency.
  - The nature and extent of the emergency (e.g. Are there injuries and how many?)
- Be informed and prepared in advance. Review emergency guidelines and do not wait until an emergency strikes to know what to do.
- Be aware of your surroundings, and report any suspicious activities.
- Know the locations of fire alarm activation pull stations in your building and how to evacuate your building if the alarm is set off.
- Know the locations of severe weather shelter areas in your building and when to seek shelter.

Questions or suggestions regarding emergency procedures and response on campus should be directed to:

- AU Emergency Management – [emergencymanagement@auburn.edu](mailto:emergencymanagement@auburn.edu)
- AU Executive Director of Campus Safety & Security – [campussafety@auburn.edu](mailto:campussafety@auburn.edu)

## **Emergency Response and Evacuation Procedures**

### **Emergency Response Procedures**

The Auburn University Department of Campus Safety & Security has primary responsibility for emergency management on campus. Auburn University has an Emergency Operations Plan in place that defines the organizational structure for response to emergencies of a magnitude that would cause significant disruption to university operations. The plan identifies members of the Crisis Management Team, which is responsible for managing the operational aspects of the university's response to an emergency event.

In the event of any crisis situation, including but not limited to a fire, weather emergency, significant utility disruption, hazardous materials release, or campus violence incident, the appropriate members of the Crisis Management Team may, if needed, assemble to mitigate the consequences, promote the safety of the community, and provide for "continuity of business" for the university's educational, research and outreach missions.

### **Standard Operating Guidelines**

Standard Operating Guidelines (SOGs) provide a more detailed framework for university operations during emergency events. Since all emergencies are unique in nature, these guidelines are designed to be flexible in order to accommodate contingencies of various types and magnitudes.

Emergency response guidelines are available from the Department of Campus Safety & Security in a variety of formats, including emergency information cards for students (which are provided to all incoming students at student orientation and to others at outreach events), emergency guidelines folders (which are provided



to all new employees at new hire orientation and to others at outreach and training events), building-specific emergency response plans, and hazard-specific guidance on both the Emergency Management Web page ([www.auburn.edu/emergency](http://www.auburn.edu/emergency)) and in the university's official mobile app for iOS and Android devices. In the mobile app, users can access emergency guidelines by selecting the "Emergency" menu item.

### **Evacuation Procedures**

Emergency response and building evacuation procedures are included in building-specific emergency response plans.

The decision to conduct a large-scale evacuation of campus would be an extreme measure and require university, city and possibly mutual aid resources (local and state law enforcement and transportation services). The senior site administrator present (a Harris ELC director, assistant director or facility manager), in coordination with the Birmingham Police Department, is responsible for initiating any partial or campus-wide evacuations. The Auburn University Department of Campus Safety & Security is available 24 hours a day at 334-750-9795 for assistance or consultation as needed.

When deciding whether to conduct an evacuation, consideration will be made for the type of hazard or threat, credibility of the threat, area of campus in danger, and ability to contain the threat to a specified area of campus. The campus community may be notified to evacuate on foot or by vehicle, depending on the nature and timing of the threat, as well as other hazards that may impact the safety of persons evacuating.

Communication of an evacuation order should be facilitated through the senior site administrator present, using the indoor public address system. Messages should include the nature of the incident and directions for the Harris ELC campus community, including when the evacuation will begin, how to evacuate (on foot or by vehicle), where to go, and how updates will be provided.

The method and direction of the evacuation route during a campus evacuation will depend on the nature and location of the emergency or disaster warranting the evacuation. Once public safety officials decide it is safe to return, announcements will be made to return to normal operations.

### **Tests of Emergency Procedures**

The Auburn University Department of Campus Safety & Security reviews and updates plans and coordinates tests of emergency response and evacuation procedures at least annually, via announced and/or unannounced tests, to evaluate the university's response. Tests include drills, exercises and follow-through activities to review each test. Emergency response and evacuation procedures are publicized during these tests and documentation of the tests are maintained by the Auburn University Department of Campus Safety & Security.

Tests of the community outdoor warning siren system are conducted monthly on the first Wednesday of the month at 10:00 a.m. by the Jefferson County Emergency Management Agency (weather permitting). If a test is delayed due to weather, it is rescheduled for either the following day or the following week. Tests of the other components of the Harris ELC emergency notification system are conducted and documented at least once per year, via announced tests. Performance results are documented.

### **Emergency Notifications**

The Birmingham Police Department has the primary responsibility of responding to, and summoning the necessary resources to mitigate, investigate, and document, emergencies on campus. Harris ELC campus resources can be requested through a Harris ELC director, and additional university resources can be requested through the Auburn University Department of Campus Safety & Security. In addition, the Birmingham Police Department has the responsibility to determine if the situation does, in fact, pose a threat to the Harris ELC community and to notify the senior site administrator present (a Harris ELC director, assistant director or facility manager) when this determination is made. If a situation poses an

immediate threat to the Harris ELC campus community, the institution will immediately notify the campus community or the appropriate segments of the community that may be affected by the situation.

The Harris ELC site administration utilizes different methods of emergency notification depending on the nature of the incident or event requiring notification, as further outlined below.

### **Notification Procedure**

Upon confirmation by the Birmingham Police Department or other responding public safety agency that a significant emergency or dangerous situation poses an immediate threat to the health or safety of members of the Harris ELC campus community, the agency making the determination will immediately notify the Harris ELC senior site administrator present. The Harris ELC may receive information regarding significant emergencies or dangerous situations from other sources as well, such as university administrators, other first responders and the National Weather Service. In such cases, the Harris ELC site administration will be responsible for confirming that a significant emergency or dangerous situation poses an immediate threat to the health or safety of the Harris ELC community. This may be done in consultation with the Auburn University Department of Campus Safety & Security and/or first responders, if needed.

Upon confirmation of an immediate threat to the safety or health of the Harris ELC campus community, the Harris ELC site administration will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of first responders (including, but not limited to, the Birmingham Police Department, Birmingham Fire & Rescue Service, and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The Harris ELC site administration, with support from the Auburn University Department of Campus Safety & Security, is charged with coordinating communication of immediate threats to the Harris ELC community, or to the appropriate segment(s) of the community that may be affected, and will determine the content of the notification using all available information. The content will convey the nature of the threat and immediate actions to be taken by the campus community, or affected segment thereof. The notification will be initiated by a trained member of the Harris ELC site administration. Campus staff members are instructed that they are responsible for notifying others on the campus without delaying taking protective action for themselves.

### **Emergency Notification System**

Auburn University has numerous systems in place for communicating information quickly to Harris ELC students, faculty, staff, and visitors. The main components of the emergency notification system that are used for notification to the Harris ELC campus are briefly described below.

#### **Text, Voice, E-mail and RSS Messaging**

This contracted emergency notification system has the ability to notify students, faculty, and staff of critical information and situations affecting campus through the use of text and voice messages to multiple phone numbers, e-mail to multiple e-mail addresses, and messages via RSS feeds. This system makes immediate notifications across campus without delay. Students, faculty, staff and parents can contact one of the Harris ELC directors for instructions on signing up to receive alerts.

#### **Social Networking**

Harris ELC messages are also available through Twitter (follow @HarrisELC) and Facebook (like Harris Early Learning Center). These methods are considered passive methods of communication. They can be used to supplement other notification methods, but should not be relied upon by students, faculty, and staff as the sole means of receiving notification.

## **Outdoor Warning Sirens**

Jefferson County Emergency Management Agency has several sirens located near the Harris ELC campus in the downtown Birmingham area. These sirens are primarily sounded for tornado warnings affecting the area. Sirens are intended to reach those who are outside at the time of the notification. The Jefferson County outdoor warning siren system is tested on the first Wednesday of each month at 10:00 a.m. (weather permitting). If the test has to be postponed due to weather, it is rescheduled on either the following day or the following week.

## **NOAA Weather Radios**

A NOAA weather radio is located in the office. NOAA weather radios receive information directly from the National Weather Service. This information includes current weather and also any issued watches or warnings for Jefferson County, Alabama, where the Harris ELC campus is located.

## **Building Fire Alarms/Mass Notification Systems**

Fire alarms are in place to notify building occupants of possible fire dangers in the building. If you hear the fire alarm, evacuate the building immediately. The fire alarm has a distinct tone that is not used for any other purposes.

## **Indoor Public Address**

The Harris ELC also has an indoor public address system through the campus phone system. Site administrators can make emergency announcements to all classrooms using this system.

## **Additional Notification Methods**

Emergency management personnel are routinely evaluating and adopting new technologies for emergency notification in an effort to most effectively reach members of the campus community during an emergency.

The messages for all systems listed above are developed and distributed to the Harris ELC campus community by site administrators.

## **Emergency Updates**

Pertinent follow-up information will be disseminated as soon as it is available. For members of the campus community, updates and follow-up messages may be sent via any of the communication methods listed above. In addition, for members of the larger community (parents, neighbors, etc.), the Harris ELC will post information during a significant emergency or dangerous situation on its social media sites (Facebook: [Harris Early Learning Center](#); Twitter: @HarrisELC). Members of the campus community and larger community may also monitor updates via local/national media.

## **Campus Security and Law Enforcement**

The Birmingham Police Department provides police services, including the investigation of criminal incidents, for the Harris ELC campus. Birmingham Police sworn officers conduct investigations, write reports for all criminal offenses, and enforce all laws.

Auburn University employs a limited number of sworn officers on the main campus with arrest powers, to assist in university-specific investigations and enforcement of university policies. These officers do not have responsibility for writing reports for criminal offenses or enforcing laws. These officers do have the authority to enforce laws and university policies on any university owned or controlled property, including the Harris ELC campus.

The Harris ELC campus does not have a campus police or security department, but does employ a part-time security officer during peak drop-off and pick-up times. Local law enforcement personnel patrol on and near the campus, but not through a written agreement or contract for these services.

Auburn University maintains an excellent working relationship with local and state law enforcement agencies, including the Birmingham Police, Jefferson County Sheriff's Office and Alabama Law Enforcement Agency.

### **Non-Campus Organizations**

The Harris ELC campus does not have any recognized student organizations. Student organizations are coordinated through the main campus Division of Student Affairs and the College of Human Sciences.

### **Birmingham Police Department**

**Police Chief:** A. C. Roper

**Hours:** 24 hours a day, 7 days a week

All Emergencies: DIAL 911 (24/7)

Non-Emergency: 205-328-9311 (24/7)

Metro Alabama Crime Stoppers Tip Line: 205-254-7777

1710 1st Ave North

Birmingham, AL 35203

<http://www.informationbirmingham.com/police/index.aspx>

### **Birmingham Fire & Rescue Service Department**

**Fire Chief:** Charles E. Gordon, Jr.

**Hours:** 7:30 a.m. to 4:30 p.m., Monday through Friday

All Emergencies: DIAL 911 (24/7)

Non-Emergency: 205-254-2995 (7:30 a.m. to 4:30 p.m., Monday through Friday)

<http://fire.birminghamal.gov/>

Fire Station #1: 1808 7<sup>th</sup> Avenue North

Fire Station #2: 600 11<sup>th</sup> Street South

Fire Station #3: 2210 Highland Avenue

Fire Station #4: 110 Oslo Circle

Fire Station #5: 5601 East Lake Boulevard

Fire Station #6: 317 15<sup>th</sup> Street North

Fire Station #7: 437 6<sup>th</sup> Avenue South

Fire Station #8: 4100 10<sup>th</sup> Avenue North

Fire Station #9: 1228 27<sup>th</sup> Street North

Fire Station #10: 4120 2<sup>nd</sup> Avenue South

Fire Station #11: 4601 Bessemer Super Highway

Fire Station #12: 6449 First Avenue North

Fire Station #13: 2229 30<sup>th</sup> Avenue North

Fire Station #14: 535 8<sup>th</sup> Avenue West

Fire Station #15: 1725 Jefferson Avenue

Fire Station #16: 2001 Avenue I, Ensley

Fire Station #17: 700 Lexington Street

Fire Station #18: 200 Dugan Avenue

Fire Station #19: 7713 Division Avenue

Fire Station #20: 4825 Avenue W, Ensley

Fire Station #21: 109 2<sup>nd</sup> Avenue North

Fire Station #23: 4121 40<sup>th</sup> Place North

Fire Station #24: 4316 Avenue Q, Ensley

Fire Station #25: 3015 Wilson Road

Fire Station #26: 1700 Montclair Road

Fire Station #27: 400 Huffman Road



## **Safety Escort Service**

Students and staff at the Harris ELC campus are encouraged to use the buddy system or City Action Partnership (CAP) services to request an escort to avoid walking to their vehicles or other locations alone at night. CAP services offer street security patrol, security escorts to and from your vehicle, friendly advice and directions, and stranded motorist assistance. To request assistance, dial 205-251-0111 (7:00 a.m. to 12:00 a.m. Monday through Friday and 12:00 p.m. to 12:00 a.m. Saturday).

