



Central Alabama Community College

Annual Security Report

[2026] — Reporting Calendar Years [2025], [2024], and [2023]

Published October 1 [2026] Prepared by the Central Alabama Community College Police Department

INTRODUCTION

Central Alabama Community College is committed to the safety and security of its students, employees, and campus community. This Annual Security Report is published pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. § 1092(f)) and implementing regulations at 34 C.F.R. § 668.46. It contains campus security policy statements and crime statistics for the three most recently completed calendar years: [Year-2], [Year-1], and [Year].

This report was prepared by the Central Alabama Community College Police Department in coordination with the Title IX Coordinator, Dean of Students, and other institutional offices. Questions about this report may be directed to:

Chief of Police / Clery Compliance Liaison

Mario Hodge
Alexander City
256-215-4360
mhodge@cacc.edu

Title IX Coordinator

Tina Shaw
A Building Childersburg Campus
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A paper copy of this report is available upon request at no charge from the Central Alabama Community College Police Department.



SECTION 1 — EMERGENCY CONTACTS AND REPORTING

1.1 — Emergency Contacts

Emergency Type	On-Campus Contact	Off-Hours
Criminal Emergency	Alexander City Campus Police -256-307-6849 Childersburg Campus Police – 256-307-8003 Prattville Campus Police – 334-312-0589 Talladega Campus Police – 256-307-0432	911
Medical Emergency	(911) Alexander City Campus Police -256-307-6849 Childersburg Campus Police – 256-307-8003 Prattville Campus Police – 334-312-0589 Talladega Campus Police – 256-307-0432	911
Fire Emergency	(911) Alexander City Campus Police -256-307-6849 Childersburg Campus Police – 256-307-8003 Prattville Campus Police – 334-312-0589 Talladega Campus Police – 256-307-0432	911
Facility / Infrastructure	Art Hammond — 256-215-4358	256-794-0658
Code of Conduct	Cindy Entrekin — 256-215-4273 centrekin@cacc.edu	centrekin@cacc.edu
Title IX Coordinator (Students)	Leslie Mitchell, Associate Director of Student Success (256) 480-2114 lmitchell@cacc.edu	lmitchell@cacc.edu
Title IX Assistant Coordinator (Students)	Cindy Entrekin, Dean of Students 256-215-4273 centrekin@cacc.edu	centrekin@cacc.edu
Title IX (Employees)	Tina Shaw — 256-378-2010 - tshaw@cacc.edu	tshaw@cacc.edu

1.2 — Reporting Crimes and Emergencies

Students and employees are encouraged to promptly report all crimes and emergencies to the Central Alabama Community College Police Department, 911 or local law enforcement.

**Note: All 911 calls for service will route directly to the local 911 operator for the area and be routed to Campus Police and local authorities.*

When reporting crimes, provide the following information:

- Location
- Call Back Phone Number
- Type of Incident
- Information Relating to Immediate Dangers
- Description(s) of Offender(s)

Voluntary Confidential Reporting:

Victims and witnesses who wish to report crimes on a voluntary, confidential basis for statistical purposes can visit Central Alabama Community College Police Department

Website - <https://www.cacc.edu/about/anonymous-tip-form> and fill out the Anonymous form. Reports will be counted in crime statistics but will not identify the reporting individual.



Pastoral and Professional Counselors:

Central Alabama Community College encourages pastoral and professional counselors, when they deem it appropriate, to inform persons they counsel about voluntary, confidential reporting procedures.

SECTION 2 — CAMPUS LAW ENFORCEMENT POLICIES

2.1 — Law Enforcement Authority and Jurisdiction

Authority

The following Alabama statutes govern the jurisdictional authority of officers of this agency:

1. Ala. Code § 16-22-1 – Authorizes the president or chief executive officer of a state college or university to appoint police officers charged with all the duties and invested with all the powers of police officers; requires APOSTC certification.
2. Ala. Code § 16-22-1.1 – Authorizes public institutions of higher education that employ campus police officers to also employ reserve police officers; specifies qualifications, authorized functions, supervisory requirements, and limitations on arrest authority and firearm use.
3. Ala. Code § 16-22-2 – Establishes that campus police officers are peace officers whose authority extends to any place in the state, with primary duty on college-owned or leased property; authorizes extended jurisdiction for fresh pursuit and lawful arrest; prohibits entry into classrooms for traffic or parking enforcement.

It is the policy of this agency that all sworn officers shall exercise law enforcement authority strictly within the scope granted by Alabama law. Pursuant to Ala. Code § 16-22-1, officers appointed by this institution are charged with all the duties and invested with all the powers of police officers, including the power of arrest. No person shall exercise sworn law enforcement authority on behalf of this agency unless duly appointed, currently certified by the Alabama Peace Officers' Standards and Training Commission (APOSTC), and in full compliance with the oath and documentation requirements of this policy.

Jurisdiction

Within Primary Jurisdiction

1. Officers of this agency are authorized and empowered to enforce all applicable federal, state, and local laws on property owned or leased by this college.
2. Officers shall carry and be prepared to present their agency credentials while exercising law enforcement authority.
3. Officers shall not enter a classroom for the purpose of enforcing traffic or parking citations, as prohibited by Ala. Code § 16-22-2(c).

Extension of Jurisdiction Beyond Primary Boundaries

Pursuant to Ala. Code § 16-22-2(a), officers of this agency are peace officers whose authority extends to any place in the state; however, officers shall not act as a peace officer beyond the primary jurisdiction except under the following circumstances:

1. Fresh Pursuit: When in continuous pursuit of an offender or suspected offender charged with the commission of a crime that occurred on college property.
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2. **Lawful Arrest:** To make arrests otherwise lawfully authorized for crimes committed, or for which there is probable cause to believe have been committed, within the officer's presence or within the boundaries of college-owned or leased property.
3. **Mutual Aid:** When operating under a valid mutual aid agreement or at the specific request of another law enforcement agency, within the scope and limits of that agreement.

Officers acting beyond primary jurisdictional boundaries shall, as soon as practicable, notify the appropriate law enforcement agency having primary jurisdiction over the area and provide relevant information regarding the nature of the activity.

Concurrent Jurisdiction and Inter-Agency Coordination

1. In areas of concurrent jurisdiction, officers shall coordinate with the agency having primary jurisdiction over the area and shall follow established protocols or mutual aid agreements governing joint operations.
2. When another law enforcement agency is operating on college property or in an area of concurrent jurisdiction, officers shall cooperate and communicate as necessary to ensure effective law enforcement and avoid conflict of authority.
3. Disputes regarding jurisdictional authority shall be reported to the Chief of Police for resolution through appropriate inter-agency channels.

2.2 — Working Relationship with Local Law Enforcement

The Central Alabama Community College Police Department works regularly with federal, state, and local law enforcement agencies, (Tallapoosa, Autauga, and Talladega Sheriff's Department and Alexander City, Prattville, Childersburg, and Talladega Police Departments) regarding a variety of criminal investigations. Additionally, the College Police Department works with a variety of federal, state, and local agencies to provide training to law enforcement officers throughout Alabama.

2.3 — Security of and Access to Campus Facilities

Campus facilities are maintained and monitored to ensure the safety and security of students, staff, faculty, and visitors. Access to academic and administrative buildings is generally limited to authorized students, employees, and official visitors for the purposes of study, work, academic instruction, and College business.

Operating and Access Hours

- **Established Business Hours:** Monday through Thursday, 7:30 AM to 5:00 PM, and Friday, 7:30 AM to 11:30 AM.
 - **Public Closure:** All campus locations and facilities are closed to the public from 11:00 PM to 6:00 AM daily.
 - **General Access:** Most campus buildings and facilities are accessible to members of the campus community, guests, and visitors during normal business hours, with limited designated hours on Saturdays, Sundays, and holidays.
 - **Restricted Access:** Select campus buildings are access-controlled with restricted entry to safeguard specific operational areas.
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Publicly Accessible Facilities While general access is restricted, many cultural and athletic events held on campus are open to the public. Additionally, specific facilities remain accessible to the public during designated operating hours, including:

Security, Monitoring, and Patrols To maintain a secure environment, each campus is equipped with live video recording security surveillance cameras monitoring key areas. Additionally, campus police officers conduct random patrols of all campus buildings and facilities during established business hours.

2.4 — Monitoring Criminal Activity at Non-campus Locations of Student Organizations

Central Alabama Community College currently has no recognized student organizations with officially owned or controlled non-campus housing or off-campus facilities.

2.5 — Campus Security Awareness and Crime Prevention Programs

Safety and Security Programs are provided by Campus Police when requested. To request a class, contact Campus Police at (256) 215-4360. Available classes include: Sexual Harassment and Rape Prevention (SHARP); Emergency Operation Response; Stop the Bleed; Don't be a Victim, etc.

- **Active Threat and Shooter Preparedness Training:** Conducted annually across all campus locations to instruct students and employees on survival mindsets, lockdown procedures, and law enforcement coordination.
- **Campus Safety Orientation Briefings:** Held at the beginning of each semester and during new employee onboarding to review emergency numbers, reporting protocols, and personal safety awareness.
- **Emergency Evacuation and Fire Drills:** Performed annually in collaboration with local fire departments and maintenance personnel to test building evacuation routes and assembly points.
- **Severe Weather Preparedness Sessions:** Organized annually ahead of peak storm seasons to educate the campus community on tornado safety, designated shelter areas, and emergency notification alerts.
- **Personal Responsibility Statement:** Central Alabama Community College encourages all students and employees to be responsible for their own security and the security of others by remaining vigilant, locking office and vehicle doors, reporting suspicious activities immediately, and participating actively in campus safety programs.

