Drake State Community and Technical College Annual Security Report 10/1/2026

FOR REPORTING CLERY CRIMES, CALL:

Chief of Police..... (256) 701-3588

Director of Operations ..... (256) 426-5047

Dean of Instruction..... (256) 551-5226

Dean of Students. ..... (256) 551-3129

Chief Accountant……..... (256) 551-3107

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DRAKE STATE COMMUNITY AND TECHNICAL COLLEGE CAMPUS SECURITY REPORT FOR CALENDAR YEAR 2025

POLICY

It is the policy of the J.F. Drake State Community and Technical College (Drake State) to comply fully with the following Acts and Laws:

- Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act
- 34 CFR 668.46, Institutional Security Policies and Crime Statistics
- Violence Against Women Reauthorization Act of 2013
- Published mandates of the Student Right-to-Know & Campus Security Act (Public Law 101-542)
- Higher Education Technical Amendments of 1991 (Public Law 102- 26)
- Higher Education Amendments of 1992 (Public Law 102-325)

Note: Each operating unit of the College prepares and follows procedures to satisfy the stipulations of the above Acts and Laws. Working in partnership with the community, the College is committed to providing the highest quality of service to students, faculty, staff, and visitors by maintaining community peace, safety, and quality of life.

THE CAMPUS SECURITY ACT - LEGAL REQUIREMENTS

The Campus Security Act requires colleges and universities to:

- Publish an annual report every year by 1 October that contains three years of campus crime statistics and certain campus security policy statements.
- Disclose crime statistics for the Main Campus and Public Property immediately adjacent to the Main Campus, as well as facilities deemed non-campus. The statistics are gathered from Campus Police, local law enforcement, and other college officials who have "significant responsibility for student and campus activities."
- Provide "emergency notification" procedures for significant emergencies or dangerous situations occurring and involving an immediate threat to the health or safety to students and employees.
- Provide "timely warning" notices of those crimes that represent a serious or continuing threat to students and employees.
- Disclose in a public crime log any crime that has occurred on the campus or within the patrol jurisdiction of Campus Police.

The Director of Operations, Chief of Police, Dean of Instruction, Dean of Students, Director of Financial Aid, Human Resources, and the Student Success Specialist are responsible for preparing this report by making updates based on applicable federal and state laws and policies. The Director of Operations and Chief of Police also obtain crime statistics from reports compiled by the Campus Police Department, as well as the Huntsville Police Department (HPD) and the Madison County Police Department. The President's Cabinet is also available to provide feedback for the report.

We encourage stakeholders of the Drake State community and prospective employees and students to use this report as a guide for safe practices on and off campus. It can be accessed on the College website at http://www.drakestate.edu. Once the website has been accessed, click on the "About Drake State" button in the menu, followed by the "Resources" section. Next click on the "Campus Security Report" link to view the current Drake State Security Report link. (Question-Can we confirm that this still works?) For a paper copy, the Chief of Police can be contacted at (256) 551-5239 or e-mailed at don.swain@drakestate.edu.

CAMPUS AND OTHER NON-CAMPUS LOCATIONS

The Main Campus is located at 3421 Meridian Street North. Security cameras are located throughout the campus to ensure the safety and security of the campus community. The Chief of Police are responsible for the safety and security of the campus, as well as verifying any emergencies.

Additionally, the following facilities are deemed non-campus:

Cochran Center (Huntsville Hospital)
290 Cochran Road Huntsville, AL 35825-1106
(Tuesdays thru Thursdays, 8:00 a.m. - 4:30 p.m.; Fridays, 9:00 a.m. – 11:00 a.m.)

MAIN CAMPUS MAP

The following map illustrates the Main Campus, which consists of 10 buildings. Meridian Street (main street running located at the very top of photo from left to right of the campus) is deemed public property in accordance with Department of Education guidelines. "Public Property" refers to thoroughfares, streets, sidewalks and parking facilities, that are within the campus, or immediately adjacent to and accessible from the campus.

REPORTING OF EMERGENCIES OR CRIMINAL INCIDENTS

Drake State Police Department (Campus Police) are located on the Main Campus 24 hours a day, 7 days a week and can be contacted for any campus emergency. It is also the policy of Drake State that anyone (i.e. students, faculty, staff, visitors and guests) who experiences or witnesses a major crime or life-threatening medical emergency on the Main Campus is strongly encouraged to immediately report the crime to Campus Police, and then contact a college official in the descending order:

1. Campus Police – Building 200, Room, 204B; Office - (256) 551-5223
2. Chief of Police-Building 200, Room 204A; Office (256) 551-5239
3. Director of Operations - Building 200, Room 202C; (256) 426-5047
4. Dean of Instruction - S.C. O'Neal Library, Room 301; (256) 551-5226
5. Dean of Students - S.C. O'Neal Library, Room 202; (256) 551-3129
6. Chief Accountant – Bldg. 500, 504C (256) 551-3107

All crimes that occur on the Main Campus will be reported to the Campus Police at (256) 551-5223. Campus Police will respond and investigate. The appropriate administration will be contacted when necessary. Emergency notifications will be made to immediately notify the campus community upon the confirmation of a significant emergency or danger to the health or safety of the students and/or employees on the Main Campus. Timely warnings will also be issued for reporting crimes that represent serious or continuing threats to students and employees.

Drake State Police Department works in conjunction with local responders or call 911 for incidents or emergencies or the Cochran Site. Prompt reporting will ensure emergency notifications and timely warning notices and disclosures of crime statistics. In the event of an emergency, please contact the Drake State Police Department 256-551-5223 or Chief of Police at (256) 551-5239.

CAMPUS SECURITY AUTHORITIES

The Clery Act recognizes certain university officials and offices as Campus Security Authorities (CSA). 34 CFR 668.46 define CSAs as individuals who "have significant responsibility for student and campus activities", including, but not limited to, campus security, campus leaders and administrators, victim advocates, student life and student organizations staff and Title IX coordinators and staff.

CSAs are not responsible for determining authoritatively whether a crime took place; that is the function of Campus Safety and/or law enforcement personnel. CSAs will also not try to apprehend the alleged perpetrator of the crime; this is also the responsibility of law enforcement. They will also not try to convince a victim to contact law enforcement if the victim chooses not to do so. The following are lists of CSAs based on their responsibilities at the College:

Deans	**Department Chairs**	**College Counselors/ADA/ Victim Advocate Representative**	**Title IX Coordinator/ Deputies**	**Operations/ Police Dept.**
Dr. Nicole Bell Dean of Students (256) 551-3129	Mr. Kory Raferty (256) 551-3103	Dr. Darae Hendon (256) 551-7264	Title IX Coordinator: Human Resources Coordinator (256) 551-5214	Director of Operations (256) 426-5047
Dr. Carolyn Henderson Dean of Instruction (256) 551-5226	Mrs. Kelly Williams (256) 551-5225		Title IX Chair: Dr. Nicole Bell Dean of Students (256) 551-3129	Mr. Don Swain Chief of Police (256) 551-5239
	Mrs. Amy Mahone (256) 551- 1710		Title IX Deputy: Dr. Darae Hendon: (256) 551-7264	
	Mrs. Lydia Owens (256) 551-3128		Title IX Deputy: Mr. Don Swain Chief of Police (256) 551-5239	

Student Organization Representatives	Behavioral Intervention Team	Disciplinary	Human Resources	
Mrs. Regina Pearce (256) 551-7274	Don Swain, Chief of Police Chairperson: (256) 551-5239	Dr. Nicole Bell (256) 551-3129	Ms. Tina Patton (256) 551-7278	
Mrs. Neoka Hambrick (256) 551-3127	Dr. Darae Hendon: Co-Chairperson: (256) 551-7264			
Mrs. Aletha Rice (256) 551-1712	Dr. Carolyn Henderson Dean of Instruction (256) 551-5226			
	Dr. Nicole Bell Dean of Students (256) 551-3129			

CONFIDENTIAL REPORTING PROCEDURES

Drake State is committed to providing opportunities for victims or witnesses to report crimes on a voluntary, confidential basis, even if the information must be included in the institution's crime statistics. Incidents will be reported to one of the following, without revealing the identity of the victim:

1. 9-1-1.
2. Drake State Police Department (Campus Police) 256-551-5223
3. Huntsville Police Department (HPD); (256) 722-7100.
4. Madison City Police Department (MCPD); (256) 772-7190.
5. Madison County Police Department; (256) 772-5689.
6. Crisis Services Center of North Alabama; (256) 716-1000.
7. Sexual Assault Response Team (SART); 1-800-691-8426.
8. Title IX Coordinator; (256) 551-7278.

If you are the victim of a crime and do not want to pursue action within the college system or the criminal justice system, you may still want to consider making a confidential report. The Title IX Coordinator or a designee of the Campus Police Department can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure your safety.

The College keeps an accurate record of the number of incidents involving students, determines where there is a pattern of a crime regarding a particular location, method or assailant and alerts the campus community of potential dangers. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution. Your identifying information will not be disclosed, and you will not be asked, expected, or pressured to continue reporting to any other agencies.

The College will also protect the identity of persons who report incidents having been victims or witnesses of sexual assault, domestic violence, dating violence or stalking, to the fullest extent of the law.

EMERGENCY ACTIONS

Drake State goes to great lengths to ensure the safety and security of its faculty, staff, students, and visitors to the campus. The College's Emergency Operations Plan outlines key safety items as well as actions to implement during an emergency or an incident on the campus. Safety procedures are also outlined in the Student Handbook and on the College's

website. Additionally, emergency action procedures, emergency route maps, designated safe locations and assembly areas for each building on the campus, and an emergency contact list identifying individuals to report campus emergencies and Clery Act crimes are posted on bulletin boards and offices located throughout the Main Campus. Furthermore, emergency action procedures are tested periodically using drills and table-top exercises, and appropriate modifications are made as deemed necessary.

Emergency Action Procedures

The College has developed an emergency message template outlining some of the more common emergencies (i.e. lockdown, evacuation, fire, tornado, etc.) along with the action procedures to be executed for each emergency. A copy of this template is located on pages 45-46 of this report. The goal is to ensure individuals are made aware of the situation in a timely manner and know the necessary steps to ensure their personal safety. During an actual emergency, the individual authorizing the alert will select the emergency message most appropriate to the on-going situation or modify it to address the specifics of the incident. In unique cases for which there are no pre-determined messages in the system, the individual authorizing the alert will determine the most succinct message and convey the appropriate information to the campus community.

