

# Central Alabama Community College Annual Security Report 2021

## **IN COMPLIANCE WITH THE JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CRIME STATISTICS ACT**

*Central Alabama Community College (CACC) prepares this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report includes statistics for the previous three years concerning reported crimes that occurred on the CACC campus and center locations; in certain off-campus buildings or property owned by Central Alabama Community College; and on public property within, or immediately adjacent to and accessible from the campus. This report also includes institutional policies concerning campus security; such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters.*

**Central Alabama Community College**  
**www.cacc.edu**

**Alexander City Campus**  
**1675 Cherokee Drive**  
**Alexander City, AL 35010**  
**(256) 234-6346**

**Childersburg Campus**  
**34091 U. S. Highway 280**  
**Childersburg, AL 35044**  
**(256) 234-6346**

**Talladega Center**  
**1009 South Street East**  
**Talladega, AL 35160**  
**(256)480-2068**

**Pratt's Mill Center**  
**2074 Fairview Avenue**  
**Prattville, AL 36066**  
**(334) 380-9600**

Central Alabama Community College (CACC) prepares this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report includes statistics for the previous three years concerning reported crimes that occurred on the CACC campus and center locations; in certain off-campus buildings or property owned by Central Alabama Community College; and on public property within, or immediately adjacent to and accessible from the campus. This report also includes institutional policies concerning campus security; such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters.

This report is prepared in cooperation with the local law enforcement agencies, the Office of Safety and Security, and the Student Services Office. Campus crime, arrest and referral statistics include those reported to the Office of Safety and Security, designated campus officials, and local law enforcement agencies. Each year notification is made to all enrolled students, faculty, and staff providing information on how to access the Central Alabama Community College Annual Security report online or request a printed copy from the Office of Safety and Security or the Student Services Office. Copies of this report may be obtained at the Student Services offices at the Alexander City and Childersburg campuses, and at the offices of the Administrative Coordinator of Student Services at the Talladega Center, and the Enrollment Specialist of the Pratt's Mill Center.

**General Procedures for Reporting a Crime or Emergency**

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

To report an emergency, call 911. To report a crime or non-emergency, call the following numbers:

<b>Alexander City Campus</b>	<b>Childersburg Campus</b>	<b>Talladega Center</b>	<b>Pratt's Mill Center</b>
Campus Security Office Administration Building 256-307-6849	Campus Security Office Administration Building 256-307-8003	Campus Security 256-307-0432	Campus Security 334-312-0589
Dean of Students Office 256-215-4275	Human Resources 256-378-2010	Administrative Coordinator of Student Services 256-480-2090	Administrative Coordinator of Student Services 334-380-9600

When calling for either emergency or non-emergency service, be prepared to:

- Clearly identify yourself;
- State where you are calling from;
- State briefly the nature of your call.

To report a crime that occurs at an off-campus location, contact the appropriate local police department or dial 911. In the case of an emergency, it is always best to dial 911.

To achieve the highest degree of safety and security, community members are encouraged to recognize the importance of following good safety practices. Safety is everyone's responsibility, not just that of those officially charged with enforcing the laws, policies, and rules. Locking valuables and reporting suspicious or criminal activities are ways of promoting safety on a college campus.

Central Alabama Community College employs a Safety and Security Coordinator. The current director is a retired Alabama State Trooper with 39 years of experience in law enforcement. The officers that provide security are certified local police officers that receive P.O.S.T training in security and emergency care. The President's Cabinet ensures that the purposes of the overall safety plan are met and that needed safeguards are updated or revised as needed. The Cabinet and the Emergency Operations Committee reviews and formally evaluates the policies and programs concerning safety and safety-related matters on an annual basis and guides the campuses in safety and environmental health issues. The Alabama Community College Systems (ACCS) reviews and approves the Emergency Operations Plan annually. ACCS also reviews and approves all changes to the plan. The Student Services Office also supports annual programs and awareness campaigns

### **Timely Warnings**

The Office of Safety and Security is responsible for issuing public safety advisories in compliance with the *Clery Act*. In the event a situation arises, either on or off campus, these advisories are issued to keep the campus community informed about safety and security matters. The decision to issue a public safety advisory (*Campus Security Alert*) is decided on a case by case basis in light of all the facts surrounding an incident, including factors such as the nature of the crime, the continuing threat to the campus community, and the possible risk of compromising law enforcement efforts. *Campus Security Alerts* are issued for specific crime classifications: arson, aggravated assault, and criminal homicide, robbery, and sex offenses. *Campus Security Alerts* may also be posted for other crime classifications as deemed necessary. To issue a *Campus Security Alert*, the Office of Safety and Security or the President or designee informs the campus community via email, text message, and/or voice messages, which are addressed to students, faculty and staff through *SchoolCast*. *SchoolCast* is an emergency notification service that will contact all enrolled students and employees via cell phone, text message, home phone, and e-mail. *Campus Security Alerts* are also issued to the campus community in the event of an imminent or ongoing threat to the community. *Campus Security Alerts* are disseminated with the goal of notifying as many people as possible, as rapidly as possible. (i.e., active threats, bomb threats, or a dangerous chemical spill, etc.). All students, faculty, and staff are encouraged to sign up to receive these notices at the beginning of each semester.

### **Limited Voluntary Confidential Reporting**

Central Alabama Community College policy states that all crimes should be reported to the Office of Safety and Security. Anyone who is the victim or witness to a crime is encouraged to promptly report the incident. This information is disseminated to the College community members via use of electronic mail messages, informational flyers, CACC Connect (pre-college orientation) and the orientation class. For follow-up emergency information to the College community, all of the above

media to include postings on our web site, television, and radio will be utilized. The dissemination of emergency information to the larger community shall be coordinated through the Emergency Operations Committee. To report a crime no longer in progress, members of the community should call the Campus Security Officer or the Office of Safety and Security. To report an emergency or a crime in progress, call 911 first then call the Campus Security Officer. Criminal activity can also be reported to persons in the following positions on each campus: Dean of Academic Programs, Dean of Students, Dean of Economic and Workforce Development, Associate Dean of Students, Administrative Coordinator of Student Services, Site Coordinators, and Safety and Security Coordinator.

The purpose of a confidential report is to comply with the alleged victims wish to keep the matter confidential while taking steps to ensure the safety of the victim and others. Reporting is necessary so that the College can do what is necessary to protect the alleged victim and others and assist the Office of Safety and Security in accurately recording the number of incidents on campus; determining if there is a pattern of crime in regard to certain locations or areas; notifying the campus and local law enforcement in regard to a certain location or assailant; and alert the campus community to potential danger.

### **Security and Access**

Most campus buildings and facilities are accessible to members of the campus community, guests, and visitors during normal hours of business, Monday through Friday, and for limited designated hours on Saturday, Sunday, and holidays. Facilities are maintained and security monitored to maintain the best interest of students, staff, and faculty. Many cultural and athletic events held in the College facilities are open to the public. Other facilities such as the learning resource centers, athletic fields, tennis courts, walking tracks, Betty Carol Graham Building, Margie Sanford Building, Talladega Career Center, and the Health, Education and Arts Building are also open to the public. Access to academic and administrative facilities on campus is generally limited to students, employees, and visitors for the purpose of study, work, academic instruction, and other college business. Each building has established hours based on the needs of the college. Security officers provide random patrols of all campus buildings during established business hours. All college locations officially close at 10:00 PM on Monday through Thursday and 11:30 AM on Fridays.

### **Maintenance of Campus Facilities**

Facilities and landscaping are maintained in a manner that minimized hazardous conditions. Physical plant personnel and security personnel report any unsafe conditions that are observed during their rounds to the appropriate maintenance personnel for repair or correction. All members of the CACC community are encouraged to report and submit maintenance requests for equipment problems or unsafe conditions to the Maintenance Department.

### **Security Awareness and Crime Prevention Programs**

Programs to increase security awareness and promote crime prevention are sponsored by the Office of Student Services and the Office of Safety and Security. These programs also promote awareness of dating violence, domestic violence, sexual assault, and stalking. Students are introduced to campus security and safety issues during CACC Connect (pre-orientation), and security and crime prevention are addressed in depth during required orientation classes both during their freshmen

year. CACC athletes review drug and alcohol awareness as well as dating violence and other safety and security awareness programs annually during athletic orientation. Campus security and safety issues and security and crime prevention are discussed twice a year in mandatory professional development for all faculty and staff. Awareness posters and flyers are posted on bulletin boards and walls around campus. In addition, safety and security information is also included in the annual publication of the *Central Alabama Community College Catalog and the Central Alabama Community College Student Handbook*.

### **Illegal Drug and Alcohol Awareness**

Central Alabama Community College provides annual illegal drug awareness programs along with substance abuse educational activities coordinated by the Student Services Office, the Student Government Association, and the Office of Safety and Security. The Student Services Office recognizes National Collegiate Alcohol Awareness week with educational activities, and the College promotes the “drug free” lifestyle and provides educational information on the harmful effects of drug abuse/misuse. As part of the orientation program for new students, the College includes a drug awareness program along with other timely topics of concern to college students. Students and employees who show evidence of a drug abuse problem are referred to the community mental health resources. Central Alabama Community College will abide by The Drug-Free Schools and Communities Act Amendments of 1989, Public Law 101-226, and such regulations as are issued by the Secretary of Education to carry out the purpose of PL 101-226.28

In addition, students who are found in violation of the alcohol policy are required to participate in alcohol awareness education, and student athletes are subjected to drug testing/screening and annual workshops on the prevention of alcohol and drug abuse among student athletes.

### **National Toll-Free Hotlines**

National Institute on Drug Abuse Information and Referral Line

1-800-662-HELP (M-F, 8:30 a.m. – 4:30 p.m.)

Parents’ Resource Institute for Drug Education (PRIDE)

1-800-241-9746 (M-F, 8:30 a.m. – 5:00 p.m.)

National Council on Alcoholism and Drug Dependency, Inc.

1-800-622-2255

### **Illegal Drugs, Alcohol, and Weapons**

Central Alabama Community College lends its full support to all state and federal laws and local ordinances regulating the sale and possession of alcoholic beverages. Central Alabama Community College is a public educational institution of the State of Alabama, and as such, does not permit on its premises, or at any activity which it sponsors, the possession, use, or distribution of any alcoholic beverage or any illicit drug by any student, employee, or visitor. In the event of the confirmation of such prohibited possession, use, or distribution by a student or employee, Central Alabama Community College will take administrative or disciplinary action as is appropriate. For students, the disciplinary action may include actions up to suspension and expulsion. For an employee, administrative or disciplinary action be taken and may include the 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 required to leave the campus. 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 is subject to referral to law enforcement officials for arrest and prosecution.

## **STUDENT CODE OF CONDUCT (Revised 08/13/2020)**

### **Philosophy**

Student conduct emphasizes a developmental approach toward discipline that is educational and proactive and allows for maximum student growth. Central Alabama Community College embraces the concept of a student-centered college committed to developing and establishing programs designed to enhance lifelong learning opportunities, foster a climate of personal growth and development, set high expectations for personal integrity, and assist students in the development of an informed set of values, ethics and beliefs. A student-centered college embraces a campus climate in which civility and respect among members of the campus community are viewed as vital to the overall ethical development of its students.

### **Statement on Conduct**

Central Alabama Community College students are expected to obey national, state, and local laws; to respect the rights of members of the campus community, and to accept responsibility for the consequences of their behavior. In the event students fail to demonstrate such behavior, Central Alabama Community College reserves the right to take necessary and appropriate action to protect the safety and well-being of the campus community. This action may include pursuing disciplinary sanctions for violations of college rules, regulations, and policies as well as violations of national, state, and local laws. The College may take action for violations that occur on-campus and off campus, if the actions impact the College community, or on the Internet when those actions adversely affect the educational interest of the College. Any member of the College community may file charges against any student for violation of the Student Code of Conduct.

The Central Alabama Community College student conduct system is not a court of law. The Student Code of Conduct is not written with the specificity of a criminal statute. In cases where civil or criminal proceedings also involve a violation of the Student Code of Conduct, the College reserves the right to take appropriate disciplinary action against the student. This action will be regarded as separate and distinct from proceedings in criminal or civil court and may be scheduled according to timelines that serve the interest of the College.

### **Conduct Authority**

The Dean of Students shall develop policies for the administration of the student conduct program and the procedural rules for the conduct of hearings that are not inconsistent with the provisions of the Student Code of Conduct. The Dean of Students, in consultation with the members of the President's Cabinet, will determine the composition of the Student Conduct Committee.