## **Missing Student Policy**

The Harris ELC campus provides on-campus student housing to students completing a semester-long internship through the College of Human Sciences. If a member of the campus community has reason to believe that a student residing in on-campus housing is missing, he or she should immediately notify the Birmingham Police at 911 (emergencies) or 205-328-9311 and then notify the Harris ELC director at 205-252-5060. The Birmingham Police Department has primary responsibility for investigating reports of missing students residing in Harris ELC on-campus housing and will make an official determination as to whether a student is missing.

Upon investigation, should the Birmingham Police Department determine that the student is missing, they will promptly notify Harris Early Learning Center site administration and the Auburn University Department of Campus Safety & Security. Within 24 hours of a determination by police that a student is missing, Auburn University will notify:

- The student's missing person confidential contact(s), if they have registered any;
- The student's custodial parent or legal guardian, and any other designated contact person, if the missing student is under the age of 19 and is not an emancipated individual.
  - Because the age of adulthood in Alabama is 19, we choose to notify the parent or legal guardian of a missing student who is under the age of 19, which also meets the Clery Act requirement to notify the parent or legal guardian of a missing student under the age of 18.

Auburn University will make reasonable efforts to assist with missing person investigations for all Auburn University students, regardless of whether they reside in on-campus housing.

## **Identifying Emergency Contacts and Missing Person Confidential Contacts**

In addition to registering general emergency contacts, students, faculty, and staff have the option to confidentially identify one or more individuals to be contacted by Auburn University in the event the student, faculty, or staff member is determined to be missing for more than 24 hours. Missing person confidential contact information is only accessible to authorized campus officials and law enforcement and will not be disclosed outside of a missing person investigation.

In AU Access, on the My Campus tab, there is a link entitled "My Contacts" where students, faculty, and staff can register the following:

- General emergency contacts: This is who the university will contact in the event a student, faculty member, or staff member is involved in a serious emergency or crisis.
- Missing person confidential contacts: This is who the university will contact if the police determine the student, faculty member, or staff member to be missing.

Students residing in on-campus housing are notified each fall semester of the need to provide missing person confidential contacts.

## **Dangerous Weapons and Firearms Policy**

In order to maintain a safe academic environment, Auburn University prohibits the possession and use of any

dangerous or potentially dangerous weapon(s) or instruments, including but not limited to those described below, on all university properties, with limited exceptions.

This policy is applicable to all members of the university community, including students, faculty, staff, visitors (invited or uninvited), contractors, and guests at any university campus, facility, or event.

The following dangerous weapons and firearms are included within this policy:

- Firearms – Shotgun, rifle, pistol, revolver or other shoulder gun including ammunition. This also includes starter guns; the frame or receiver of any such weapon; any firearm muffler or silencer; or any machine gun.
- Any non-culinary knife, fixed or lockblade (e.g. Bowie knife, knife, or instrument of like kind or description), except common pocket knife or legitimate tools appropriately used in authorized work on campus.
- Stun Gun, Taser or instrument of like kind or description
- Air gun (e.g., air or gas powered rifle or pistol)
- Bow and arrow (e.g., archery equipment)
- Slingshots (including throwing weapons)
- Swords
- Crossbows
- Brass knuckles
- Fireworks or explosive devices

Except as otherwise provided in this policy or in controlling law, the possession, transportation, and use of firearms on campus is prohibited. Dangerous weapons are not permitted on campus at any time.

Temporary exclusions may be granted in writing by the executive director of Campus Safety & Security for job-related, educational, or demonstration purposes. Department heads and respective instructors may be granted authorization for organized activities by the executive director of the Department of Campus Safety & Security of Auburn University. The requesting organization must guarantee qualified instruction, safety, and security for such activities. This policy shall not apply to duly designated law enforcement officers while in the discharge of their lawful duties.

An employee may not possess firearms on campus or while otherwise engaged in duties associated with their employment, except for a firearm properly maintained in a personal vehicle in a manner consistent with Alabama law. University students may not possess firearms at any time on campus (except as expressly authorized by the executive director of Campus Safety & Security). The Department of Campus Safety & Security provides temporary storage for firearms lawfully possessed by students at its office.

Where applicable, all federal, state, and local laws and ordinances will be strictly enforced by Auburn Police Division and respective mutual aid agencies and shall be separate from this administrative policy.

### **Threat Assessment Team**

The Auburn University Threat Assessment Team is in place to advise and make recommendations on incidents involving members of the university community that pose, or may reasonably pose, a threat to the safety and well-being of themselves and/or other members of the university community. This is accomplished through outreach and educational programming, consultation, and appropriate referrals.

### **Referrals to the Threat Assessment Team**

It is the responsibility of the university community to report any situation that could possibly result in a threat to the safety and well-being of other members of the university community. Any member of the university

community that may become aware of such a situation can report the matter to the Threat Assessment Team.

It is important to emphasize that reports to the Threat Assessment Team not be made anonymously because of the limitations to investigating without complete information. Please include, at a minimum, your name, phone number and e-mail address.

### **Threat Assessment Team Contact Information**

**Phone:** 334-844-5010

**E-mail:** [autat@auburn.edu](mailto:autat@auburn.edu)

### **Emergency Situations**

In cases where a person may pose an immediate risk of violence to self or others, please DIAL 911 to reach the Birmingham Police.

More information about the Auburn University Threat Assessment Team can be found on their Web page: [aub.ie/TAT](http://aub.ie/TAT).

### **Bias Education and Response Team**

The Auburn University Bias Education and Response Team consists of a cross-disciplinary group of staff and faculty who provide a means for members of the campus community to report bias incidents. The team helps connect those impacted by bias incidents with immediate and ongoing support resources, and advocates for prevention and awareness programs.

### **Defining Bias-Related Incidents**

A bias-related incident involves acts, behaviors, conduct, or communications against a person, motivated by the offender's bias against age, disability, ethnicity, nationality, race, religion, sex, sexual orientation, gender identity, or gender expression. These acts, behaviors, conduct, or communications may produce an unwelcoming environment. A bias incident may involve behavior that does not rise to the level of a violation of Auburn University policy.

### **Reporting Incidents to the Bias Education and Response Team**

To report a suspected bias-related incident, members of the university community can submit a report online at [aub.ie/BERTReport](http://aub.ie/BERTReport). A member of the Bias Education and Response Team will contact the reporter to discuss the incident and share information about campus and community support services.

### **Emergency Situations**

In cases where a person may pose an immediate risk of violence to self or others, please DIAL 911 to reach the City of Auburn Police Division.

More information about the Auburn University Bias Education and Response Team can be found at: [aub.ie/BERT](http://aub.ie/BERT).

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

The Harris ELC is generally open to staff, interns, enrolled students, and their families during normal hours of operation (7:00 a.m. to 6:00 p.m., Monday through Friday). Employees, interns and parents of enrolled students are granted card access to certain portions of the building. Visitors must be granted access by a Harris ELC employee. For information about the access protocol for the building, see the Harris ELC director.

Birmingham Police officers and CAP personnel patrol the facility on a regular basis. Officers patrol the area via foot, bike and cars. Facility doors remain locked throughout the day, with the exception of certain doors that are unlocked during peak drop-off and pick-up times. A non-sworn security staff member patrols the facility during these times on foot. Emergency exits are equipped with alarms that sound when the doors are opened.

The Harris Early Learning Center has an apartment suite on its second floor, with a master bedroom (used by faculty) and two student rooms with three bunk beds each. Access to the student housing apartment is restricted to residents, their approved guests, and other approved members of the Harris ELC staff. Residents gain entry to the main building by swiping their access card in the card access readers. There is a separate apartment entrance that bypasses the childcare facility. Students are also issued a key for the suite and a unique key for their shared bedroom. Guests of residents must be accompanied at all times by the resident whom they are visiting. For security reasons, residents should not allow individuals without authorized access into student housing.

### **Maintenance of Campus Facilities**

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. The facility manager and other staff members regularly patrol the campus to identify and repair malfunctioning lights and other unsafe physical conditions.

Other members of the campus community are encouraged to report equipment problems or unsafe conditions to the facility manager so they may be corrected in a timely manner.

### **Crime Prevention & Security Awareness Programs**

The university offers a variety of informative programs for students and employees dealing with crime prevention, security awareness and campus safety. These programs are available several times a year and upon request by student groups, employees, or individuals. Programs address topics such as security procedures and practices, personal safety, emergency preparedness and response, alcohol and drug abuse awareness, sexual assault, and violence prevention. All programs offered on the main campus are available to members of the Harris ELC campus community, for students when they are attending classes at the main campus or through classes offered on site upon request, and for employees through classes offered on site upon request.

During the 2016-2017 academic year, Auburn University Department of Campus Safety & Security provided 75 scheduled security awareness and crime prevention programs. Other programs were provided upon request by specific groups. Harris ELC site administrators address campus policies and personal safety at orientation with all new Auburn University student interns. A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

Community members are encouraged to take part in the programs listed below in order to receive important tips and information pertaining to their personal safety. A training schedule is available on the Campus Safety & Security Web site at

[http://www.auburn.edu/administration/public\\_safety/emergency/training\\_resources.html](http://www.auburn.edu/administration/public_safety/emergency/training_resources.html). Staff and students at the Harris ELC may take part in these programs or request that a program is offered on site.

### **For Students**

#### **Campus Safety and Active Shooter Response Training**

This one and a half-hour training program is offered periodically during the year by the Department of Campus Safety & Security. It covers general emergency preparedness, crime prevention and security awareness, and



guidelines for responding to an active shooter situation.

## **For Employees**

### **Employee Emergency Preparedness**

This one-hour training program is offered on a regular basis by the Department of Campus Safety & Security, generally at least twice per semester, and covers emergency guidelines, crime prevention and security awareness.

### **Active Shooter Response Training**

This two-hour training program is offered on a regular basis by the Department of Campus Safety & Security, generally at least twice per semester, and provides an overview of a variety of options available in response to an active shooter situation.

## **Crime Prevention Tips**

Campus safety is everyone's responsibility. It is important that we all take our personal safety seriously. It is impossible to prevent all crimes and the perpetrator ultimately decides whether to commit a crime. However, there are some actions you can take to reduce your chance of being a victim of crime.

### **Three Simple Rules for Personal Safety**

- Stay alert and tuned in to your surroundings. Be aware and prepared.
- Stand tall and walk confidently; do not show fear.
- Trust your instincts.
  - If you do not feel comfortable in a place or situation, leave.
  - If you see suspicious activity or a person behaving suspiciously, notify police at 911 (emergencies or crimes in progress), 334-501-3100 (non-emergencies) or 334-246-1391 (tip line – text or call).

### **Protecting Your Property**

- Use a combination padlock on all storage units. Check the unit periodically to make sure nothing has been disturbed.
- Don't mark your key chain with your name, address and/or license number. Lost keys can lead to theft. Take care of keys; don't give anyone the chance to duplicate them.
- Engrave all valuable personal property with your name and a unique number known only to you. Keep a detailed list of all valuables and serial numbers. Keep a copy of this list at your permanent residence as a backup. This list may help police recover your belongings.
- Move valuables out of view from windows and doors.
- Lock your vehicle and residence at all times, even when you're in them.
- Copy all important papers and cards that you carry in your purse or wallet, including your driver's license. Keep the copies in a safe place. The information will be invaluable if anything is stolen or lost.
- Copy your vehicle ID and tag number. If your vehicle is stolen, it cannot be entered into the nationwide law enforcement network without this information.

### **Protecting Yourself At Home**

- Keep doors and windows locked at all times, even if you are only away for a few minutes. Do not "prop open" doors in residence halls.
- Be assertive and demand that any unwanted person in your residence leave, or leave yourself. Anyone who refuses to leave is a trespasser. If you live in a residence hall, report any unescorted person to security (334-844-8888).
- Make sure hallways, entrances, garages, and grounds are well lit. Leave porch lights on all night. Keep blinds and curtains shut after dark and never dress in front of a window.
- On campus, immediately report exterior lights that are out to Facilities Management at 334-844-HELP

(4357). Off campus, immediately report exterior lighting problems to the management of your apartment complex or landlord.

- When you expect to return after dark, leave an interior light on with the shades drawn.
- Know who is at your door before you open it. Campus staff members carry identification, and solicitors are not allowed on campus. Require proper identification from any repair or utility personnel. If you live off campus, install a peephole in your front door.
- Do not open your door to strangers or let them in. If they need assistance and ask to use your phone, make the phone call for them.
- List initials and last names only on your mailbox or door and in the telephone book. Don't leave your name on your door or answering machine if you live alone.
- If you are going out of town, do not state you are away or when you will return on your voice mail recording, e-mail automated reply, or social media networks.
- Get to know your neighbors. If you live off campus, join a neighborhood watch system and share information on suspicious circumstances.
- When you go home on breaks, have someone pick up your mail, newspaper, etc. Install timers and leave on all outside lights. Make your residence appear "lived in."
- If you come home and see a broken window or a jimmied door, don't go inside. Confronting a burglar can be dangerous. Phone police immediately at 911.