Communication Methods Used to Alert the Campus Community

The College has various systems in place to disseminate information in an expeditious manner. Some or all these methods of communication may be activated in the event of an emergency notification to all or a segment of the campus community. Mass notifications by the College on the Main Campus will be made primarily by using the Emergency Alert System (EAS) and/or "Drake Alert". The EAS can be operated remotely. "Drake Alert" is used to generate messages via telephone, cell phone, email and text messaging and is maintained by the Information Technology (IT) office. Television monitors are also located in buildings on the Main Campus and can be used to disseminate information, depending on the emergency. To receive campus-wide email announcements, students or employees must have a college e-mail account, which may be obtained from the IT office. The same office can add individuals to the Drake Alert system.

EMERGENCY NOTIFICATIONS & TIMELY WARNINGS

In accordance with the requirements of the Higher Education Opportunity Act of 1965 as amended and 34 CFR 668.46, the College has comprehensive communications procedures used to provide prompt emergency notifications and/or timely warnings to the campus community. Campus Police, in concert with the Director of Operations will determine the content and notification, based on the scope of the situation or emergency, or whether or not the event is occurring only on the campus or is posing an imminent threat to the entire campus or just a portion of it, and will make a recommendation to the College President, if time permits.

Emergency Notifications

Emergency notifications are issued upon the confirmation of any significant emergency or dangerous situation that may pose an immediate threat to health or safety and only involves a specific segment of the campus (i.e., a section of the campus or building) or a smaller group of people. In these cases, the decision will be made on how to make specific notifications to just the areas or people impacted.

Timely Warnings – Crime Alerts

To provide timely notices to the campus community in the event of a Clery Act crime that may pose a serious or ongoing threat to members of the community (can extend beyond the campus), the College will issue "Crime Alerts". These alerts will notify the campus community of the incident and provide information that may enable college community members to protect themselves from similar incidents. The College will generally issue Crime Alerts whenever the following criteria are met: 1) a crime is committed; 2) the perpetrator has not been apprehended; and 3) there is a substantial risk to the physical safety of other members of the campus community due to the nature of the crime.

The College President will generally make the determination, in consultation with the Chief of Police, if a Crime Alert is required. However, in extreme emergencies, the Chief of Police may authorize a Crime Alert.

These alerts will generally be issued for the following crimes: 1) Arson, 2) Aggravated assault, 3) Criminal homicide, 4) Robbery, 5) Burglary, and 6) Sexual assaults. A timely warning may also be issued for other crimes as deemed appropriate.

Options for these notifications include the Public Address System, "Drake Alert" (email, voicemails, text messaging), social media (Twitter and Facebook), and the College's website. Such warning(s) may include but are not limited to the following information: 1) Type of crime, 2) Date, 3) Time and location of crime, 4) Protective measures, and 5) Any available suspect information.

Timely warnings involving incidents of crimes that occur off campus will be issued on the advice of HPD, MCPD and the Madison County Police Department, to prevent compromising law enforcement efforts.

SECURITY SERVICES

Drake State has a fully operational police department with state certified officers, and a contract security firm that performs regular security patrols for the Main Campus 24 hours a day, 7 days a week.

All officers are armed. Any criminal incidents on campus requiring apprehension and subsequent arrest are referred to by Campus Police.

UNFOUNDED CRIMES

The Chief of Police will make the final decision if a crime is deemed unfounded. 34 CFR 668.46 states, "An institution is not required to include (or may remove) a reported crime from its statistics when sworn or commissioned law enforcement personnel have fully investigated the reported crime and have made a formal determination that the crime report is false or baseless and therefore, 'unfounded'". However, the College will still be responsible for disclosing in the Annual Crime and Safety Report and reporting to the U.S. DOE statistics that include the total number of crimes that were investigated and determined to be "unfounded" and subsequently withheld from crime statistics during each of the three most recent calendar years. Previously, these incidents were not required to be reported.

SAFETY AND MAINTENANCE CONSIDERATIONS

Drake State is committed to ensuring facilities and grounds are safe for faculty, staff, students and visitors. Exterior lighting and landscaping are critical aspects of this commitment. The Director of Operations conducts periodic inspections to ensure campus lighting is adequate and the landscape is appropriately controlled. Officers also conduct routine checks of lighting and security inspections of offices, classrooms and buildings during rounds and reports findings to the Director of Operations. Any person who has a concern about campus safety and physical security should contact the Campus Police Chief at (256) 551-5223. Maintenance personnel are also available to respond to calls for service regarding unsafe facility conditions or personal safety and property protection.

CAMPUS ESCORT

Campus Police are available to escort any person leaving the campus and are concerned about his/her security or safety to their vehicle by contacting the Security Office at (256) 551-5223

STUDENT FEEDBACK ON CAMPUS SAFETY AND SECURITY

Student surveys are conducted on a regular basis. The College can also provide voluntary, confidential opportunities for students to provide information. The primary goal of these surveys is to identify areas of the campus that may present vulnerabilities to one's safety, assess services rendered by Campus Police and to alert these vulnerabilities to the President's Cabinet, Chief of Police, or the Director of Operations. Security, safety and other concerns can be addressed during the President's Cabinet and Administrative Council meetings or directly to the Chief of Police or the Director of Operations.

I.D. CARDS AND BADGES

To further ensure the security of faculty, staff, and students, Drake State issues I. D. badges to staff and faculty and students. Additionally, there are signs posted throughout the campus directing visitors to the Business Office. Campus Police or any Drake State College official has the authority to ask people for identification and to determine whether they have a legitimate need to be on the campus before providing access to campus facilities.

CRIME PREVENTION AND SAFETY EDUCATION AND AWARENESS

To promote campus safety, the College encourages students, faculty and staff to adhere to the following tips for preventing crime on campus:

- Do not leave valuables unattended at any time on the campus. Keep laptops, backpacks, purses, phones and other valuables with you always
- Always lock the doors of your vehicle
- Avoid studying in secluded areas; try to find a location where you can still have privacy, but someone can see you
- Wear your campus I.D. badge or have an I.D. card in your possession while on the campus
- Do not accept a ride from anyone you don't know
- Report any suspicious behavior to Campus Police at 256-551-5223
- As indicated above, Campus Police are available to escort anyone to their vehicle, if needed, at any time
- Report crimes to Campus Police at (256) 551-5223

Officers from HPD are available to visit the campus periodically and hold seminars addressing crime prevention, as is the ACCS Director of Public Safety. Published reading material will also be on display throughout the campus for students regarding campus crime prevention.

FIREARMS POLICY

Act 2013-283, commonly referred to as Alabama "Gun Law," took effect on August 1, 2013. Alabama Community College System (ACCS) Policy 511.01, "Firearms on Campus" dated 12/14/2022, prohibits firearms on campus or on any other facility operated by the institution. According to Code of Alabama, Section 16-60-111.4 Act 2022-133, the following are exceptions to this policy:

1. Law enforcement officers are legally authorized to carry such weapons who are officially enrolled in classes or are acting in the performance of their duties.

2. An instructional program in which firearms are required equipment.

3. Individuals not otherwise prohibited from possession of a firearm by state or federal law may possess a firearm and ammunition for that firearm in the individual's privately owned motor vehicle while parked or operated on the grounds of the institution; provided, that the individual satisfies all of the following conditions: (a) If the firearm is a pistol, the individual is not generally prohibited from possession of a pistol by state or federal law. (b) If the firearm is any firearm legal for use for hunting in Alabama other than a pistol: (1) The individual possesses a valid Alabama hunting license. (2) The firearm is always unloaded while on the grounds of the institution. (3) It is during a season in which hunting is permitted by Alabama law or regulation. (4) The individual has never been convicted of any crime of violence. (5) The individual has no documented prior incidents on the grounds of the institution involving the threat of physical injury or which resulted in physical injury to another. (c) The motor vehicle is operated or parked in a location where it is otherwise permitted to be. (d) The firearm is either of the following: (1) In a motor vehicle attended by the individual and kept from ordinary observation within the individual's motor vehicle. (2) In a motor vehicle unattended by the individual, kept from ordinary observation and locked within a compartment, container, or in the interior of the individual's privately owned motor vehicle or in a compartment or container securely affixed to the motor vehicle. II. If the institution believes that an individual presents a risk of harm to himself, herself, or to others, the institution may inquire as to whether the individual possesses a firearm in his or her private motor vehicle. If the individual does possess a firearm in his or her private motor vehicle on the property of the institution, the institution may make any inquiry necessary to establish that the individual follows section (2) above. (1) If the individual is not in compliance with section (2), the institution may take adverse action against the individual, in the discretion of the institution.

The College is in full compliance with Act 2013-283 and ACCS Policy 511.01.

ALCOHOL POLICY

Per the Chancellor of ACCS, no alcohol is to be consumed anywhere on the college premises.

DRUG-FREE SCHOOLS AND COMMUNITIES ACT

In compliance with Section 22 of Public Law 101-226 entitled "Drug Free Schools and Campuses", Drake State hereby gives notice of its policy to prevent the use of illicit drugs and the abuse of alcohol by students and employees. The Drug-Free Schools and Communities Act requires the College to verify that a Drug and Alcohol Abuse Education and Prevention Program (DAAPP) has been implemented. DAAPP prevents the unlawful possession, use and distribution of drugs and alcohol on campus and at recognized events and activities. As part of the program, Drake State distributes DAAPP information to students and employees annually, as well as conducting a biennial review of the program. ACCS Policy 613.01: Drug-Free Workplace, Effective 4/13/2016, states, "Community and Technical Colleges shall take reasonable and necessary action as required by federal and state law to provide a drug-free environment".

DRUG AND ALCOHOL ABUSE PREVENTION POLICY AND PROGRAM

The Drake State DAAPP is coordinated and evaluated by a five-member committee including the Dean of Students (Chair), Chief of Police, Student Success Specialist, Human Resources Specialist, and a representative from Financial Aid.

The DAAPP commences during the Fall Semester of every academic year and ends during the Summer Semester of the same academic year. The following lists the activities available to students and employees by semester:

Fall Semester

During the fall semester, the DAAPP begins with an annual disclosure to students and employees, sent in the form of a letter to individual email accounts. Both the student and employee letter include a description of the DAAPP, location and institutional policies. The Human Resources Director provides this information to employees and students.