SECTION 3 — EMERGENCY RESPONSE, NOTIFICATION, AND EVACUATION

3.1 — Emergency Notification

Central Alabama Community College maintains comprehensive protocols to immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty, or staff.



- **Activation Authority and Content Determination:** Activation authority and message content determination rest jointly with the College President and the Chief of Police. Upon the occurrence of an incident, rapid assessment procedures enable senior administration and law enforcement to evaluate the situation, confirm the threat, and determine the appropriate segment or segments of the campus community to receive targeted notifications.
- **Notification Systems:** For potentially life-threatening emergencies necessitating urgent notification (such as a tornado warning or active shooter), the institution utilizes the SchoolCast multi-channel mass notification system, which disseminates alerts through text messages, voicemails, and emails.
- **Enrollment and Registration:** All faculty and staff are automatically enrolled in SchoolCast by the Information Technology Department. Students receive initial email notifications containing a registration link, though enrollment remains optional. To register or update contact information within the SchoolCast Emergency Notification System, individuals may contact the IT Help Desk at helpdesk@cacc.edu.
- **Operational Discretion:** Emergency notifications may be withheld only when issuing them would compromise ongoing law enforcement efforts to mitigate, contain, or resolve the emergency.

Emergency Response Leadership The execution of emergency response and evacuation procedures is managed by the following designated institutional personnel:

- **College President**
- **Chief of Police**
- **Dean of Financial Services**
- **Dean of Academic Programs**
- **Dean of Workforce and Economic Development**
- **Dean of Students**
- **Director of Human Resources**
- **Director of Facilities**
- **Director of Information Systems**

3.2 — Timely Warning

Timely warnings are issued when a Clery-reportable crime reported to campus police or local law enforcement represents a serious or continuing threat to students or employees. The College President and the Chief of Police serve as the acting authority responsible for determining the content and authorizing the issuance of these timely warnings, which are distributed via emails sent by the Information Systems Department or the Chief of Police.

3.3 — Evacuation Procedures

Emergency evacuation procedures are initiated upon the confirmation of a significant emergency or dangerous situation by the President and the Chief of Police, who determine the necessity of an evacuation. Building evacuations are initiated verbally, via SchoolCast mass notifications and emails, to ensure notification for all occupants. All occupants are expected to vacate the facility immediately to their vehicles or other building structures. During fire events, elevators must not be



used. To support individuals with disabilities or mobility limitations, designated faculty and staff actively assist with their evacuation. Additionally, students and employees requiring specific accommodations are encouraged to establish an individualized emergency evacuation plan prior to an emergency.

3.4 — Emergency Response Testing

Central Alabama Community College conducts at least one test of its emergency response and evacuation procedures annually, as required by 34 C.F.R. § 668.46(g). The following test(s) were conducted during 2025

Date	Announced or Unannounced	Type	Description
01/15/25	Unannounced	Classroom Training/Demonstration	Talladega Campus - Active Shooter, Bomb Threat, Tornado Response, Fire Response, Emergency Evacuation
01/13/25	Unannounced	Classroom Training/Demonstration	Talladega Campus - Active Shooter, Bomb Threat, Tornado Response, Fire Response, Emergency Evacuation
04/07/25	Unannounced	Classroom Training/Demonstration	Prattville Campus - Active Shooter, Bomb Threat, Tornado Response, Fire Response, Emergency Evacuation
04/08/25	Unannounced	Classroom Training/Demonstration	Prattville Campus - Active Shooter, Bomb Threat, Tornado Response, Fire Response, Emergency Evacuation
04/09/25	Unannounced	Classroom Training/Demonstration	Prattville Campus - Active Shooter, Bomb Threat, Tornado Response, Fire Response, Emergency Evacuation
04/10/25	Unannounced	Classroom Training/Demonstration	Prattville Campus - Active Shooter, Bomb Threat, Tornado Response, Fire Response, Emergency Evacuation
04/16/25	Unannounced	Classroom Training/Demonstration	Alexander City Campus - Active Shooter, Bomb Threat, Tornado Response, Fire Response, Emergency Evacuation
04/17/25	Unannounced	Classroom Training/Demonstration	Alexander City Campus - Active Shooter, Bomb Threat, Tornado Response, Fire Response, Emergency Evacuation
04/21/25	Unannounced	Classroom Training/Demonstration	Alexander City & TD Site Campus - Active Shooter, Bomb Threat, Tornado Response, Fire Response, Emergency Evacuation



06/30/25	Unannounced	Classroom Training/Demonstration	Childersburg Campus- Active Shooter, Bomb Threat, Tornado Response, Fire Response, Emergency Evacuation
09/10/25	Unannounced	Classroom Training/Demonstration	Talladega Campus- Active Shooter, Bomb Threat, Tornado Response, Fire Response, Emergency Evacuation
09/10/25	Unannounced	Classroom Training/Demonstration	Childersburg & TD Site Campus- Active Shooter, Bomb Threat, Tornado Response, Fire Response, Emergency Evacuation
09/11/25	Unannounced	Classroom Training/Demonstration	Talladega Campus- Active Shooter, Bomb Threat, Tornado Response, Fire Response, Emergency Evacuation
October 6 th & 7 th 2025	Announced	Live Drills	Talladega Campus- Active Shooter, Bomb Threat, Tornado Response, Fire Response, Emergency Evacuation
October 14 th & 15 th 2025	Announced	Live Drills	Prattville Campus- Active Shooter, Bomb Threat, Tornado Response, Fire Response, Emergency Evacuation
October 21 st & 22 nd 2025	Announced	Live Drills	Childersburg TD Site Campus- Active Shooter, Bomb Threat, Tornado Response, Fire Response, Emergency Evacuation
October 29 th & 30 th 2025	Announced	Live Drills	Alexander City & TD Site Campus- Active Shooter, Bomb Threat, Tornado Response, Fire Response, Emergency Evacuation



SECTION 4 — DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING

4.1 — Definitions

Dating Violence:

Under federal Clery Act standards (34 CFR § 668.46) and Alabama law (Ala. Code § 13A-6-139.1), **dating violence** is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- *Determining Factors:* The existence of such a relationship is evaluated based on the reporting party's statement and consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved.
- *Scope:* It includes, but is not limited to, sexual or physical abuse or the threat of such abuse, but does not include acts covered under domestic violence.

Domestic Violence:

Under federal regulations (34 CFR § 668.46) and the Alabama Criminal Code (Ala. Code §§ 13A-6-130 through 13A-6-132), **domestic violence** encompasses felony or misdemeanor crimes of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse under the domestic or family violence laws of Alabama; 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 Alabama

Sexual Assault:

Consistent with 34 CFR § 668.46(a) and Alabama penal statutes, **sexual assault** is defined as an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program:

- *Rape:* The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
 - *Fondling:* The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
 - *Incest:* Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Alabama law.
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- *Statutory Rape*: Non-forcible sexual intercourse with a person who is under the statutory age of consent under Alabama law.

Stalking:

To satisfy both federal baseline criteria (34 CFR § 668.46) and Alabama law (Ala. Code §§ 13A-6-90 and 13A-6-90.1), **stalking** is defined as engaging in a **course of conduct** (two or more acts, including following, monitoring, observing, surveilling, threatening, or communicating via any action, method, device, or means) directed at a specific person that would cause a reasonable person under similar circumstances to:

- Fear for their safety or the safety of others; or
- Suffer substantial emotional distress (significant mental suffering or anguish).

Consent:

Under Alabama law (Ala. Code § 13A-6-70) and institutional compliance standards, **consent** is defined as a freely given, knowledgeable, and voluntary agreement to engage in sexual activity, communicated through clear words or actions.

- *Absence of Consent*: Consent cannot be inferred from a lack of verbal or physical resistance if that lack of resistance results from forcible compulsion (use or threatened use of physical force, violence, or restraint).
- *Incapacitation*: An individual cannot give consent if they are asleep, unconscious, or mentally or physically incapacitated due to alcohol, drugs, age, or a developmental or physical condition.
- *Context*: Past consent or a current/previous dating, marital, or social relationship does not imply ongoing consent for future sexual activity.

4.2 — Prohibition

Central Alabama Community College strictly prohibits dating violence, domestic violence, sexual assault, and stalking. Violations are subject to disciplinary action up to and including dismissal or termination, and potential criminal prosecution.

4.3 — Primary Prevention and Awareness Programs

New Students and New Employees

Central Alabama Community College provides primary prevention and awareness training to all incoming students during orientation / first-term enrollment process and to all new employees. Training is delivered through platform/in-person and covers:

- Definitions of dating violence, domestic violence, sexual assault, and stalking
- The college's prohibition of these offenses
- Definition of consent under Alabama law
- Safe and positive bystander intervention options
- Risk reduction strategies



- Available campus and community resources
- How to report an incident

Ongoing Annual Campaigns

Central Alabama Community College conducts ongoing prevention and awareness campaigns for all current students and employees on at least an annual basis. The college provides continuous educational programming designed to promote safety, reduce high-risk behaviors, and supply critical resources related to domestic violence, substance use, and mental health awareness.