### **Protecting Yourself Away from Home**

- Walk or jog with one or more friends. Avoid jogging after dark. If you must jog at night, stay in well-lit, well-traveled areas and do not go alone.
- Carry a whistle and don't hesitate to use it to alert others you need help. Vary your pattern frequently.
- Don't wear ear buds when jogging or biking, or at least leave one ear open so you can hear what's going on around you. Ear buds and headphones significantly reduce your ability to hear and thus affect your awareness.
- Tell someone where you are going and when you will return.
- Make sure your cell phone is charged before you go out, in case you need to use it to call for help.
- Don't fight back if your purse or wallet is snatched. Throw it in one direction and run in the other rather than risk personal injury. Call the police immediately at 911.
- Be careful when and where you patronize ATM machines. Accessing ATM cash machines in remote locations, particularly at night, could increase your risk of robbery and personal injury. While you are standing at the machine, keep turning around and scanning for people approaching you or loitering around.
- Avoid working or studying alone in a building other than your residence at night.
- Stand and walk tall with a brisk, purposeful stride. Make brief eye contact with someone who makes you feel uneasy to let them know that you see them and are not afraid, but don't stare too long or prolong your glance.
- Trust your instincts.

### **Protecting Yourself at Work**

- Avoid working or studying alone in a building at night.
- When working late, make sure doors are locked.
- Keep your purse in a locked cabinet or drawer. Never leave it on or underneath a desk.
- Avoid using stairs in remote sections of the building.
- Do not hold the door open for strangers after normal business hours.
- Ask people you don't recognize if you can help them.
- Report suspicious activity to police (911 for emergencies and crimes in progress; 334-501-3100 for non-emergencies).
- Be careful what you leave on your desk and on your computer screen when you step away from your desk.

- Keep passwords in secure places.

## **Have a Plan**

It is very important for you to have a plan in case someone tries to steal your bag, attack you from behind, or your car breaks down at night, etc. Knowing how you would handle situations if you should ever have to face an attacker could save your life. Always be on your guard, pay attention to your surroundings, trust your instincts and report suspicious activity to the police.

If you have a cell phone, keep it with you at all times so you can call for help if needed. There are also approximately 130 blue light emergency phones on campus, mainly in parking lots, parking garages, and pedestrian walkways. When you press the red button, the emergency phone will dial 911 and tell the emergency dispatcher your location. The speaker will remain open and the dispatcher will be able to hear what is happening in the vicinity of the emergency phone until the dispatcher disconnects the call. Help will be dispatched to your location.

## **Rave Guardian App**

A personal safety app, Rave Guardian, is available at no cost to Auburn University students and employees. This app, provided with the support of the Student Government Association, allows students to use their cell phone as a safety timer or send messages about general safety or security concerns to the police. Simply download the Rave Guardian app for iPhone or Android and register with an Auburn University email address to use the app and be connected with the Auburn Police Division. For emergencies and crimes in progress, students or employees should always dial 911 as opposed to sending a message through the Rave Guardian app.

## **Sexual Assault, Domestic & Dating Violence, and Stalking**

Auburn University is committed to providing a learning, working, and living environment that promotes personal integrity, civility, and mutual respect in an environment free of discrimination on the basis of sex. Sex-based discrimination includes all forms of sexual misconduct, including sexual or gender-based harassment, sexual assault, domestic violence, dating violence, and stalking. As a result, Auburn University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual or gender-based harassment, sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a university official. In this context, Auburn University prohibits the offenses of sexual or gender-based harassment, sexual assault, domestic violence, dating violence, and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

For a complete copy of Auburn University's *Policy on Sexual and Gender-Based Misconduct and Other Forms of Interpersonal Violence* and accompanying procedures and appendices, visit <https://aub.ie/tixpolicy>. The University's Title IX Coordinator, Kelley Taylor, can be contacted by calling 334-844-4794, by visiting her campus office at 317 Foy Hall, or by emailing her at [taylokg@auburn.edu](mailto:taylokg@auburn.edu). The university also has two Deputy Title IX Coordinators, Lady Cox and David Mines. Lady Cox can be contacted by calling 334-844-3200, by visiting her campus office at Suite 3248, Student Center, or by emailing her at [lady@auburn.edu](mailto:lady@auburn.edu). David Mines can be contacted by calling 334-844-9141, by visiting his campus office at the Auburn Athletics Complex, or by emailing him at [minesdd@auburn.edu](mailto:minesdd@auburn.edu).

## **Definitions**

There are numerous terms used by Auburn University in our policies and procedures. Some key definitions applicable to sexual assault, domestic violence, dating violence, and stalking are listed below.

## **General Definitions According to Alabama Statute**

### **Lack of consent (AL Code § 13A-6-70 (2016)):**

- (a) Whether or not specifically stated, it is an element of every offense defined in this article, with the exception of subdivision (a)(3) of Section 13A-6-65, that the sexual act was committed without consent of the victim.
- (b) Lack of consent results from:
  - (1) Forcible compulsion; or
  - (2) Incapacity to consent; or
  - (3) If the offense charged is sexual abuse, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor's conduct.
- (c) A person is deemed incapable of consent if he is:
  - (1) Less than 16 years old; or
  - (2) Mentally defective; or
  - (3) Mentally incapacitated; or
  - (4) Physically helpless.

**Forcible compulsion** (AL Code § 13A-6-60 (2016)): Physical force that overcomes earnest resistance or a threat, express or implied, that places a person in fear of immediate death or serious physical injury to himself or another person.

**Mentally defective** (AL Code § 13A-6-60 (2016)): Such term means that a person suffers from a mental disease or defect which renders him incapable of appraising the nature of his conduct.

**Mentally incapacitated** (AL Code § 13A-6-60 (2016)): Such term means that a person is rendered temporarily incapable of appraising or controlling his conduct owing to the influence of a narcotic or intoxicating substance administered to him without his consent, or to any other incapacitating act committed upon him without his consent.

**Physically helpless** (AL Code § 13A-6-60 (2016)): Such term means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to an act.

**Sexual Intercourse** (AL Code § 13A-6-70 (2016)): Such term has its ordinary meaning and occurs upon any penetration, however slight; emission is not required.

**Deviate Sexual Intercourse** (AL Code § 13A-6-70 (2016)): Any act of sexual gratification between persons not married to each other involving the sex organs of one person and the mouth or anus of another.

**Sexual Contact** (AL Code § 13A-6-70 (2016)): Any touching of the sexual or other intimate parts of a person not married to the actor, done for the purpose of gratifying the sexual desire of either party.

### **Sexual Assault Definition According to the Clery Act**

**Sexual Assault:** "Sexual assault" means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.



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

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

**Incest** is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape** is defined as non-forcible sexual intercourse with a person who is under the statutory age of consent.

### **Sexual Offenses According to Alabama Statute**

#### **Rape in the first degree** (AL Code § 13A-6-61 (2016)):

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

#### **Rape in the second degree** (AL Code § 13A-6-62 (2016)):

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

#### **Sodomy in the first degree** (AL Code § 13A-6-63 (2016)):

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

#### **Sodomy in the second degree** (AL Code § 13A-6-64 (2016)):

- (a) A person commits the crime of sodomy in the second degree if:
  - (1) He, being 16 years old or older, engages in deviate sexual intercourse with another person less than 16 and more than 12 years old.
  - (2) He engages in deviate sexual intercourse with a person who is incapable of consent by reason of being mentally defective.

(b) Sodomy in the second degree is a Class B felony.

**Sexual misconduct** (AL Code § 13A-6-65 (2016)):

- (a) A person commits the crime of sexual misconduct if:
- (1) Being a male, he engages in sexual intercourse with a female without her consent, under circumstances other than those covered by Sections 13A-6-61 and 13A-6-62; or with her consent where consent was obtained by the use of any fraud or artifice; or
  - (2) Being a female, she engages in sexual intercourse with a male without his consent; or
  - (3) He or she engages in deviate sexual intercourse with another person under circumstances other than those covered by Sections 13A-6-63 and 13A-6-64. Consent is no defense to a prosecution under this subdivision.
- (b) Sexual misconduct is a Class A misdemeanor.

**Sexual torture** (AL Code § 13A-6-65.1 (2016)):

- (a) A person commits the crime of sexual torture:
- (1) By penetrating the vagina or anus or mouth of another person with an inanimate object by forcible compulsion with the intent to sexually torture or to sexually abuse.
  - (2) By penetrating the vagina or anus or mouth of a person who is incapable of consent by reason of physical helplessness or mental incapacity with an inanimate object, with the intent to sexually torture or to sexually abuse.
  - (3) By penetrating the vagina or anus or mouth of a person who is less than 12 years old with an inanimate object, by a person who is 16 years old or older with the intent to sexually torture or to sexually abuse.
- (b) The crime of sexual torture is a Class A felony.

**Sexual abuse in the first degree** (AL Code § 13A-6-66 (2016)):

- (a) A person commits the crime of sexual abuse in the first degree if:
- (1) He subjects another person to sexual contact by forcible compulsion; or
  - (2) He subjects another person to sexual contact who is incapable of consent by reason of being physically helpless or mentally incapacitated.
- (b) Sexual abuse in the first degree is a Class C felony.

**Sexual abuse in the second degree** (AL Code § 13A-6-67 (2016)):

- (a) A person commits the crime of sexual abuse in the second degree if:
- (1) He subjects another person to sexual contact who is incapable of consent by reason of some factor other than being less than 16 years old; or
  - (2) He, being 19 years old or older, subjects another person to sexual contact who is less than 16 years old, but more than 12 years old.
- (b) Sexual abuse in second degree is a Class A misdemeanor, except that if a person commits a second or subsequent offense of sexual abuse in the second degree within one year of another sexual offense, the offense is a Class C felony.

**Domestic Violence Definition According to the Clery Act**

**Domestic Violence:** The term “domestic violence” means felony or misdemeanor crimes of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate

- partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

For the purposes of complying with the Clery Act, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### **Domestic Violence Offenses According to Alabama Statute**

#### **Domestic Violence in the first degree (AL Code § 13A-6-130 (2016)):**

(a) A person commits the crime of domestic violence in the second degree if the person commits the crime of assault in the second degree pursuant to Section 13A-6-21; the crime of intimidating a witness pursuant to Section 13A-10-123; the crime of stalking pursuant to Section 13A-6-90; the crime of burglary in the second or third degree pursuant to Sections 13A-7-6 and 13A-7-7; or the crime of criminal mischief in the first degree pursuant to Section 13A-7-21 and the victim is a current or former spouse, parent, child, any person with whom the defendant has a child in common, a present or former household member, or a person who has or had a dating relationship, as defined in Section 13A-6-139.1, with the defendant. Domestic violence in the second degree is a Class B felony, except the defendant shall serve a minimum term of imprisonment of six months without consideration of probation, parole, good time credits, or any reduction in time for any second or subsequent conviction under this subsection.

(b) The minimum term of imprisonment imposed under subsection (a) shall be double without consideration of probation, parole, good time credits, or any reduction in time if a defendant willfully violates a protection order issued by a court of competent jurisdiction and in the process of violating the order commits domestic violence in the first degree.

#### **Domestic Violence in the second degree (AL Code § 13A-6-131 (2016)):**

(a) A person commits the crime of domestic violence in the second degree if the person commits the crime of sexual assault in the second degree pursuant to Section 13A-6-21; the crime of intimidating a witness pursuant to Section 13A-10-123; the crime of stalking pursuant to Section 13A-6-90; the crime of burglary in the second or third degree pursuant to Sections 13A-7-6 and 13A-7-7; or the crime of criminal mischief in the first degree pursuant to Section 13A-7-21 and the victim is a current or former spouse, parent, child, any person with whom the defendant has a child in common, a present or former household member, or a person who has or had a dating or engagement relationship with the defendant. Domestic violence in the second degree is a Class B felony, except the defendant shall serve a minimum term of imprisonment of six months without consideration of probation, parole, good time credits, or any reduction in time for any second or subsequent conviction under this subsection.

(b) The minimum term of imprisonment imposed under subsection (a) shall be double without consideration of probation, parole, good time credits, or any reduction in time if a defendant willfully violates a protection order issued by a court of competent jurisdiction and in the process of violating the order commits domestic violence in the second degree.

#### **Domestic Violence in the third degree (AL Code § 13A-6-132 (2016)):**

(a) A person commits domestic violence in the third degree if the person commits the crime of assault in the third degree pursuant to Section 13A-6-22; the crime of menacing pursuant to Section 13A-6-23; the crime of reckless endangerment pursuant to Section 13A-6-24; the crime of criminal coercion pursuant to Section 13A-6-25; the crime of harassment pursuant to subsection (a) of Section 13A-11-8; the crime of criminal surveillance pursuant to Section 13A-11-32; the crime of harassing communications pursuant to

subsection (b) of Section 13A-11-8; the crime of criminal trespass in the third degree pursuant to Section 13A-7-4; the crime of criminal mischief in the second or third degree pursuant to Sections 13A-7-22 and 13A-7-23; or the crime of arson in the third degree pursuant to Section 13A-7-43; and the victim is a current or former spouse, parent, child, any person with whom the defendant has a child in common, a present or former household member, or a person who has or had a dating relationship, as defined in Section 13A-6-139.1, with the defendant. Domestic violence in the third degree is a Class A misdemeanor.