The Dean of Students shall seek to ensure that the Student Conduct Committee is representative of the faculty and staff members who are willing and able to offer fair and thoughtful consideration of each case.

Central Alabama Community College students are responsible for knowing the information, policies, and procedures outlined in this document and the CACC Student Handbook. CACC

reserves the right to make changes to this code as deemed necessary, which become effective once those changes are posted online. Students are encouraged to check the college website for updated policies and procedures.

### **Definition of Terms**

1. The term "College" means Central Alabama Community College.
2. The term "student" includes all persons taking courses at Central Alabama Community College either full-time or part-time. Persons who are not currently enrolled but who were previously enrolled would be considered to have a continuing relationship with the College so long as they are eligible to enroll. Individuals who are admitted but whose degree is not yet conferred are considered students.
3. The term "faculty member" means any person employed by Central Alabama Community College to conduct classroom or teaching activities or who is otherwise considered by the College to be a member of the faculty.
4. The term "college official" includes any person employed by Central Alabama Community College performing assigned administrative or professional responsibilities.
5. The term "college premise" includes any property that is owned, controlled, used or leased by Central Alabama Community College.
6. The term "college event" includes any activity conducted, sponsored, or authorized on behalf of Central Alabama Community College whether on or off college premises.
7. The term "organization" means a student organization who has complied with the formal requirements for recognition.
8. The term "Student Conduct Committee" refers to all persons designated by the Dean of Students to be responsible for the management of the student conduct program. The Committee members are authorized to investigate, adjudicate, or otherwise resolve any cases of alleged student misconduct.
9. The term "policy" is defined as the written regulations of the College as found in, but not limited to, the Student Code of Conduct, the College Catalog, and Student Handbook, and all official publications of the College whether in print or published on the Internet.

### **Student/Student Organization Rights**

A student or student organization of Central Alabama Community College charged with a violation of the Student Code of Conduct has the following rights:

- To receive a written statement of the charges via CACC official email account within five working days after the violation was reported.
- To receive a fair and impartial hearing.
- To know the nature of the evidence against them.
- To present evidence and witnesses in their own behalf.
- To be accompanied at a hearing by an advisor.
- To be present at the hearing during the presentation of any evidence or material on which a recommendation will be made. If a student/student organization fails to attend the hearing, it will be held in their absence.
- To refuse to answer questions.
- To receive a decision based solely on the evidence presented.
- To have a record made of the hearing.
- To receive a written notice of the decision and an explanation of the decision and sanctions.

- To appeal decisions.
- Students or organizations may waive these rights by agreeing to administrative adjudication. No student is required to agree to administrative adjudication.

### **Due Process**

Students at Central Alabama Community College are provided a copy of the Student Code of Conduct annually in the form of a link on the College website. Hard copies are available upon request from the Student Services Office. Students are responsible for reading and abiding by the provisions of the Student Code of Conduct.

### **Code of Conduct Violations**

The following list of violations of the Student Code of Conduct is an example of behaviors that may result in disciplinary action by the College. It is not to be regarded as all-inclusive. In the event that there arises ambiguity, inconsistency, or a need for further clarification regarding what constitutes a violation of the Student Conduct Code, the Dean of Students shall make the final determination. Any student or student organization found to be responsible for misconduct is subject to college sanctions.

Code of Conduct violations have been divided into various levels of severity and possible sanctions assigned based on this classification.

### **Level I: Reprimand, Probation, Educational Sanctions, Community Service, Restitution, or Any Combination Thereof**

Level I violations include but are not limited to the following:

- 1. Tobacco**
  - a. use of any tobacco product on college premises
- 2. Gambling**
  - a. engaging in any form of gambling that is in violation of the law
- 3. Pets**
  - a. possession of animals within campus buildings; service animals and medically approved emotional support animals are the only exception
- 4. Solicitation and Sales**
  - a. solicitation and sales of any kind on campus without prior permission from the Dean of Students
- 5. Skateboards, Hover Boards, and Roller Blades**
  - a. Use of skate boards, hover boards, or roller blades on campus

### **Level II: Any Level I Sanction, Facilities Suspension, Suspension, or Any Combination Thereof**

Level II violations include but are not limited to the following: **repeat offenses of any Level I violations**, and:

- 1. Alcohol Possession and Use**
  - a. manufacturing, distributing, dispensing, possessing, or using alcoholic beverages on college premises



- b. manufacturing, distributing, dispensing, possessing, or using alcoholic beverages during a college event
  - c. being in a state of alcohol intoxication on college premises or at a college event
- 2. Damage or Destruction of Property**
- a. any damage or destruction of college property or another person's property on campus or at any event with which the College is affiliated
- 3. Deception**
- a. any misuse of college records, forms, or documents through forgery, unauthorized alteration, reproduction, or other means
  - b. all forms of dishonesty including cheating and plagiarism
  - c. any giving or receiving of false information to the College or to any college official, administrator, or administrative unit
  - d. providing false information to law enforcement officials
  - e. possession of any fake or altered or any other identification that belongs to another person
  - f. any attempt to perpetrate a fraud against the College or a member of the College community
- 4. Disorderly Conduct**
- a. all lewd, obscene or indecent behavior or expression, or other forms of disorderly conduct
  - b. use of profane language or verbal abuse toward any college employee or student
  - c. any abuse or unauthorized use of sound amplification equipment
  - d. any conduct which materially interferes with the normal operation of the College or with the requirements of appropriate discipline
  - e. excessive noise determined to be disturbing to other residents or college officials
- 5. Failure to Comply**
- a. failing to respond to an official directive by properly identified college officials or law enforcement officials in the performance of their duties, including failure to display student ID
  - b. failing to report for a conference, meeting, or appointment with any college official or faculty member
  - c. failing to comply with any disciplinary condition imposed on a person by the Student Disciplinary Committee or any college official
  - d. fleeing from law enforcement or college officials
- 6. False Representation**
- a. any unauthorized claim to speak and/or act in the name of Central Alabama Community College or any organization, student, college officials, or faculty members
- 7. Fire Safety**
- a. any failure to evacuate or immediately respond to a fire alarm
  - b. participation in creating or causing a false fire alarm
  - c. participation in tampering, disconnecting, or altering any fire alarm system, equipment, or component
  - d. failure to follow the instructions of college official and emergency personnel during fire alarms
  - e. the possession, use, manufacture, and/or sale of any incendiary device

- f. participation in setting or causing to be set any unauthorized fire
  - g. the possession and/or use of any type of fireworks
  - h. the possession or use of candles, incense, or other flame-emitting articles in the buildings
- 8. Harassment**
- a. the striking, shoving, kicking, or otherwise touching or making physical contact in regard to another for the purpose of harassing, annoying, or alarming
  - b. directing abusive or obscene language or making an obscene gesture toward someone for the purpose of harassing, annoying, or alarming (i.e. making or using persistent derogatory comments, epithets, or slurs that place a person in a hostile or fearful environment or where the person's safety is in jeopardy.)
- 9. Unauthorized Use**
- a. unauthorized use or possession of college equipment or property
  - b. unauthorized use or duplication of any keys
- 10. Unauthorized Use of Computer Resources**
- a. use of a college owned computer when not currently enrolled in a class requiring the use of a college owned computer or without the written permission from the appropriate college official
  - b. inspection and/or modification of data or programs that were not specifically assigned to, owned by, or created by the modifier
  - c. use of another individual's account number without permission
  - d. interference, electronically or otherwise, with other users of college computers
  - e. unauthorized use of computer resources for personal gain
  - f. use of another individual's programs or data without permission
  - g. viewing, printing, or transmitting obscene, sexually suggestive, vulgar, or offensive messages on websites
  - h. unnecessary use (waste) of computing supplies
  - i. physical abuse of hardware
  - j. harassment of any kind
  - k. transmitting messages with derogatory or inflammatory remarks about an individual's race, age, disability, religion, national origin, physical attributes, or sexual preference
  - l. transmitting messages with abusive, profane, or offensive language
  - m. using computer resources for any purpose that is illegal, against college policy, or contrary to the best interest of the College
  - n. using computer resources to participate in Internet games, contests, or chat rooms or transmitting e-mail or other electronic communications that hides or misrepresents the identity of the sender
  - o. violation of copyright(s): Copyrighted materials may not be transmitted by individuals using the College email/Internet system. Users may not copy, retrieve, modify or forward copyrighted or licensed materials except with the owner's permission or as a single copy for reference only

### **Level III: Any Level I or Level II Sanction, Expulsion, or Any Combination Thereof**

Level III violations include but are not limited to the following: **repeat offenses of any Level I or Level II violations, and,**

- 1. Assault\***
  - a. any intentional physical contact of an insulting or provoking nature
  - b. any physical abuse, intentional injury, or physical harm of another person
- 2. Disorderly/Improper Assembly**
  - a. any assembly for the purpose of causing a riot, destruction of property, or disorderly diversion which interferes with the normal operation of the College
  - b. any obstruction to the free movement of other persons about campus or the interference with the use of College facilities
- 3. Drug Possession and Use**
  - a. manufacturing, distributing, dispensing, possessing, or using controlled or illegal substances and/or drug paraphernalia on college premises
  - b. manufacturing, distributing, dispensing, possessing, or using controlled or illegal substances and/or drug paraphernalia during a college event
  - c. being in a state of drug intoxication on any college premises or at any college events
- 4. Hazing**
  - a. any act which endangers the emotional, mental, or physical health or safety of a student, with or without their expressed permission, or which destroys or removes public or private property for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization
  - b. any act intended to cause or actually causing physical discomfort, embarrassment and/or ridicule of another person for the purposes mentioned above, or apathy or acquiescence in the presence of hazing
- 5. Sexual Assault\***
  - a. Having or attempting to have sexual intercourse with another individual by force or threat of force without effective consent; or where that individual is incapacitated or incapable of consenting.
- 6. Sexual Misconduct\***
  - a. Committing sexual abuse, sexual assault, sexual harassment, sexual exploitation, or statutory rape, as defined in the Code of Conduct or under Alabama state law
- 7. Sexual Harassment \***
  - a. Conduct on the basis of sex that reflects one or more of the following:
  - b. A school employee questioning education benefits on participating in unwelcome sexual conduct (i.e. quid pro quo);
  - c. Unwelcomed conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
  - d. Stalking, dating violence, or domestic violence.
- 8. Domestic or Intimate Partner Violence \***
  - a. any physical, sexual, or psychological harm against an individual by a current or former partner or spouse of a student

- b. willful intimidation, battery, or sexual assault committed by a family member, household member, domestic partner, or intimate partner

**9. Stalking \***

- a. Stalking is a course of physical or verbal conduct directed at another individual that could cause a reasonable person to feel fear for her or his safety or the safety of others, or to suffer substantial emotional distress. Stalking may include, but is not limited to, pursuing or following a person in person or through electronic media (cyber-stalking); non-consensual (unwanted) communication by any means (i.e. letters, cards, photos, text messages, phone calls, emails, or other documentary or electronic communications); unwanted gifts; trespassing; and surveillance or other types of observation.

**10. Sexual abuse in the first degree\***

- a. A person commits the crime of sexual abuse in the first degree if:
  - 1) He subjects another person to sexual contact by forcible compulsion; or
  - 2) He subjects another person to sexual contact who is incapable of consent by reason of being physically helpless or mentally incapacitated.
- b. Sexual abuse in the first degree is a Class C felony (Alabama Code 13A-6-66).

**11. Sexual abuse in the second degree\***

- a. A person commits the crime of sexual abuse in the second degree if:
  - 1) He subjects another person to sexual contact who is incapable of consent by reason of some factor other than being less than 16 years old; or
  - 2) He, being 19 years old or older, subjects another person to sexual contact who is less than 16 years old, but more than 12 years old.
- b. Sexual abuse in second degree is a Class A misdemeanor, except that if a person commits a second or subsequent offense of sexual abuse in the second degree within one year of another sexual offense, the offense is a Class C felony (Alabama Code 13A-6-67).

**12. Rape in the first degree\***

- a. A person commits the crime of rape in the first degree if:
  - 1) He or she engages in sexual intercourse with a member of the opposite sex by forcible compulsion; or
  - 2) He or she engages in sexual intercourse with a member of the opposite sex who is incapable of consent by reason of being physically helpless or mentally incapacitated; or
  - 3) He or she, being 16 years or older, engages in sexual intercourse with a member of the opposite sex who is less than 12 years old.
- b. Rape in the first degree is a Class A felony (Alabama Code 13A-6-61).