Summary of Programs Conducted 2025

Program Name / Campaign	Date(s)	Target Audience	Delivery Method	Topics Covered & Resources Provided
National Domestic Violence Awareness Month	Mondays throughout October	All Students and Employees	Campus-wide community engagement (wearing purple) and informational email broadcast	• Recognition of Domestic Violence Awareness Month (wearing purple attire on Mondays) • Education on domestic violence dynamics and healthy relationship markers • Direct referral links to national and local support agencies, including the National Coalition Against Domestic Violence, Alabama Coalition Against Domestic Violence, Family Sunshine Center, 2nd Chance, and Domestic Violence Intervention Center

4.4 — Procedures for Victims

If you have been a victim of dating violence, domestic violence, sexual assault, or stalking, please take immediate steps to ensure your physical safety and protect your rights:

- **Secure a Safe Location:** Immediately move to a secure environment away from the perpetrator or threat. Contact campus 911, Campus Police or local law enforcement right away if you are in immediate danger.
- **Preserve Evidence:** To preserve critical physical and forensic evidence necessary for an investigation or protective order:

Avoid bathing, showering, washing hands, brushing teeth, or using the restroom if possible before seeking medical evaluation. Do not change clothes. If you must change, place your worn clothing inside a clean, paper bag (avoid plastic bags to preserve biological material).



Do not disturb, clean, or alter the scene of the incident (e.g., bedsheets, furniture, or personal items).

- **Seek Medical Attention and Forensic Examination:** Prompt medical evaluation is essential to treat injuries, screen for sexually transmitted infections or trauma, and conduct a professional forensic medical examination (sexual assault evidentiary exam). Victims are strongly encouraged to seek immediate care at the nearest local emergency department or hospital facility associated with our campus locations:

Alexander City Campus: Russell Medical Center, 3316 US-280, Alexander City, AL 35010 – Phone: (256) 329-7100

Childersburg Campus: Coosa Valley Medical Center, 315 West Hickory Street, Sylacauga, AL 35150 (*serves the immediate Childersburg area*) – Phone: (256) 401-4000

Prattville Campus: Prattville Baptist Hospital, 124 South Memorial Drive, Prattville, AL 36067 – Phone: (334) 365-0651

Talladega Campus: Citizens Baptist Medical Center, 604 Stone Avenue, Talladega, AL 35160 – Phone: (256) 362-8111

- Report the incident — you may report to any of the following:
 - ALL 911 Calls are directed to Campus Police and Local Police
 - Emergencies Dial 911
 - CACC Campus Police;
 - 1. Alexander City Campus (256) 307 6849
 - 2. Childersburg Campus (256) 307 8003
 - 3. Prattville Campus (334) 312 0589
 - 4. Talladega Campus (256) 307 0432
 - Alexander City Police Department: (256) 234-3421
 - Tallapoosa County Sheriff's Office: (256) 825-4264
 - Childersburg Police Department: (256) 378-7860
 - Prattville Police Department: (334) 595-0208
 - Autauga County Sheriff's Office: (334) 361-2500
 - Talladega Police Department: (256) 362-4162
 - Talladega County Sheriff's Office: (256) 362-2748
 - Alabama State Troopers: (205) 553-5531
 - Title IX Coordinator- Tina Shaw – (Employees) Childersburg Campus, - (256) 378-2010 Cell-(256) 827-1963 , tshaw@cacc.edu
 - Dean of Students- Cindy Entrekin- (Students) Alexander City campus, - (256) 215-4273, centrekin@cacc.edu
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Your Reporting Options:

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 incidents, but the decision is ultimately yours. You have the right to decline to notify any authorities, including campus or local law enforcement. In those cases, you may still seek confidential assistance from Crisis Services of North Alabama or any other victim service agency of your choosing.

Orders of Protection:

Central Alabama Community College and the Campus Police Department are fully committed to supporting individuals affected by sexual assault, domestic violence, dating violence, and stalking. Campus Police will personally assist victims with documenting incidents or offenses and navigating the reporting process, whether they choose to involve law enforcement or pursue internal options. Furthermore, officers will provide hands-on assistance in obtaining local protection orders, harassment orders, or similar lawful injunctions. Once a protection order or restraining order is secured, the College and Campus Police will take every available measure within our operational scope—including coordinated safety planning, and increased patrols—to enforce the order and protect the safety and well-being of the individual.

4.5 — Confidentiality

Central Alabama Community College protects the confidentiality of victims to the extent permitted by law. Information about accommodations or protective measures provided to a victim will not be included in publicly available recordkeeping in a manner that identifies the individual.

4.6 — Available Resources and Accommodations

On-Campus Resources

Title IX Coordinator Leslie Mitchell, Associate Director of Student Success, Phone: (256) 480-2114
E-mail: lmitchell@cacc.edu

Title IX Assistant Coordinator Cindy Entrekin, Dean of Students (256) 215-4273,
centrekin@cacc.edu

Title IX Tina Shaw – (Employees) Childersburg Campus, Off.- (256) 378-2010 Cell-(256) 827-1963 , tshaw@cacc.edu

- CACC Campus Police;
- Alexander City Campus (256) 307 6849
- Childersburg Campus (256) 307 8003
- Prattville Campus (334) 312 0589
- Talladega Campus (256) 307 0432

Community Resources

• Tallapoosa County / Alexander City Campus:

- Local Domestic Violence Shelter/Hotline: Domestic Violence Intervention Center
(Safehouse Crisis Hotline: 334-749-1515 or Toll-Free State Hotline: 1-800-650-6522)



- Local Rape Crisis Center: Domestic Violence Intervention Center / Alabama Coalition Against Rape (Crisis Line: 1-800-650-6522)
- **Talladega County / Childersburg & Talladega Campuses:**
 - Local Domestic Violence Shelter/Hotline: 2nd Chance, Inc. (24/7 Crisis Hotline: 256-236-7233; Administrative Office: 256-236-7381)
 - Local Rape Crisis Center: 2nd Chance, Inc. - Sexual Violence Office (Sexual Violence Line: 256-403-2989 or 24/7 Crisis Line: 256-236-7233)
- **Autauga County / Prattville Campus:**
 - Local Domestic Violence Shelter/Hotline: Family Sunshine Center (24/7 Crisis Resource Hotline: 334-263-0218; Administrative & Counseling Center: 334-206-2100)
 - Local Rape Crisis Center: Family Sunshine Center (24/7 Crisis Line: 334-263-0218)

National Domestic Violence Hotline: 1-800-799-7233

National Sexual Assault Hotline (RAINN): 1-800-656-4673

Regardless of whether a victim reports to law enforcement, Central Alabama Community College will provide notification about available resources and will consider reasonable requests for changes to academic, living, transportation, or working arrangements.

4.7 — Institutional Disciplinary Proceedings

Type of Proceedings: Central Alabama Community College utilizes administrative disciplinary proceedings to address allegations of student and employee misconduct, including sexual assault, domestic violence, dating violence, and stalking. Student matters are administered via the Office of Student Services / Dean of Students, while employee matters are handled through Human Resources in accordance with institutional policies and applicable state laws (such as the Students First Act, Alabama Code § 16-24C-6).

How to File a Complaint: Reports can be filed by contacting the Campus Police Department, the Title IX Coordinator, or the Dean of Students. Complaints should include specific details (names, dates, times, description of incident). Initial steps involve offering immediate supportive measures, ensuring physical safety, outlining reporting options, and initiating a preliminary assessment.

Process Steps and Timelines: The process begins upon receipt of a complaint, followed by a preliminary review and an equitable investigation if warranted. Both parties have equal opportunities to present evidence and witnesses. Following the investigation and review/hearing, a determination of responsibility is issued promptly while ensuring thoroughness and due process.

Standard of Evidence: Central Alabama Community College uses the **preponderance of the evidence** standard for institutional disciplinary proceedings involving sexual misconduct and related offenses.

**Possible Sanctions:**

- *For Students:* Disciplinary warning, disciplinary probation, educational sanctions, loss of privileges, campus restrictions, suspension, expulsion, and/or referral to law enforcement.
- *For Employees:* Verbal discussion/warning, written warning/reprimand (with a recommended Action Plan), suspension, and termination of employment (in coordination with HR, the Senior Personnel Officer, and applicable legal frameworks like the Students First Act).

Protective Measures: Available measures include campus no-contact orders, schedule or housing changes, work assignment adjustments, and campus trespass restrictions.

Equal Rights of Both Parties: Both the complainant and respondent have equal rights throughout the process, including: the right to an advisor of their choosing at any proceeding; simultaneous written notification of the outcome; the right to appeal if available; notification of any change to the result; and notification of when the result becomes final.

SECTION 5 — ALCOHOL AND DRUG POLICIES

Central Alabama Community College is designated as a drug and alcohol-free campus under the Drug Free Schools and Communities Act (Public Law 101-226). The possession, use, manufacture, distribution, or sale of alcoholic beverages or controlled substances on campus is prohibited except as authorized by applicable law.