(b) The minimum term of imprisonment imposed under subsection (a) shall be 30 days without consideration of reduction in time if a defendant willfully violates a protection order issued by a court of competent jurisdiction and in the process of violating the order commits domestic violence in the third degree.

(c) A second conviction under subsection (a) is a Class A misdemeanor, except the defendant shall serve a minimum term of imprisonment of 10 days in a city or county jail or detention facility without consideration for any reduction in time.

(d) A third or subsequent conviction under subsection (a) is a Class C felony.

(e) For purposes of determining second, third, or subsequent number of convictions, convictions in municipal court shall be included.

**Domestic Violence by strangulation or suffocation (AL Code § 13A-6-138 (2016)):**

(a) For the purposes of this section, the following terms have the following meanings:

- (1) STRANGULATION. Intentionally causing asphyxia by closure or compression of the blood vessels or air passages of the neck as a result of external pressure on the neck.
- (2) SUFFOCATION. Intentionally causing asphyxia by depriving a person of air or by preventing a person from breathing through the inhalation of toxic gases or by blocking or obstructing the airway of a person, by any means other than by strangulation.

(b) A person commits the crime of domestic violence by strangulation or suffocation if he or she commits an assault with intent to cause physical harm or commits the crime of menacing pursuant to Section 13A-6-23, by strangulation or suffocation or attempted strangulation or suffocation against a victim, as the term is defined in Section 13A-6-139.1.

(c) Domestic violence by strangulation or suffocation is a Class B felony punishable as provided by law.

**Dating Violence Definition According to the Clery Act**

**Dating Violence:** The term “dating violence” means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

For the purposes of this definition:

- The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- 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 purposes of complying with the requirements of the Clery Act, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### **Dating Violence Offenses According to Alabama Statute**

According to Alabama statute, dating violence is considered domestic violence and is covered under the domestic violence definitions above. Since the Clery Act definition of domestic violence includes acts of violence committed by any person protected from that person's acts under the domestic or family violence laws of the jurisdiction, and dating violence is covered under Alabama domestic violence definitions, all reports that meet the Clery definition of dating violence are counted as domestic violence in the crime statistics in this report.

### **Stalking Definition According to the Clery Act**

**Stalking:** The term "stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress. For the purposes of this definition:
- Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
- 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.

For the purposes of complying with the requirements of the Clery Act, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### **Stalking Offenses According to Alabama Statute**

**Definitions** (AL Code § 13A-6-92 (2016)):

**Course of conduct:** A pattern of conduct composed of a series of acts over a period of time which evidences a continuity of purpose.

**Credible threat:** A threat, expressed or implied, made with the intent and the apparent ability to carry out the threat so as to cause the person who is the target of the threat to fear for his or her safety or the safety of a family member and to cause reasonable mental anxiety, anguish, or fear.

**Harasses:** Engages in an intentional course of conduct directed at a specified person which alarms or annoys that person, or interferes with the freedom of movement of that person, and which serves no legitimate purpose. The course of conduct must be such as would cause a reasonable person to suffer substantial emotional distress, and must actually cause substantial emotional distress. Constitutionally protected conduct is not included within the definition of this term.

**Stalking in the first degree** (AL Code § 13A-6-90 (2016)):

(a) A person who intentionally and repeatedly follows or harasses another person and who makes a threat, either expressed or implied, with the intent to place that person in reasonable fear of death or serious bodily harm is guilty of the crime of stalking in the first degree.

(b) The crime of stalking in the first degree is a Class C felony.



### **Stalking in the second degree (AL Code § 13A-6-90.1 (2016)):**

- (a) A person who, acting with an improper purpose, intentionally and repeatedly follows, harasses, telephones, or initiates communication, verbally, electronically, or otherwise, with another person, any member of the other person's immediate family, or any third party with whom the other person is acquainted, and causes material harm to the mental or emotional health of the other person, or causes such person to reasonably fear that his or her employment, business, or career is threatened, and the perpetrator was previously informed to cease that conduct is guilty of the crime of stalking in the second degree.
- (b) The crime of stalking in the second degree is a Class B misdemeanor.

### **Aggravated stalking in the first degree (AL Code § 13A-6-91 (2016)):**

- (a) A person who violates the provisions of Section 13A-6-90(a) and whose conduct in doing so also violates any court order or injunction is guilty of the crime of aggravated stalking in the first degree.
- (b) The crime of aggravated stalking in the first degree is a Class B felony.

### **Aggravated stalking in the second degree (AL Code § 13A-6-91.1 (2016)):**

- (a) A person who violates the provisions of Section 13A-6-90.1 and whose conduct in doing so also violates any court order or injunction is guilty of the crime of aggravated stalking in the second degree.
- (b) The crime of aggravated stalking in the second degree is a Class C felony.

## **Education and Prevention Programs**

The university engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end sexual assault, domestic violence, dating violence, and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

- Identify sexual assault, domestic violence, dating violence, and stalking as prohibited conduct;
- Define what behavior constitutes sexual assault, domestic violence, dating violence, and stalking using definitions provided both by the Department of Education as well as state law;
- Define what behavior and actions constitute a lack of consent to sexual activity in the state of Alabama;
- Provide a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of sexual assault, domestic violence, dating violence, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- Include information on risk reduction. Risk reduction means options designed to decrease perpetration

and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence;

- Provide an overview of information contained in the Annual Security and Fire Safety Report in compliance with the Clery Act.

The university has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation; conducting events throughout the year to include presentations to specific groups, such as Athletics, Greek Life, and student organizations; BeWell Hut peer-to-peer education activities; concourse outreach events; and targeted events during certain months of the year such as Domestic Violence Awareness Month and Sexual Assault Awareness Month.

Each year, prior to matriculation, all students are asked to take an education and awareness program called Haven, which educates students about consent, sexual misconduct, and the importance of being an active bystander in preventing sexual misconduct. The Green Dot We.Auburn bystander intervention education program engages faculty, staff, and students as leaders for intervention around power-based interpersonal violence with the goal of reducing sexual violence, relationship violence, and stalking. The program engages all communities at the university for a unified prevention effort. A Green Dot is a moment in time when words, choices, and behaviors communicate intolerance of violence. Training and social media focus on giving campus community members tools to intervene, as well as building a culture around the premises that (1) violence will not be tolerated, and (2) everyone has a role in preventing violence.

The following **primary prevention and awareness programs** were offered for all incoming students in 2016:

Name of Program	Frequency	Which Prohibited Behavior Covered?
Tiger Tables Resource Fair	Multiple during Camp War Eagle	SA, S
What Does It Mean to Live the Creed?	Multiple during Camp War Eagle	DoV, DaV, SA
Safety & Health for Incoming Students – Parent Session	Multiple during Camp War Eagle	DoV, DaV, SA, S
AlcoholEdu & Haven for FYS Students	Multiple in summer	DoV, DaV, SA, S
Graduate School Convocation	Annually in summer	DoV, DaV, SA, S

- ❖ DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

The following **primary prevention and awareness programs** were offered for new employees in 2016:

Name of Program	Frequency	Which Prohibited Behavior Covered?
New Employee Orientation	Bi-weekly, year-round	SA
Academic Advisor Caucus Presentation on Safe Harbor	Annually	DoV, DaV, SA, S
Health Fair	Annually in spring	DoV, DaV, SA, S

New Resident Assistant Orientation	Annually in August	DoV, DaV, SA, S
New Faculty/GTA Orientation	Annually in August	DoV, DaV, SA, S

- ❖ DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

The following **ongoing awareness and prevention programs** were offered for **students** in 2016:

Name of Program	Frequency	Which Prohibited Behavior Covered?
Safe Harbor Advocate Trainings	Monthly	DoV, DaV, SA, S
RAD Self-Defense for Women (4 sessions each)	Fall & spring semesters	DoV, DaV, SA, S
Health Fair	Spring semester	DoV, DaV, SA, S
Sexual Assault Awareness Month Events	Annually in April	SA
Study Abroad Pre-Departure Bystander Intervention Video and Discussion	Fall & spring semesters	SA
Residence Life – RA Training	Summer annually	DoV, DaV, SA, S
Addressing Sexual Harassment, Sexual Assault and Interpersonal Violence	Summer annually	DoV, DaV, SA, S
First Year Seminar Bystander Intervention and Alcohol Risk Reduction Group Motivational Enhancement– 50 minute	Multiple (70+ convenings) annually	DoV, DaV, SA, S
Domestic Violence Awareness Month Events	Annually in October	DoV, DaV, S
Greek Life Risk Management – Safe Harbor and Bystander Intervention Presentation	Annually in October	DoV, DaV, SA, S
Crisis Counseling Class – Safe Harbor Resource Presentation	Annually in October	DoV, DaV, SA, S
Health Communications Social Media Projects	Annually	SA

- ❖ DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

The following **ongoing awareness and prevention programs** were offered for **employees** in 2016:

Name of Program	Frequency	Which Prohibited Behavior Covered?
Safe Harbor Advocate Trainings	Monthly	DoV, DaV, SA, S
Sexual Assault Awareness Month Events	Annually in April	SA
Preventing Unlawful Harassment	Fall & spring semesters	SA
Manager's Guide to Dealing with Discrimination or Harassment	Multiple annually	DoV, DaV, SA, S
Graduate Student Resident Assistant Clery & Title IX Training	Summer annually	DoV, DaV, SA, S
First Year Seminar Instructor Training	Summer annually	DoV, DaV, SA, S
Resident Assistant Clery & Title IX Training	Summer annually	DoV, DaV, SA, S
Preventing Sexual Harassment, Assault, and Interpersonal Violence	Fall Annually	DoV, DaV, SA, S

Title IX Training for Student Discipline Committee Members	Fall Multiple	DoV, DaV, SA, S
Domestic Violence Awareness Month Events	Annually in October	DoV, DaV, S
Addressing Sexual Harassment, Sexual Assault, and Interpersonal Violence on Campus	Multiple in fall	DoV, DaV, SA, S

- ❖ DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

## Procedures for Reporting a Complaint

The university has procedures in place that serve to be sensitive to those who report sexual misconduct, including sexual assault, sexual exploitation, intimate partner violence (domestic violence or dating violence), stalking, sexual or gender-based harassment, complicity, or retaliation. Procedures include informing individuals about their right to file or choose not to file criminal charges; the availability of counseling, health, mental health, victim advocacy, legal assistance referrals, visa and immigration assistance, and other services on and/or off campus; and additional remedies to prevent contact between a complainant<sup>1</sup> and an accused party, such as no-contact directives, or housing, academic, transportation, and working accommodations, if reasonably available. The university will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement. Students and employees should contact Safe Harbor survivor advocates at 334-844-7233 or the Title IX Coordinator at 334-844-4794 for assistance with accommodations requests.

After an incident of sexual assault, domestic violence and/or dating violence, the survivor should consider seeking medical attention as soon as possible at East Alabama Medical Center, located at 2000 Pepperell Parkway, Opelika, AL 36801. East Alabama Medical Center has specially trained personnel called Sexual Assault Nurse Examiners (SANE), who can collect evidence following a sexual assault or domestic violence incident. Survivors have the right to a free sexual assault forensic exam, without having to provide their name or make a report to law enforcement if they choose not to do so. It is important that a survivor of sexual assault not bathe, brush teeth, douche, smoke, change clothing, or clean the bed/linen/area where they were assaulted if the offense occurred within the past 72 hours, so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred. This evidence may also be helpful in obtaining a protection order. If survivors do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease, as appropriate.

Survivors of sexual assault, domestic violence, dating violence, and stalking are encouraged to also preserve evidence by saving text messages, instant messages, social networking posts, or other communications, and keeping pictures, logs, or other copies of documents, if they have any, that would be useful to the university conduct process/investigation, to police, or to obtaining a protection from abuse order. Although the university strongly encourages all members of its community to report violations of this policy to law enforcement, it is the survivor's choice whether or not to make such a report, and survivors have the right to decline involvement with the police. Safe Harbor survivor advocates on campus will assist any survivor with notifying local police if they so desire. The City of Auburn Police Division may also be reached directly by calling 911 (emergencies or crimes in progress) or 334-501-3100 (non-emergencies), or in person at 161 North Ross Street, Auburn, AL 36830 or the AU Precinct at 543 West Magnolia Avenue, Auburn, AL 36849. Additional information about the City of Auburn Police Division may be found online at [www.auburnalabama.org/ps](http://www.auburnalabama.org/ps).

<sup>1</sup> This document will use "victim," "survivor," "accuser," and "complainant" interchangeably. The terms "perpetrator," "respondent," and "accused party" are also used interchangeably.