**13. Rape in the second degree\***

- a. A person commits the crime of rape in the second degree if:
  - 1) Being 16 years old or older, he or she engages in sexual intercourse with a member of the opposite sex less than 16 and more than 12 years old; provided, however, the actor is at least two years older than the member of the opposite sex.
  - 2) He or she engages in sexual intercourse with a member of the opposite sex who is incapable of consent by reason of being mentally defective.
- b. Rape in the second degree is a Class B felony (Alabama Code 13A-6-62).

**14. Sodomy in the first degree\***

- a. A person commits the crime of sodomy in the first degree if:
  - 1) He engages in deviate sexual intercourse with another person by forcible compulsion; or
  - 2) He engages in deviate sexual intercourse with a person who is incapable of consent by reason of being physically helpless or mentally incapacitated; or
  - 3) He, being 16 years old or older, engages in deviate sexual intercourse with a person who is less than 12 years old.
- b. Sodomy in the first degree is a Class A felony (Alabama Code 13A-6-63).

**15. Sodomy in the second degree\***

- c. A person commits the crime of sodomy in the second degree if:
  - 1) He, being 16 years old or older, engages in deviate sexual intercourse with another person less than 16 and more than 12 years old.
  - 2) He engages in deviate sexual intercourse with a person who is incapable of consent by reason of being mentally defective.
- d. Sodomy in the second degree is a Class B felony (Alabama Code 13A-6-64).

Note: A third party may also file a violation of the Code of Conduct under this policy if the sexual conduct of others in the education or work environment has the purpose or effect of substantially interfering with the third party's welfare or academic or work performance.

**16. Theft**

- a. taking, possessing, or attempting to sell or distribute any property that is the property of another person, organization, or entity (including but not limited to the College) without the owner's permission

**17. Unauthorized Entry**

- a. unauthorized entry into any college building, office, parking lot, motor vehicle, or other facilities
- b. remaining in any college building after normal closing hours without proper authorization

**18. Weapons and Firearms**

- a. keeping, using, possessing, displaying, or carrying any weapon, firearm, ammunition, fireworks, incendiary or any type of explosive device or material, or dangerous device capable of launching a projectile by air, gas, explosion, or mechanical means (including BB or pellet guns, air-soft guns, stun guns, and paintball guns) on the College premise unless specifically authorized by the administration or as part of a college-sanctioned event
- b. using, possessing, displaying, or carrying any toy weapon which resembles a real weapon, any swords, any illegal knives, any explosives (including fireworks and sparklers), any martial arts weapons, or any devices which are used to threaten the safety and well-being of a person on the college premise unless specifically authorized by the administration or as part of a college-sanctioned event
- c. using, possessing, or displaying dartboard, darts, or any type of throwing knives

**19. Violations of Law**

- a. any act that violates a provision of the laws of the United States, the laws of any state in which such act occurs, the ordinances of any county, city, municipality, or

other political subdivision, or the laws of another nation or political subdivision thereof in which such act occurs is deemed to be a violation of the Student Conduct Code when that act:

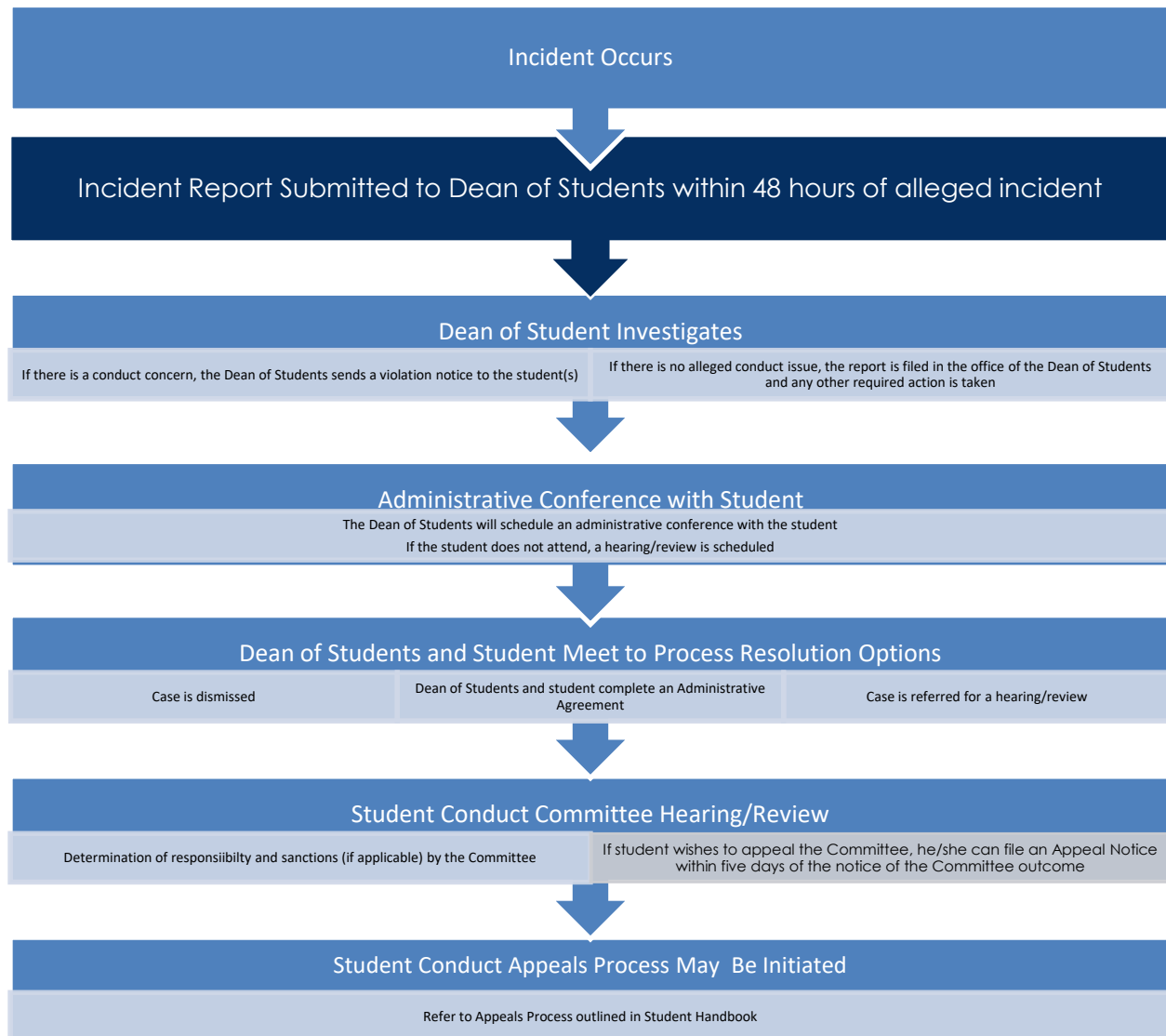
- occurs on any college premises
- occurs in the context of any college event
- occurs at any intercollegiate athletic event in which one of the College teams is participating, home or away
- involves more than one member of the College community
- otherwise adversely affects the College

\* Even in the absence of a Complaint under the Title IX Sexual Harassment Procedure the College reserves the right to pursue disciplinary sanctions for any act of sexual misconduct occurring on any of the College's campuses, at any event with which the College is affiliated, or which negatively effects the employment or educational environment of a member of the college community.

#### **Notification Process for Code of Conduct Violations**

When a student is charged with a violation of the Student Code of Conduct, the student will be notified to appear for a meeting with the Dean of Students to respond to the charges in the following manner and a notification will be sent either via certified mail to the address on file with the Office of Enrollment Services or will be emailed to the student's official CACC email.

## Conduct Procedures



### Withdrawals during the Conduct Process

A student's withdrawal from the College does not absolve the student from student conduct responsibility. A student may be given the option to voluntarily withdraw from a class or from the College in lieu of disciplinary action. The Dean of Students or Disciplinary Committee, in some circumstances, may specify a period of time before the student may apply for readmission or reenroll in a class or classes. To qualify for readmission, the student must receive approval from the Dean of Academic Programs and meet the academic standards for readmission. Students will not be eligible for any refund from the College. If a student withdraws before disciplinary procedures are carried out, the student will be subject to discipline as may be imposed by the designated college official at the time of reentry into the College.

### Standards of Evidence

The evidentiary standard to be used by the Dean of Students, Student Conduct Committee, or the President is based strictly on the evidence presented whether it was more likely than not that the

allegation(s) made against the accused student was (were) true based upon a reasonable belief of the Dean of Students, Student Conduct Committee, or the President.

The Committee Chairperson, will inform the parties that the rules relating to evidence will be similar to but less stringent than those which apply to civil trials in the courts of Alabama. Generally speaking, irrelevant, immaterial, and privileged information (such as personal medical information or attorney-client communications) shall be excluded. However, hearsay evidence and other types of evidence may be admitted if the Dean of Students or Committee Chairperson determines that the evidence offered is of the type and nature commonly relied upon or taken into consideration by a responsible, prudent person in conducting his/her affairs.

In the event of an objection by any party to any testimony or other information offered at the hearing, the Dean of Students or Committee Chairperson will have the authority to determine the admissibility of the testimony or other information, and this decision shall be final and binding.

### **Sanctions**

A student or student organization found responsible for violating the Student Code Conduct, with the exception of violations related to academic dishonesty, may receive one or more of the sanctions listed below, as determined after a review of the findings. Code of Conduct violations have been divided into various levels of severity and possible sanctions assigned based on this classification.

Prior to issuing a sanction, it will be determined whether or not the accused student or student organization has any previous violations of the Student Code of Conduct. This may have an effect on the type and level of the sanction(s) to be imposed.

When a student organization engages in an act of misconduct, the College reserves the right to take action not only against the organization but also against the individual student members of the organization.

The following list of sanctions is intended to show the range of sanctions that may be imposed on a student or student organization, either individually or in combination. This list is not to be regarded as all-inclusive but rather as a sample of sanctions that may be imposed. Other College policies and regulations may impose specific penalties for specific violations and nothing in this section is intended to limit the imposition of those specific sanctions.

- **Disciplinary Reprimand.** This reprimand may be an oral or written warning. It notifies a student that any further violation of College regulations may subject the student to more severe disciplinary actions.
- **Disciplinary Probation.** This sanction is for a designated period of time, which may include exclusion from privileges, such as extracurricular activities and/or on-campus driving privileges. Furthermore, if the student is determined by any of the disciplinary procedures herein set out to be in subsequent violation of the Student Code of Conduct during the probationary period, the student may be either suspended or expelled. Provisions of the probationary period shall be determined and expressed by the Dean of Students or Disciplinary Committee.



- **No Contact Orders.** Written notice to cease all contact with an alleged victim of sexual misconduct is a no contact order.
- **Cease and Desist Orders.** Written notice to the alleged perpetrator to cease and desist any activity noted by the alleged victim as offensive or threatening and that may be a violation of the Sexual Misconduct Policy is a cease and desist order.
- **Educational Sanction.** An educational sanction may consist of the assignment of specific projects to be performed by a student or student organization, such as writing a research paper on a specific topic, performing community service hours, attending an educational program, and/or writing reaction papers on a specified topic.
- **Community Service.** Students may be assigned to complete a certain number of hours of community service work to improve their campus. Tasks will be assigned and completion of hours will be monitored by the Dean of Students or his/her designee.
- **Fines and Restitution.** Compensation for loss, damage, and injury may be imposed upon students for violations of the Student Code of Conduct or failure to complete community service. A hold on the student's account may occur if fines and/or restitution is not paid.
- **Loss of Privileges.** Denial of specific privileges for a designated period of time.
- **Payment of Damages.** Charges will be assessed against students for the amount necessary to repair damage caused by their misconduct.
- **Organizational Sanctions.** Loss of privileges, including College recognition, for a specific period of time or permanently. Loss of privileges may include, but is not limited to, a prohibition on social events or fund-raising projects. In addition, the completion of community service hours and special projects may be required.
- **Disciplinary Suspension.** This suspension excludes a student from the College for a designated period of time, usually not more than two terms. While on suspension, a student will not be allowed to take any courses at the College. At the end of the designated period of time, the student must make formal reapplication for admission and meet all reasonable requirements and academic standards for readmission. Students will not be eligible for a refund from the College. If suspension is imposed when there are less than 30 days in the academic term, the suspension will carry over into the next semester of enrollment.
- **Voluntary Withdrawal.** A student may be given the option to voluntarily withdraw from a class or from the College in lieu of disciplinary action. The Title IX Coordinator may specify a period of time before the student may apply for readmission or reenroll in a class or classes. To qualify for readmission, the student must receive approval from the Dean of Academic Programs and meet the academic standards for readmission. Students will not be eligible for any refund from the College. (If a student withdraws before disciplinary procedures are carried out, the student will be subject to discipline as may be imposed by the designated College official at the time of reentry into the College).
- **Facility Suspension.** A student may be suspended from using various campus facilities for misconduct in those facilities.
- **Disciplinary Expulsion.** This sanction is the strongest disciplinary action. This category of severe penalty generally indicates the recipient may not return to the College. Disciplinary expulsion normally would be the least-used disciplinary action and would be applied only to students who are responsible for chronic misbehavior or a major misconduct. The College reserves the right, but has no duty, to lift prohibition against re-enrollment if the student submits a written application for readmission showing that he/she has demonstrated an ability and readiness to comply with all College rules and regulations.