Drug and Alcohol Education and Awareness Programs

Central Alabama Community College complies fully with the Drug-Free Schools and Campuses Regulations and federal drug-free workplace requirements (Public Law 100-690). The College maintains a comprehensive drug-free awareness and education program designed to inform students and employees about the dangers of substance abuse, maintain a safe learning and working environment, outline applicable legal and institutional penalties, and provide clear pathways to assistance.

- **For Students:** Information regarding alcohol and drug prevention, health risks, legal sanctions, and support resources is distributed directly to each student. Students can access detailed guidance, policy specifics, and referral information by contacting the **Office of Student Services or Dean of Students** at any college location.
- **For Employees:** Under the College's Drug-Free Workplace policy, employees are informed of workplace expectations, available counseling and employee assistance programs (EAP), and reporting obligations via institutional HR guidelines and employee handbooks.

Students and employees seeking assistance or detailed resource information can utilize the national hotlines and local treatment facilities (such as Lighthouse of Tallapoosa County, East Alabama Mental Health Center, AltaPointe, and Carastar Crisis Center) maintained across our campus service areas.



National Toll-Free Hotlines & Websites

Resource	Contact Information
Treatment Facility Locator	1-800-662-HELP / findtreatment.gov
Drug Help	drughelp.org
Cocaine Anonymous	ca.org
Marijuana Anonymous	marijuana-anonymous.org
Narcotics Anonymous	na.org
Alcoholics Anonymous	aa.org

Local Treatment Facilities

These facilities provide alcohol, drug, or combined substance treatment on an outpatient, residential, or inpatient basis.

Resource	Contact Information & Address
Lighthouse of Tallapoosa County	36 Franklin Street, Alexander City, AL 3501 Phone: (256) 234-4894
East Alabama Mental Health Center Opelika Addictions Center	2300 Center Hills Drive, Building I, Opelika, AL 36801 Phone: (334) 742-2130
AltaPointe (Talladega)	10 Bemiston Avenue, Talladega, AL 35160 Phone: (256) 362-8600
AltaPointe (Sylacauga)	1661 Old Birmingham Highway, Sylacauga, AL 35150 Phone: (256) 245-2201
Carastar Crisis Center - Autauga County Clinic	461 East Main Street, Prattville, AL 36067 Phone: (334) 279-7830

For complete information, see Attachment B — Alcohol and Drug Abuse Prevention Policy.



SECTION 6 — SEX OFFENDER REGISTRATION INFORMATION

Pursuant to the Campus Sex Crimes Prevention Act (Section 1601 of Public Law 106-386), information about registered sex offenders in Alabama is publicly available through the Alabama Law Enforcement Agency (ALEA) at:

- **Registry Search / Community Notification Portal:**

http://www.communitynotification.com/cap_main.php?office=54247

- **ALEA Information Page:** <https://www.alea.gov/node/43>

Students and employees may also contact the Central Alabama Community College Police Department for assistance in accessing this information.

- Alexander City Campus (256) 307 6849
- Childersburg Campus (256) 307 8003
- Prattville Campus (334) 312 0589
- Talladega Campus (256) 307 0432



SECTION 9 — CRIME STATISTICS

9.1 — Criminal Offenses

Alexander City Campus (On-Campus Statistics)				Childersburg Campus (On-Campus Statistics)			
Offense Category	2023	2024	2025	Offense Category	2023	2024	2025
Murder / Non-Negligent Manslaughter	0	0	0	Murder / Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0	Negligent Manslaughter	0	0	0
Rape	0	0	0	Rape	0	0	0
Fondling	0	0	0	Fondling	0	0	0
Incest	0	0	0	Incest	0	0	0
Statutory Rape	0	0	0	Statutory Rape	0	0	0
Robbery	0	0	0	Robbery	0	0	0
Aggravated Assault	0	0	0	Aggravated Assault	0	0	0
Burglary	1	0	0	Burglary	0	0	0
Motor Vehicle Theft	0	0	0	Motor Vehicle Theft	0	0	0
Arson	0	0	0	Arson	0	0	0
Hazing	0	0	0	Hazing	0	0	0

Prattville Campus (On-Campus Statistics)				Talladega Campus (On-Campus Statistics)			
Offense Category	2023	2024	2025	Offense Category	2023	2024	2025
Murder / Non-Negligent Manslaughter	0	0	0	Murder / Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0	Negligent Manslaughter	0	0	0
Rape	0	0	0	Rape	0	0	0
Fondling	0	0	0	Fondling	0	0	0
Incest	0	0	0	Incest	0	0	0
Statutory Rape	0	0	0	Statutory Rape	0	0	0
Robbery	0	0	0	Robbery	0	0	0
Aggravated Assault	0	0	0	Aggravated Assault	0	0	0
Burglary	0	0	0	Burglary	0	0	0
Motor Vehicle Theft	0	0	0	Motor Vehicle Theft	0	0	0
Arson	0	0	0	Arson	0	0	0
Hazing	0	0	0	Hazing	0	0	0



Alexander City Campus (Non-Campus Statistics)

Offense Category	2023	2024	2025
Murder / Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Hazing	0	0	0

Childersburg Campus (Non-Campus Statistics)

Offense Category	2023	2024	2025
Murder / Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Hazing	0	0	0

Prattville Campus (Non-Campus Statistics)

Offense Category	2023	2024	2025
Murder / Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Hazing	0	0	0

Talladega Campus (Non-Campus Statistics)

Offense Category	2023	2024	2025
Murder / Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Hazing	0	0	0



Alexander City Campus (Public Property)				Childersburg Campus (Public Property)			
Offense Category	2023	2024	2025	Offense Category	2023	2024	2025
Murder / Non-Negligent Manslaughter	0	0	0	Murder / Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0	Negligent Manslaughter	0	0	0
Rape	0	0	0	Rape	0	0	0
Fondling	0	0	0	Fondling	0	0	0
Incest	0	0	0	Incest	0	0	0
Statutory Rape	0	0	0	Statutory Rape	0	0	0
Robbery	0	0	0	Robbery	0	0	0
Aggravated Assault	0	0	0	Aggravated Assault	0	0	0
Burglary	0	0	0	Burglary	0	0	0
Motor Vehicle Theft	0	0	0	Motor Vehicle Theft	0	0	0
Arson	0	0	0	Arson	0	0	0
Hazing	0	0	0	Hazing	0	0	0

Prattville Campus (Public Property)				Talladega Campus (Public Property)			
Offense Category	2023	2024	2025	Offense Category	2023	2024	2025
Murder / Non-Negligent Manslaughter	0	0	0	Murder / Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0	Negligent Manslaughter	0	0	0
Rape	0	0	0	Rape	0	0	0
Fondling	0	0	0	Fondling	0	0	0
Incest	0	0	0	Incest	0	0	0
Statutory Rape	0	0	0	Statutory Rape	0	0	0
Robbery	0	0	0	Robbery	0	0	0
Aggravated Assault	0	0	0	Aggravated Assault	0	0	0
Burglary	0	0	0	Burglary	0	0	0
Motor Vehicle Theft	0	0	0	Motor Vehicle Theft	0	0	0
Arson	0	0	0	Arson	0	0	0
Hazing	0	0	0	Hazing	0	0	0

Alexander City Campus 9.2 — VAWA Offenses On-Campus				Childersburg Campus 9.2 — VAWA Offenses On-Campus			
Offense Category	2023	2024	2025	Offense Category	2023	2024	2025
Domestic Violence	0	0	0	Domestic Violence	0	0	0
Dating Violence	0	0	0	Dating Violence	0	0	0
Stalking	0	0	0	Stalking	0	0	0



Prattville Campus

9.2 — VAWA Offenses
On-Campus

Offense Category	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

Talladega Campus

9.2 — VAWA Offenses
On-Campus

Offense Category	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

Alexander City Campus

9.2 — VAWA Offenses
Non-Campus

Offense Category	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

Childersburg Campus

9.2 — VAWA Offenses
Non-Campus

Offense Category	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

Prattville Campus

9.2 — VAWA Offenses
Non-Campus

Offense Category	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

Talladega Campus

9.2 — VAWA Offenses
Non-Campus

Offense Category	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

Alexander City Campus

9.2 — VAWA Offenses
Public Property

Offense Category	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

Childersburg Campus

9.2 — VAWA Offenses
Public Property

Offense Category	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0



Prattville Campus

9.2 — VAWA Offenses
Public Property

Offense Category	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

Talladega Campus

9.2 — VAWA Offenses
Public Property

Offense Category	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

9.3 — Arrests and Referrals for Disciplinary Action (On-Campus Arrests)

Alexander City Campus

Arrests — On-Campus

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	1	0	0
Liquor Law Violations	0	0	0

Childersburg Campus

Arrests — On-Campus

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

Prattville Campus

Arrests — On-Campus

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

Talladega Campus

Arrests — On-Campus

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

Alexander City Campus

Arrests — Non-Campus

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

Childersburg Campus

Arrests — Non-Campus

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0



Prattville Campus

Arrests — Non-Campus

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

Talladega Campus

Arrests — Non-Campus

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

Alexander City Campus

Arrests — Public Property

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

Childersburg Campus

Arrests — Public Property

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

Prattville Campus

Arrests — Public Property

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

Talladega Campus

Arrests — Public Property

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

Alexander City Campus

Disciplinary Referrals — On Campus

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

Childersburg Campus

Disciplinary Referrals — On Campus

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0



Prattville Campus

Disciplinary Referrals — On Campus

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

Talladega Campus

Disciplinary Referrals — On Campus

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

Alexander City Campus

Disciplinary Referrals — Non-Campus

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

Childersburg Campus

Disciplinary Referrals — Non-Campus

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

Prattville Campus

Disciplinary Referrals — Non-Campus

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

Talladega Campus

Disciplinary Referrals — Non-Campus

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

Alexander City Campus

Disciplinary Referrals — Public Property

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0

Childersburg Campus

Disciplinary Referrals — Public Property

Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0



Prattville Campus				Talladega Campus			
Disciplinary Referrals — Public Property				Disciplinary Referrals — Public Property			
Offense Category	2023	2024	2025	Offense Category	2023	2024	2025
Weapons: Carrying, Possessing, Etc.	0	0	0	Weapons: Carrying, Possessing, Etc.	0	0	0
Drug Abuse Violations	0	0	0	Drug Abuse Violations	0	0	0
Liquor Law Violations	0	0	0	Liquor Law Violations	0	0	0

9.4 — Hate Crime Statistics

No hate crimes were reported for 2023, 2024, or 2025.