Victims/survivors of sexual assault, domestic violence, dating violence, or stalking are encouraged to report the incident promptly, if they so desire, to the Title IX Coordinator, Kelley Taylor, by calling, writing or coming into the office to report in person (317 Foy Hall, 334-844-4794) and Auburn Police Division. Reports to the university may also be made online at <https://aub.ie/tixreport>. The university will inform the victim about on-campus and/or off-campus resources and remedial and protective measures, and will discuss the victim's option to contact law enforcement, to pursue the university disciplinary process, or to pursue neither or both. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic violence, dating violence, and stalking; to maintain confidentiality and fairness consistent with applicable legal requirements; and to impose appropriate sanctions on violators of this policy.

While there is no time limit for reporting an incident of sexual assault, domestic violence, dating violence, or stalking to the university, certain statutes of limitations exist for the prosecution of crimes through the criminal justice system. As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Auburn Police Division (or other law enforcement if the incident occurred outside of the City of Auburn) to preserve evidence in the event that the victim changes her/his mind at a later date.

If a formal complaint of sexual assault, domestic violence, dating violence, or stalking is made to the university through the Title IX Coordinator, below are the procedures that the university will follow, as well as a statement of the standard of evidence that will be used during any disciplinary hearing on campus arising from such a report

### **Incident Type Being Reported: Sexual Assault, Domestic Violence, Dating Violence or Stalking**

***Evidentiary Standard:*** Preponderance of the evidence

#### ***Initial Procedure Auburn University Will Follow:***

1. Assess the survivor's safety and well-being and offer the university's immediate support and assistance;
2. Assess the nature and circumstances of the report;
3. Inform the survivor of the right to seek medical treatment, and explain the importance of obtaining and preserving forensic and other evidence;
4. Inform the survivor of the right to contact law enforcement, decline to contact law enforcement, seek a protective order, and to have university assistance in doing so;
5. Inform the survivor about university and community resources, the right to seek appropriate and available remedial and protective measures, and how to request those resources and measures;
6. Inform the survivor of the option to seek alternative resolution (where available) or formal resolution under these Procedures; ascertain the survivor's expressed preference (if any) for pursuing Alternative Resolution, Formal Resolution, or neither; and discuss with the survivor any concerns or barriers to participating in any university investigation and resolution;
7. Explain the university's prohibition against Retaliation and that the university will take prompt action in response to any act of Retaliation;
8. Ascertain the ages of the survivor and the accused individual, if known, and, if either of the parties is under 18, determine whether the conduct must be reported under state law; and
9. Communicate with appropriate university officials to determine whether the report triggers any Clery Act obligations, including entry of the report in the daily crime log and/or issuance of a timely warning, and take steps to meet those obligations.
10. If a decision is reached to initiate an investigation or to take any other action under the policy that impacts the accused, the university will ensure the accused is notified, receives a written explanation of all available resources and options, and is offered the opportunity to meet to discuss those resources and



options.

### **Assistance for Survivors: Rights & Options**

Regardless of whether a survivor elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the university will assist survivors of sexual assault, domestic violence, dating violence, and stalking and will provide each survivor with a written explanation of their rights and options.

### **Safe Harbor – Advocates for Sexual Assault Survivors**

Auburn University strives to foster a community free of sexual assault and interpersonal violence. Sexual assault or intimate partner violence can have a profound impact on one's personal and academic life. If sexual assault or an act of interpersonal violence occurs, the university strongly encourages individuals to take action in whatever appropriate way that they see fit.

For many individuals, Safe Harbor can be the most beneficial first point of contact. Safe Harbor has trained survivor advocates who have the ability to connect survivors with a variety of available resources. Through Safe Harbor, university personnel will assist survivors in evaluating options and identifying resources to help with immediate and long-term recovery.

Services are available 24 hours a day, 7 days a week for students and employees. To contact Safe Harbor, please call 334-844-7233 (SAFE).

### **Protection Orders**

**Protection orders** are civil court orders (issued by circuit courts) meant to provide protection and relief to victims of domestic violence.

In Alabama, a protection from abuse order is a court order issued based upon a petition filed under the Protection From Abuse Act (PFA), which provides for limited protection for persons who have been threatened, harassed, or physically abused by a spouse or former spouse; common-law or former common-law spouse; parent; stepparent; child or stepchild who has lived with the abuser; person with whom they have a child in common; person with whom they have or have had a dating relationship; or a present or former household member with whom the victim was engaged in a romantic or sexual relationship.

Victims who need protection may go to the local circuit court (in Lee County, the Lee County Justice Center at 1900 Frederick Road, Opelika, AL 36801) and request a Petition for a Protection From Abuse Order from the circuit clerk. Victims may file this petition without costs and without assistance from an attorney. However, protection orders may involve long-term legal consequences or safety issues so victims are strongly encouraged to contact a lawyer or the Domestic Violence Intervention Center (334-749-1515 or 800-650-6522; [www.dvic2.org](http://www.dvic2.org)) before filing for a protection order. Contact information for domestic violence advocates in areas outside of east central Alabama may be found at the ACADV Web site, [www.acadv.org](http://www.acadv.org) or by calling the National Domestic Violence Hotline 1-800-799-7233 (SAFE).

Relief that may be requested includes:

- Order the victim's home or work address, the phone number, or other related information deleted from all records filed with the court concerning the protection order;
- Restrain the defendant from committing or threatening to commit acts of abuse, or from harassing, annoying, telephoning, contacting, or otherwise communicating directly or indirectly with the victim or other designated persons;
- Order the defendant to stay away from victim's residence and place of work or other designated places or persons;

- Award the victim temporary custody of any minor children and restrain the abuser from removing the children from the victim's custody;
- Remove the defendant from the residence, regardless of who owns the residence;
- Prohibit the defendant from selling, disposing, destroying, hiding, or mortgaging mutually owned or leased real estate or personal property;
- Order other relief as necessary to provide for the safety and protection of the victim;
- A victim may request an emergency temporary protection order if needed. Otherwise a final protection order, if granted, is valid for one year or until the court-determined expiration date.

### **Getting Your Protection Order**

If you need assistance with obtaining a protection order you may contact the Domestic Violence Intervention Center or the Auburn University Department of Campus Safety & Security.

You will need to go to court to get a protection order. Auburn University cannot apply for a legal protection order for the victim. You do not have to press charges to get a protection order. This is not a criminal matter.

Important things to say when testifying or making a statement in court:

- Be very specific in your details when describing the stalking or abuse, including date(s), time(s) of day, and other details.
- Describe exactly what the stalker/abuser said and did to you, and make it clear that you are afraid and for what reason(s).
- Describe any injuries to you or anyone else, and any property damage caused by the abuser/stalker (including injuries to any children or pets, destruction to valued objects, etc.).
- Show the judge or magistrate any pictures of injuries or property damage.
- Show the judge or magistrate any communications from the abuser/stalker that made you afraid for your safety.
- For your protection order hearing, have any witnesses testify to the abuse, stalking, injuries, or property damage.

### **General Information You Should Know About Protection Orders**

It is very important to keep a copy of the protection order with you at all times. Keep copies of any of the abuser's criminal convictions. Show these to the police officer, magistrate, prosecutor, or judge if he/she violates the order. It isn't necessary for the abuser to be charged or arrested for any crime for a survivor to request a protection order. If you have questions about protection orders and how to request one, contact the Domestic Violence Intervention Center or the Auburn University Department of Campus Safety & Security.

Once the protection order has been issued:

- Remember that a protection order is a piece of paper that must be respected by the stalker/abuser to be effective. It is also only enforceable after a sheriff's deputy or police officer has served it on the stalker/abuser. After it has been served, if you feel you are in danger, or if the abuser/stalker does not comply with it, call the police immediately (911). If they arrive in time to witness the abuser's violation of the order, they can make an immediate arrest. If not, you may need to get a criminal warrant from the magistrate.
- When you get your copy of the order, make sure it says exactly what you want. If there are errors, it is unclear, it has not been signed, or boxes don't appear to be checked, ask the clerk or your advocate for help.
- Keep a copy with you at all times. This is important if the abuser/stalker violates the order and you must call the police or seek help from other authorities.
- Give a copy to the Title IX Coordinator (if you are a student or employee), your Residence Life staff (if you live in a university residence hall) and your supervisor at work (if you are employed).
- If children are included, make sure anyone responsible for them has a copy.

- If you are planning to or are considering leaving the state, make sure you get a certified copy of your order from the clerk's office. Federal law requires recognition of one state's protection order by others.

Auburn University complies with Alabama law in recognizing orders of protection. Any student or employee who obtains a protection order from Alabama or any other state should provide a copy to the City of Auburn Police Division, the Auburn University Department of Campus Safety & Security, and the Office of the Title IX Coordinator. A complainant may then meet with Auburn Police Division or Auburn University Department of Campus Safety & Security personnel to develop a safety action plan, which is a plan for safety personnel and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, where reasonable, but is not limited to: escorts, special parking arrangements, providing a temporary cell phone, changing classroom location, or allowing a student to complete assignments from home, etc.

### **Enforcing Protection Orders**

Orders issued by Alabama courts are enforceable under Alabama law. A willful violation of a protection order is a Class A misdemeanor and the officer may arrest without a warrant when there is probable cause that the defendant has violated a valid protection order. Victims should immediately contact local law enforcement if their order is violated.

### **Out of State Orders**

Under the federal Violence Against Women Act and Alabama law, valid protection orders should be given full faith and credit. This means that if a protection order is issued in another state and the victim is in Alabama, Alabama will enforce the valid protection order. Violations of valid protection orders from other states are enforced as if the order were issued by an Alabama court. Law enforcement may arrest without a warrant for any violation of the valid protection order and the punishment upon conviction is a Class A misdemeanor.

Protection orders from other states are valid if:

- The order includes the names of the parties;
- The order contains the date the order was issued;
- The order is not expired;
- The order contains the name of the issuing court;
- The order is signed by a judicial officer;
- The order contains specific terms; and
- The defendant has had notice of the order and an opportunity to be heard.

### **Registration of Protection Orders**

Victims may register their out-of-state protection orders by taking a certified copy of the order to their local circuit clerk's office and requesting that the order be entered into the Alabama Protection Order Database. This is NOT a requirement for enforcement. However, victims should always keep a copy of their protection order with them at ALL times to prove the existence of the order if the defendant violates it. Victims may also choose to give copies of the protection order to their local city police and sheriff departments.

### **University Protective Actions and Accommodations**

The university may issue an institutional no contact order if deemed appropriate or at the request of the survivor or accused. Upon the survivor's request and to the extent of the survivor's cooperation and consent, university offices will work cooperatively to assist the survivor with their health, physical safety, work, and academic status, pending the outcome of a formal university investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, working, or transportation situations regardless of whether the survivor chooses to report the crime to local law enforcement. Examples of options for a potential change to the academic situation may be to transfer the complainant or the accused to a different section of a class; complete a medical withdrawal; or make special arrangements for completing coursework in a non-traditional manner. Potential changes to living situations may include moving to a

different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include providing alternative parking arrangements for the survivor, or assisting the survivor with a safety escort. To the extent possible, Auburn University will also provide assistance with and/or information about obtaining resources and services such as counseling, health services, visa and immigration assistance, and assistance in notifying appropriate local law enforcement.

## Confidentiality

Additionally, personally identifying information about the survivor will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the survivor. (For example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the survivor, as defined in 42 USC 1395 (a) (20).) Further, the university will maintain as confidential any accommodations or protective measures provided to the survivor to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The university does not publish the names of crime victims nor house identifying information regarding victims in the Campus Safety department's daily crime log or online. Victims may request that directory information on file be removed from public sources by request to the Office of Communications & Marketing at 334-844-9999.

## Resources for Survivors of Sexual Assault, Domestic Violence, Dating Violence & Stalking

To access the resource booklet, *Resources, Information and Support for Addressing Sexual Misconduct*, go to <http://www.auburn.edu/administration/aaeeo/docs/SexualAssaultResources.pdf>.