The College will not consider such a request until at least two years from the date of expulsion.

- **Counseling/Substance Abuse Counseling.** Central Alabama Community College does not provide mental health counseling. If counseling is necessary, referrals may be made to off-campus professional services. CACC can also provide a list of off-campus counseling resources to faculty, staff, and students for counseling services as well as resources for substance abuse. CACC is not responsible for the cost of professional counseling for students. This information is provided only to assist students and is not intended as an endorsement of a particular resource.

### **Interim Suspension**

In certain circumstances, the Dean of Students may impose a college suspension prior to a hearing. Interim suspension may be imposed only:

- to ensure the safety and well-being of members of the College community or preservation of College property;
- to ensure the student's own physical or emotional safety and well-being;
- if a student poses a threat to themselves or others or
- if a student poses a threat of disruption of or interference with the normal operations of the College.

During an interim suspension, students may be denied access to the campus (including classes) and/or all other college activities or privileges for which the student might otherwise be eligible. The student will be responsible for working with faculty members to make-up any missed work (if possible). If an interim suspension is imposed, the hearing should follow within three (3) business days. The student must be notified in writing through official CACC email and/or certified mail or personal service.

### **Confidentiality and Protection from Retaliation**

Every effort possible shall be made to ensure confidentiality of information received as a part of an investigation. Complaints will be handled on a "need to know" basis with a view toward protecting the interest of all parties involved. The College will do everything consistent with enforcement of this policy and with the law to protect the privacy of all parties involved and to ensure that all involved are treated fairly.

A student bringing a complaint or assisting in the investigation of a complaint will not be adversely affected as a result of being involved in said complaint. Any act of reprisal, including interference, coercion, or restraint by a student, employee, or anyone acting on behalf of the College violates this policy and will result in appropriate disciplinary action.

### **Filing a False Report**

It is a violation of college policies for any student, faculty or staff member, or administrator to file a false report against another individual.

### **Student Conduct Hearing Procedures**

The Student Conduct Committee will be composed of faculty members (one of whom serves as chairperson) and non-faculty members. The Chairperson of the Committee will be the administrative officer of the Committee. The Chairperson's duties include:

- coordinating the times and place for the hearings with the Office of the Dean of Students;
- informing committee members of the times and places of committee meetings and hearings;
- ensuring a quorum of committee members are present at the hearing;
- coordinating communication to the student and witnesses with Office of the Dean of Students;
- maintaining of committee and hearing records, which will be kept on file in the Office of the Dean of Students, and informing, in writing, the appropriate person(s) of the decision of the Committee.

The Student Conduct Committee Chairperson will notify the student of the time, place, and subject matter of the hearing at least seventy-two (72) hours prior to the scheduled beginning of the hearing. The hearing will be conducted in a fair and impartial manner and disciplinary hearings will not be open to the public.

Members of the Committee may at any time disqualify themselves from consideration of any given case or cases because of personal bias or a conflict of interest.

Either party to the hearing may request of a chairperson that any member or members of the Committee be excluded from consideration of the case. Such a request must be for cause and brought to the Chairperson's attention as the first step in the hearing. In the event a member is disqualified by a majority vote of the Committee from consideration of the case, the President shall appoint a replacement. The replacement must meet the general requirement of regular committee members.

- Hearings will be held in a private, confidential area.
- Witnesses will be present only when providing information to the Committee.
- The Committee shall not have the power to require sworn testimony of witnesses. A witness may decline to make an oral or written statement. An accused student has the right to remain silent, and such silence shall not be used against him/her.
- All procedural questions are subject to the final decision of the Committee chairperson.
- In the event a Complainant or Respondent (accused student) fails to attend a formal hearing after notification of the designated date, hour, and location, he/she waives the right to appear before the Committee. The hearing will be held and the Committee's determination shall be based on the evidence and information presented. If the Complainant or the Respondent is unable to attend the hearing for good cause, he/she shall make a written request stating the reason for delay at least three college working days prior to the designated date. This request shall be directed to the Chairperson of the Committee. If approved by the Chairperson, a new date shall be established and appropriate notification will be provided to all parties involved. If the Chairperson does not approve the request, the student shall be notified of the Chairperson's decision to continue the hearing as scheduled. Only one extension shall be granted. If the Complainant or the accused student fails to appear, the student forfeits the right to present his/her case and the Committee may proceed with the hearing.

At the hearing, the Committee Chairperson will read the Student Code of Conduct Charges filed against the student and provide a copy of the Incident Report to the student and the Committee members. After the incident report and Code of Conduct charges are read into the record, the Complainant will have the opportunity to present oral information and offer other supporting information as he/she deems appropriate to his/her claim of the violation of the Code of Conduct. The Respondent (student against whom the violation of the Code of Conduct was filed) will then be given the opportunity to present oral information and offer other supporting information as he/she deems appropriate to the his/her defense against the charges.

Any party to a Student Disciplinary Hearing will have the right to retain, at the respective party's cost, the assistance of legal counsel or other personal representative. However, the respective attorney or personal representative, if any, will act in an advisory role only and will not be allowed to address the hearing body or question any witnesses. The College must be given a minimum of 48 hours' notice if the Respondent is being assisted by an attorney or personal representative. The names of the personal representative or attorney must be submitted 48 hours prior to the hearing to the Dean of Students. The Dean of Students or Student Code of Conduct Committee members will not use an attorney unless the Respondent is also assisted by an attorney or other personal representative. The hearing will be recorded by an electronic recording medium. In addition, all supporting documents or information offered by the parties, whether admitted or not, will be marked and preserved as part of the hearing record.

The hearing officer or committee will make the participants aware that the rules relating to the admissibility of statements and information during the hearing will be less stringent than those which apply to civil trials. Generally speaking, irrelevant, immaterial and privileged information (such as personal medical information or attorney-client communications) will be excludable. However, hearsay conversations and unauthenticated documentary information may be allowed if the Committee chairperson determines that the information offered is of the type and nature commonly relied upon or taken into consideration by a reasonably prudent person in conducting his affairs.

In the event of an objection by any party to any statement, information or documentation offered at the hearing, the Committee chairperson will have authority to make a final ruling on the objection.

### **Report of Findings**

Within five (5) working days following the hearing, there will be a written report given to the Dean of Students (with a copy to the President, the Complainant and each Respondent) of the findings of the Chairperson of the hearing committee, and the report will contain at least the following:

1. Date and place of the hearing;
2. The name of the hearing officer or each member of the hearing committee, as applicable;
3. A list of all witnesses for all parties;
4. Findings of fact relevant to the violation of the Student Code of Conduct;
5. Regulations or policies relevant to the violation, and
6. Recommendation(s) arising from the violation of the Student Code of Conduct and the hearing.

In the event of a finding by the Student Conduct Committee that the violation of the Student Code of Conduct was unfounded or was not supported by the evidence presented, the Dean of Students will notify the Complainant of any appeal that may be available to the Complainant. In the event of a finding that the Violation of the Code of Conduct was supported, in whole or in part, by the information presented, the Dean of Students will advise the Respondent of any available appeal.

### **Presidential Appeals**

The Complainant and Respondent will have the right to appeal the decision of the Student Conduct Committee to the President of Central Alabama Community College, provided that:

1. A notice of appeal is filed with the Dean of Students and the President within fifteen (15) calendar days following the receipt of the Committee report and
2. The notice of appeal contains clear and specific objection(s) to the finding(s), and conclusion(s) and/or recommendation(s) of the hearing officer or committee. If the appeal is not filed by the close of business on the fifteenth (15th) day following the receipt of the Committee report, the right to appeal to the President will have been waived. If the appeal does not contain clear and specific objections to the hearing report, it will be denied by the President.
3. President's Review: If an appeal is accepted by the President, the President will have thirty (30) calendar days from his/her receipt of the notice of appeal to review and investigate the allegations contained in the incident report, to review the hearing record, to hold a hearing (if deemed appropriate by the President) and to produce a report of the President's findings. The President will have the authority to (1) affirm, (2) reverse or (3) affirm in part and reverse in part and/or modify the findings, conclusions and recommendations arising from the student disciplinary hearing. The President's report will be served to the Complainant and Respondent(s) by personal service or by certified mail, return receipt requested, at their respective home addresses.

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. Please refer to the ACCS Student Complaint Process found on the ACCS website. (<https://www.accs.edu/student-complaints/>)

## **TITLE IX SEXUAL HARASSMENT POLICY (Rev. 08/13/20)**

### **INTRODUCTION**

Central Alabama Community College (CACC) is committed to providing a workplace and campus community free of sexual misconduct and harassment. As required by Title IX of the Education Amendments of 1972, the College does not discriminate on the basis of sex in its education programs and activities. This includes discrimination affecting employees of the college and applicants for employment, students and applicants for admission, or members of the public. All members of the College community are expected to conduct themselves in a manner that does not infringe upon the rights of others, whether on college premises or at any College owned off campus location and while participating in any educational program or activity of the College.

Sexual harassment, which includes sexual misconduct and sexual assault, is a form of sex discrimination which is prohibited under Title IX of the Education Amendments of 1972 and the Violence Against Women Act. This policy is intended to reaffirm the College's commitment to address sexual harassment and take steps to prevent its reoccurrence and preserve or restore equal access to the College's education programs and activities. Dating violence, domestic violence, and stalking may also be considered forms of sexual discrimination. Due to the seriousness of these offenses, the College has adopted specific policies and procedures, outlined in the Student Handbook, employment policies, and webpage, to address alleged instances of sexual harassment, sexual misconduct, sexual assault, dating violence, domestic violence, and stalking. The College believes that no person should bear the effects of sexual harassment alone. When such conduct occurs, paramount concern of the college is for the safety and well-being of those impacted. The College will support individuals by referring students and employees to community and local resources.

Under Title IX, individuals reporting allegations related to sexual harassment and/or sexual violence, have the right to a resolution of their complaint, to have the college conduct a prompt, thorough and impartial investigation, and to receive supportive measures to ensure the safety and wellbeing of the individuals involved and the college community.

When allegations of sexual harassment and/or sexual violence in any form are brought to the attention of the Title IX Coordinator, and if a responding party is found to have violated this policy, serious sanctions will be used to prevent its reoccurrence. CACC does not tolerate or condone retaliation. Individuals wishing to report reporting sexual harassment and/or sexual violence and/or to make inquiries concerning the application of Title IX at the College may contact:

Tina Shaw (Employees)  
Building A Childersburg Campus  
34091 US Highway 280  
Childersburg, AL 35044  
Phone: 256-378-2010  
Fax: 256-378-2097  
Email: tshaw5@cacc.edu

Jerri R. Carroll (Students)  
Administrative Building Alexander City Campus  
1675 Cherokee Road  
Alexander City, AL 35010  
Phone: 256-215-4273  
Fax: 256-215-4244  
Email: jcarroll@cacc.edu

and/or

Assistant Secretary  
U.S. Department of Education  
Office for Civil Rights

Lyndon Baines Johnson Department of Education Building  
400 Maryland Avenue, SW  
Washington, DC 20202-1100  
Telephone: 800-421-3481  
Fax: 202-453-6012; TDD: 800-877-8339  
Email: [OCT@ed.gov](mailto:OCT@ed.gov) (mailto: [OCR@ed.gov](mailto:OCR@ed.gov))

Information regarding the Title IX Coordinator and their role will be provided to all faculty, staff, students, applicants for admissions, and applicants for employment. Also, this information is available on the College website at [www.cacc.edu](http://www.cacc.edu) under the Title IX webpage.