9.5 — Unfounded Crime Statistics

2023: [0] crimes were formally unfounded.
2024: [3] crimes were formally unfounded.
2025: [0] crimes were formally unfounded.

ATTACHMENT A — TITLE IX POLICY

Title IX Policy — Effective Date: [Date of current adoption or most recent revision]

Title IX Sexual Harassment

Policy Statement

Central Alabama Community College (the “College”) is committed to creating and maintaining a learning and working environment that is free from unlawful discrimination based on sex in accordance with Title IX of the Higher Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in education programs or activities; Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits sex discrimination in employment; and the Campus Sexual Violence Elimination Act, the Jeanne Clery Campus Safety Act, and the Violence Against Women Act (VAWA). Sexual harassment and retaliation under these Procedures will not be tolerated by the College and is grounds for disciplinary action, up to and including, permanent dismissal from the College and/or termination of employment.

The College has adopted grievance procedures that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in its education program or activity, or by the Title IX Coordinator.

Purpose

The College takes all reported sexual harassment seriously. The College will promptly take action against any individuals within its control who are found responsible for violating these Procedures. Additionally, reported sexual harassment that does not meet the definitions and



jurisdiction of these Procedures will be referred for review under the Student Code of Conduct, or the Employee Policy, whichever may be applicable.

Jurisdiction and Application of these Procedures

These Procedures apply to sexual harassment occurring under the College's education program or activity. Conduct that occurs under the College's education program or activity includes but is not limited to conduct that occurs in a building owned or controlled by the College or by a student organization that is officially recognized by the College and where the College exercises control over the Respondent at the time the alleged conduct occurs. A Complainant may only file a formal complaint if the Complainant is participating or attempting to participate in the College's education program or activity. These Procedures do not cover conduct that occurs outside of the United States.

If the alleged conduct does not meet the definition of sexual harassment under these Procedures, the College will provide supportive measures when reasonably available and when possible take prompt action to provide for the safety and well-being of the Complainant and the broader campus community.

Title IX Coordinator

The College's Title IX Coordinator is the person designated by the College who is responsible for coordinating the College's compliance with its obligations under Title IX. The Title IX Coordinator is responsible for the administrative response to complaints of sexual harassment. The Title IX Coordinator is available to discuss the grievance process, coordinate supportive measures, explain the College's policies and procedures, and provide education on relevant issues. The Title IX Coordinator may designate one or more Assistant Title IX Coordinators to facilitate any of these responsibilities.

Any member of the College's community may contact the Title IX Coordinator with questions. The Title IX Coordinator and Assistant Title IX Coordinators contact information is as follows:

Title IX Coordinator

Leslie Mitchell, Associate Director of Student Success 1009
South Street East
Talladega, AL 35160
Phone: (256) 480-2114
E-mail: lmitchell@cacc.edu

Assistant Title IX Coordinators

Students: Cindy Entrekin, Dean of Students
1675 Cherokee Road
Alexander City, AL 35010



Phone: (256) 215-4273
E-mail: centrekin@cacc.edu

Employees: Tina Shaw, Executive Human Resource Director
34091 U.S. Hwy. 280
Childersburg, AL 35044
Phone: (256) 378-2010
E-mail: tshaw5@cacc.edu

In addition to the Title IX Coordinator and Assistant Title IX Coordinators, the Title IX staff may include Investigators, Hearing Decisionmakers, Appellate Decisionmakers, Advisors, and Informal Resolution Facilitators who have roles in the formal grievance process, which are detailed in these Procedures.

The Title IX Coordinator, Assistant Title IX Coordinator, Investigators, Hearing Decisionmakers, Appellate Decisionmakers, Advisors, if applicable, and Informal Resolution Facilitators will receive annual training in compliance with Title IX. All administrators in these roles will not rely on sex stereotypes and will provide impartial investigations and adjudications of complaints of sexual harassment. All materials used to train these administrators will be available on the College's Title IX website for inspection by members of the public in accordance with Title IX regulations.

Conflict of Interest

The Title IX Coordinator, Assistant Title IX Coordinators, Investigators, Hearing Decisionmakers, Appellate Decisionmakers, and Informal Resolution Facilitators shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent. Whether bias exists requires examination of the particular facts of a situation. A determination of bias must be based on an objective evaluation of the available facts (i.e., whether a reasonable person would believe bias exists).

Any person exercising investigative or decision-making authority under these Procedures who believes they may have a potential conflict of interest or bias that would prevent them from impartially exercising their authority, must disclose the potential conflict/bias to the Title IX Coordinator as soon as practicable after it is discovered. Arrangements will then be made to designate a conflict/bias free alternative in the case at issue.

If the Complainant or the Respondent believes the Title IX Coordinator has a conflict of interest or bias, such objection should be made to the College President as soon as practicable after the potential conflict or bias is discovered. If the College President determines that the objection is reasonable, the Title IX Coordinator will be replaced with a conflict/bias free Assistant Title IX Coordinator.



If the objection as to a conflict or bias is made with respect to an Investigator, such objection should be reported to the Title IX Coordinator as soon as practicable after the potential conflict or bias is discovered. If the Title IX Coordinator determines that the objection is reasonable, the Investigator will be replaced with a conflict/bias free alternative Investigator.

If the objection as to a conflict or bias is made with respect to a Hearing Decisionmaker or Appellate Decisionmaker, such objection must be reported to the Title IX Coordinator before the scheduled hearing or appeal decision. If the Title IX Coordinator determines that the objection is reasonable, the challenged person will be replaced with a conflict/bias free alternative Hearing Decisionmaker or Appellate Decisionmaker.

The decision of the Title IX Coordinator or the College (in objections to the Title IX Coordinator), regarding an objection will be final.

Knowledge of or acquaintance with the Complainant, Respondent, or witnesses in a matter; awareness of a matter; participation as a consequence of one's official role in events surrounding a matter; and/or participation in the investigation process prior to the formal disciplinary process does not automatically result in the finding of a disqualifying conflict; however, such factors may be considered in determining whether a conflict exists.

The mere fact that a certain number of findings under these Procedures result in determinations of responsibility, or non-responsibility, does not necessarily indicate or imply bias on the part of Title IX personnel.

Definitions

Actual Knowledge: notice of sexual harassment allegations to the Title IX Coordinator or any Official with Authority, except that actual knowledge is not met when the only individual with actual knowledge is the Respondent

Business Day: any weekday not designated by the College as a holiday, administrative closure day, or Friday (since Friday is considered a half-day). When calculating a time period of business days specified in these Procedures, the business day of the event that triggers a time period is excluded.

Complainant: an individual who is alleged to be the victim of conduct that could constitute sexual harassment

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.

Disciplinary Sanctions: consequences imposed on a Respondent following a determination under Title IX that the Respondent violated the College's prohibition on sexual harassment

Education Program or Activity: locations, events, or circumstances over which the College exercises substantial control over both the Respondent and the context in which the sexual harassment occurs; includes conduct that occurs on College property, during any College activity, or in any building owned or controlled by the College or by a student organization that is officially recognized by the College

Formal Complaint: a document filed by a 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

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.

Official with Authority: an individual who has the authority to institute corrective measures and is required to report sexual harassment to the Title IX Coordinator to initiate the College's response to the sexual harassment allegations. The College's Officials with Authority include the following positions at the College: Title IX Coordinator and Assistant Title IX Coordinators; President of the College; College Deans; employees with supervisory authority; College Police Department.

Party: a Complainant or Respondent

Relevant: related to the allegations of sexual harassment under investigation as part of the grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sexual harassment occurred, and evidence is relevant when it may aid a Hearing Decisionmaker or Appellate Decisionmaker in determining whether the alleged sexual harassment occurred.

Remedies: measures designed to restore or preserve equal access to the College's education program or activity; remedies may include, but are not limited to, the same individualized services as supportive measures, however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent



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

Responsible Reporting Official: any individual who is employed by the College (full-time, part-time, adjunct) and not deemed to be an Official with Authority. Responsible Reporting Officials are mandated by the College to report sexual harassment to the Title IX Coordinator promptly upon receiving a report of sexual harassment.

Retaliation: intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or these Procedures.