Auburn Campus Resources	
<b>Safe Harbor</b> 334-844-7233	<b>Advocacy for survivors of sexual assault, domestic violence, dating violence, and stalking, 24 hours a day;</b> Information on a full range of services available, including medical care, law enforcement, student conduct, Title IX, counseling, accommodations requests 4-7233 from a university phone <a href="http://www.auburn.edu/safeharbor">www.auburn.edu/safeharbor</a>
<b>Title IX Coordinator</b> 334-844-4794	<b>Receives official complaints of sexual misconduct &amp; assists reasonable accommodations for survivors</b> <a href="http://www.auburn.edu/titleix">http://www.auburn.edu/titleix</a>
<b>Student Counseling Services</b> 334-844-5123	<b>Counseling and mental health services for students for students</b> <a href="http://www.auburn.edu/scs">http://www.auburn.edu/scs</a>
<b>Marriage &amp; Family Therapy Center</b> 334-844-4478	<b>Marriage and family counseling services</b> <a href="http://www.mftcenter.auburn.edu/">http://www.mftcenter.auburn.edu/</a>
<b>Psychological Services Center</b> 334-844-4889	<b>Counseling and other mental health aid services</b> <a href="http://www.cla.auburn.edu/psychology/aupsc/">http://www.cla.auburn.edu/psychology/aupsc/</a>
<b>Auburn University Medical Clinic</b> 334-844-4416	<b>Medical care services for students and employees</b>

<b>Office of International Programs</b> 334-844-5001	<b>Visa and immigration assistance</b>
<b>Office of Accessibility</b> 334-844-2096	<b>Information regarding medical resignation and withdrawal options</b>
<b>Student Financial Services</b> 334-844-4634	<b>Information regarding loans, scholarships, and financial aid</b>

<b>Additional Birmingham Community Resources</b>	
<b>Birmingham Police – Emergency</b> <b>DIAL 911</b>	<b>Report emergencies of any type or non-emergency crimes in progress</b> 911 from a public phone, university phone or cell phone
<b>Jefferson County Sheriff's Office</b> 205-325-5700	<b>County law enforcement agency</b>
<b>J.B.S. Mental Health Authority</b> 205-595-4555	<b>Mental Health Services</b> <a href="http://jbsmha.com/index.html">http://jbsmha.com/index.html</a>
<b>CAP Services Center</b> 205-251-0111	<b>Request security escort to and from your vehicle &amp; stranded motorist assistance</b> <a href="http://capisdowntown.com/home.html">http://capisdowntown.com/home.html</a>
<b>UAB Hospital</b> 205-934-3411	<b>Emergency medical services, 24 hours a day</b> <a href="http://www.uabmedicine.org/locations/uab-hospital">http://www.uabmedicine.org/locations/uab-hospital</a>
<b>Crisis Center</b> 205-323-7273 (24/7)	<b>Sexual assault support services, 24 hours a day Provides forensic medical exams performed by specially trained SANEs (sexual assault nurse examiners), counseling, law enforcement advocacy, and prevention education.</b> <a href="http://www.crisiscenterbham.com/about-sexual-assault-support-services.php">http://www.crisiscenterbham.com/about-sexual-assault-support-services.php</a>
<b>YWCA Central Alabama</b> 205-322-9922 205-322-4878 (24/7) 800-650-6522 (24/7)	<b>Advocacy services and shelter for survivors of domestic violence and sexual assault, 24 hours a day</b> <a href="http://www.ywcabham.org/domestic-violence-services-and-programs">http://www.ywcabham.org/domestic-violence-services-and-programs</a>

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

- <http://www.rainn.org> - Rape, Abuse and Incest National Network
- <http://www.victimsofcrime.org/our-programs/stalking-resource-center> - Stalking Resource Center
- <http://www.ovw.usdoj.gov/sexassault.htm> - Department of Justice
- <http://www2.ed.gov/about/offices/list/ocr/index.html> - Department of Education, Office of Civil Rights

### **How to be an Active Bystander**

Auburn University does not tolerate power-based personal violence, and everyone has a role in preventing it. Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the events that could lead to violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. Bystanders may not always know what to do even when they want to help. Below is a list of some



ways to be an active bystander. For further information regarding bystander intervention, contact the Division of Student Affairs Office of Health Promotion & Wellness Services at 334-844-1528.

- If you or someone else is in immediate danger, dial 911. This may include when a person is being physically abusive towards another, or the conflict seems to be escalating, and it is not safe for you to interrupt.
- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are okay.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

## **Risk Reduction**

With no intent to blame victims and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org)):

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cash money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid using ear buds or headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, notify police at 911 (emergencies or crimes in progress), 334-501-3100 (non-emergencies), or 334-246-1391 (tip line – text or call).
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from punch bowls or other large, common open containers.
- Watch out for your friends. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact Auburn Police Division by dialing 911. Be explicit with doctors so they can give you the correct tests. (You will need a urine test and possibly other tests as soon as possible after the suspected consumption of the drug to get the most accurate results.)
- If you need to get out of an uncomfortable or scary situation, here are some things that you can try:
  - Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - Have a code word with your friends or family so you can let them know you are in an uncomfortable situation without alerting the person who is making you uncomfortable. Your friends or family can then come to get you or make up an excuse for you to leave.

- Lie. If you don't want to hurt the person's feelings, it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.
- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are okay.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

### **Adjudication of Policy Violations**

Whether or not criminal charges are filed, a person may file a complaint under the university's *Policy on Sexual and Gender-Based Misconduct and Other Forms of Interpersonal Violence*, alleging that a student or employee was subject to misconduct under the university's policy.

**Applicable Policy:** *Policy on Sexual and Gender-Based Misconduct and Other Forms of Interpersonal Violence* (<https://aub.ie/tixpolicy>)

**Decision-Making Process:** Preponderance of the evidence standard

**Anticipated Timeline for Resolution:** Approximately 60 days (30 days for alternative resolution)

**Resolution Options:** Alternative resolution (if available) or formal resolution

### **Major Steps in Policy:**

1. The Title IX Coordinator conducts an initial assessment of the report, including discussion with the complainant about health and safety concerns, options, and resources.
2. Resources and protective or remedial measures are provided, as appropriate and requested.
3. If the complainant wishes to pursue disciplinary action, or if the Title IX Coordinator determines that the university's obligations to the health and safety of the complainant and other members of the university community require that disciplinary action be pursued, alternative or formal resolution is pursued, based on the nature of the report and input from the complainant. Alternative resolution can only be pursued if both parties agree, and is not an option in sexual assault cases.
4. The following steps are completed for a formal resolution:
  - a. Investigation;
  - b. Preliminary investigation report;
  - c. Review and response period;
  - d. Notice of responsibility or non-responsibility;
  - e. Impact or mitigation statements;
  - f. Final investigation report;
  - g. Notice of outcomes to both parties;
  - h. Appeal process; and
  - i. Final outcome letter.

Reports of all sexual assault, domestic violence, dating violence, and stalking made to Auburn University Department of Campus Safety & Security will automatically be referred to the Title IX Coordinator for investigation regardless of whether the complainant chooses to pursue criminal charges. The complainant may choose not to participate in the investigation, which may limit the ability of the university to eliminate or address the conduct.

When a complainant does not consent to the disclosure of his or her name or other identifying information to the alleged perpetrator, the university's ability to respond to the complaint may be limited.

The university disciplinary process is consistent with the university's policy and will include a prompt, fair, and impartial investigation and resolution process transparent to the accuser and the accused. Usually, the resolution of complaints of sexual misconduct is completed within 60 days of the report; however, the proceedings timeframe allows for extensions for good cause, with notice to the accuser and the accused of the delay and the reason for the delay. The Title IX coordinator, deputy Title IX coordinators, and investigators are trained annually on the issues related to sexual assault, domestic violence, dating violence, and stalking and taught how to conduct an investigation and hearing process that protects the safety of the survivor and promotes accountability while protecting due process. University policy provides the following expectations for complainants and respondents:

- Prompt and equitable resolution of allegations of violations of the *Policy on Sexual and Gender-Based Misconduct and Other Forms of Interpersonal Violence*;
- Privacy in accordance with university policy and any legal requirements;
- Reasonably available interim remedial measures
- Freedom from Retaliation for making a good faith report of Prohibited Conduct or participating in any proceeding under the Policy;
- The responsibility to refrain from Retaliation directed against any person for making a good faith report of Prohibited Conduct or participating in any proceeding under the Policy;
- The responsibility to provide truthful information in connection with any report, investigation, or resolution of Prohibited Conduct under the Policy or these Procedures;
- Timely notice of any meeting or proceeding at which the party's presence is expected under these Procedures;
- The opportunity to have an advisor of choice, including the right to have that advisor attend any meeting or proceeding at which the party's presence is expected under these Procedures;
- Written notice of an investigation, including notice of potential Policy violations and the nature of the alleged Prohibited Conduct;
- The opportunity to challenge the Investigator or any decision maker for actual bias or conflict of interest;
- The opportunity to offer or present information and identify witnesses during an investigation;
- Timely and equal access to any information that will be used during Alternative or Formal Resolution proceedings and related meetings;
- The opportunity to be heard prior to the final determination of a Policy violation and the imposition of any sanction(s);
- Reasonable time to prepare any response allowed by these Procedures;
- Written notice of any extension of timeframes for good cause, and the reason for the extension;
- Written notice of the outcome of any Formal Resolution proceedings, including the determination of a Policy violation, imposition of any sanction(s), and the rationale for each;
- The opportunity to appeal the decision of the Investigator on the bases of procedural error that materially impacted the outcome; lack of sufficient evidence to support the Investigator's finding(s) by a Preponderance of the Evidence; sanction(s) grossly disproportionate to the violations committed, considering relevant aggravating and/or mitigating factors; or substantial new evidence that was not previously available, but that would materially impact the outcome.

## **Confidentiality**

The university will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law and as previously mentioned in this document.

Where the Title IX Coordinator has determined that the university must proceed with an investigation despite a Complainant's request that personally-identifying information not be shared with the Respondent, that no investigation be pursued, and/or that no disciplinary action be taken, the Title IX Coordinator will make reasonable efforts to protect the privacy of the Complainant. However, actions that may be required as part of the University's investigation typically involve speaking with the Respondent and others who may have relevant information, in which case the Complainant's identity may have to be disclosed. In such cases, the Title IX Coordinator will notify the Complainant that the University intends to proceed with an investigation, but that the Complainant is not required to participate in the investigation or in any other actions undertaken by the University.

## **Sanctions and Protective Measures**

In all cases, investigations that result in a finding of more likely than not that a violation of the *Policy on Sexual and Gender-Based Misconduct and Other Forms of Interpersonal Violence* occurred will lead to the initiation of disciplinary procedures against the accused individual. University sanctions including those listed below may be imposed upon those determined to have violated this policy. Sexual assault, domestic violence, dating violence, stalking, and harassment are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law.

Possible sanctions for students found responsible for violating the policy include admonition, warning notice, reprimand, disciplinary probation, restitution, suspension held in abeyance, suspension, expulsion, and no trespass order.

Possible sanctions for employees found responsible for violating the policy include informal and formal counseling, written reprimand, written final reprimand, suspension with or without pay, demotion, transfer of position, removal of administrative appointment, recommended initiation of tenured faculty dismissal process, performance improvement plan required education/training, loss of annual pay increase, loss of supervisory responsibility, termination of employment, and no trespass order.

Possible sanctions for third parties found responsible for violating the policy include termination of relationship with the university, withdrawal of privileges of being on university premises, and no trespass order.

The Title IX Coordinator or their designee will determine whether interim interventions and protective measures should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a university order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Auburn University.

The university will disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report of the results of any disciplinary proceeding conducted by the university against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

## **Registered Sex Offender Search Sites**

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice, as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, volunteers services, or is a student.

In Alabama, convicted sex offenders must register with local law enforcement in each county/municipality where the offender intends to reside, be employed, or attend school.

Sex offender information is available on the following Web sites:

Alabama Law Enforcement Agency Sex Offenders Search (Zip Code 36849):

<http://www.alea.gov/home/wfContent.aspx?ID=70&PLH1=plhAlerts-SexOffenders%20>

Jefferson County Sheriff's Office Sex Offenders Search:

[http://www.sheriffalerts.com/cap\\_main.php?office=53840](http://www.sheriffalerts.com/cap_main.php?office=53840)

## **Drug-Free Campus and Workplace Policy Statement**

The full *Drug-Free Campus and Workplace Policy* can be found on the university's policies Web page at [www.auburn.edu/policies](http://www.auburn.edu/policies). The Drug and Alcohol Abuse Prevention Program can be found at [www.auburn.edu/campussafety](http://www.auburn.edu/campussafety). Below is a summary of the policy and program.

### **Standards of Conduct**

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

The Auburn University Department of Campus Safety & Security and the Birmingham Police enforce all liquor laws, including underage drinking violations, and all federal and state drug laws.

### **Disciplinary Sanctions**

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.

### **Education and Treatment Programs**

The university has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The program provides services related to drug use and abuse including information/education resources, self-help resources, and professional treatment. Educational and treatment programs are available to students and employees of Auburn University. Programs include the following:



**Employee Assistance Program (EAP):** Auburn University's EAP provides information and referral to employees about a variety of topics, including alcohol and drugs.

**Auburn University Medical Clinic (AUMC):** AUMC provides students and employees medical evaluation for alcohol and other drug concerns, treatment and/or referral for intensive inpatient or outpatient services, when indicated.

**Student Counseling Services (SCS):** SCS provides assessment, education, and first-level intervention (individual & group counseling) for students with alcohol and other drug concerns. Referrals are provided for intensive inpatient or outpatient services when indicated. Educational information on alcohol and other drugs is available through SCS. Staff is available to provide campus-wide educational programs upon request. Additional educational resources/links are available at [www.auburn.edu/scs](http://www.auburn.edu/scs) under the "Mental Health Screening" tab at the top of the home page.