The Annual Disclosure Letter and DAAPP include the following five areas:

- Standards of conduct prohibiting the possession, use and distribution of drugs and alcohol
- Possible sanctions for violations of federal, state and local drug and alcohol laws, as well as sanctions for violations of institutional policies
- Health risks associated with the use of drugs and alcohol
- Information on counseling, rehabilitation and treatment programs
- A clear statement that the school will impose sanctions on students and employees who violate drug and alcohol laws, ordinances and/or institutional policies

Spring Semester

During the spring semester, the Drake State DAAPP conducts its annual student and employee assessments. The purpose of the assessment is to determine students' and employees' knowledge level of drug and alcohol prevention information and resources that are available to them. The survey is sent in an electronic format, and the results are gathered and evaluated by the DAAPP committee in collaboration with the Office of Institutional Research.

Summer Semester

Recognizing the importance of a variety of learning styles, the DAAPP utilizes service-learning as a method of sharing drug and alcohol abuse education and prevention. The Student Success Specialist and Office of Human Resources coordinate learning excursions to treatment facilities and/or campus visits by local preventative services (e.g. MADD, HPD/Blood Alcohol Testing, etc.) with the outcome of preventing the unlawful possession, use and distribution of drugs and alcohol on campus and at recognized events and activities.

Year Round

All new students and new employees receive information about the DAAPP during New Student Orientation and New Employee Orientation.

BIENNIAL EVALUATION

Every odd-numbered year, the biennial evaluation is conducted by the DAAPP committee. The objectives of this review are to determine the effectiveness of the program and to ensure consistent enforcement of applicable laws, ordinances and institutional policies against violators.

The biennial review report and supporting documents are maintained by the Office of the Dean of Students and are made available to the U.S. Department of Education (DOE) upon request.

An abbreviated outline of the Drake State DAAPP program year is provided below.

Fall Semester
• DAAPP Release of Information (Student and Employee Letter) – Before October 1st – Director of Human Resources • New Horizons Open Session (Students and Employees)
Spring Semester
• Annual (Knowledge and Resources) Survey (Students) – During Assessment Week • Annual (Knowledge and Resources) Survey (Employees) – During Professional Development • New Horizons Open Session (Students and Employees)
Summer Semester
• Service-Learning Opportunity • Biennial Program Evaluation (2023, 2025, 2027, 2029 etc.)
Year Round
• Announcement of DAAPP Program and Distribution of DAAPP Pamphlet (New Student Orientation and New Employee Orientation) • Individual, Private Counseling Sessions (Available for Students and Employees)

DISCIPLINARY COMMITTEE ACTIONS FOR DRUG AND ALCOHOL VIOLATIONS

Listed below are the possible sanctions that can be imposed on students, if recommended, by the disciplinary committee for drug and alcohol violations. They include censure, disciplinary probation, expulsion, restitution and suspension.

- **Censure** – A statement to the offender that he/she has violated college regulations and of the possibility of more stringent disciplinary actions in the event of future violations.
- **Disciplinary Probation** – Students placed on probation will be notified of such in writing and will also be notified of the terms and length of the probation. Probation may include restrictions upon the extracurricular activities of the student. Any conduct in violation of this code while on probationary status may result in the imposition of further action.
- **Expulsion** – Termination of student status for a definite or indefinite period. The conditions of readmission, if there are any, shall be stated in writing to the students.
- **Restitution** – Reimbursement for damage or misappropriation.
- **Suspension** – Students who are suspended are deprived of student status and are separated from the College for a stated period. The suspension shall appear on the student's disciplinary record.

Employees who are found in violation of this policy shall be disciplined as deemed appropriate by the investigating authority as to the severity of the offense with final approval from the President.

The New Horizons Recovery Center is available to provide on-campus programming once each semester. The sessions are open forums, and all students and employees are invited to attend. The College encourages students to talk with the Student Success Specialist for referrals regarding inpatient and outpatient treatment and/or local support groups. The Student Success Specialist is also available to assist students by contacting the treatment facility, if necessary. Additionally, if students request assistance for a friend or relative, the Student Success Specialist can provide suggestions on ways that the student can encourage the friend or relative to engage in treatment. Published materials regarding the various effects of substance abuse are available on display for students near the Student Success Specialist's office. The Office of Human Resources is available to offer information and support to employees.

REGISTERED SEX OFFENDERS

The Federal Campus Sex Crimes Prevention Act of 2000 and the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C 16921) require institutions of higher education to issue a statement advising the campus community where information concerning

registered sex offenders may be obtained. In the State of Alabama, this information is accessible at https://www.alea.gov/node/270.

HATE CRIME REPORTING

The College strives to foster a safe and healthy learning environment that embodies diversity and inclusion of all members of the college community. Hate crimes, also called bias crimes or bias-related crimes, are criminal activities motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as race, religion, sexual orientation, gender, gender identity, ethnicity, national origin or disability. If you are a victim of or a witness to a hate/bias-related crime, immediately report it to Campus Police at (256) 551-5223, or dial 911 if it is life threatening.

Note: There were no hate crimes reported during calendar year 2025.

JEANNE CLERY ACT CRIME STATISTICS

The Chief of Police working in concert with HPD, MCPD and the Madison County Police Department, collects the crime statistics and the Director of Financial Aid inputs the data in the U. S. DOE's database. The Chief of Police periodically examines the data to ensure all reported crimes are recorded in accordance with the Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act, the crime definitions outlined in the Federal Bureau of Investigator's (FBI) Uniform Crime Reporting Handbook and the FBI's National Incident-Based Reporting System Handbook (sex offenses only). The Clery Act mandates the manner and format in which statistics are to be collected and published. Other crimes that aren't reportable under this Act are maintained in the Security Office at the Main Campus.

CRIMES REPORTABLE TO THE DEPARTMENT OF EDUCATION

The following are the crimes that are reportable to the U.S. DOE along with definitions:

Murder and Non-Negligent Manslaughter – The willful (non-negligent) killing of one human being by another, or any death caused by injuries received in a fight, argument, quarrel, assault or the commission of a crime.

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

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. This offense includes the rape of both males and females. The definition also includes the following:

- Instances in which the victim did not consent or was incapable of giving consent, regardless of the age of the victim.
- If the victim consented, the offender did not force or threaten the victim, and the victim was under the statutory age of consent, include the crime as statutory rape.

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.

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 usually accompanied using a weapon or by means likely to produce death or great bodily harm.

Burglary - The unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft - The theft or attempted theft of a motor 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, personal property of another, etc.

Hate Crime - A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim (Categories are Race, Religion, Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin and Disability)

Dating Violence - (See Definition on page 22).

Domestic Violence - (See Definition on page 22).

Stalking - (See Definition on pages 22).

Weapons: Carrying, Possessing, Etc. - The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Included in this classification are the following: manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc. of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.

Drug Abuse Violations - The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics - manufactured narcotics which can cause true addiction (Demerol, Methadone); and dangerous non-narcotic drugs (Barbiturates, Benzedrine).

Liquor Law Violations - The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness. Included in this classification are the manufacture, sale, transporting, furnishing, possessing, etc. of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and attempts to commit any of the above.

CRIME STATISTICS FOR THE PAST THREE YEARS

REPORT OF CLERY CRIMINAL OFFENSES

J.F. DRAKE STATE COMMUNITY AND TECHNICAL COLLEGE
3421 Meridian Street North
Huntsville, AL 35758
Main Campus

Year	2023		2024		2025	
Offense (Includes Attempts)	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
Murder and Non-Negligent Manslaughter	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
Weapons Carrying, Possessing, etc.	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0

REPORT OF CLERY CRIMINAL OFFENSES

J.F. DRAKE STATE COMMUNITY AND TECHNICAL COLLEGE
Non-Campus Locations

Year	2023	2024	2025
Offense (Includes Attempts)	Non Campus	Non Campus	Non Campus
Murder and Non-Negligent Manslaughter	0	0	0
Manslaughter by Negligence	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0
Weapons-Carrying, Possessing, etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

HATE CRIMES

Note: There were no hate crimes reported for the past three years at the Main Campus and Non-Campus locations.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT (VAWA)

The Violence Against Women Reauthorization Act, signed by President Obama in 2013 amended the Clery Act. In addition to incidents involving sexual assaults, it has also expanded reporting for crimes such as dating violence, domestic violence, rape, and stalking. The College prohibits crimes of dating violence, domestic violence, and stalking.

The following are definitions of these crimes:

Dating Violence -Violence committed by:

1. A person who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. Where the existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the following factors:
    a. The length of the relationship.
    b. The type of relationship.
    c. The frequency of interaction between the people involved in the relationship.

Domestic Violence - A felony or misdemeanor crime committed by:

1. A current or former spouse or intimate partner of the victim.
2. A person with whom the victim shares a child in common.
3. A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner.
4. A person similarly situated to the spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
5. 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.

Stalking - Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

1. Fear of the person's safety or the safety of others; or
2. Suffer substantial emotional distress.

The College is committed to safety and security, and complying with the Violence Against Women Act (VAWA) and the Clery Act, both helping to bolster response to and the prevention of violence. VAWA requires colleges and universities, both public and private, participating in federal student aid programs to increase transparency about the scope of sexual violence on campus, guarantee victims enhanced rights, provide for standards in institutional conduct proceedings and provide campus community-wide prevention educational programming. In compliance with VAWA and Clery, the College has processes in place to actively collect and share data on violent incidents, and

regularly offers sexual assault, domestic violence, dating violence and stalking prevention workshops. For more information, contact the Chief of Police, Dean of Instruction, Dean of Students, Assistant Dean of Instruction or the Student Success Specialist for details.

DEFINITION OF CONSENT

The College defines consent as "a mutual decision among all participants to engage in sexual activity". "Consent" must be informed, voluntary, and can be withdrawn at any time. If consent is withdrawn, all sexual activity must immediately cease. A verbal "no" (no matter how indecisive) or resistance (no matter how passive) constitutes the lack of consent.

There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats or duress is used. Whether or not a person has taken advantage of a position of influence over another person may be a factor in determining consent. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person.

Consent can be given by words or actions, if those words or actions create clear permission regarding willingness to engage in sexual activity. It also means that at the time of sexual contact, words or conduct indicate freely given approval or agreement, without coercion by both participants in the sexual act. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

An individual is unable to give consent if he or she is:

- Substantially physically or mentally impaired by alcohol or drugs (including so-called "date rape drugs"
- Forced or threatened
- Physically incapable of resisting assault, or is asleep or unconscious

LOCAL/STATE SEX OFFENSE POLICIES OR CODES

The Clery Act requires state or local policies or codes relating to sex offenses and consent to also be included in the Annual Security Report. They are listed on pages 51-59 of this ASR. However, the UCR definition will be used in determining if the incident will be included in the crime statistics.