Nothing in this definition precludes a College from requiring an employee or other person authorized by a College to provide aid, benefit, or service under the College's education program or activity to participate as a witness in, or otherwise assist with, an investigation, proceeding, or hearing.

Student: a person who has gained admission

Supportive Measures: 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 College's education programs or activities 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, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort/transportation 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.

Prohibited Conduct

Under Title IX, Prohibited Conduct includes sexual harassment, sexual assault, dating violence, domestic violence, and stalking as defined below.

To the extent that federal or state laws addressing conduct that could be deemed Prohibited _____



Conduct are created or amended, engaging in such conduct shall be considered a violation of these Procedures even if the definitions below have not been updated to reflect the most recent additions to or changes in law.

Sexual Harassment: conduct on the basis of sex that satisfies one or more of the following:

- (1) An employee of the College conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct (quid pro quo sexual harassment);
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity (hostile environment sexual harassment)

A severe, pervasive, and objectively offensive assessment includes, but is not limited to, a consideration of the following:

- (i) the frequency of the offensive conduct;
- (ii) the nature of the unwelcome sexual act or words, such as whether the harassment was physical, verbal or both;
- (iii) Whether the harassment was an offensive utterance, and;
- (iv) the number of victims involved and the relationship between the parties including, but not limited to, the ages of the harasser and the victim; and

In evaluating whether conduct is severe, pervasive, and objectively offensive, the College will look at the totality of the circumstances, expectations, and relationships.

(3) Sexual Assault, Dating Violence, Domestic Violence or Stalking as defined in these Procedures.

Sexual Assault: an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system and the Summary Reporting System User Manual of the Federal Bureau of Investigation as used in the Clery Act

Sex Offenses— Any sexual act directed against another person, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent

- i. *Nonconsensual sexual intercourse (Rape)*— The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the Complainant.
- ii. *Nonconsensual sexual contact (Fondling)*—The intentional touching (or an attempt to commit the same) of the clothed or unclothed genitals, buttocks, groin, breasts, or other



body parts of the Complainant by the Respondent without the consent of the Complainant for the purpose of sexual degradation, sexual gratification, or sexual humiliation; or

The intentional touching by the Complainant or the Respondent's clothed or unclothed genitals, buttocks, groin, breasts, or other body parts, without consent of the Complainant for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

This offense includes instances where the Complainant is incapable of giving consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

- iii. *Incest*—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law
- iv. *Statutory Rape*—Sexual intercourse with a person who is under the statutory age of consent

Dating Violence: violence committed by a person—

- (i) who is or has been in a social relationship of a romantic or intimate nature with the Complainant; and
- (ii) where the existence of such a relationship shall 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.

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

Domestic Violence: felony or misdemeanor crimes of violence committed by a person who:

- Is a current or former spouse or intimate partner of the Complainant under the family or domestic violence laws of the jurisdiction of the College or a person similarly situated to a spouse of the Complainant,
 - shares a child in common with the Complainant,
 - is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
 - commits acts against a youth or young adult Complainant who is protected from those acts under the family or domestic violence laws of the jurisdiction
-



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

- (i) fear for the person's safety or the safety of others; or
- (ii) suffer substantial emotional distress.

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

Reasonable Person means a reasonable person under similar circumstances and with similar identities to the Complainant.

Substantial Emotional Distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

Reporting Procedures

A report of sexual harassment can be made to the persons below in person (during business hours) or by mail, telephone, or by email using the contact information below at any time, including during non-business hours.

- (1) Reporting to the Title IX Coordinator: Reports of sexual harassment may be made to the Title IX Coordinator in any of the following ways, by anyone, at any time: email, phone, mail. Reports may be made to the Title IX Coordinator in person at the Talladega Center located at 1009 South Street East, Talladega, AL 35160. After an incident of sexual harassment has been reported to the Title IX Coordinator, the Title IX Coordinator will promptly offer supportive measures to the Complainant, regardless of whether the Complainant was the reporter of the Sexual Harassment.
- (2) Reporting to Officials with Authority: If Officials with Authority are notified of sexual harassment, they shall promptly report such sexual harassment to the Title IX Coordinator who will take immediate action under this Procedure. The College's Officials with Authority include the following positions at the College: Title IX Coordinator and Assistant Title IX Coordinators; President of the College; College Deans; employees with supervisory authority; College Police Department.
- (3) Reporting to Responsible Reporting Officials: College employees who are not Officials with Authority are mandated by the College to report alleged sexual harassment to the Title IX Coordinator promptly upon receiving a report of sexual harassment.
- (4) Anonymous Reporting: Anonymous reports may be made by telephone, in writing or electronically to the Title IX Coordinator. A decision to remain anonymous, however, may



greatly limit the College's ability to stop the alleged conduct, collect evidence, or take action against parties accused of violating this Procedure.

- (5) Reporting to Local Law Enforcement: Reports of sexual harassment may be filed with local law enforcement agencies. The Title IX Coordinator can assist with contacting law enforcement agencies. Law enforcement investigations are separate and distinct from the College's investigations.

Mandatory Reporting under Alabama Law: Alabama law imposes a mandatory duty on all College employees to immediately report all incidences of known or suspected child abuse. Such reports must be made to the College's Police Department. The College also encourages students, volunteers, and representatives (as well as third-party vendors and their employees, representatives, or volunteers that contract for use of College facilities with responsibilities that involve interaction with children) to report (verbally and in writing) known or suspected child abuse to the College's Police Department. Sexual abuse is one element of the more comprehensive term "abuse" under Alabama law. For child protection purposes, a child is any person under 18 years of age or any individual under 19 years of age who is in need of protective services and does not qualify for adult protective services under Chapter 9 of Title 38 in Alabama Law. A freshman student, a "dual enrolled" high school student, or a summer camp participant, among others, may fall into the category of a "child."

Consolidation of Complaints

The College may consolidate complaints of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against another party, when the allegations of sexual harassment arise out of the same facts or circumstances. When more than one Complainant or more than one Respondent is involved, references below to a party, Complainant, or Respondent include the plural, as applicable.

The College will not consolidate complaints if consolidation would violate the Family Educational Rights and Privacy Act (FERPA). Consolidation would not violate FERPA when the College obtains prior written consent from parties to the disclosure of their educational records.

Amnesty for Students

The College strongly encourages students to report incidents violating the policy related to discrimination, harassment, sexual harassment, and related inappropriate conduct. The College's primary concern is the safety of the members of the college community, and it encourages behavior that demonstrates care and concern for members of the community. Accordingly, the College reserves the right to provide a reprieve from disciplinary actions for Complainants and other individuals who exhibit responsible and proactive behavior in reporting sexual harassment or other prohibited conduct or for students acting as a witness during the formal grievance procedures. The College may provide referrals to counseling and may require educational options, rather than disciplinary sanctions, in such cases.



Supportive Measures

Supportive measures may vary depending on what the College deems to be reasonably available. These measures may include but are not limited to: counseling; extensions of deadlines and other course-related adjustments; campus escort/transportation services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more parties; leaves of absence; changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to sex-based harassment. Complainants are eligible for supportive measures at the time their identity is known to the Title IX Coordinator. Respondents are eligible for supportive measures at the time that notice of an alleged complaint has been given.

Supportive measures cannot unreasonably burden either party and must be designed to protect the safety of the parties or the College's educational environment, or to provide support during the College's grievance procedures or during the informal resolution process. The College will not impose such measures for punitive or disciplinary reasons.

The College may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance procedures or at the conclusion of the informal resolution process or the College may continue them beyond that point.

The College will not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the education program or activity.

If the party is a student with disabilities, the Title IX Coordinator may consult, as appropriate, with the individual or office that the College has designated to provide support to students with disabilities to determine how to comply with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, in the implementation of supportive measures.

Emergency Removals and Administrative Leave

The College may remove a Respondent from the College's education program or activity on an emergency basis, provided that the College undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health and safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision to the Title IX Coordinator in writing within three (3) business days following the removal.

The College may place a non-student employee Respondent on administrative leave from employment responsibilities during the pendency of the College's grievance procedures.

Any challenges to an emergency removal should be sent to the Title IX Coordinator in writing within three (3) business days of the notification to the Respondent of the emergency removal. The Respondent should state the reasons for the challenge and any supporting documentation. The Title IX Coordinator will forward all documentation to the College President to render a _____



decision within five (5) business days. The College President will notify both parties in writing of the decision.

Initial Evaluation & Complaint Dismissals

Initial Evaluation

When a report has been made, the Title IX Coordinator will contact the Complainant for an initial discussion to provide information of their rights and options, availability of supportive measures, consideration of the Complainant's wishes with respect to supportive measures, explanation of the policy and grievance procedures and the process for filing a Formal Complaint.

During the initial discussion with the Complainant, the Title IX Coordinator will gather facts that will enable the Title IX Coordinator to evaluate the allegations and make a determination on whether to dismiss the complaint or investigate the complaint. A Formal Complaint must contain an allegation of sexual harassment against a Respondent, a request for the College to investigate the allegation, and be signed by the Complainant or the Title IX Coordinator. A Complainant may only file a formal complaint if the Complainant is participating or attempting to participate in the College's education program or activity.