**Auburn University Pharmaceutical Care Center (AUPCC):** The AUPCC is located on the second floor of the Harrison School of Pharmacy (HSOP) which is located in the Walker Building on campus. The AUPCC offers the "Pack It Up" tobacco cessation program for employees and students who wish to stop smoking or stop using smokeless tobacco products. This individualized service is provided by pharmacy faculty, post-doctoral pharmacy residents, and senior pharmacy students. Pharmacists meet with each patient one-on-one to evaluate readiness to quit using tobacco and assess whether a medication (such as nicotine replacement therapy, bupropion, varenicline, etc.) might be beneficial. If a prescription product is appropriate, the pharmacist coordinates this care by working with the patient's physician. Exhaled carbon monoxide levels are monitored to provide feedback for smokers during the quit attempt. Pharmacists provide continued monitoring, assistance, and support.

**East Alabama Mental Health Center:** Intensive outpatient treatment for substance abuse problems is available through: Opelika Addictions Center and Russell County Addiction Center.

**Private Alcohol and Drug Treatment Programs:** A number of private programs are operated in proximity to Auburn University, throughout Alabama, and in neighboring states. Those programs are too numerous to list, but information may be obtained from the above referral sources.

### **Auburn University Health Promotion and Wellness Services (HPWS)**

This office is responsible for developing and implementing alcohol and drug prevention programs, such as the Tiger Education and Screening Intervention (TESI) and the Auburn University Recovery Community. TESI is an individual educational intervention program for Auburn University students who have experienced negative consequences or other problems related to alcohol use. TESI is designed to help students make better alcohol-use decisions and to reduce their risks for alcohol-related harm. The Auburn University Recovery Community provides a supportive environment in which students recovering from addictive disorders can successfully pursue academic, personal, and professional goals to become productive members of society.

### **Lifestyle Improvement and Awareness Programs on Campus**

There are a variety of lifestyle improvement programs available on campus offered by a wide range of groups. Some of the key programs are highlighted below, but many other activities and educational programming are available.

### **Health, Wellness and Fitness Activities**

Auburn University is committed to providing quality health services and programs for the entire university community and strives to foster activities that will enable individuals to make informed decisions and make

positive modifications to their health by changing their behaviors. The university offers a variety of prevention programming. Contact the following departments for more information.

**Campus Recreation – 334-844-0020 or [www.auburn.edu/campusrec](http://www.auburn.edu/campusrec)**

Campus Recreation fosters engagement, leadership, learning and wellness through quality programs, state-of-the-art facilities, and a professional and highly qualified staff. Facilities include the state-of-the-art Recreation and Wellness Center which opened in August 2013. Structured intramural and club sports, informal recreation, fitness and nutrition programs and services encourage the Auburn University community to develop lifelong patterns of healthy living.

Auburn Outdoors, an adventure-based education program, provides a variety of avenues to outdoor recreation including equipment rentals, trip planning materials, a bike shop and kayak and bike trailers.

**Health Promotion and Wellness Services – 334-844-1422 or [www.auburn.edu/hpws](http://www.auburn.edu/hpws)**

The main goal of the office of Health Promotion and Wellness Services is to create a healthier Auburn University through a variety of programs, services, and initiatives that are all aimed at supporting student learning and personal success. Programs strive to touch on all nine dimensions of wellness: physical, emotional, intellectual, spiritual, social, environmental, occupational, financial, and cultural. Health topics addressed include:

- Self-care – Attitude, self-esteem, and body image; exercise; sexual health; stress reduction; alcohol, drugs, and tobacco; nutrition; sleep; mental health; and personal safety;
- Relationships – Sexual assault and consent; romantic relationships; friendships and family; assertiveness; anger management; conflict resolution; and respect for others;
- Community – Social life; cultural competence; religion and spirituality; social justice; and campus involvement and volunteering.

**Mental Health Resources**

**Student Counseling Services – 334-844-5123 or [www.auburn.edu/scs](http://www.auburn.edu/scs)**

The mission of Student Counseling Services is to provide comprehensive preventative and clinical mental health services to enhance the psychological well-being of individual students, as well as the broader campus culture. Students have access to a number of mental health services including:

- Individual counseling that provides an opportunity to explore concerns in a confidential, one-on-one setting;
- Group counseling that provides the opportunity to learn from others as group members work to solve problems in a supportive environment;
- Consultation to students, faculty, staff, and parents to assist in how to intervene with distressed students of concern;
- Outreach programs, seminars, workshops, and presentations on social, emotional adjustment, and psycho-educational issues;
- The Zen Den that houses biofeedback and relaxation technology to help students build stress reduction skills; and
- Psychiatric consultation for psychotropic medication evaluation and treatment.

**J.B.S. Mental Health Authority- 205-595-4555 or <http://jbsmha.com/index.html>**

The J.B.S. Mental Health Authority is a regional, public, nonprofit corporation established under Act 310 of the 1967 Alabama Legislature. The region served by the Authority is designated in the State Mental Health Plan as Region M-5, and comprises Jefferson, Blount and St. Clair counties, with a total of more than 750,000 residents. There are three mental health centers which serve the region. It is the responsibility of the Authority to plan, coordinate and develop the system of mental health services for the entire region. The Authority provides consultation regarding program development and funding; coordination of regional

programs; delivery of region-wide services; and a consolidated budgeting process to simplify the funding of programs at the local and state level.

J.B.S. Mental Health Authority Services include:

- Children's Services
- M.I. Residential
- POP PrograM
- Adult Case Workers
- P.A.C.T.
- Urgent Care Clinic
- Other services (see <http://jbsmha.com/index.html> for more information)

## **Separate Campuses**

Auburn University has identified multiple separate campuses, listed below. For the purpose of Clery requirements, a location is a separate campus if it meets all of the following criteria:

- The University owns or controls the site;
- It is not reasonably geographically contiguous with the main campus;
- It has an organized program of study; and
- There is at least one person on site acting in an administrative capacity.

The following locations have been determined to be **separate campuses without on-campus student housing**. A separate Annual Security Report has been prepared for each.

- Auburn University Regional Airport – Auburn, AL
- National Center for Asphalt Technology – Auburn, AL
- E.W. Shell Fisheries Center, North – Auburn, AL
- The Harrison School of Pharmacy, Mobile Campus – Mobile, AL
- The Harrison School of Pharmacy, Montgomery Campus – Montgomery, AL
- The Center for Architecture and Urban Studies – Birmingham, AL
- Poultry & Animal Nutrition Center – Auburn, AL
- Cooperative Extension Service, Master Gardener Program – multiple locations

The following locations have been determined to be **separate campuses with on-campus student housing**. A separate Annual Security & Fire Safety Report has been prepared for each.

- Harris Early Learning Center – Birmingham, AL
- Joseph S. Bruno Auburn Abroad in Italy – Ariccia, Italy
- Rural Studio – Newbern, AL
- Solon Dixon Forestry Education Center – Andalusia, AL.

The Annual Security Report or Annual Security & Fire Safety Report for each facility can be found at [aub.ie/SecurityReport](http://aub.ie/SecurityReport). Auburn University encourages all current and prospective students and employees to review the report(s) specific to the campus(es) they attend and make themselves familiar with the content.

## **Annual Disclosure of Clery Act Crime Statistics**

The statistics on the following pages are provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Crime statistics include reports made in good faith which are collected from the City of Auburn Police Division, other law enforcement agencies, the Auburn University Department of Campus Safety & Security, and designated "campus security authorities" as defined under the Clery Act (including, but not limited to Residence Life, Student Conduct, Athletics, and the Title IX Coordinator). Statistics are compiled and published by the Auburn University Department of Campus Safety

& Security. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported.

Statistics for separate campuses are not included in the following charts, but are instead broken out and published in each separate campus' Annual Security Report or Annual Security & Fire Safety Report.

A comprehensive list of all law enforcement agencies exercising jurisdiction over properties owned or controlled by Auburn University is maintained by the Auburn University Department of Campus Safety & Security. Each year, requests are sent to each of these agencies requesting crime statistics for the previous calendar year. Follow up phone calls are placed to any non-reporting agency and documented for reporting purposes.

Additionally, Campus Security Authorities (as previously defined in this report) are contacted annually to request any crime reports for the previous calendar year that may have not previously been submitted to the Auburn University Department of Campus Safety & Security. Referrals for disciplinary action are requested from the university's Title IX Coordinator, Office of Student Conduct, University Housing & Residence Life, and Human Resources.

Once all statistics are gathered from each reporting source, they are compiled, reviewed, and published in the appropriate Annual Security Report or Annual Security & Fire Safety Report.

If you have any questions about how statistics are gathered, categorized or reported, please visit the Office of Postsecondary Education Campus Security Search (<http://ope.ed.gov/security>), or contact Auburn University Campus Safety & Security at 334-844-2207 or [crimereport@auburn.edu](mailto:crimereport@auburn.edu).

## Clery Act Crime Statistics – Criminal Offenses

Offense (Reported By Hierarchy)	Year	On Campus	Non- Campus	Public Property	Total	Student Housing Facilities <sup>1</sup>	Unfounded Crimes <sup>2</sup>
Murder/Non Negligent Manslaughter	2016	0	--	0	0	0	0
	2015	0	--	0	0	0	0
	2014	0	--	0	0	0	0
Manslaughter by Negligence	2016	0	--	0	0	0	0
	2015	0	--	0	0	0	0
	2014	0	--	0	0	0	0
Rape	2016	0	--	0	0	0	0
	2015	0	--	0	0	0	0
	2014	0	--	0	0	0	0
Fondling	2016	0	--	0	0	0	0
	2015	0	--	0	0	0	0
	2014	0	--	0	0	0	0
Incest	2016	0	--	0	0	0	0
	2015	0	--	0	0	0	0
	2014	0	--	0	0	0	0
Statutory Rape	2016	0	--	0	0	0	0
	2015	0	--	0	0	0	0
	2014	0	--	0	0	0	0
Robbery	2016	0	--	0	0	0	0
	2015	0	--	0	0	0	0
	2014	0	--	0	0	0	0
Aggravated Assault <sup>2</sup>	2016	0	--	0	0	0	0
	2015	0	--	0	0	0	0
	2014	0	--	0	0	0	0
Burglary	2016	0	--	0	0	0	0
	2015	0	--	0	0	0	0
	2014	0	--	0	0	0	0
Motor Vehicle Theft	2016	0	--	0	0	0	0
	2015	0	--	0	8	0	0
	2014	0	--	0	5	0	0

<sup>1</sup>The Student Housing Facility category is a subset of the On Campus category, and is not included in the total in order to avoid double counting.

<sup>2</sup>The administration of a date rape drug is considered poisoning, which is a form of aggravated assault. According to Department of Education guidance, all allegations made in good faith of the administration of a date rape drug are included in these statistics, regardless of whether there is substantive evidence to prove the allegation.



Offense (Reported By Hierarchy)	Year	On Campus	Non- Campus	Public Property	Total	Student Housing Facilities <sup>1</sup>	Unfounded Crimes <sup>2</sup>
Liquor Law Arrests <sup>4</sup>	2016	0	--	0	0	0	--
	2015	0	--	0	0	0	--
	2014	0	--	0	0	0	--
Drug Law Arrests <sup>5</sup>	2016	0	--	0	0	0	--
	2015	0	--	0	0	0	--
	2014	0	--	0	0	0	--
Weapons Law Arrests	2016	0	--	0	0	0	--
	2015	0	--	0	0	0	--
	2014	0	--	0	0	0	--
Liquor Law Violations Referred for Disciplinary	2016	0	--	0	0	0	--
	2015	0	--	0	0	0	--
	2014	0	--	0	0	0	--
Drug Law Violations Referred for	2016	0	--	0	0	0	--
	2015	0	--	0	0	0	--
	2014	0	--	0	0	0	--
Weapons Law Violations Referred for Disciplinary	2016	0	--	0	0	0	--
	2015	0	--	0	0	0	--
	2014	0	--	0	0	0	--

Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non- Campus	Public Property	Total	Student Housing Facilities	Unfounded Crimes
Arson	2016	0	--	0	0	0	0
	2015	0	--	0	0	0	0
	2014	0	--	0	0	0	0
Domestic Violence	2016	0	--	0	0	0	0
	2015	0	--	0	0	0	0
	2014	0	--	0	0	0	0
Dating Violence	2016	0	--	0	0	0	0
	2015	0	--	0	0	0	0
	2014	0	--	0	0	0	0
Stalking	2016	0	--	0	0	0	0
	2015	0	--	0	0	0	0
	2014	0	--	0	0	0	0

## **Hate Crime Reporting**

### **2016**

There were no hate crimes reported for 2016.

### **2015**

There were no hate crimes reported for 2015.

### **2014**

There were no hate crimes reported for 2014.

## **Clery Act Reporting Definitions**

The Clery Act specifies the categories of crimes and specific geographic locations that must be included in annual crime statistics. This allows students, parents, and employees to make reasonable comparisons of crime rates at different institutions.

### **Geographic Locations Included**

For purposes of reporting statistics, the university must count criminal offenses according to where they occur. There are four geographic locations for which statistics must be reported. These include:

**On Campus:** (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area (generally within one mile of the edge of the core of campus) and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (2) any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or retail vendor).