ON-GOING PREVENTION AND AWARENESS CAMPAIGNS FOR STUDENTS AND EMPLOYEES

Drake State is committed to adhering to the Campus Save Act of 2013 by providing members of the campus community with the safest and most secure environment possible to protect students and the campus populace from becoming victims of sexual violence and harassment. To increase knowledge of the issues of sexual assault, domestic violence, dating violence and stalking, information is shared, and resources are provided to prevent interpersonal violence, promote safety and reduce perpetration. The College also provides information on culturally relevant, inclusive prevention awareness programs to incoming students and new employees during New Student Orientation and New Employee On-boarding.

In addition, private counseling sessions are available to students and employees through local agencies. Policies regarding these programs are published on the College's website, College Course Catalog, and the New Student Orientation Handbook. These policies not only reflect the College's high standard of conduct but also local, state and federal laws. All campus community members and visitors of the College are required to obey these regulations.

The College's safety program includes several professional, educational, and crime preventive services to further instill a sense of awareness and personal responsibility in everyone to reduce criminal opportunities. In compliance with VAWA and Clery, Drake State offers annual sexual assault, domestic violence, dating violence, and stalking prevention workshops. In the past, the College has sponsored an awareness lecture on "Sexual Assault Prevention", presented by professionals from the Oakwood University Police Department. The topics included rape, sexual assault, stalking, primary prevention, safety tips and defensive tactics. The Police Chief from Jefferson State Community College has also presented briefings on sexual harassment and sexual assault prevention to faculty and staff members.

"Title IX: Addressing Sexual Harassment/Sexual Violence" handbooks (located in the Dean of Students' office) are used to address sexual harassment/sexual violence and are available for students and employees. In addition, handbooks titled "540 Degrees Awareness, Tips and Ideas to Minimize Becoming a Victim" by Dennis Smithee, Alabama State Capitol Police, have been distributed to employees, and copies are available in the Human Resources Office.

The College has on-going prevention and awareness campaigns which include a comprehensive set of year-round goals, activities, safety and security measures and/or information targeted to all faculty, staff and students with the purpose of reducing the likelihood of dating violence, domestic violence, sexual assault and stalking.

The on-going prevention and awareness campaign for students and employees generally commences during the Fall Semester with an annual disclosure and the distribution of the Annual Security Report by October 1, handbook distribution, activities throughout the year, year-round orientation and biennial evaluation.

ANNUAL DISCLOSURE LETTER

During the fall semester, the on-going prevention and awareness campaign for students and employees begins with an annual disclosure. The disclosure is sent in the form of a letter directly to students via email from the Dean of Students and employees via email from the Office of Human Resources. The letter underscores that the College goes to great lengths to ensure the safety and security of its faculty, staff, students and visitors to the campus. The letter also outlines that the College is required to publish and post an ASR on the College website by 1 October of each year and how paper copies of the ASR can be obtained. The College reinforces its commitment to safety and security by informing students, faculty and staff of its compliance with VAWA and Clery by actively collecting and sharing data on violent incidents and regularly offering sexual assault, domestic violence, dating violence and stalking prevention workshops.

ACTIVITIES

Crisis Services in North Alabama provides on-campus programming. Sessions for employees are typically incorporated into professional development and sessions for students are based on referrals. The College also encourages students to talk with the Student Success Specialist regarding local support groups, and faculty and staff to speak with Human Resources for guidance. Additionally, if students or employees request assistance for a friend or relative, the Student Success Specialist, Dean of Students or Human Resources Specialist can provide suggestions on ways students and employees can encourage the friend or relative to find assistance. Published materials addressing sexual harassment/sexual violence, Title IX and VAWA are found throughout the Student Services Directorate, and are housed with the Dean of Students.

YEAR-ROUND ORIENTATION

Some studies show that students are most vulnerable to attack during their freshman year and new employees may not be familiar with the VAWA guidelines. Therefore, all new students and new employees receive information about prevention and awareness during New Student Orientation and New Employee On-Boarding.

BIENNIAL EVALUATION

Every odd numbered year, a biennial evaluation is conducted by the DAAPP Committee. The objectives of this review are to determine the effectiveness of the on-going prevention and awareness campaign.

The biennial review report and supporting documents are maintained by the Office of the Dean of Students and are made available to the U.S. DOE upon request.

- Awareness Programs - Individual goals, activities and/or information targeted to faculty, staff and students with the purpose of developing knowledge of dating violence, domestic violence, sexual assault and stalking (e.g. Oakwood University Police Department visited the campus and provided a presentation to faculty on Sexual Assault Prevention).
- Bystander Intervention - Information, training and strategies to provide bystanders with the resources they need to safely intervene and/or report dating violence, domestic violence, sexual assault and stalking (e.g. calling the campus or local counseling/crisis center for support and options).
- On-going Prevention and Awareness Campaigns - A comprehensive set of year-round goals, activities, safety and security measures and/or information targeted to all faculty, staff and students with the purpose of reducing the likelihood of dating violence, domestic violence, sexual assault and stalking (e.g. distribution of Drake State Title IX booklets to students is an example of a portion of its on-going prevention and awareness campaign).
- Primary Prevention Programs - A comprehensive set of year-round goals, activities, safety and security measures and/or information targeted to new faculty, staff and students with the purpose of reducing the likelihood of dating violence, domestic violence, sexual assault and stalking (e.g. the incorporation of VAWA in the New Student Orientation Handbook, the New Student Orientation Session, and in the ORI 101: Orientation to College Class. Human Resources providing a guide from the Alabama Department of Public Health titled “Sexual Violence: Prevention and Recovery” to employees).
- Risk Reduction - Safety and security measures to reduce the risk of dating violence, domestic violence, sexual assault and stalking (e.g. Human Resources providing a list of awareness tips to prevent becoming a victim developed by the Alabama State Capitol Police.)

The College’s Student Code of Conduct provides the standards of conduct by which students and organizations are expected to abide. Enrollment and affiliation with the College in no way relinquishes the right nor provides an escape of responsibilities of local, state, or federal laws and regulations.

The conduct of each student and organization is to conform with the standards of common decency, with respect being given to the rights and property of others. The Student Code of Conduct is applicable to conduct which occurs on the College premises or while participating in official college sanctioned activities. A student may be disciplined and found in violation of the Student Code of Conduct for the following:

"Harassment, intimidation, physical assault, dating violence, domestic violence, sexual assault, or stalking."

Failure to comply with the authority of college officials acting within the capacity of their positions or any other activity or conduct not specifically stated herein which impairs or endangers any person or property of the College is in violation of college rules and regulations.

The College is committed to assuring its employees and students work and learn in an environment free from discrimination and/or sexual harassment.

Discrimination means making a difference in treatment in any service, program, course or facility for Drake State on the basis of race, color, creed, gender (*including gender identity)*, religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status or parental status.

Harassment means the use of verbal or physical conduct which does the following:

1. Has the purpose or effect of creating an intimidating, hostile or offensive academic or employment environment;
2. Has the purpose or effect of unreasonable interference with an individual's academic or employment performance;
3. Otherwise adversely affects academic or employment progress.

The term "harassment" encompasses "sexual harassment," which means unwelcomed sexual advances, unwelcomed physical contact of a sexual nature, unwelcomed requests for sexual favors and other verbal or physical conduct of a sexual nature (including, but not limited to the deliberate repeated making of unsolicited gestures or comments or the deliberate or repeated display of sexually graphic materials which are not necessary for educational purposes), when the following conditions exist:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's status as a student or employee;
- Submission to or rejection of such conduct by an individual is used as a basis for enrollment, rating, or grading of a student or employee;
- Such conduct has the purpose or effect of substantially interfering with an individual's academic or work progress, or creating an intimidating, hostile, or offensive academic or work environment.

NONDISCRIMINATION POLICY STATEMENT

The following policy reflects Drake State's commitment to equal opportunities in education and employment:

"No person shall be denied employment, excluded from partaking in, denied the benefits of, or subjected to discrimination in any program, activity or employment on the basis of gender, race, color, disability, religion, national origin, age or ethnic group."

Note: This policy also includes gender identity.

The College complies with nondiscriminatory regulations under Title VII of the Civil Rights Act of 1964; Title IX Educational Amendment of 1972, which prohibits discrimination based on sex; Title IX, Section 106.8, which prohibits sexual harassment; Section 504 of the Rehabilitation Act of 1973, which prohibits violations of the rights of the disabled; Title VI, which prohibits discrimination based on race, color, or national origin; and the Americans with Disabilities Act (ADA) of 1990, covering policies for public accommodations for disabled individuals.

Individuals of any class who believe that they have been subjected to discrimination prohibited by Titles VI, VII, IX or Section 504 may contact the College's Title IX Coordinator (Students) (256) 551-7265, or Title IX Coordinator (Staff), at (256) 551-5214.

HARASSMENT POLICY- EMPLOYEES

ACCS Harassment Policy 601.04, dated November 10, 2020, outlines the responsibilities of college employees. The entire policy is listed on page 39-40 of this ASR. College employees are also required to receive harassment training annually, which includes sexual harassment. Faculty and staff should contact the Director of Human Resources at (256) 551-5214.

Note: For these purposes, the term "harassment" includes, but is not necessarily limited to:

Slurs, jokes or other verbal, graphic or physical conduct relating to an individual's race, color, gender (or gender identity), religion, national origin, age, disability or any other protected class. Harassment also includes unwelcome sexual advances, requests for sexual favors and other verbal, graphic or physical contact if perceived as such by the recipient.

HARASSMENT POLICY- STUDENTS

It is the policy of the College to provide students an academic atmosphere free of harassment, including sexual harassment. Sexual harassment is a form of sex discrimination. A common form of sexual harassment is the inappropriate introduction of

sexual activities or comments into the workplace or learning environment. While sexual harassment may involve relationships among equals, it often involves relationships of unequal power, giving rise to elements of coercion centered on sexual activity for opportunities of benefit such as improved job or academic status.

Each employee of the College is responsible for the enforcement of this policy and for setting an example with respect to conduct. The exploitation of institutional, academic or supervisory authority to sexually harass students, faculty or staff is a form of illegal sex-based discrimination. Violation of this policy is a violation of Title IX of the Education Rights Act of 1972 and Title VII of the Civil Rights Act of 1964. Further, violation of this policy can lead to suspension or termination of employment or student status, liability for the College and civil or criminal liability for the harassing employee.