## **POLICY**

The U.S. Department of Education's [Office for Civil Rights](#) (OCR) enforces, among other statutes, Title IX of the Education Amendments of 1972. Title IX protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX states that:

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

## **DEFINITIONS RELATING TO SEXUAL HARASSMENT**

Many terms are used in the context of sexual harassment. The following will provide some common definitions and examples.

### ***Actual knowledge***

The notice of sexual harassment or allegations of sexual harassment to the Title IX Coordinator or any official of the College who has authority to institute corrective measures on behalf of the College shall be deemed actual knowledge on the part of the College.

### ***Complainant***

Complainant is an individual who is alleged to be the victim of conduct that could constitute sexual harassment. For the purposes of this procedure a Complainant may be an individual applying for admission or employment, an employee, a student or an individual otherwise participating in or attempting to participate in the education programs and activities of the college.

### ***Respondent***

Respondent is an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

### ***Formal complaint***

A formal complaint is a document filed by the complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the College investigate the allegation of sexual harassment. Note: At the time of filing a formal complaint, a complainant must

be participating in or attempting to participate in an educational program or activity of the College at which the formal complaint is filed.

### ***Consent***

“Consent” must be informed, voluntary, and mutual and can be withdrawn at any time. 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.

### ***Incapacitation***

An individual who is incapacitated is unable to give consent to sexual contact. States of incapacitation include sleep, unconsciousness, intermittent consciousness, intoxication, or any other state where the individual is unaware that sexual contact is occurring or is otherwise unable to give informed and voluntarily consent. Incapacitation may also exist because of a mental or developmental disability that impairs the ability to consent to sexual contact. Example: A person who is taking pain medication and falls asleep under the influence of the medication can be incapacitated and not be able to give consent to sexual contact.

### ***Sexual Misconduct***

Committing sexual abuse, sexual assault, sexual harassment, sexual exploitation, or statutory rape, as defined below or under Alabama state law.

### ***Harassment***

The striking, shoving, kicking, or otherwise touching or making physical contact in regard to another for the purpose of harassing, annoying or alarming; and/or directing abusive or obscene language or making an obscene gesture toward someone for the purpose of harassing, annoying, or alarming. Example: Making or using persistent derogatory comments, epithets, or slurs that place a person in a hostile or fearful environment or where the person’s safety is in jeopardy.

### ***Sexual Harassment***

Conduct on the basis of sex that satisfies one or more of the following:

- A school employee conditioning education benefits on participating in unwelcome sexual conduct (i.e. quid pro quo);
- Unwelcomed conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school’s education program or activity; or
- Stalking, dating violence, or domestic violence.

## **DEFINITIONS OF SEXUALLY BASED OFFENSES**

### ***Sexual abuse in the first degree***

(a) A person commits the crime of sexual abuse in the first degree if:

- (1) He subjects another person to sexual contact by forcible compulsion; or



(2) He subjects another person to sexual contact who is incapable of consent by reason of being physically helpless or mentally incapacitated.

(b) Sexual abuse in the first degree is a Class C felony (Alabama Code 13A-6-66).

***Sexual abuse in the second degree***

(a) A person commits the crime of sexual abuse in the second degree if:

(1) He subjects another person to sexual contact who is incapable of consent by reason of some factor other than being less than 16 years old; or

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

(b) Sexual abuse in second degree is a Class A misdemeanor, except that if a person commits a second or subsequent offense of sexual abuse in the second degree within one year of another sexual offense, the offense is a Class C felony (Alabama Code 13A-6-67).

***Rape in the first degree***

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

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

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

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

(b) Rape in the first degree is a Class A felony (Alabama Code 13A-6-61).

***Rape in the second degree***

(a) A person commits the crime of rape in the second degree if:

(1) Being 16 years old or older, he or she engages in sexual intercourse with a member of the opposite sex less than 16 and more than 12 years old; provided, however, the actor is at least two years older than the member of the opposite sex.

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

(b) Rape in the second degree is a Class B felony (Alabama Code 13A-6-62).

***Sodomy in the first degree***

(a) A person commits the crime of sodomy in the first degree if:

(1) He engages in deviate sexual intercourse with another person by forcible compulsion; or

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

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

(b) Sodomy in the first degree is a Class A felony (Alabama Code 13A-6-63).

***Sodomy in the second degree***

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

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

(b) Sodomy in the second degree is a Class B felony (Alabama Code 13A-6-64).

***Domestic Violence***

Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or has cohabitated with the victim as a spouse, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction (34 U.S.C.12291(a)(8)).

In Alabama, domestic violence includes felony and misdemeanor crimes of violence committed by a current or former spouse, parent, child, any person with whom the defendant has a child in common, a present or former household member, or a person who has or had a dating or engagement relationship with the defendant (Alabama Code Section 13A, Article 7 Domestic Violence in 1st, 2nd, and 3rd Degrees).

***Dating Violence***

Means violence committed by a person –

- (a) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (b) Where the existence of such a relationship will be determined based on a consideration of the following factors:

- The length of the relationship,
- The type of relationship,
- The frequency of interaction between the persons involved in the relationship (34 U.S.C.12291(a) (10)).

In Alabama, dating violence is covered under Alabama Code Section 13A, Article 7 Domestic Violence in 1st, 2nd, and 3rd Degrees.

***Stalking***

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to a) fear for his or her safety or the safety of others; or b) suffer substantial emotional distress 34 U.S.C.12291(a)(30).

In Alabama, stalking is when a person 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 (13A-6-90 Stalking in the first degree) or 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 (Section 13A-6-91 Stalking in the second degree).

### ***Sexual assault***

Sexual assault means an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting systems of the Federal Bureau of Investigation 20 U.S.C.1092 (f)(6)(A)(v).

## **VICTIMS OPTION TO REPORT**

Students and employees who are victims of crime including rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking, are encouraged by the College to report but do have the option not to report the incident to campus law enforcement, or local law enforcement. In those cases, the victim may still seek assistance confidentially from Crisis Services of North Alabama or any other victim service agency of their choosing.

## **FORMAL COMPLAINT PROCESS**

### ***Initial Steps***

Any student or employee of the College or applicant for employment or admission who has a complaint against a student or a member of the College faculty, staff, or administration concerning sexual harassment (Title IX of the Educational Amendments of 1972) or has knowledge of any conduct constituting sexual harassment in an educational program or activity of the College or which occurred on property owned by the College or controlled by the College should report the complaint to the campus Title IX Coordinator [link to Title IX webpage]. An educational program or activity of the College includes, but is not limited to locations, events or circumstances over which the College exercised substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes buildings owned or controlled by a student organization that is officially recognized by the College.

### ***Reporting A Complaint***

Any individual may report sexual harassment incident to Title IX Coordinator in person, by email, by telephone, or in writing. The report must include the names of the Complainant(s) and Respondent(s), approximate date of incident, facts of the incident, and contact information for the person submitting the complaint.

The Title IX Coordinator will respond in writing to the person submitting the complaint as soon as practicable, but not exceeding five (5) business days. If the person submitting the complaint is not the Complainant, the Title IX Coordinator will also contact the Complainant within five (5) business days.

If after a discussion with the Complainant, the Title IX Coordinator determines that the complaint does not qualify as a Title IX Complaint, the Title IX Coordinator will notify the Complainant in writing and may redirect the Complaint to the appropriate committee.

If after a discussion between the Complainant and the Title IX Coordinator, the Title IX Coordinator determines that the complaint meets the criteria of a Title IX Complaint and the Complainant requests to file a formal complaint, the Title IX Coordinator will initiate the formal complaint process.

### ***Supportive Measures***

Supportive measures mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the education programs or activities of the college without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the College's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security, and monitoring of certain areas of the campus, and other similar measures. The College must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Supportive measures will be offered to the Complainant within five (5) business days of receipt of the complaint.

Supportive measures will be offered to the Respondent simultaneously with the Notice of Allegations.

### ***Standard of Evidence for Determining Responsibility***

For the purposes of College Title IX procedures, the College will use a "preponderance of evidence" standard for determining responsibility. Preponderance of the Evidence means evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; that is evidence which as a whole show that the fact sought to be proved is more probable than not.

## **FORMAL COMPLAINT PROCESS**

A formal complaint must be submitted in electronic (email) or written format to the Title IX Coordinator and must be signed by the Complainant. In the event that under the circumstances a formal complaint should be pursued notwithstanding a Complainant's desire not to file a formal complaint, the Title IX Coordinator may sign the complaint. The complaint must include the following:

- the date of the original complaint,

- names of Complainant and Respondent,
- facts and description of the complaint, and
- the request to investigate complaint.

A Complainant must be participating in or attempting to participate in a College sponsored program or activity at the time the complaint is filed.

### **DISMISSAL OF FORMAL COMPLAINT**

The College may dismiss a formal complaint or allegations therein if:

- the Complainant informs the Title IX Coordinator in writing that the Complainant desires to withdraw the formal complaint or allegations therein,
- the Respondent is no longer enrolled or employed by the school, or
- specific circumstances prevent the school from gathering sufficient evidence to reach a determination.

The College must dismiss a formal complaint or allegations therein if:

- the allegations do not meet the definitions of sexual harassment
- the alleged conduct did not occur within the United States, or
- the alleged conduct did not occur within a College sponsored program or activity.

If the College determines the formal complaint or allegations therein will be dismissed, the Title IX Coordinator will provide written notice to both parties of the dismissal of allegations, and the reason for dismissal within five (5) business days of the decision to dismiss the complaint.

### **NOTICE OF ALLEGATIONS**

The Title IX Coordinator will provide simultaneous written notice of allegations, including sufficient details, and intent to investigate to the Complainant and Respondent no later than ten (10) calendar days after receipt of the formal complaint. The Title IX Coordinator will also provide both parties with the formal complaint, grievance and appeal process, possible sanctions and remedies, and availability of advisors. The written notice shall include a statement that the respondent is presumed not responsible for the alleged conduct, that the parties and their advisors may review and inspect evidence, and advise the parties of the provisions of the College Code of Conduct relating to making false statements or submitting false information during the grievance process.

The Title IX Coordinator will additionally notify the Title IX investigator of the pending investigation and provide a copy of the formal complaint.

### **ADVISORS**

In addition to providing the Complainant and Respondent with written notice of allegations and intent to investigate, the Title IX Coordinator will inform the parties of the availability of advisors. Both parties shall have the right to retain, at the respective party's own cost, the assistance of legal counsel or other personal representative advisor. In the alternative, either or both parties may also request an advisor provided by the College.

Only an advisor may conduct cross-examination during the live hearing.

Neither party may dismiss a College appointed advisor.

## **INVESTIGATION PROCEDURE**

The Title IX investigator is responsible for conducting an investigation of the submitted formal complaint. The Title IX investigator will have received Title IX investigator training within the current academic year.

The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the College and not on the parties.

The Title IX investigator will notify the Complainant and Respondent in writing of the intent to investigate within five (5) business days of receipt of the formal complaint and will commence interviews within ten (10) business days of receipt of the formal complaint. The Title IX investigator will notify the Complainant and Respondent and their respective advisors in writing of all individuals the investigator intends to interview.

Either party may identify other witnesses with relevant information for interview or other evidence for review by the investigator.

The Title IX investigator will conduct a factual investigation of the formal complaint and shall research applicable statutes, regulations, and/or policies, if any. The Title IX investigator will notify any interviewees in writing of the intent to interview. Interviewees will have at least five (5) business days' notice of an interview. Notice will include the participants, date, place, purpose, and time of the interview.

The College will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory (tending to establish fault or guilt) and exculpatory (clearing or tending to clear from alleged fault or guilt) evidence. Creditability determinations may not be based on a person's status as a complainant, respondent or witness.

The College will provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the College may establish restrictions regarding the extent to which the advisor may participate in proceedings, as long as the restrictions apply equally to both parties.

The College will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained

from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

The College will make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal access opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

Prior to the completion of the investigative report, the Title IX investigator will submit all reviewed evidence to the Title IX Coordinator.

The Title IX Coordinator will provide copies of all evidence reviewed during the investigation to the Complainant, Respondent, and their respective advisors. All parties will have ten (10) business days to review the evidence and respond in writing to the Title IX Coordinator.

Subsequent to the ten (10) business day review period, the Title IX Coordinator will direct any responses from the Complainant, Respondent, or their respective advisors to the Title IX Investigator for additional review. The Title IX Investigator will submit a final report and the reviewed evidence to the Title IX Coordinator. At least 10 days prior to the live hearing, the Title IX Coordinator will simultaneously provide the Complainant, Respondent, their respective advisors, with the final report and all reviewed evidence for their review and written response. The President will select a Hearing Officer to conduct the live hearing. The Hearing Officer shall be provided a copy of the investigative report and reviewed evidence.