**On-Campus Student Housing Facilities:** Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility. This includes fraternity houses where the land is owned by the university but the building is owned by the fraternity.

Crime statistics for on-campus student housing facilities must be reported as a subset of the on-campus totals (i.e. they are included in both on-campus and on-campus student housing facility categories).

**Non-Campus:** (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

**Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus. This generally includes, but is not limited to, public streets bordering the campus and the sidewalk on both sides of the street.

### **Definitions of Reportable Crimes**

#### **Primary Crimes**

**Murder/Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another. Any death caused by injuries sustained in a fight, argument, quarrel, assault, or commission of a crime is classified as Murder and Non-negligent Manslaughter. Do NOT count suicides, fetal deaths, traffic fatalities, accidental deaths, attempted murder, or justifiable homicide. Count one offense per victim.

**Manslaughter by Negligence:** The killing of another person through gross negligence. Do NOT count deaths of persons due to their own negligence, accidental deaths not resulting from gross negligence, or traffic fatalities. Count one offense per victim.

**Sexual Assault (Sex Offenses)** – Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Include attempted and completed sexual assaults of the following four types. Count one offense per victim.

- **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **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 because of his/her temporary or permanent mental incapacity.
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

**Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear. Count one offense for each distinct operation (i.e. incident), including attempts.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is accompanied by the use of a weapon or by means likely to produce great bodily harm. Include assaults or attempts to kill or murder, poisoning, (including use of date rape drugs), assault with a dangerous or deadly weapon, a commonly known weapon or any other item that becomes one in the commission of a crime), maiming, mayhem, assault with explosives, and assault with disease. Count one offense per victim.

**Burglary:** The unlawful entry of a structure (four walls, a roof, and a door) to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts at these offenses. Count one offense per each distinct operation.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned - including joy riding). Include any self-propelled vehicle that runs on land surface and not on rails, such as sport utility vehicles, automobiles, trucks, buses, golf carts, trail bikes, mopeds, self-propelled motor homes, motorcycles, motor scooters, motorized wheelchairs, all-terrain vehicles, and snowmobiles. Count one offense for each stolen vehicle.

**Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another, etc. Count one offense for each distinct incident of arson occurring on Clery geography.

**Domestic Violence:**

- (a) A felony or misdemeanor crime of violence committed
- (1) By a current or former spouse or intimate partner of the victim;
  - (2) By a person with whom the victim shares a child in common;
  - (3) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;

- (4) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
- (5) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

(b) For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**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.

(a) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

(b) For the purposes of this definition

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

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

(c) For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### **Stalking:**

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

(1) Fear for the person's safety or the safety of others; or

(2) Suffer substantial emotional distress.

(b) For the purposes of this definition -

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

(2) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

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

### **Hate Crimes:**

A hate crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias of race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, and/or disability. We are required to report statistics for hate crimes for the following classifications: murder/non-negligent manslaughter, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property. If a hate crime occurs where there is an incident involving larceny, vandalism, intimidation or destruction/damage/vandalism of property, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of this report.

**Larceny-Theft** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

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

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

**Destruction/Damage/Vandalism of Property:** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

### **Arrests (or Citations) & Referrals for Disciplinary Action:**

**Weapon Law Violations (Carrying, Possessing, etc):** defined as *the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.*

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

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

### **Unfounded Crimes:**

Auburn University may withhold a reported crime from its crime statistics only if sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” According to Department of Education federal regulations, only sworn or commissioned law enforcement personnel may “unfound” a crime report for purposes of Clery crime statistics reporting. Auburn University is required to report to the Department of Education and disclose in this report the total number of crimes that were unfounded and subsequently withheld from its crime statistics, effective beginning with calendar year 2014.

### **Risk Management & Safety Mission Statement**

To ensure the safety and welfare of university students, faculty, staff and visitors, protect the university infrastructure, and minimize disruption of academic programs through fire prevention and life safety code efforts.

### **Risk Management & Safety Staff Responsible For Fire Safety**

Chris Carmello, Safety & Health Manager

MaryAnn May, Safety & Health Specialist

Jon Haney, Safety & Health Specialist

Patricia Pressley, Safety & Health Technician



## **Fire Statistics**

### **Fire Statistics for On-Campus Student Housing Facilities 2014-2016**

<b>Location</b>	<b>Year</b>	<b>Fire Cause</b>	<b>Number of Injuries</b>	<b>Number of Deaths</b>	<b>Property Damage Value</b>
Harris Early Learning Center Apartment Suite	2016	No Fire	0	0	\$0
	2015	No Fire	0	0	\$0
	2014	No Fire	0	0	\$0
Total Fires	2016	No Fire	0	0	\$0
	2015	No Fire	0	0	\$0
	2014	No Fire	0	0	\$0

## **Description of On-Campus Housing and Fire Safety Systems**

Opened in 1995, the Harris Early Learning Center has an apartment suite on its second floor, with a master bedroom (used by faculty) and two student rooms with three bunk beds each. The structural members including floors, ceilings and walls are concrete.

Fire safety features include:

- All exit corridors and stairwells have at least a one-hour fire rating.
- Exits are marked with illuminated exit signs and emergency lighting is provided in corridors and stairwells.
- Bedrooms are equipped with smoke detectors that are monitored by a fire alarm system. The fire alarm system is monitored 24/7 in a central location.
- An automatic sprinkler system is provided.
- Portable fire extinguishers are provided in all exit corridors.
- Fire evacuation maps are posted inside each bedroom, at elevator lobbies and stairwell entrances.

## **On-Campus Student Housing Fire Safety Systems**

<b>Building</b>	<b>Fire Alarm System</b>	<b>Dry Sprinkler</b>	<b>Wet Sprinkler</b>	<b>Smoke Detection</b>	<b>Fire Extinguishers</b>	<b>Number of Fire Drills</b>
Harris Early Learning Center Apartment Suite	X		X	X	X	8

## **Fire Drills**

Fire drills are held regularly at the facility. There were eight fire drills during 2015. Birmingham Fire & Rescue Service is invited to participate. They occasionally visit the facility to do a walk through for pre-fire planning and to make fire safety recommendations. Records of drills are maintained on campus.

## **Student Housing Policies on Portable Electrical Appliances, Smoking and Open Flames**

### **Appliances**

- **Extension Cords:** The use of extension cords in the residence halls is prohibited.
- **Appliances (all halls):** Appliances prohibited in all residence halls include, but are not limited to: air-conditioning units, ceiling fans, halogen lamps, personal microwaves exceeding 700 watts, personal refrigerators exceeding 4.3 cubic feet, dishwashers, hot plates, personal washers and dryers, space heaters, appliances with open or exposed heating coils, and those which pose an electrical overload hazard.
- **Appliances (Hill, Quad, Cambridge):** In the Hill, Quad, and Cambridge residence halls crockpots, toaster ovens and toasters are prohibited.

### **Holiday Decorations**

- The use of natural cut trees, branches, or greens is prohibited.

### **Fire Safety**

- **Arson:** Regardless of size of fire or whether or not damage is caused, starting and/or maintaining a fire or causing an explosion in any residence hall or outside area is prohibited.
- **Candles/Incense:** The burning of candles and/or incense is prohibited. Candles with burnt wicks are prohibited.
- **Evacuation Procedures:** Interference with or non-adherence to emergency evacuation procedures in the residence halls during a fire drill are prohibited. Returning to the residence halls before the “all-clear” signal has been given after a fire drill is prohibited.
- **Fireworks/Explosive Materials:** The storage, possession, or use of any type of fireworks, firecracker, or explosive material in the residence halls or surrounding vicinity is prohibited.
- **Flammable:** The storage, possession, or use of flammable materials/liquids in the residence halls is prohibited. Gas grills and gas cylinders/tanks are prohibited.
- **Vandalism of Safety Equipment:** Removal, tampering with, and/or the disabling of fire alarm pull stations, smoke or heat detectors, fire extinguishers, sprinkler heads or other life safety equipment is prohibited.
- **False Fire Alarms:** Activating a fire alarm without due cause and/or falsely reporting a fire to the police or fire department is prohibited.

### **Smoking**

A. Smoking is prohibited within all University buildings, facilities, grounds, University-owned vehicles, and property leased to or managed by the University with the exceptions of:

1. Controlled research, or educational, theatrical, or religious ceremonial purposes, with prior approval from the Dean or Director responsible for the facility.
2. Privately-owned vehicles and locations outside of the Auburn University campus perimeter. Smoke-Free Campus maps can be found at <https://cws.auburn.edu/map?smokefree>.

NOTE: *The campus map online does not depict all property that is leased or managed by Auburn University.*

3. Littering the campus with remains of disposable tobacco products is prohibited.

B. Assistance with smoking cessation for students, faculty and staff is available through the Auburn University Medical Clinic, the Harrison School of Pharmacy, and the Office of Health Promotion and Wellness Services. More information can be found at <http://auburn.edu/smokefree>.

### **Candles**

Candles and other sources of open flame are not permitted inside University buildings.

## **Cooking**

There are common kitchens located in all residence halls. Do not leave cooking food unattended. Do not cook food (such as popcorn) too long in the microwave as it will burn, smoke, and set off alarms. The Fire Department is summoned automatically when the smoke alarms go off. Village residents: Do not use the popcorn button on your microwave.

## **Fire Safety**

If you discover a fire, pull the nearest fire alarm and call the Fire Department immediately by dialing 911. Fire drills are required by Alabama law and all residents are required to participate if present. Any time an alarm sounds, please exit the building immediately and do not re-enter the building (even if the alarm silences) until told to do so by the Auburn Fire Department or a member of the Residence Life Staff.

## **Fire Evacuation Procedures for All Campus Buildings Including Campus Housing**

*In the event of a fire or fire alarm:*

- Exit the area immediately.
- Close all doors as you leave, taking keys and medications with you if possible. DO NOT delay evacuation to retrieve these items.
- Activate the closest fire alarm pull station along your evacuation route.
- Notify others around you as you leave.
- **Call 911** and report the emergency after you are out of the building and safe.

*If the fire is small enough, you may attempt to extinguish it with a portable fire extinguisher, ONLY IF: The fire alarm pull station has been activated; 911 has been dialed; you are properly trained; and the fire is trash can size or similar.*

- If leaving a room, feel the door with the back of your hand before opening it. Do not open any door that feels hot.
- If smoke is present, stay low. The best quality air is near the floor.
- Always use the stairs to exit upper floors.
- DO NOT use the elevator.
- Once the building is evacuated, do not re-enter it for any reason. Return to the building ONLY when instructed to do so by emergency responders or administrators.
- DO NOT return for personal belongings.
- Direct and assist visitors and persons with disabilities who appear to need direction or assistance.
- Notify Risk Management & Safety/Fire Safety at 334.844.4870 that a fire has occurred AFTER you exit the building.

## **If You Are Trapped and Cannot Evacuate**

- Close any doors between you and the fire.
- If available, wedge wet towels or cloth materials along the bottom of the door to keep out smoke.
- Call 911 and notify the dispatcher of your location.
- Remain on the phone with the 911 dispatcher as long as possible.
- Break a window only as a last resort, such as needing oxygen to breathe.
- Use caution when breaking any window.

## **Response to Fire Alarms**

- NEVER assume that a fire alarm is a false alarm.
- If the alarm sounds and/or emergency strobes begin to blink, evacuate immediately.

## **Fire Safety Education and Training Programs for Students, Faculty and Staff**

Housing and Residence Life provides a life safety class and portable fire extinguisher training annually for all hall directors, resident assistants, and area coordinators. General fire safety training is also provided to sorority officers and members housed in the Village Residence Halls.

Risk Management & Safety provides the following education/training to all other faculty, staff and students:

- Portable fire extinguisher training (upon request)
- Other fire safety education as requested

## **Reporting Fires**

**Students and employees may report that a fire occurred to the following persons and organizations:**

In the event of a fire emergency, report the fire by dialing 911.

After the emergency, please contact MaryAnn May or Jon Haney. Risk Management and Safety is responsible for investigating and tracking all university fires and recording them on a fire log. This information allows us to take proactive measures to reduce future occurrences.

Contact information is as follows:

MaryAnn May, Safety & Health Specialist: [mzm0036@auburn.edu](mailto:mzm0036@auburn.edu), 334-734-1715 Jon Haney, Safety & Health Specialist: [haneyjd@auburn.edu](mailto:haneyjd@auburn.edu), 334-740-8727  
Risk Management and Safety Main Office: 334-844-4870

The fire log can be viewed upon request at the Harris ELC campus main office.

## **Plans for Future Improvement in Fire Safety**

Campus Safety and Security will continue to work collaboratively with the university's Facilities Management, Housing and Residential Life, Athletics, and other administrative offices to ensure plans for future renovations or new construction projects include required fire protection systems and fire-rated building components. We assume all inspection, testing, and maintenance responsibilities for new water-based fire protection systems, pre-engineered restaurant fire extinguishment systems, special hazard fire extinguishment systems and portable fire extinguishers upon completion of building projects to ensure these systems are maintained in accordance with state fire codes and to ensure the operational integrity of each system.