Individuals or any class of individuals who believe that they have been subjected to discrimination prohibited by Titles VI, VII, IX or Section 504 may contact the College's Title IX Coordinator (Students) at (256) 551-7265 or the College's Title IX Coordinator (Staff) at (256) 551-5214.

STANDARDS OF CONDUCT AND ENFORCEMENT THEREOF

Drake State is a public educational institution of the State of Alabama and, as such, prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking by any student, employee, or visitor. In the event of the confirmation of such prohibited activity by a student, employee or visitor, the College shall, within the scope of applicable Federal and State due process requirements, take such administrative or disciplinary action as is appropriate.

For a student, the disciplinary action may include, but shall not be limited to, suspension or expulsion. For an employee, such administrative or disciplinary action may include, but shall not be limited to reprimand, suspension or termination of employment, or requirement that the employee participate in and/or successfully complete an appropriate rehabilitation program. Any visitor engaging in any act prohibited by this policy shall be called upon to immediately refrain from such behavior and/or leave the premises.

If any employee, student, or visitor engages in any behavior prohibited by this policy (which is also a violation of Federal, State, or local law or ordinance), that employee, student, or visitor shall be subject to referral to law enforcement officials for arrest and prosecution.

INITIAL STEPS TO RESOLVE A COMPLAINT

Informal Student Complaint Process

Drake State has a variety of procedures for dealing with student-related issues, including grade appeals, academic dishonesty violations, student discipline, harassment complaints, and student grievance procedures. One area not generally covered by other procedures concerns informal student complaints about faculty, staff or student conduct. The College respects the academic freedom of the faculty and will not interfere with the exercise of appropriate discretion concerning the content or style of teaching activities. Indeed, academic freedom is and should be of paramount importance. At the same time, the College recognizes its responsibility to provide students with a procedure for addressing complaints about faculty/staff treatment of students that are not covered by other procedures.

Wherever possible, complaints at Drake State are handled in an informal manner. Administrators, faculty and staff maintain an "open-door" policy to discuss issues of concern for all students. Faculty and staff serve as a resource for individuals seeking assistance in resolving matters within the College community. Students are encouraged to first attempt to resolve complaints with the faculty or staff person. If unresolved, students should speak to the departmental chairperson or supervisor of the faculty or staff member to resolve the matter. If still unresolved, the student should lodge their complaint with the Dean of Instruction (academic complaints) or Dean of Students (non- academic complaints). The chart below details the initial area for assistance referral and subsequent contact areas. If students have any questions about the applicable area for assistance, they should consult with the Title IX Coordinator, who will advise the student if some other procedure is applicable to the type of complaint they are seeking to resolve.

PLAN OF RESOLVE

Formal Student Complaint Process

If an informal conference regarding a complaint fails to reach the outcome requested by the student, the student may initiate the formal process described below by filing a written complaint to the respective Dean. Any student enrolled at Drake State who wishes to make a formal complaint about an academic matter must report that matter in writing to the Dean of Instruction, who is responsible for managing academic complaints. Other types of complaints are considered non-academic and are reported to the Dean of Students, who is responsible for managing non-academic complaints. If the complaint involves a specific occurrence, the complaint shall be made within ten (10) working days of the occurrence.

The written complaint is completed on a Complaint Form which includes the date the complaint was reported, the student's name, student identification number, contact information and current enrollment status. The specific elements of the complaint review that are included in the records are as follows:

1. The date of the incident;
2. Whether or not the complaint is an academic or non-academic matter;
3. If the complaint involves a specific person and/or department;
4. A description of the complaint, including specific details and additional documentation;
5. Whether the complainant has had an opportunity to speak to a Drake State faculty or staff member regarding the complaint;
6. The person to whom the complainant spoke regarding the complaint;
7. The outcome of the conversation the complainant had with a Drake State faculty or staff member regarding the complaint;
8. Signature and dated complaint form completed by complainant;
9. A processing section for either the Dean of Instruction and/or Dean of Students to complete.

If, after discussion between the student and the respective dean it is determined that the complaint can be resolved immediately, the college official will take action to resolve the complaint and will submit a report within ten (10) working days of the filing of the complaint to the President and other appropriate college officials, detailing both the complaint and its resolution.

Due Process of Student Disciplinary Cases

Drake State is committed to ensuring an environment for all employees and students, which is fair, humane and respectful. The College assures each student that no action will be taken on grounds that are not supported by academic policies and procedures. Emphasis will be placed upon achieving an equitable resolution to problems rather than seeking to emphasize guilt or punishment. Students are guaranteed procedural due process in situations involving severe disciplinary problems.

Procedure for Bringing Charges

1. Any student, faculty or staff member may file a charge in writing against a student for misconduct. The charge is to be filed with the Dean of Students.

2. The complainant must file with the Dean of Students within thirty (30) calendar days following the date of the alleged violation(s). Upon receipt of the charge, the Dean of Students will provide the student with a written statement of the charges and determine the course of action regarding the accusations. During this stage, the accused may admit to the charge and waive the right to the Hearing Board and disciplinary action will be determined by the Dean of Students.

3. If disciplinary proceedings appear warranted, the Dean of Students will set a date, time and place for the hearing and the accused will be informed by written notice at least two (2) days before the hearing. Anytime up until the day of the hearing, the accused may waive the right to a hearing, admit the charge and have the punishment be decided by the Dean of Students. Under such circumstances, the accused will be informed of the disciplinary action within five (5) days.

4. Any student whose presence poses a possible danger to people or property of the College or an on-going threat of disrupting the academic process may be removed from the campus immediately.

5. Written notification of the date, time and place of the hearing shall be sent to the student within five (5) days of a complaint being filed.

6. A Disciplinary Committee comprised of the Dean of Students, faculty, staff and a student representative will be selected to hear each disciplinary case.

7. The Dean of Students will notify the student(s) in writing of the results and findings of the Student Disciplinary Committee and the course of appeal to the President.

Disciplinary Sanctions

Upon the determination that a student(s) has violated any of the rules, regulations, or guidelines set forth in this code, the following disciplinary sanctions may be imposed, either singularly or in combination, by the appropriate College officials:

Censure – A statement to the offender that he/she has violated College regulations and of the possibility of more stringent disciplinary actions in the event of future violations.

Disciplinary Probation – Students placed on probation will be notified of such in writing and will also be notified of the terms and length of the probation. Probation may include restrictions upon the extracurricular activities of the student. Any conduct in violation of this code while on probationary status may result in the imposition of further action.

Expulsion – Termination of student status for a definite or indefinite period. The conditions of readmission, if there are any, shall be stated in writing to the students.

Restitution – Reimbursement for damage or misappropriation.

Suspension – Students who are suspended are deprived of student status and are separated from the College for a stated period. The suspension shall appear on the student's disciplinary record.

RISK REDUCTION

Risk Reduction is defined as the safety and security measures used to reduce the risk of dating violence, domestic violence, sexual assault and stalking. The Rape, Abuse, & Incest National Network (RAINN) is a great resource listing personal strategies to reduce one's risk and ultimately prevent sexual assault or harassment. Their website is www.rainn.org.

PROTECTIVE MEASURES

Following an allegation of dating violence, domestic violence, sexual assault or stalking, it may be necessary to take an interim measure to address safety issues before the process officially begins. In those instances, the College is prepared to provide the complainant with specific remedies to eliminate a hostile environment and reduce/prevent the recurrence of an incident.

Those remedies are outlined in Drake State's "Title IX: Addressing Sexual Harassment/Sexual Violence" handbooks (located in the Dean of Students office) for students and staff and include but are not limited to the following:

- Assurance of alternative class or working arrangements
- Suggestion for alternative housing arrangements
- Availability of counseling services
- Access to Sexual Assault and Response Team (SART) Advocates
- Availability of medical services
- Academic support services (e.g. Tutoring)
- Arrangement for course withdrawal (without penalty) or adverse changes to an academic record

Written Explanation of Rights

Drake State's "Title IX: Addressing Sexual Harassment/Sexual Violence" handbooks (located in the Dean of Students office) for students and staff were designed to provide students, faculty and staff with access for information, whether the incident occurred on the campus or not. The handbook includes information on local counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, bystander intervention, student financial aid and other services available for victims both within the institution and in the community. The handbook also includes the availability of changes to the academic, living, transportation and working situations and whether the incident should be reported to law enforcement.

INSTRUCTIONS FOR VICTIMS OF SEXUAL ASSAULTS

In the event you or another person becomes a victim of sexual assault, it is to remember specific details to follow. The single most important thing to do is to tell someone (law enforcement, friend, medical professional, etc.). The following are recommended procedures to follow:

1. Do not shower, wash or change your clothes.
2. Do not brush your teeth.
3. Preserve any evidence such as clothing, used condoms, towels, tissue or other items which may be useful for investigative purposes.
4. If the incident occurs on campus, contact Campus Police at (256-551-5223). If the incident occurs at one of the non-campus locations, dial 911.
5. Immediately seek medical attention.
6. Seek counseling to assist with mental and emotional trauma.

BYSTANDER INTERVENTION

Bystanders play a critical role in the prevention of sexual and relationship violence. A bystander is defined as an "individual who observes or 'witnesses' conditions that perpetuate violence…they have a choice to intervene, speak up, or do something about it."

Drake State's "Title IX: Addressing Sexual Harassment/Sexual Violence" handbooks (located in the Dean of Students office) for students and staff provides information on bystander intervention. The following link also provides useful information to help bystanders make informed decisions: https://www.nsvrc.org/bystander-intervention-online-learning-opportunities.

VICTIM CONFIDENTIALITY

Drake State recognizes the sensitive nature of sexual violence and is committed to protecting the privacy of any individual who reports an incident of sexual violence. Different officials on campus are, however, able to offer varying levels of privacy protection to victims. Reports ultimately made to HPD, including if criminal prosecution is pursued, may be made public and shared with the accused when criminal charges are filed. Reports made to college officials will be kept most confidential and identifying information about the complainant shall not be made public. Reports made to medical professionals and licensed mental health counselors will not be shared with third parties except in cases of imminent danger to the complainant or a third party. The College will not release names in the issuance of "Timely Warnings" or "Emergency Notifications," nor in the "Daily Crime Log", each of which are required by the Clery Act and any accommodation or protective measure will be confidential unless it interferes with the measure's implementation.

DUE PROCESS

The College is committed to ensuring an environment for all employees and students which is fair, humane and respectful. The College assures each student that no action will be taken on grounds that are not supported by policies and procedures. Emphasis will be placed upon achieving an equitable resolution to problems rather than seeking to emphasize guilt or punishment.