In limited circumstances, if a Complainant does not sign a Formal Complaint, the Title IX Coordinator may sign a Formal Complaint. To make a fact-specific determination, the Title IX Coordinator must consider, at a minimum, the following factors:

- (i) the Complainant's request not to proceed with initiation of a complaint;
- (ii) the Complainant's reasonable safety concerns regarding initiation of a complaint;
- (iii) The risk that additional acts of sex discrimination would occur if a complaint is not initiated;
- (iv) The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
- (v) The age and relationship of the parties, including whether the Respondent is an employee of the College;
- (vi) The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;
- (vii) The availability of evidence to assist a Decisionmaker in determining whether sex discrimination occurred; and



- (viii) Whether the College could end the alleged sex discrimination and prevent its recurrence without initiating its grievance procedures.

Mandatory Complaint Dismissals

The Title IX Coordinator will dismiss a Formal Complaint for purposes of sexual harassment if:

- (1) The conduct alleged in the Formal Complaint would not constitute sexual harassment as defined in these Procedures, even if proved;
- (2) The conduct alleged did not occur in the College's education program or activity; or
- (3) The conduct alleged in the Formal Complaint did not occur against a person in the United States.

Permissive Complaint Dismissals

The Title IX Coordinator may dismiss a Formal Complaint or any allegation within the Formal Complaint, if at any time during the investigation or hearing:

- (1) A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations in the Formal Complaint;
- (2) The Respondent is no longer enrolled in the College; or
- (3) Specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations within the Formal Complaint.

Upon dismissal, the Title IX Coordinator will promptly notify the Complainant in writing of the basis for the dismissal. If the dismissal occurs after the Respondent has been notified of the allegations, then the Title IX Coordinator will notify the parties simultaneously in writing.

The Title IX Coordinator will notify the Complainant that a dismissal may be appealed on the bases outlined in Section M of these Procedures. If dismissal occurs after the Respondent has been notified of the allegations, then the Title IX Coordinator will also notify the Respondent that the dismissal may be appealed on the same bases. If a dismissal is appealed, the College will follow the procedures outlined in Section M of these Procedures.

When a complaint is dismissed, the College will, at a minimum:

- (1) Offer supportive measures to the Complainant as appropriate;
- (2) If the Respondent has been notified of the allegations, offer supportive measures to the Respondent as appropriate; and
- (3) Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sexual harassment does not continue or recur within the College's education



program or activity.

Complaint Investigation

The College will treat Complainants and Respondents equitably.

The College presumes that the Respondent is not responsible for the alleged sex-based harassment until a determination is made at the conclusion of its grievance procedures.

It is the goal of the College to complete investigations in a prompt timeframe. Any timeframes or deadlines may be extended when necessary to ensure the integrity and completeness of the investigation, comply with a request by external law enforcement, accommodate the availability of parties and/or witnesses, account for College breaks or vacations, and the complexity of the investigation or severity and extent of the alleged conduct. The Title IX Coordinator will notify both parties in writing of any College delays.

If a Complainant or Respondent shall request a delay in the investigation or extension of any timeframes, the party must notify the Title IX Coordinator in writing as soon as practicable stating the requested new timeframe and reason for the delay or extension. The Title IX Coordinator will notify the party in writing of the denial or both parties in writing of the approval within three (3) business days of notification of the request. Any delays or extension will apply equally to both parties.

All requests will be on a case-by-case basis for good cause.

Parties have the opportunity to be accompanied to any meeting or proceeding by one (1) Advisor of their choice, who may be, but is not required to be, an attorney.

- The College will not limit the choice or presence of the Advisor for the Complainant or Respondent in any meeting or proceeding. Both parties may select whomever they wish to serve as their Advisor as long as the Advisor is eligible and available. However, the College has the right to remove any Advisor who does not adhere to the College's policies and procedures.
 - The College cannot guarantee equal advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not, or cannot afford an attorney, the College is not obligated to provide an attorney to advise that party.
 - If a party requests that all communication be made through their attorney Advisor instead of to the party, the College will agree to copy both the party and their Advisor on all communications.
 - Advisors should help the parties to prepare for each meeting and are expected to advise ethically, with integrity, and in good faith. Advisors may not provide testimony or speak for the party unless given specific permission to do so.
-



- The parties are expected to ask and respond to questions on their own behalf throughout the grievance process. Although the Advisor generally may not speak for the party, the Advisor may consult with the party, either privately as needed, or by conferring or passing notes during any meeting or interview. For longer or more involved discussions, the parties and their Advisors should ask for breaks to allow for private consultation.

Parties have the opportunity to have one (1) support person of their choice, a person other than the Advisor, present during any meeting or proceeding.

Written Notice of Allegations

Upon receipt of a Formal Complaint, the Title IX Coordinator will notify the parties in writing of the following with sufficient time for the parties to prepare a response before any initial interview:

- (1) Notice of the party's rights and options
- (2) Notice of the College's grievance process
- (3) Notice of the College's informal resolution process and options
- (4) Notice of the allegations of sexual harassment including: the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the incident, if known
- (5) Notice that the Respondent is presumed not responsible of the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process
- (6) Notice that the parties may have an Advisor of their choice, who may be, but is not required to be an attorney, and that the Advisor may inspect and review evidence
- (7) Notice of the College's Student Code of Conduct provision that prohibits knowingly making false statements or knowingly submitting false information during the grievance process

If, in the course of an investigation, the College decides to investigate additional allegations of sexual harassment by the Respondent toward the Complainant that are not included in the written notice or that are included in a consolidated complaint, the Title IX Coordinator will provide written notice of the additional allegations to the parties.

Investigation

The College will conduct an investigation following a Formal Complaint and Notice of Allegations. The Title IX Coordinator will assign an Investigator(s) to conduct the investigation. During all meetings and interviews the parties may be accompanied by an Advisor of their choice,



which can be, but is not required to be an attorney. During the investigation stage of the grievance process, the Advisor's role is limited to assisting, advising, and/ or supporting a Complainant or Respondent. An Advisor is not permitted to speak for or on behalf of a Complainant or Respondent or appear in lieu of a Complainant or Respondent during the investigation phase of the grievance process.

Each party will be provided an equal opportunity to provide information to the Investigator and present witnesses for the Investigator to interview. The information provided by the parties can include inculpatory and exculpatory evidence. The witnesses can include both fact witnesses and expert witnesses.

Each party will be provided an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including evidence upon which the College does not intend to rely upon in reaching a determination regarding responsibility. This review includes inculpatory and exculpatory evidence that is obtained by a party, witness, or other source. Each party and their Advisor (if any) will be provided an electronic copy of the evidence for inspection and review. The parties will have ten (10) business days to review and submit a written response to the Investigator. The Investigator will consider the written responses prior to completing an investigative report. All evidence provided during the inspection and review phase will be available at any hearing for the parties to use during the hearing, including for purposes of cross examination.

Following the opportunity to inspect and review evidence directly related to the allegations raised in the Formal Complaint, the Investigator will create an investigative report that fairly summarizes relevant evidence obtained during the investigation.

At least ten (10) business days prior to a hearing, the Investigator will provide each party and the party's Advisor (if any) an electronic copy of the investigative report that includes the parties review and written response, if any.

Hearing

After the investigation, the College will provide for a live hearing for all Formal Complaints of sexual harassment that have not been dismissed or resolved by informal resolution. At the request of either party, or at the discretion of the Title IX Coordinator, the College will provide for the live hearing to occur with the parties located in separate rooms with technology enabling the Hearing Decisionmaker and parties to simultaneously see and hear the other party or witness answering questions.

The Hearing Decisionmaker(s) will be appointed by the College and will not be the Title IX Coordinator or Investigator. The Hearing Decisionmaker(s) will be trained, impartial, and without a conflict of interest. The Hearing Decisionmaker(s) may be a panel of three (3) College



employees with one panel member serving as a chairperson, or a single Hearing Decisionmaker or an external individual designated by the College.

Either party may challenge the appointment of a Hearing Decisionmaker, based on conflict of interest or bias, in writing to the Title IX Coordinator, no less than five (5) business days prior to the scheduled hearing.

The College will create an audio or audiovisual recording of all live hearings and make the recording available to the parties for inspection or review.

The Title IX Coordinator will serve as the hearing process facilitator to coordinate the hearing, including, but not limited to, coordination and scheduling of the hearing; the logistics of physical or virtual rooms for parties and/or witnesses, including separation of the parties; ensuring all technology is working appropriately; ensuring the parties have access to electronic documents during the hearing; distributing materials; etc. The Title IX Coordinator may invite the parties and their advisors, separately, to a meeting prior to the hearing to review the hearing process for the purpose of ensuring a smooth hearing. This meeting is separate from the pre-hearing conference discussed below.

Participants at the hearing include the Hearing Decisionmaker(s), the Investigator(s) who conducted the investigation, the parties, advisors to the parties, witnesses and anyone providing authorized accommodations. In addition, the Title IX Coordinator, serving as the hearing facilitator is present. Any witnesses scheduled to participate in the hearing must have been first interviewed by the Investigator(s) or have provided a written statement or answered questions from the Investigator in writing.

Advisor's Role at the Hearing

Each party must have an Advisor present at the hearing. The Advisor's role is limited to supporting, advising, and assisting the party during the hearing and conducting questioning (cross-examination) of participants. Advisors are required to follow rules of decorum enforced by the Hearing Decisionmaker(s). Failure to follow the rules of decorum by an Advisor may result in removal of an Advisor from the hearing. If a party does not have an Advisor present at the live hearing, the College will appoint the party with an Advisor without fee or charge.