## **LIVE HEARING PROCEDURE**

Upon receipt of the final investigative report, the Hearing Officer will convene a Decision Maker panel and schedule a live hearing. The panel will consist of three (3) individuals selected by the Hearing Officer who have completed Decision Maker training during the current academic year. The Hearing Officer will designate one of the Decision Makers as Primary Decision Maker. Hearing Officer will notify the Complainant, Respondent, their respective advisors, Title IX Coordinator, Title IX Investigator, witnesses named in the final report, and the Decision Makers of the live hearing date within five (5) business days of receipt of the final investigative report. The live hearing date must provide the Complainant, Respondent, and their respective advisors with no less than ten (10) business days to review the final investigative report and all supporting evidence.

The hearing must be a live, recorded hearing with the opportunity for both advisors to conduct cross-examinations. The hearing shall be recorded by either a court reporter or on audio or video tape or by other electronic recording medium. In addition, all items offered into evidence by the parties, whether admitted into evidence or not, shall be marked and preserved as part of the hearing record.

Upon request, the Complainant and Respondent may participate in the hearing via on-campus video conferencing provided that all parties, including the Decision Making Panel, are able to see and hear the party or witness answering questions in real-time.

The Hearing Officer, Decision Makers, Complainant, Respondent, and their respective advisors will attend the hearing. The Title IX investigator, Title IX Coordinator and witnesses will be called to provide testimony if requested by the Decision Makers, parties or their respective advisors. If a party does not have an advisor present at the live hearing, the College shall provide without fee or charge to that party, an advisor of the College's choice, who may be, but is not required to be an attorney.

The hearing process will consist of:

- Opening statement by Hearing Officer
- Review of hearing procedures, formal complaint and notice of allegations by Hearing Officer
- Review of potential hearing outcomes and sanctions by Hearing Officer
- Complainant Testimony
- Cross-examination of Complainant by Respondent advisor
- Testimony of Witnesses of Complainant
- Cross-examination of Complainant Witnesses by Respondent advisor
- Respondent Testimony
- Cross-examination of Respondent by Complainant advisor
- Witnesses of Respondent Testimonies
- Cross-examination of Respondent Witnesses by Complainant advisor
- Decision Maker inquiries
- Review of appeal process by Hearing Officer
- Closing statement by Hearing Officer
- Dismissal of parties
- Decision Maker deliberations

At the hearing, the Hearing Officer shall read the hearing procedures, notice of allegations, formal complaint, potential hearing outcomes, and potential sanctions. After the Hearing Officer concludes opening statements, the Complainant shall have the opportunity to present such oral testimony and offer such other supporting evidence as deemed relevant to the formal complaint. Subsequent to Complainant testimony, the Respondent advisor may conduct cross-examination. The Decision Makers may question the Complainant after the cross-examination. The Complainant may call witnesses to provide testimony as deemed appropriate to the formal complaint. The Respondent advisor may conduct cross-examination of the witnesses. The Decision Makers may question the witnesses after the cross-examination.

The Respondent shall then be given the opportunity to present such testimony and offer such other evidence as deemed relevant to the Respondent's defense against the formal complaint. Subsequent to Respondent testimony, the Complainant advisor may conduct cross-examination. The Decision Makers may question the Respondent after the cross-examination. The Respondent may call witnesses to provide testimony as deemed appropriate to the formal complaint. The Complainant advisor may conduct cross-examination of the witnesses. The Decision Makers may question the witnesses after the cross-examination.

Only relevant cross-examination and other questions may be asked of a party or witness.



During cross-examination, the advisor will pose each question orally to the Primary Decision Maker. The Primary Decision Maker will determine if the Complainant, Respondent, or witnesses may respond to the question. If the Primary Decision Maker chair determines that the question is not relevant, the Primary Decision Maker will explain the rationale for dismissing the question. Rape shield protection is provided for Complainants which deems irrelevant questions and evidence about a Complainant's prior sexual behavior unless offered to prove that someone other than the Respondent committed the alleged misconduct or if the questions and evidence concern specific incidents of Complainant's prior sexual behavior with respect to the Respondent and offered to prove consent.

If a witness or party is not available or declines cross-examination, the decision makers must not rely on any statement of that witness in reaching a determination regarding responsibility; provided, however, that the decision makers cannot draw an inference about the determination regarding responsibility based solely on a party or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Upon conclusion of the presentation of the evidence and cross-examinations, the Hearing Officer shall read the appeal process and closing statements. The Complainant, Respondent, their respective advisors and all witnesses shall be dismissed.

The Decision Makers will deliberate to determine if the Respondent is deemed responsible and submit a written hearing report which contains:

- identification of the allegations potentially constituting sexual harassment;
- a description of the procedural steps taken from the receipt of the formal complaint through determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- findings of fact supporting the determination;
- conclusions regarding the application of the College's code of conduct to the facts;
- a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the College imposes on the respondent, and whether remedies designed to restore or preserve equal access to the College's education program or activity will be provided by the College to the complainant; and
- the College's procedures and permissible bases for the complainant and respondent to appeal.

The Primary Decision Maker will submit the hearing report to the Hearing Officer within ten (10) business days of the live hearing.

The Hearing Officer will submit the hearing report simultaneously to the Title IX Coordinator, Complainant, Respondent, and their respective advisors within three (3) business days of receipt of the hearing report.

The College must provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the College provides the parties with the written determination of the result of the appeal, if an appeal is

filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator will retain the recording of the hearing, the hearing report, the investigative report, and all evidence obtained during the investigation and all evidence offered at the hearing.

## **APPEAL PROCEDURE**

Appeals of a determination regarding responsibility and from the College's dismissal of a formal complaint or any allegations therein are available to both parties on the following grounds: (1) procedural irregularity that affected the outcome of the matter; (2) new evidence that was not reasonably available at the time the decision regarding responsibility or dismissal was made, that could affect the outcome; and/or (3) the Title IX Coordinator, Investigator, or a Decision Maker had a conflict of interest or bias that affected the outcome.

The President of Central Alabama Community College or his/her designee shall be the appeal authority in upholding, rejecting, or modifying the recommendations of the Decision Maker Panel. The President or his/her designee shall not be bound in any manner by the recommendation(s) of the Decision Maker Panel, but shall take it (them) into consideration in rendering his/her decision.

Either party may file a written request with President requesting that the President review the decision of the Decision Maker Panel. The written request must be filed within ten (10) business days following the party's receipt of the hearing report. If the appeal is not filed by the close of business on the tenth (10<sup>th</sup>) business day following the party's receipt of the report, the party's opportunity to appeal shall have been waived.

As to all appeals, the College will:

- notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
- ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator.
- ensure the decision-maker(s) for the appeal complies with the standards set for in 34 C.F.R. § 160.45(b)(iii);
- give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- issue a written decision describing the result of the appeal and the rationale for the result; and
- provide the written decision simultaneously to both parties.

A decision on a party's appeal shall be rendered within 30 calendar days of the initiation of the appeals process. The time for decision may be extended for exigent circumstance or as may be otherwise agreed by the parties.

If the Respondent is also an employee of the College, the individual may also file a claim with the Equal Employment Opportunity Commission within 180 days of the alleged discriminatory act.

### ***Informal Resolution***

The College may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with this section. Similarly, the College may not require the parties to participate in an informal resolution process under this section and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the College may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the College does the following:

- provides to the parties a written notice disclosing: the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;
- obtains the parties' voluntary, written consent to the informal resolution process; and
- does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

## **RETALIATION PROHIBITED**

Neither the College nor other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated in any manner an investigation, proceeding, or hearing conducted under this policy. Complaints alleging retaliation may be filed according to the grievance procedures included in the formal complaint process. The College shall keep confidential the identity of any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness except as may be permitted by FERPA statute, 20 U.S.C. 1232g or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

Range of Possible Sanctions – On final determination of responsibility the following sanctions may be imposed against a respondent:

For Students:

- **Reprimand.** A reprimand is a written notice that continuation or repetition of improper conduct may be cause for further disciplinary action.
- **Restitution.** Restitution is compensation for damages to property owned by the College, limited to actual cost of repair or replacement.
- **Probation.** This sanction is for a designated period of time, which may include exclusion from privileges, such as extracurricular activities and/or on-campus driving privileges. Furthermore, if the student is determined by any of the disciplinary procedures herein to be in subsequent violation of the Code of Student Conduct during the probationary period, the student may be either suspended or expelled. Provisions of the probationary period shall be determined and expressed by the Title IX Coordinator.
- **No Contact Orders.** Written notice to cease all contact with an alleged victim of sexual misconduct are no contact orders.
- **Cease and Desist Orders.** The alleged perpetrator will be directed by written notice to cease and desist any activity noted by the alleged victim as offensive or threatening and that may be a violation of the Sexual Misconduct Policy.
- **Voluntary Withdrawal.** A student may be given the option to voluntarily withdraw from a class or from the College in lieu of disciplinary action. The Title IX Coordinator in some circumstances, may specify a period of time before the student may apply for readmission or reenroll in a class or classes. To qualify for readmission, the student must receive approval from the Dean of Academic Programs and meet the academic standards for readmission. Students will not be eligible for any refund from the College. (If a student withdraws before disciplinary procedures are carried out, the student will be subject to discipline as may be imposed by the designated college official at the time of reentry into the College).
- Other requests of the victim as deemed appropriate.
- For violations of this policy by faculty or staff members, disciplinary penalties may include some of the sanctions listed above as appropriate, in addition to other penalties (in accordance with the employment laws, regulations, and policies governing the employee in question):
  - Counseling or training;
  - Written warning;
  - Reprimand;

At any time in the grievance process the College may impose a temporary delay or limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness, concurrent law enforcement activity, or the need for language assistance or accommodation of disabilities.

Neither the College assigned Investigator or Decision Makers and any person who facilitates an informal resolution process shall require, rely upon, or otherwise use questions or evidence that constitute or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

The College's Title IX Coordinators, Investigators, Decision Makers shall all have received training for their respective roles prior to participating in a Title IX Complaint or grievance

process. All materials used to train the Title IX Coordinators, Investigators, Decision Makers and any person who facilitates an informal resolution process may be found on the College's website at [www.cacc.edu](http://www.cacc.edu).

## **COLLEGE AND COMMUNITY RESOURCES**

### **College Resources**

#### Campus Security

Alexander City: Administration Building (256) 307-6849

Childersburg: Building A (256) 307-8003

Talladega: Administrative Offices (256) 307-0432

Pratt's Mill: Administrative Offices (334) 312-0589

#### Coordinator of Safety and Security

Gary Arrington

Alexander City Campus

1675 Cherokee Road

Alexander City, AL 35010

Administrative Building

(256) 307-5786

[garrington@cacc.edu](mailto:garrington@cacc.edu)

#### Office of Dean of Students

Stacy Morgan, Administrative Assistant to the Dean of Students

Administration Building, Alexander City Campus

(256) 215-4275

[Smorgan13@cacc.edu](mailto:Smorgan13@cacc.edu)

#### Office of Student Services

Leslie Mitchell, ADA Coordinator/Student Services Specialist

Building A, Childersburg Campus

(256) 378-2003

[lmitchell@cacc.edu](mailto:lmitchell@cacc.edu)

#### Talladega Center Student Services Office

LaResea Embry, Administrative Coordinator of Student Services

(256) 480-2090

[lembry@cacc.edu](mailto:lembry@cacc.edu)

#### Kendal Entrekin, Administrative Coordinator of Student Services

Pratt's Mill Center

(334) 380-9600

[kentrekin@cacc.edu](mailto:kentrekin@cacc.edu)

#### Community Resources

- Alexander City Police Department (256) 234-3421
- Childersburg Police Department (256) 378-7860

- Prattville Police Department (334) 595-0208
- Talladega Police Department (256) 362-4162
- Alabama Coalition against Domestic Violence (334) 832-4842
- Alabama Statewide Domestic Violence Hotline (800)650-6522
- National Domestic Violence Hotline (800) 537-2238
- Alexander City
  - Crisis Service Helpline (256)716-1000
  - Bradford Health Services (888) 577-0012
  - Healing Hearts Counseling (256) 279-5869
  - Nan Coley Murphy Counseling Center (256) 329-8463
  - Lake Martin Family Therapy (256) 392-3002
- Childersburg
  - Crisis Service Helpline (256) 716-1000
  - Bradford Health Services (888) 577-0012
  - AltaPointe Health (256) 245-2201
  - AltaPointe Counseling Services (256) 245-1340
- Prattville
  - Crisis Service Helpline (256) 716-1000
  - Bradford Health Services (888) 577-0012
  - AltaPointe Health (256) 245-2201
- Talladega
  - Crisis Service Helpline (256) 716-1000
  - Bradford Health Services (888) 577-0012
  - AltaPointe Health (256) 362-8600

**Medical Facilities**

- Russell Medical Center, Alexander City (256)329-7100
- Coosa Valley Medical Center, Sylacauga (256) 401-4000
- Citizens Baptist Medical Center, Talladega (256) 362-8111
- Prattville Baptist Hospital, Prattville (334) 365-0651

**Records**

The Title IX Coordinator will retain records of all reports and complaints, regardless of the nature of the resolution. Complaints resolved during the informal complaint process may become part of an offending or respondent student’s conduct file, depending on the nature of the offense but will not be included as a part of the academic record or of an employee’s personnel file.