Survivors will be provided "rape shield" protections and are not required to divulge any medical, psychological or similar privileged records.

Students and employees are guaranteed procedural due process in situations under the "preponderance of evidence" standards involving alleged dating violence, domestic violence, sexual assault or stalking in the following six ways:

1. Officials conducting hearings are appropriately trained and in the case of situations involving alleged dating violence, domestic violence, sexual assault or stalking;

    - A Disciplinary Committee comprised of the Dean of Students, faculty, staff and a student representative will be selected to hear each disciplinary case. It is mandated that no person on the committee has a conflict of interest or bias for or against the accuser or accused.

2. The accuser and the accused have equal opportunities to have others present, including an advisor of their choice;

3. The accuser and the accused receive simultaneous notification in writing of the result of the proceeding and any available appeal procedures;

    - The current procedure is that upon receipt of the charge, the Dean of Students will provide the student with a written statement of the charges.

4. The proceeding is completed in a reasonably prompt timeframe, in person or remotely.

    - The current procedure is that the complainant must file with the Dean of Students within thirty (30) calendar days following the date of the alleged violation(s). The "Title IX: Addressing Sexual Harassment/Sexual Violence" handbooks (located in the Dean of Students office) for students and staff advise the entire process may take as long as sixty (60) days. While ten (10) days is listed as a goal for resolution, the sensitive nature of the incidents dictates the timeframe.

5. The accuser and the accused are given timely notice of meetings at which one or the other or both may be present.

    - If disciplinary proceedings appear warranted, the Dean of Students will set a date, time and place for the hearing, and the accuser and accused will be informed by written notice at least two (2) days before the hearing.

6. The accuser, accused, and appropriate officials are given timely and equal access to information that will be used during informal and formal disciplinary meetings and hearings.

GRIEVANCE AND APPEALS – STUDENTS

The College recognizes that to efficiently and effectively carry out its mission, students must feel confident that any valid complaint or grievance made concerning the college will be promptly addressed by the appropriate authorities.

If any student's complaint is not or cannot be resolved at the first level of supervision as described in the paragraphs above, such an unresolved complaint shall be termed a "Grievance." A student who submits a complaint to the appropriate college officials under the paragraphs above and who is not satisfied with the plan of resolution shall have the right file a grievance with the College official and shall include the following information:

1. Date the original complaint was reported;
2. Name of the person to whom the original complaint was reported;
3. Detailed facts of the complaint;
4. Proposed action to be taken by the receiving official to resolve the complaint;
5. Specific action to be taken by the receiving official to resolve the complaint;
6. Specific objection(s) to be the proposed plan of resolve;
7. Other information relevant to the grievance that the complainant wants to consider.

If the complainant fails to file notice of appeal by 4:30 p.m. on the 15th calendar day following having received the plan of resolution, the right to further appeal is forfeited.

Investigation Procedures

The Grievance Officer, either personally or with the assistance of such other persons as the President may designate, shall conduct a factual investigation of the grievance and shall research the applicable statue or regulations or policy, if any. The factual findings from the investigation by the Grievance Officer shall be stated in a written report, which shall be submitted to the complainant and to the party against whom the complaint was made. The "Respondent" shall be made a part of the hearing record, if a hearing is requested by the complainant.

Review by ACCS

In 2016, the Alabama Legislature vested oversight of the state's public two-year institutions of higher education (known as the Alabama Community College System) with the Alabama Community College System Board of Trustees. The Alabama Legislature further directed the Board of Trustees to delegate to the System's Chancellor the authority to act and make decisions concerning the management and operation of the community and technical

colleges. The Chancellor is assisted in these duties by the staff of the System Office, formerly known as the Alabama Department of Postsecondary Education. Consumer and student complaints that are not resolved at the institutional level are thus arbitrated at the state level by the ACCS System Office.

ACCS is committed to respecting and supporting the work of its member institutions and to providing quality educational experience for all students. The objective of the student complaint process is to ensure that the concerns and complaints of students are addressed fairly and are resolved promptly. ACCS requires each institution to establish its own procedures to address student grievances and complaints. A student must exhaust his/her rights under the institution's official complaint/grievance policy before advancing any complaint to the System Office.

Students may file consumer/student complaints with ACCS by following these procedures:

1. The Alabama Community College System pursuant to ACCS policies and procedures, with respect to Title IX violations;
    a. If, after exhausting all available institutional processes, a student's complaint remains unresolved, the student may appeal to the Alabama Community College System using the System's official Student Complaint Form available at (www.accs.edu). Students may submit completed complaint forms by printing the form, signing it, and then either scanning it and/or emailing it to complaints@accs.edu or mailing it to:

Alabama Community College System
Attention: Office of the Vice Chancellor
for Instructional and Student Services
P.O. Box 302130 Montgomery, AL 36130-2130

2. The Vice Chancellor for Instructional and Student Services or an appropriate administrator designated by the Vice Chancellor will investigate the complaint within thirty (30) days of receipt.
3. The institution which is the subject of complaint has thirty (30) days to provide a written response to questions and/or concerns raised during the investigation. Such response may or may not contain a resolution.
4. The Vice Chancellor or designated administrator will adjudicate the matter and write a report or letter to the institution and students detailing corrective action, if any is necessary, or stating that the school has no violation of policies.
5. If corrective action is needed, the institution will have thirty (30) days to comply or develop a plan to comply with the corrective action.

6. The System Office will monitor the institution's compliance to ensure the completion of any required corrective action.
7. The regional office of the Office of Civil Rights of the U.S. Department of Education within 180 days of the discriminatory act;
8. The Equal Employment Opportunity Commission within 180 days of the discriminatory act.

SOUTHERN ASSOCIATION OF COLLEGES AND SCHOOLS COMMISSION (SACSCOC) FEDERAL REQUIREMENT 12.4

Student Complaints Statement of Compliance

In compliance with SACSCOC Federal Requirement 12.4, the College recognizes that to efficiently and effectively carry out its mission, its students must feel confident that any valid complaint a student makes will be promptly addressed by the appropriate authorities. With its student-centered focus, Drake State is very sensitive to the fair and professional treatment of student issues, whether those issues involve complaints, academic issues or disciplinary matters.

The institution has adequate procedures for addressing written student complaints and is responsible for demonstrating that it follows those procedures when resolving student complaints. Records of student complaints are also maintained and can be accessed upon request from SACSCOC. To date, having adequate procedures for addressing written student complaints and demonstrating that Drake State follows those procedures when resolving student complaints has not been challenged.
Contact the Southern Association of Colleges and Schools Commission on Colleges directly at 1866 Southern Lane, Decatur, GA 30033, Phone: (404) 679-4500 for questions about the accreditation of J.F. Drake State Community and Technical College.

GRIEVANCE AND APPEALS – EMPLOYEES

Employees follow ACCS Policy 620.01, Employee Grievance dated 4/10/2019, and ACCS Policy 620.02, Employee Complaints dated 8/1/2024, (see pages 43-44 of this ASR). This information is also contained in the “Grievance and Appeal Policy and Procedures” in the Employee Handbook.

ALABAMA COMMUNITY COLLEGE SYSTEM POLICIES FOR EMPLOYEES

601.04 : Harassment Policy for Employees, Effective November 10, 2020

1. The Alabama Community College System is committed to providing both employment and educational environments free of harassment in any form. Employees shall adhere to the highest ethical standards and professionalism and refrain from any form of harassment. Both employees and students should strive to promote an environment that fosters personal integrity where the worth and dignity of each human being is respected. Any practice or behavior that constitutes harassment shall not be tolerated.
2. Harassment can be defined as but is not limited to:
    - Disturbing conduct which is repetitive;
    - Threatening conduct;
    - Intimidating conduct.
    - Inappropriate or offensive slurs, jokes, language, or other verbal, graphic, or other like conduct;
    - Unwelcome sexual advances, requests for sexual favors, or sexual based offenses;
    - Assault;
    - Repeated contact solicited during non-traditional business hours which may be perceived as harassment by recipient unless it is specifically associated with work-related duties.
3. Employees and students who are found in violation of this policy shall be disciplined as deemed appropriate by the investigating authority.
4. Harassment of employees or students by non-employees is also a violation of this policy.
5. This policy encourages faculty, students, and employees who believe that they have been the victims of harassment to contact the Title IX Coordinator, Human Resources Director/Coordinator or President at the institution within ten (10) days of when the alleged incident occurred. Any reprisals shall be reported immediately to the Title IX Coordinator, Human Resources Director/Coordinator or President. Any employee or student who becomes aware of any harassment shall report the incident to the Title IX Coordinator, Human Resources Director/Coordinator or President. Failure to act, which includes initial investigation, shall be deemed a direct violation of this policy.
6. This policy shall be distributed, communicated, and implemented in a manner which provides all interested parties with the opportunity to be informed of this policy. A system- wide educational program shall be utilized to assist all members of the community to understand, prevent and combat harassment. Each community and technical college is required to provide annual training related to harassment, including sexual harassment.

7. Complaints or Reports concerning sexual harassment should be made, processed and addressed under Policy 620.03 - Sexual Harassment Complaint Procedures.

ACCS Policy 620.01: Employee Grievance, Effective April 10, 2019

This policy is intended to cover grievances between and amongst employees of an ACCS entity about general workplace issues, conduct, or professionalism. This policy does not apply and cannot be used against a President. This policy is not intended to cover complaints regarding discrimination, harassment, hostile work environment, ethical concerns, or other legal-related matters, which are covered under Policy 620.02.

Any employee who claims a grievance (or who is reporting an observed grievance) must file a written statement within 10 calendar days from the date of the alleged incident, otherwise the grievance will not be reviewed under this policy. Oral grievances do not comply with this policy. The written statement must be filed with the complaining employee's direct supervisor, unless the direct supervisor is the person about whom the grievance is lodged. In such cases, the employee must file the statement with the next supervisor in line. The supervisor (or other person receiving a written grievance) will notify HR personnel and/or the President as appropriate.

The supervisor, or other person appointed to address the grievance, must review the written statement and investigate the claims within 45 calendar days (or as otherwise agreed), and then make a written report of findings with recommendations within 60 calendar days of receipt of the grievance. The report must be given to the President, the complaining employee, and the person about whom the grievance is lodged. The complaining employee or the person about whom the grievance is lodged has 5 calendar days from receipt of the written report to provide specific written objections to the report of findings with recommendations to the President, which will be considered by the President or his/her designee before issuing a final decision. This decision shall be final.

An employee who brings good faith grievance under this policy shall not be retaliated against in any manner. Any employee who retaliates against an employee for making a good faith grievance under this policy will be disciplined.

The President's decision will be final.

NOTE: If the last day for filing a notice of appeal falls on a Saturday following a legal holiday, the appealing party will have until 5:00 p.m. the first working day following file.

ACCS Policy 620.02: Employee Complaints, Effective August 1, 2024

This policy is intended to cover employee complaints related to discrimination, harassment, hostile work environment, ethical concerns, and other legal-related matters against any person associated with an ACCS entity. This policy does not cover general workplace grievances, conduct, or professionalism, which are addressed by Policy 620.01 or complaints of sex-based harassment or discrimination which are covered in Policy 620.03. This policy does not apply and cannot be used against a President.

Any employee who believes he/she has been subjected to or observed:

- discrimination based on race, color, national origin, religion, marital status, disability, age or any other protected class as defined by federal and state law, other than sex.
- harassment in forms other than sexual,
- hostile work environment,
- ethical violations or similar concerns,
- criminal acts,
- ACCS, College, or Chancellor policy or procedure violations,
- or other legal-related issues,

by any person associated within the ACCS entity (other than a President), shall report the action immediately, and in no event less than ten (10) calendar days following the event, to the Title IX Coordinator, Human Resources Director, or President. In conjunction with the report, the employee shall provide a written statement, as well as any evidence the employee believes substantiates the complaint, and shall be required to assist in an appropriate investigation.

The College shall designate an appropriate person to review and investigate the matter and may engage legal counsel for this purpose, as determined by the President. This review and investigation shall be conducted promptly and within 45 calendar days if practical, but not later than 60 days, unless this period is extended by agreement of the complaining and responding parties. The President or his/her designee shall issue a written response to the reporting employee within 15 calendar days if practical, but not later than 30 days unless this period is extended by agreement of the complaining and responding parties; once the review and investigation has been completed, and this written response shall be final.

An employee who brings a good faith complaint under this policy shall not be retaliated against in any manner. Any employee who retaliates against an employee for making a good faith complaint under this policy will be disciplined.

EMERGENCY ACTION PROCEDURES

(Emergency Message #1 -- Weather Alert):

Tornado Warning:

1. When notified, find a location away from outer walls or windows, and take cover in an inner room or closet, or as a last resort, under something sturdy like a classroom desk.

3. If caught outside, go to the nearest building, or if not possible, go to the nearest ravine and lie down flat with face down.

4. Await "All Clear Signal".

(Emergency Message #2 -- Fire Alert):

1. Notify other occupants by shouting, "FIRE!"

2. Immediately evacuate the building by following the instructions on the evacuation route diagram (located at exits of each bldg.) and assist anyone with special needs.

   Note: If in the library, take the stairwell down to the first floor and exit out the main entrance or use one of the emergency exits illustrated on each map. DO NOT USE THE ELEVATOR!!

3. Notify Campus Police and dial 911.

4. Assemble at walking track west of the campus.

   a. Instructors—Take roll and ensure your students are present or accounted for, and that no one is left in the building.

   b. Department Heads—ensure all your people are accounted for.

(Emergency Message #3--Lockdown):

1. If possible, lock external doors to secure the area.

2. Turn off the lights and lock interior classrooms or office doors.

3. Move to an area that is not visible from the outside (i.e. along the wall in the classroom and away from any windows, under the desk, or in a closet, office or inner room, etc.).

4. If you are the first one to observe the act, immediately dial 911, and have someone else contact Campus Police at (256-551-5223); If you are alone, contact Campus Police after you have dialed 911.

5. Place cell phone in "silent mode".

6. Remain in the secure location until the "ALL CLEAR" signal is given.

(Emergency Message #4--Suspicious Packages or Bomb Threat):

NOTE: Depending on the information provided by the caller, the decision will be made whether to evacuate the building or remain inside.

1. Once the decision from a higher authority is made to evacuate the building:

    a. Notify other occupants by shouting, "BOMB THREAT EVACUATE THE BUILDING IMMEDIATELY!"
    b. Follow evacuation procedures for fire drill, except for pulling the fire alarm pull handle if located in the Library, building 600 or building 700.

2. If possible, lock external doors to secure the area.

3. Turn off the lights and lock interior classrooms or office doors.

4. Scan classroom upon leaving and report if any suspicious packages were observed.

5. If safe to do so, assemble at the walking track behind building 800.

    a. Instructors—Take roll and ensure all your students are present, and that no one is left in the building.
    b. Department Heads—ensure all your people are accounted for.

6. Await "All Clear" Signal.

(Emergency Message #5--Shelter In-Place):

Note: Specific information will be provided, depending on the situation.

COLLEGE DEFINITIONS

- **Affirmative Consent-**A knowing, voluntary, and mutual decision among all participants to engage in sexual activity.
- **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 usually accompanied using a weapon or by means likely to produce death or great bodily harm.
- **Arson** - Any willful or malicious burning or attempt to burn, with or without intent to defraud a dwelling, house, public building, motor vehicle or aircraft, personal property of another, etc.
- **Awareness Programs** - Individual goals, activities and/or information targeted to faculty, staff and students with the purpose of developing knowledge of dating violence, domestic violence, sexual assault and stalking.
- **Burglary** - The unlawful entry of a structure to commit a felony or a theft.
- **Bystander Intervention** - Information, training, and strategies to provide bystanders with the resources they need to safely intervene and/or report dating violence, domestic violence, sexual assault and stalking.
- **Censure** - A statement to the offender that he/she has violated college regulations and of the possibility of more stringent disciplinary actions in the event of future violations.
- **Consent -** A mutual decision among all participants to engage in sexual activity.
- **Dating Violence**-Violence committed by; 1) A person who is or has been in a social relationship of a romantic or intimate nature with the victim; and 2) Where the existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the following factors:
    - The length of the relationship.
    - The type of relationship.
    - The frequency of interaction between the people involved in the relationship.
- **Disciplinary Probation** - Students placed on probation will be notified of such in writing and will also be notified of the terms and length of the probation. Probation may include restrictions upon the extracurricular

activities of the students. Any conduct in violation of this code while on probationary status may result in the imposition of further action.

- **Discrimination** -Making a difference in treatment in any service, program, course or facility for Drake State based on race, color, creed, gender, religion, sex, national origin, disability, ancestry, age, sexual orientation, pregnancy, marital status or parental status.
- **Domestic Violence** - A felony or misdemeanor crime of violence committed by; (1) A current or former spouse or intimate partner of the victim; (2) A person with whom the victim shares a child in common; (3) A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; (4) A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; and (5) 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..
- **Drug Abuse Violations -** The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics - manufactured narcotics which can cause true addiction (Demerol, Methadone); and dangerous non-narcotic drugs (Barbiturates, Benzedrine).
- **Expulsion** - Termination of student status for a definite or indefinite period. The conditions of readmission, if there are any, shall be stated in writing to the students.
- **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.
- **Harassment** - The use of verbal or physical conduct which does the following: (1) Has the purpose or effect of creating an intimidating, hostile, or offensive academic or employment environment; (2) Has the purpose or effect of unreasonable interference with an individual's academic or employment performance; and (3) Otherwise adversely affects academic or employment progress.
- **Hate Crimes** - (bias crimes or bias-related crimes)-Any criminal activities motivated by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics, such as their race,

religion, ethnicity, national origin, gender identity, sexual orientation or disability.

- **Incest** – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Liquor Law Violations** - The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness. Included in this classification are the following: (1) The manufacture, sale, transporting, furnishing, possessing, etc. of intoxicating liquor; maintaining unlawful drinking places; (2) Bootlegging; (3) Operating a still; (4) Furnishing liquor to a minor or intemperate person; (5) Underage possession; (6) Using a vehicle for illegal transportation of liquor; (7) Drinking on a train or public conveyance; and (8) Attempts to commit any of the above.
- **Motor Vehicle Theft** - The theft or attempted theft of a motor vehicle.
- **Murder and Non-Negligent Manslaughter -** The willful (non-negligent) killing of one human being by another.
- **Manslaughter by Negligence** - The killing of another person through gross negligence.
- **On-going Prevention and Awareness Campaigns**- A comprehensive set of year-round goals, activities, safety and security measures and/or information targeted to all faculty, staff and students with the purpose of reducing the likelihood of dating violence, domestic violence, sexual assault and stalking.
- **Primary Prevention Programs** - A comprehensive set of year-round goals, activities, safety and security measures and/or information targeted to new faculty, staff and students with the purpose of reducing the likelihood of dating violence, domestic violence, sexual assault and stalking.
- **Proceeding** - A course of action regarding all accusations.
- **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. This offense includes the rape of both males and females.
- **Restitution** - Reimbursement for damage or misappropriation.
- **Result** - The consequence or outcome of a proceeding including notification in writing of the findings of the Disciplinary Committee and the course of appeal.
- **Risk Reduction** - Safety and security measures used to reduce the risk of dating violence, domestic violence, sexual assault and stalking.
- **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.

- **Sexual Assault** - The sexual exploitation, forcible penetration, or an act of sexual contact on the body of another person, male or female, without his or her consent.
- **Sexual Harassment** -Unwelcome sexual advances, physical contact of a sexual nature, requests for sexual favors, and other verbal or physical conduct of a sexual nature (including, but not limited to, the deliberate repeated making of unsolicited gestures or comments, or the deliberate or repeated display of sexually graphic materials, which are not necessary for educational purposes), when the following conditions exist: (1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's status as a student or employee; (2) Submission to or rejection of such conduct by an individual is used as a basis for enrollment, rating, or grading of a student or employee; and (3)Such conduct has the purpose or effect of substantially interfering with an individual's academic or work progress, or creating an intimidating, hostile or offensive academic or work environment.
- **Stalking** - 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.
- **Statutory Rape** - Sexual intercourse with a person who is under the statutory age of consent
- **Suspension** - Students who are suspended are deprived of student status and are separated from the College for a stated period. The suspension shall appear on the student's disciplinary record.
- **Weapons -** (Carrying, possessing, etc.) - The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Included in this classification are the following: (1) Manufacture, sale, or possession of deadly weapons; (2) Carrying deadly weapons, concealed or openly; (3) Using, manufacturing, etc. of silencers; (4) Furnishing deadly weapons to minors; (5) Aliens possessing deadly weapons; and (6) Attempts to commit any of the above.