Affirmative findings of responsibility in matters resolved through the grievance or formal resolution process will become part of an offending or respondent student’s conduct record and an employee’s personnel record. Such records shall be used in reviewing any further conduct, or developing sanctions, and shall remain a part of a student’s conduct record or an employee’s personnel file. Additionally, the College will comply with all requirements under the Jeanne Clery Act as amended and will report crimes associated with the College as required.

**Prevention and Education**

CACC is committed to preserving the safety and security of the College environment and will implement activities designed to prevent incidents of sexual misconduct, inform members of

prohibited conduct; identify prevention measures, and provide information regarding reporting protocols. The College prevention and education program will include but will not be limited to:

- Annual training and awareness programs for current employees and students;
- Orientation for new employees and students that will educate them about college policy and prevention measures that may be utilized;
- Information regarding the Sexual Harassment Policies and Procedures on the College website;

### **Training**

Central Alabama Community College will ensure that all college employees, including those officials involved in redressing incidents of sexual misconduct are trained on an annual basis through the College Professional Development process and through external resources when appropriate.

## **HELPFUL INFORMATION**

### **Bystander Intervention Tips**

- Remember intervention doesn't have to be confrontational; say something or do something to call attention to the situation.
- Remain calm, speak up and challenge inappropriate behavior.
- Tell someone if you believe he/she is acting inappropriately. Challenge inappropriate jokes or conversations.
- Attempt to calmly reason with the perpetrator or distract him or her.
- Ask others in the area for assistance with group intervention.
- Assist the victim by walking him/her to his/her car or to a safe area until assistance arrives.
- Call 911 then Campus Security.

### **Prevention Tips**

- Date people you know and trust.
- Be cautious when meeting people through social media.
- Tell someone when you are going out on a date.
- Set limits and boundaries.
- Avoid drugs and alcohol.

### **Warning Signs of Dating/Relationship Violence**

- You feel isolated from friends and family.
- Your significant other has angry outbursts.
- Your significant other threatens to harm you or is very jealous of you.
- Your significant other is cruel to animals or children.
- Your significant other belittles you, makes fun of you, or tries to control you.

## **COMPLAINT AND GRIEVANCE PROCEDURES (Revised 08/08/2019)**

Central Alabama Community College promotes the open exchange of ideas among all members of the College community, students, faculty, staff and administration. An environment conducive to the open exchange of ideas is essential for intellectual growth and positive change. Central Alabama Community College recognizes that in order to efficiently and effectively carry out its

mission, employees and students must feel confident that any valid complaint or grievance an employee or student may make concerning the College will be promptly addressed by the appropriate authorities. Therefore, the following procedures for resolving such complaints and grievances have been adopted by the College.

### **Student Complaint Procedures**

For purposes of this policy, a complaint will mean a specific event, activity or occurrence within the scope of the authority of the College administration or faculty about which an individual has a specific concern.

1. **Complaints Related to Academic Matters:** Complaints involving academic disputes must follow the academic policies of the college found in the Student Handbook and College Catalog at pages 110 and 79, respectively.
2. **Student Complaints Related to Disability:** Students with complaints related to a disability are encouraged to report incidents in writing within ten (10) working days of the occurrence of the event prompting the complaint. Complaints related to a disability should be reported to the ADA Coordinator, Leslie Mitchell.
3. Any student or employee of the College or applicant for employment or admission who has a complaint against a student or a member of the College faculty, staff, or administration concerning sexual harassment (Title IX of the Educational Amendments of 1972) or has knowledge of any conduct constituting sexual harassment in an educational program or activity of the College or which occurred on property owned by the College or controlled by the College should report the complaint to the campus Title IX Coordinator. An educational program or activity of the College includes, but is not limited to locations, events or circumstances over which the College exercised substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes buildings owned or controlled by a student organization that is officially recognized by the College.

Any individual may report sexual harassment incident to Title IX Coordinator in person, by email, by telephone, or in writing. The report must include the names of the Complainant(s) and Respondent(s), approximate date of incident, facts of the incident, and contact information for the person submitting the complaint.

The Title IX Coordinator will respond in writing to the person submitting the complaint as soon as practicable, but not exceeding five (5) business days. If the person submitting the complaint is not the Complainant, the Title IX Coordinator will also contact the Complainant within five (5) business days.

If after a discussion with the Complainant, the Title IX Coordinator determines that the complaint does not qualify as a Title IX Complaint, the Title IX Coordinator will notify the Complainant in writing and may redirect the Complaint to the appropriate committee.

If after a discussion between the Complainant and the Title IX Coordinator, the Title IX Coordinator determines that the complaint meets the criteria of a Title IX Complaint and the Complainant requests to file a formal complaint, the Title IX Coordinator will initiate the formal complaint process.



4. Other Types of Student Complaints. Students with complaints related to any other matter are encouraged to report concerns in writing within ten (10) working days of the occurrence of the event prompting the complaint.
  - a. If a student complaint can be resolved immediately and informally after discussion between the student and the respective college official, the College official will take action to resolve the complaint. The college official who received the complaint will record and keep a written report of the complaint and the resolution of the complaint. The College official will provide a copy of the written report to the official's supervising administrator and to the Dean of Students.
  - b. If the student's complaint cannot be resolved immediately and informally, the appropriate College official who received the complaint will submit a written report, a "Plan of Resolution," to the Dean of Students. The report will be submitted within ten (10) business days of the receipt of the complaint and will detail the complaint and the plan to resolve the complaint. If the Plan of Resolution does not result in a satisfactory resolution to the complaint, the complainant may choose to pursue a grievance within fifteen (15) business days with the Dean of Students.

### **General Grievance Procedures**

A student who submits a written complaint to the appropriate college official and who is not informed of a satisfactory resolution or Plan of Resolution of the complaint within ten (10) business days of the complaint then has the right to file a grievance with the Dean of Students within fifteen (15) business days. Grievance Procedure Forms are available online at [www.cacc.edu](http://www.cacc.edu) and in the Office of Dean of Students.

The written grievance statement will include at least the following information:

1. Date the original complaint was reported,
2. Name of person to whom the original complaint was reported,
3. Facts of the complaint, and
4. Action taken, if any, by the receiving official to resolve the complaint.

The grievance statement may also contain other information relevant to the grievance that the Grievant wants considered by the Dean of Students.

### **Investigation Hearing and Findings**

The College will have thirty (30) calendar days from the date of the receipt of the grievance by the Dean of Students to conduct an investigation of the allegation(s), hold a hearing on the grievance (if requested) and submit a written report to the Grievant and Respondent of the findings arising from the hearing. The Grievance Form will be used to report both the grievance and the hearing findings. The Dean of Students will report the grievance findings to the Grievant and Respondent by either personal service or certified mail sent to the Grievant's and Respondent's respective home address.

### **Investigation Procedures**

The Dean of Students will conduct a factual investigation of the grievance allegations, either personally or with the assistance of any person(s) designated by the President, and will research any applicable statutes, regulations and/or policies, if any. After completion of the investigation,

the Dean of Students will determine whether there is substantial support of the grievance. The factual findings of the investigation and the conclusions of the Dean of Students will be stated in a written report which will be submitted to the Grievant and to the party or parties against whom the grievance was made (the “Respondent”). The report will be made a part of the hearing record, if a hearing is requested by the Grievant. Each of the parties will have the opportunity to file written objections to any of the factual findings and to make their objections part of the hearing record if there is a hearing. Publications or verified photocopies containing relevant statutes, regulations and policies will also be prepared by the Dean of Students for the hearing record. If the Dean of Students finds that the grievance is substantially supported, he or she will also make a recommendation in the report as to how the grievance should be resolved. Upon the receipt by the Grievant and Respondent of the Dean of Students report, the Grievant and Respondent will have five (5) business days to notify the Dean of Students whether or not the Grievant or Respondent demands a hearing on the grievance. The failure by the Grievant or Respondent to request a hearing by the end of the fifth business day will constitute a waiver of the opportunity for a hearing by the party failing to request a hearing. However, the Dean of Students may, nevertheless, at his or her discretion schedule a hearing on the grievance if doing so would appear to be in the best interest of the College. In the event that no hearing is to be conducted, the Dean of Students report will be filed with the President, and a copy provided to the Grievant and each Respondent.

### **Hearing Procedures**

In the event that either party requests a hearing within the time frame designated by the Dean of Students, the President will designate a qualified, unbiased person or committee to conduct the grievance hearing. The hearing officer and/or committee members will generally be employees of Central Alabama Community College. However, the President will have the discretion to select individuals that are not Central Alabama Community College employees to serve as a hearing officer or as a committee member.

The hearing officer and/or committee will notify the Grievant and each Respondent of the time, place, and subject matter of the hearing at least seventy-two (72) hours prior to the scheduled beginning of the hearing. The hearing will be conducted in a fair and impartial manner and will not be open to the public unless both parties agree in writing for the hearing to be public.

At the hearing, the Grievant and the Respondent will be read the grievance statement. After the grievance is read into the record, the Grievant will have the opportunity to present oral information and offer other supporting information as he/she will deem appropriate to his/her claim. Each Respondent will then be given the opportunity to present oral information and offer other supporting information as he/she deems appropriate to the Respondent’s defense against the charges.

If the College, or the administration of the College at large, is the party against whom the grievance is filed, the President will designate a representative to appear at the hearing on behalf of the College. Any party to a grievance hearing will have the right to retain, at the respective party’s cost, the assistance of legal counsel or other personal representative. However, the respective attorney or personal representative, if any, will act in an advisory role only and will not be allowed to address the hearing body or question any witnesses. The College must be given a minimum of 48 hours’ notice if the Grievant is being assisted by an attorney or personal representative. The names of the personal representative or attorney must be submitted 48 hours prior to the hearing

to the Dean of Students. In the event that the College is the Respondent, the College representative will not be an attorney or use an attorney unless the Grievant is also assisted by an attorney or other personal representative. The hearing will be recorded by an electronic recording medium. In addition, all supporting documents or information offered by the parties, whether admitted or not, will be marked and preserved as part of the hearing record.

The hearing officer or committee will make the participants aware that the rules relating to the admissibility of statements and information during the hearing will be less stringent than those which apply to civil trials. Generally speaking, irrelevant, immaterial and privileged information (such as personal medical information or attorney-client communications) will be excludable. However, hearsay conversations and unauthenticated documentary information may be allowed if the hearing officer or chairperson determines that the information offered is of the type and nature commonly relied upon or taken into consideration by a reasonably prudent person in conducting his affairs.

In the event of an objection by any party to any statement, information or documentation offered at the hearing, the hearing officer or committee chairperson will have authority to make a final ruling on the objection.

### **Standards of Evidence**

The evidentiary standard to be used by the Dean of Students, Student Conduct Committee, or the President is based strictly on the evidence presented whether it was more likely than not that the allegation(s) made against the accused student was (were) true based upon a reasonable belief of the Dean of Students, Student Disciplinary Committee, or the President.

### **Report of Findings**

Within five (5) working days following the hearing, there will be a written report given to the Dean of Students (with a copy to the President, the Grievant and each Respondent) of the findings of the hearing officer or the chairperson of the hearing committee, whichever is applicable, and the report will contain at least the following:

1. Date and place of the hearing;
2. The name of the hearing officer or each member of the hearing committee, as applicable;
3. A list of all witnesses for all parties to the grievance;
4. Findings of fact relevant to the grievance;
5. Regulations or policies relevant to the grievance, and
6. Recommendation(s) arising from the grievance and the hearing.

### **Resolution of Grievance**

In the event of a finding by the hearing officer/committee that the grievance was unfounded or was not supported by the evidence presented, the Dean of Students will notify the Grievant of any appeal that may be available to the Grievant. In the event of a finding that the grievance was supported, in whole or in part, by the information presented, the Dean of Students will advise the Respondent of any available appeal or if the College is the Respondent, the Dean of Students will meet with the Grievant and the appropriate college representative(s) and attempt to bring about resolution of the grievance. If no such resolution is reached the Grievant may appeal to the President.

## **Presidential Appeals**

The Grievant or Respondent will have the right to appeal the decision of the hearing officer or committee to the President of Central Alabama Community College, provided that:

4. A notice of appeal is filed with the Dean of Students and the President within fifteen (15) calendar days following the receipt of the committee report and
5. The notice of appeal contains clear and specific objection(s) to the finding(s), conclusion(s) and/or recommendation(s) of the hearing officer or committee. If the appeal is not filed by the close of business on the fifteenth (15th) day following the receipt of the committee report, the right to appeal to the President will have been waived. If the appeal does not contain clear and specific objections to the hearing report, it will be denied by the President.
6. President's Review: If an appeal is accepted by the President, the President will have thirty (30) calendar days from his/her receipt of the notice of appeal to review and investigate the allegations contained in the grievance, to review the hearing record, to hold a hearing (if deemed appropriate by the President) and to produce a report of the President's findings. The President will have the authority to (1) affirm, (2) reverse or (3) affirm in part and reverse in part and/or modify the findings, conclusions and recommendations arising from the college grievance hearing. The President's report will be served to the Grievant and Respondent(s) by personal service or by certified mail, return receipt requested, at their respective home addresses.

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. Please refer to the ACCS Student Complaint Process found on the ACCS website. (<https://www.accs.edu/student-complaints/>)

## **EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

The College has established procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus. These procedures provide for rapid notice to law enforcement and senior administration to evaluate and confirm an emergency or dangerous situation and if confirmed, for some persons to determine the appropriate segment or segments of the campus community to be notified and the content of the notification.

In the event of a serious incident that poses an immediate threat to members of the College community, the College has systems in place for quickly communicating information. Some or all of these methods of communication may be activated in the event of an immediate threat the College community. These methods of communication include SchoolCast, which is the emergency notification system that utilizes voice messages to phone numbers, text messages to cell phones, and e-mail messages.

The following individuals are responsible for carrying out the emergency response and evacuation procedures: President, Dean of Financial Services, Dean of Academic Programs, Dean of Economic and Workforce Development, Dean of Students, and Safety and Security Coordinator.

### **Institution Procedures to Test the Emergency Response and Evacuation Procedures**

Central Alabama Community College will conduct annual emergency response and evacuation procedures drills. The drills will be conducted on each campus and center and procedures will be publicized annually. The Dean of Students will organize the drill in conjunction with the Office of Safety and Security. The exercise will be documented by the Office of Safety and Security and include a description of the exercise along with the date and time of the exercise and whether it was announced or unannounced. Local law enforcement will be notified when the annual drill is going to take place as well as the results of the drill. The Dean of Students and Office of Safety and Security will meet for a debriefing after each drill.

A performance evaluation of each instance in which the Emergency Plan and emergency response and evacuation procedures is activated will be completed following the emergency. The evaluation will examine the cause of the emergency, possible preventative measures, the response of the employees and the effectiveness of the procedures currently in place. The evaluation will also include recommendations for improvement. The Emergency Response and Evacuation Procedures will be evaluated annually with a report being made to Executive Committee. The evaluation will include a review of the written plan and a copy of the performance evaluation of all instances in which the Emergency Plan was activated.

### **ANNUAL DISCLOSURE OF CRIME STATISTICS**

As required by federal law, CACC yearly crime statistics for this report are compiled on a calendar year basis in accordance with the definitions of crimes provided by the FBI for use in the Uniform Crime Reporting (UCR) system. The report includes statistics for the previous three years concerning crimes that occurred on campus and were reported to the CACC Office of Safety and Security, designated campus officials (including but not limited to directors, deans, department heads, Division of Student Services staff, and advisors to students, security personnel, and athletic coaches). In addition, these statistics also include persons referred for campus disciplinary action for categories required under the *Clery Act*, including liquor and drug law violations, sexual misconduct, and illegal weapons possession. Statistical information for certain off-campus locations or property owned or controlled by CACC as well as public property within or immediately adjacent to and accessible from the campus are collected from the Alexander City Police, Childersburg City Police, Talladega City Police, Prattville City Police, and Tallapoosa, Autauga, and Talladega Sheriff Departments. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year during which the crime was reported.

### **Central Alabama Community College Crime Statistics 2018-2020** **Alexander City Campus On- Campus**

<b>Criminal Offense</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Murder/Non-Negligent manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses - Forcible	0	0	0

Sex Offenses – Non-forcible	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
Hate Crimes	0	0	0
<b>Arrests</b>			
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0
<b>Disciplinary Referrals</b>			
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

**Alexander City Campus Noncampus**

<b>Criminal Offense</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Murder/Non-Negligent manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses - Forcible	0	0	0
Sex Offenses – Non-forcible	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
Hate Crimes	0	0	0
<b>Arrests</b>			
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0
<b>Disciplinary Referrals</b>			

Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

**Alexander City Campus Public Property**

<b>Criminal Offense</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Murder/Non-Negligent manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses - Forcible	0	0	0
Sex Offenses – Non-forcible	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
Hate Crimes	0	0	0
<b>Arrests</b>			
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0
<b>Disciplinary Referrals</b>			
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

**Childersburg Campus On-Campus**

<b>Criminal Offense</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Murder/Non-Negligent manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses - Forcible	0	0	0

Sex Offenses – Non-forcible	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
Hate Crimes	0	0	0
<b>Arrests</b>			
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0
<b>Disciplinary Referrals</b>			
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

**Childersburg Campus NonCampus**

<b>Criminal Offense</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Murder/Non-Negligent manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses - Forcible	0	0	0
Sex Offenses – Non-forcible	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
Hate Crimes	0	0	0
<b>Arrests</b>			
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0
<b>Disciplinary Referrals</b>			



Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

**Childersburg Campus Public Property**

<b>Criminal Offense</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Murder/Non-Negligent manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses - Forcible	0	0	0
Sex Offenses – Non-forcible	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
Hate Crimes	0	0	0
<b>Arrests</b>			
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0
<b>Disciplinary Referrals</b>			
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

**Talladega Campus On-Campus**

<b>Criminal Offense</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Murder/Non-Negligent manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses - Forcible	0	0	0
Sex Offenses – Non-forcible	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
Hate Crimes	0	0	0
<b>Arrests</b>			
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0
<b>Disciplinary Referrals</b>			
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

**Talladega Campus Noncampus**

<b>Criminal Offense</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Murder/Non-Negligent manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses - Forcible	0	0	0
Sex Offenses – Non-forcible	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
Hate Crimes	0	0	0
<b>Arrests</b>			
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0
<b>Disciplinary Referrals</b>			
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

**Talladega Campus Public Property**

<b>Criminal Offense</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Murder/Non-Negligent manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses - Forcible	0	0	0
Sex Offenses – Non-forcible	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
Hate Crimes	0	0	0
<b>Arrests</b>			
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0
<b>Disciplinary Referrals</b>			
Illegal Weapons Possession	0	0	0
Drug Law Violation	0	0	0
Liquor Law Violation	0	0	0

**Pratt’s Mill Center On-Campus**

<b>Criminal Offense</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Murder/Non-Negligent manslaughter		0	0
Negligent Manslaughter		0	0
Sex Offenses - Forcible		0	0
Sex Offenses – Non-forcible		0	0
Robbery		0	0
Aggravated Assault		0	0
Burglary		0	0
Motor Vehicle Theft		0	0
Arson		0	0

Hate Crimes		0	0
<b>Arrests</b>			
Illegal Weapons Possession		0	0
Drug Law Violation		0	0
Liquor Law Violation		0	0
<b>Disciplinary Referrals</b>		0	0
Illegal Weapons Possession		0	0
Drug Law Violation		0	0
Liquor Law Violation		0	0

**Pratt's Mill Center Noncampus**

<b>Criminal Offense</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Murder/Non-Negligent manslaughter		0	0
Negligent Manslaughter		0	0
Sex Offenses - Forcible		0	0
Sex Offenses – Non-forcible		0	0
Robbery		0	0
Aggravated Assault		0	0
Burglary		0	0
Motor Vehicle Theft		0	0
Arson		0	0
Hate Crimes		0	0
<b>Arrests</b>		0	0
Illegal Weapons Possession		0	0
Drug Law Violation		0	0
Liquor Law Violation		0	0
<b>Disciplinary Referrals</b>			
Illegal Weapons Possession		0	0
Drug Law Violation		0	0
Liquor Law Violation		0	0

**Pratt's Mill Center Public Property**

<b>Criminal Offense</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
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Murder/Non-Negligent manslaughter		0	0
Negligent Manslaughter		0	0
Sex Offenses - Forcible		0	0
Sex Offenses – Non-forcible		0	0
Robbery		0	0
Aggravated Assault		0	0
Burglary		0	0
Motor Vehicle Theft		0	0
Arson		0	0
Hate Crimes		0	0
<b>Arrests</b>			
Illegal Weapons Possession		0	0
Drug Law Violation		0	0
Liquor Law Violation		0	0
<b>Disciplinary Referrals</b>			
Illegal Weapons Possession		0	0
Drug Law Violation		0	0
Liquor Law Violation		0	0

This report has been produced in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, formerly know at the Student Right to Know Act of 1990. To request additional information, please contact the Office of Student Services on the respective campus or the Safety and Security Coordinator at 256-596-1611.

### **EQUAL OPPORTUNITY IN EDUCATION AND EMPLOYMENT**

It is the official policy of the Alabama Community College System and Central Alabama Community College that no person on the basis of race, color, disability, sex, religion, creed, national origin, age, or other classification protected by law be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program, activity, or employment. Furthermore, no qualified individual with a disability shall, on the basis of

disability, be subject to discrimination in employment or in connection with any service, program, or activity conducted by the College.

Central Alabama Community College complies with the non-discriminatory regulations under Title VI and Title VII of the Civil Rights Act of 1964; the Age Discrimination in Employment Act, Title IX Education Amendments of 1972; and Section 504 of the Rehabilitation Act of 1973 (as amended), the Vietnam Era Veterans Readjustment Assistance Act, the Americans with Disabilities Act of 1990 (as amended), the Equal Pay Act, and the Pregnancy Discrimination Act.

Student inquiries concerning reasonable accommodations may be directed to the ADA Coordinator in the Student Services Office. Complaint and grievance procedure forms are available in the Student Services Office. Students who wish to make a complaint regarding discriminatory conduct or retaliation should contact Dr. Sherri Taylor, Title IX Coordinator for student issues.

Employee inquiries concerning reasonable accommodations may be directed to the Tina Shaw, Executive Human Resources Director, in the Human Resources Office. Complaint and grievance procedure forms are available in the Human Resources Office. Employees who wish to make a complaint regarding discriminatory conduct or retaliation should contact Tina Shaw, Title IX Coordinator for employee issues.

Central Alabama Community College is an equal employment/equal educational opportunity institution.

The College prohibits retaliation against any person because they have engaged in a protected activity opposing the College or because they have made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding or hearing alleging discrimination on a basis of any protected classification specified above or retaliation.

Inquiries concerning the application of the above laws and their implementing regulations may be referred to the Compliance Officers listed below or to the Office for Civil Rights.

The Compliance Officers for Central Alabama Community College are:

**Student Contact**

**Jerri R. Carroll  
Dean of Students  
Title IX Coordinator**

**Central Alabama Community College  
1675 Cherokee Road  
Alexander City, AL 35010  
256-215-4273 PHONE  
256-215-4244 FAX  
jcarroll@cacc.edu**

**Employee Contact**

**Tina Shaw  
Title IX Coordinator  
Central Alabama Community College  
34091 US Highway 280  
Childersburg, AL 35044  
256-378-2010 PHONE  
256-378-2097 FAX  
tshaw5@cacc.edu**

**Region Four Office of Civil Rights  
U.S. Department of Health and Human Services  
Sam Nunn Atlanta Federal Center Suite  
16770 61 Forsyth, St. S. W.  
Atlanta, Georgia 30303-8909  
800-368-1019 PHONE  
404-562-7881 FAX  
800-537-7697 TDD**