CODE OF ALABAMA TITLE 13 A - CRIMINAL CODE, ARTICLE 4-SEXUAL OFFENSES

Section 13A-6-60 Definitions.

The following definitions apply in this article:

(1) SEXUAL INTERCOURSE. Such term has its ordinary meaning and occurs upon any penetration, however slight; emission is not required.

(2) SODOMY. Any sexual act involving the genitals of one person and the mouth or anus of another person.

(3) SEXUAL CONTACT. Any touching of the sexual or other intimate parts of a person done for the purpose of gratifying the sexual desire of either party. The term does not require skin to skin contact.

(4) INCAPACITATED. The term includes any of the following:

- A person who suffers from a mental or developmental disease or disability which renders the person incapable of appraising the nature of his or her conduct.
- A person is temporarily incapable of appraising or controlling his or her conduct due to the influence of a narcotic, anesthetic, or intoxicating substance and the condition was known or should have been reasonably known to the offender.
- A person who is unable to give consent or who is unable to communicate an unwillingness to an act because the person is unconscious, asleep, or is otherwise physically limited or unable to communicate.

(5) FORCIBLE COMPULSION. Use or threatened use, whether express or implied, of physical force, violence, confinement, restraint, physical injury, or death to the threatened person or to another person. Factors to be considered in determining an implied threat include, but are not limited to, the respective ages and sizes of the victim and the accused; the respective mental and physical conditions of the victim and the accused; the atmosphere and physical setting in which the incident was alleged to have taken place; the extent to which the accused may have been in a position of authority, domination, or custodial control over the victim; or whether the victim was under duress. Forcible compulsion does not require proof of resistance by the victim.

Section 13A-6-61 Rape in the first degree (Class A felony).

A person commits the crime of rape in the first degree if he or she does any of the following:

(1) Engages in sexual intercourse with a member of the opposite sex by forcible compulsion.

(2) Engages in sexual intercourse with another person who is incapable of consent by reason of being incapacitated.

(3) Being 16 years old or older, engages in sexual intercourse with another person who is less than 12 years old.

Section 13A-6-62 Rape in the second degree (Class B Felony).

(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 another person less than 16 and 12 years old or older; provided, however, the actor is at least two years older than the other person.

Section 13A-6-63 Sodomy in the first degree (Class A Felony).

(a) A person commits the crime of sodomy in the first degree if he or she does any of the following:

(1) Engages in sodomy with another person by forcible compulsion.

(2) Engages in sodomy with another person who is incapable of consent by reason of being incapacitated.

(3) Being 16 years old or older, engages in sodomy with a person who is less than 12 years old.

Section 13A-6-64 Sodomy in the second degree (Class A Felony).

(a) A person commits the crime of sodomy in the second degree if, being 16 years old or older, he or she engages in sodomy with another person 12 years old or older, but less than 16 years old; provided, however, the actor is at least two years older than the other person

Section 13A-6-65 Sexual Misconduct (Class A Misdemeanor).

(a) A person commits the crime of sexual misconduct if he or she does any of the following:

(1) Engages in sexual intercourse with another person without his or her consent, under circumstances other than those covered by Sections 13A-6-61 and 13A-6-62; or with consent was obtained using any fraud or artifice.

(2) Engages in sodomy with another person, without his or her consent, under circumstances other than those covered by Sections 13A-6-63 and 13A-6-64; or with consent where consent was obtained using fraud or artifice.

(3) Engages in sexual contact with another person without his or her consent under circumstances other than those under Sections 13A-6-66, 13A-6-67, and 13A-6-69.1; or with consent was obtained using fraud or artifice.

Section 13A-6-65.1 Sexual Torture (Class A Felony).

(a) A person commits the crime of sexual torture if he or she does any of the following:

(1) Penetrates the vagina, anus, or mouth of another person with an inanimate object, by forcible compulsion, with the intent to sexual torture, sexual abuse, or to gratify the sexual desire of either party.

(2) Penetrates the vagina, anus, or mouth of a person who is incapable of consent by reason of being incapacitated, with an inanimate object, with the intent to sexually torture, sexually abuse, or to gratify the sexual desire of either party.

(3) Penetrates the vagina, 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, sexually abuse, or to gratify the sexual desire of either party.

(4) By inflicting physical injury, including, but not limited to, burning, crushing, wounding, mutilating, or assaulting the sex organs or intimate parts of another person, with the intent to sexually torture, sexually abuse, or to gratify the sexual desire of either party.

Section 13A-6-66 Sexual abuse in the first degree (Class C Felony).

(a) A person commits the crime of sexual abuse in the first degree if he or she does the following:

(1) Subjects to another person to sexual contact by forcible compulsion; or

(2) Subjects another person to sexual contact who is incapable of consent.

Section 13A-6-67 Sexual abuse in the second degree (Class C Felony).

(a) A person commits the crime of sexual abuse in the second degree if he or she does either of the following:

(1) Subjects another person to sexual contact who is incapable of consent because of some factor other than being less than 16 years old.

(2) Being 19 years old or older, subjects another person to sexual contact who is less than 16 years old, but more than 12 years old.

(b) Sexual abuse in the second degree is a Class A misdemeanor, except as provided in subsection (c), or if a person commits a second or subsequent offense of sexual abuse in the second degree within one year of another sexual offense, the offense is a Class C felony.

(c) If a person violates subdivision (a)(2), and he or she is at least 15 years older than the victim, the offense shall be a Class C felony

Section 13A-6-68 Indecent Exposure (Class C Felony).

(a) A person commits the crime of indecent exposure if, with intent to arouse or gratify sexual desire of himself or herself, or of any person other than his or her spouse, he or she exposes his or her genitals under circumstances in which he or she knows the conduct is likely to cause affront or alarm.

(b) Indecent exposure is a Class A misdemeanor except a third or subsequent conviction shall be a Class C felony.

Section 13A-6-69 Enticing Child to Enter Vehicle, House, Etc. for Immoral Purposes (Class C Felony).

(a) It shall be unlawful for any person with lascivious intent to entice, allure, persuade, or invite, or attempt to entice, allure, persuade, or invite, any child under 16 years of age to enter any vehicle, room, house, office, or other place for the purpose of proposing to such child the performance of an act of sexual intercourse or an act which constitutes the offense of sodomy or for the purpose of proposing the fondling or feeling of the sexual or genital parts of such child or the breast of such child, or for the purpose of committing an aggravated assault on such child, or for the purpose of proposing that such child fondle or feel the sexual or genital parts of such person.

Section 13A-6-69.1 Sexual Abuse of a Child Less Than 12 Years Old (Class B Felony).

(a) A person commits the crime of sexual abuse of a child less than 12 years old if he or she, being 16 years old or older, subjects another person who is less than 12 years old to sexual contact.

(b) Sexual abuse of a child less than 12 years old is a Class B felony.

Section 13A-6-70 Lack of Consent.

(a) Unless otherwise stated, an element of every offense defined in this article is that the sexual act was committed without the consent of the victim.

(b) Lack of consent results from either of the following:

(1) Forcible compulsion.

(2) Being incapable of consent.

(c) A person is deemed incapable of consent if he or she is either:

(1) Less than 16 years old.

(2) Incapacitated.

(d) Consent to engage in sexual intercourse, sodomy, sexual acts, or sexual contact may be communicated by words or actions. The existence of a current or previous marital, dating, social, or sexual relationship with the defendant is not sufficient to constitute consent. Evidence that the victim suggested, requested, or otherwise communicated to the defendant that the defendant use a condom or other birth control device or sexually transmitted disease protection, without additional evidence of consent, is not sufficient to constitute consent.

Section 13A-6-90 Stalking in the first degree.

(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.

Section 13A-6-90.1 Stalking in the second degree.

(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.

Section 13A-6-91 Aggravated stalking in the first degree.

(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.

Section 13A-6-91.1 Aggravated stalking in the second degree.

(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.

Section 13A-6-92 Definitions.

As used in this article, the following terms shall have the following meanings, respectively, unless the context clearly indicates otherwise.

(a) **COURSE OF CONDUCT**.A pattern of conduct composed of a series of acts over a period which evidences a continuity of purpose.

(b) **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.

(c) **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 cause substantial emotional distress. Constitutionally protected conduct is not included within the definition of this term.

Section 13A-6-130 Domestic violence - First degree.

(a) A person commits the crime of domestic violence in the first degree if the person commits the crime of assault in the first degree pursuant to Section 13A-6-20 or aggravated stalking pursuant to Section 13A-6-91, 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 first degree is a Class A felony, except that the defendant shall serve a minimum term of imprisonment of one year without consideration of probation, parole, good time credits, or any other 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.

(c) 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 the offense was committed in the presence of a child under the age of 14 years at the time of the offense, if the victim was the parent or legal guardian of the child. For purposes of this subsection, "in the presence of a child" means in the physical presence of a child or having knowledge that a child is present and may see or hear the act.

Section 13A-6-131 Domestic violence - Second degree.

(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 second degree.

(c) 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 the offense was committed in the presence of a child under the age of 14 years at the time of the offense, if the victim was the parent or legal guardian of the child. For purposes of this subsection, "in the presence of a child" means in the physical presence of a child or having knowledge that a child is present and may see or hear the act.

Section 13A-6-132 Domestic violence - Third degree.

(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-6-25; 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.

Section 13A-6-138 Domestic violence by strangulation or suffocation.

(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 because 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.

RESOURCES

Alcoholics Anonymous ..... (256) 885-0323

Bradford Health Services – Huntsville Regional Office ..... (256) 895-3848

Student Success Specialist ..... (256) 551-7264

Crestwood Medical Center – Behavioral Health ..... (256) 429-5480

Crestwood Medical Center ..... (256) 429-4000

Crisis Services Center of North Alabama ..... (256) 716-1000

Dean of Instruction ..... (256) 551-5226

Dean of Students ..... (256) 551-3129

Director of Operations ..... (256) 426-5047

Campus Police ..... (256) 551-5223

Emergency (24 hours) 911

Huntsville Hospital ..... (256) 265-1000

Huntsville Police Department (HPD) ..... (256) 722-7100

Madison City Police Department (MCPD) ..... (256) 772-7190

Madison County Police Department (MCPD) ..... (256) 772-5689

Madison Hospital ..... (256) 265-2012

Campus Police ..... (256) 551-5223

Narcotics Anonymous ..... (800) 230-5109

New Horizon Recovery Center ..... (256) 532-4141

College President ..... (256) 551-3117

Sexual Assault Response Team (SART) ..... (800) 691-8426

Substance Abuse and Mental Health Services..... (800) 662-4357