Pre-Hearing Conference

The Hearing Decisionmaker(s) may hold a pre-hearing conference. In order to streamline the hearing process, the Hearing Decisionmaker(s) may request the submission of questions prior to the hearing through electronic submission and/or a pre-hearing conference. During the pre-hearing conference, parties and their advisors will be asked to submit, in writing, any questions they wish to ask during the live hearing so that the Hearing Decisionmaker(s) can be prepared to respond to relevancy at the hearing. The Hearing Decisionmaker(s) may allow for the pre-hearing submission



of questions regardless of whether a pre-hearing conference occurs.

This conference does not preclude an Advisor from asking additional questions live during the hearing.

At the pre-hearing conference, the Hearing Decisionmaker(s) may also hear arguments regarding the relevance of the evidence identified in the investigation report as relevant or not relevant, and/or directly related to the allegations.

Hearing Process

The hearing process will proceed as follows:

- (1) Notice of Hearing: After the investigative report has been completed and at least ten (10) business days prior to the date set for the hearing, the parties and their advisors (if any) will be provided with a Notice of the Hearing. The Notice will include the date, time, location, name of the Hearing Decisionmaker(s), names of all participants in the hearing, and the location (virtual or in person) of the hearing.
- (2) Opening Statement: Each party will have the opportunity to present an opening statement, no more than five (5) minutes, to the Hearing Decisionmaker(s).
- (3) Review of Hearing Procedures, Formal Complaint, and Notice of Allegations by Hearing Decisionmaker(s).
- (4) Questioning of Parties and Witnesses: The College will provide a process that enables the Hearing Decisionmaker(s) to question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sexual harassment.

The Hearing Decisionmaker(s) will ask initial questions of the participants at the hearing.

After the Hearing Decisionmaker(s) asks questions of a participant, each party's Advisor will be permitted to ask relevant questions and follow up questions orally, directly, and in real time of the participant. The parties are never permitted to ask questions of participants directly. The questioning of participants by Advisors will be conducted in the following manner:

- (i) a question is asked by an Advisor
- (ii) Before the participant answers the question, the Hearing Decisionmaker(s) determines whether the question is relevant
- (iii) If the question is determined to be relevant by the Hearing Decisionmaker(s) the



participant answers the question

- (iv) If the question is determined not to be relevant by the Hearing Decisionmaker(s), the Hearing Decisionmaker(s) must explain the decision to exclude a question as not relevant.

Questions that are unclear or harassing of the party or witness being questioned will not be permitted. The Hearing Decisionmaker(s) will give a party an opportunity to clarify or revise a question that the Hearing Decisionmaker(s) determines is unclear or harassing. If the party sufficiently clarifies or revises the question, the question will be asked by party's Advisor.

Evidence and Questions Excluded

Sexual Predisposition or Prior Sexual Behavior of the Complainant: Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Privileged Information: No person will be required to disclose information protected under a legally recognized privilege. The Hearing Decisionmaker(s) must not allow into evidence or rely upon any questions or evidence that may require or seek disclosure of such information, unless the person holding the privilege has waived the privilege. This includes information protected by the attorney-client privilege.

Medical Records: Evidence or records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, are not permitted to be used during a hearing unless the party provides voluntary, written permission to do so for the grievance process within these Procedures.

The Hearing Decisionmaker(s) may choose to place less or no weight upon statements by a party or witness who refuses to respond to questions deemed relevant and not impermissible. The Hearing Decisionmaker(s), however, will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross examination or other questions.

- (5) Closing Statements: Each party will have the opportunity to present a closing statement, no more than five (5) minutes, to the Hearing Decisionmaker(s).

Determination Whether Sexual Harassment Occurred



Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the Hearing Decisionmaker(s) will deliberate in private and will:

1. Use the preponderance of the evidence standard of proof to determine whether sexual harassment occurred. This means that the Hearing Decisionmaker(s) will decide whether it is more likely than not based upon the available information at the time of the decision, that the Respondent is in violation of the alleged Policy violation(s). The standard of proof requires the Hearing Decisionmaker(s) to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the Hearing Decisionmaker(s) is not persuaded under the applicable standard by the evidence that sexual harassment occurred, whatever the quantity of the evidence is, the Hearing Decisionmaker(s) will not determine that sexual harassment occurred.
2. Notify the parties simultaneously in writing of the determination whether sexual harassment occurred under Title IX including:
 - Identification of the allegations potentially constituting sexual harassment;
 - A description of the procedural steps taken from the receipt of the Formal Complaint through the 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 Procedure to the facts;
 - A statement of, and rationale for, the result of each allegation, including a determination regarding responsibility, any disciplinary sanctions that 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 procedures and permissible bases for the Complainant and Respondent to appeal.

The Hearing Decisionmaker(s) will send the written notification of hearing outcome to both parties within fourteen (14) business days of the conclusion of the hearing.

The College will not impose disciplinary sanctions on a Respondent for sexual harassment prohibited by Title IX unless there is a determination at the conclusion of the Title IX grievance procedures that the Respondent engaged in prohibited sexual harassment.

If there is a determination that sexual harassment occurred, as appropriate, the Title IX Coordinator will:

- Coordinate the provision and implementation of remedies to a Complainant and other people the College identifies as having had equal access to the College's education program or activity limited or denied by sexual harassment;



- Coordinate the imposition of any disciplinary sanctions on a Respondent, including notification to the Complainant of any such disciplinary sanctions; and
- Take other appropriate prompt and effective steps to ensure that sexual harassment does not continue or recur within the College's education program or activity.

The College shall not discipline a party, witness, or others participating in the Title IX grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sexual harassment occurred.

Sanctions

Factors considered by the Hearing Decisionmaker(s) when determining sanctions and responsive actions may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the Hearing Decisionmaker(s)

The sanctions will be implemented upon the outcome of any appeal or the expiration of the window to appeal, without an appeal being requested.

Student Sanctions

The following are the common sanctions that may be imposed upon students singly or in combination:

- Reprimand
- Required Counseling
- Probation
- Suspension
- Expulsion
- Withholding Diploma
- Revocation of Degree
- Other Actions: In addition to, or in place of, the above sanctions, the College may assign any other sanctions as deemed appropriate.

Employee Sanctions/Responsive/Corrective Actions

Responsive actions for an employee who has engaged in sex-based harassment include:



- Verbal or Written Warning
- Performance Improvement Plan/Management Process
- Enhanced Supervision, Observation, or Review
- Required Counseling
- Required Training or Education
- Probation
- Denial of Pay Increase/Pay Grade
- Loss of Oversight or Supervisory Responsibility
- Demotion
- Transfer
- Shift or schedule adjustments
- Reassignment
- Delay of (or referral for delay of) Tenure Track Progress
- Assignment to New Supervisor
- Restriction of Stipends, Research, and/or Professional Development Resources
- Suspension/Administrative Leave with Pay
- Suspension/Administrative Leave without Pay
- Termination
- Other Actions: In addition to or in place of the above sanctions/responsive actions, the College may assign any other responsive actions as deemed appropriate.

Appeals

The College will offer an appeal from a dismissal of a Formal Complaint or determination whether sexual harassment occurred on the following bases:

- (1) Procedural irregularity that affected the outcome of the matter;
- (2) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- (3) The Title IX Coordinator, Investigator, or Hearing Decisionmaker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; or
- (4) Sanctions were disproportionate to the policy violation(s).

If either party wishes to appeal a dismissal of a Formal Complaint or determination whether sexual harassment occurred, the party must submit an appeal in writing to the Title IX Coordinator within three (3) business days of receiving written notification of the hearing



determination. The party requesting the appeal should state the basis for the appeal and any supporting documentation.

If a party appeals a dismissal of a Formal Complaint or determination whether sexual harassment occurred, the Title IX Coordinator will:

- Notify the parties in writing of any appeal, including notice of the allegations, if notice was not previously provided to the Respondent;
- Implement appeal procedures equally for the parties;
- Ensure that the Appellate Decisionmaker for the appeal is not the same person as the Hearing Decisionmaker(s) that reached the determination regarding responsibility or dismissal of the Formal Complaint, the Investigator or the Title IX Coordinator;
- Ensure that the Appellate Decisionmaker for the appeal has been trained consistent with the Title IX regulations;
- Provide the non-appealing party with five (5) business days from receipt of the notification of appeal to submit a written statement in support of the outcome of the determination whether sexual harassment occurred or dismissal of the Formal Complaint;

The written determination on responsibility and sanctions, if applicable, are postponed until the decision on the appeal is sent to the parties. Supportive measures will remain in place during the appeal period.

The Appellate Decisionmaker will issue a written decision describing the result of the appeal and the rationale for the result which can be one of the following: (1) affirm the determination of the Hearing Decisionmaker(s) and affirm the disciplinary sanctions and remedies, if applicable (2) affirm the determination of the Hearing Decisionmaker(s) regarding the Respondent's responsibility and amend the disciplinary sanctions and remedies, if applicable (3) remand the process back to the hearing stage for the Hearing Decisionmaker(s) to remedy any procedural irregularity or consider any new evidence (4) reverse the Hearing Decisionmaker(s)' determination of the Respondent's responsibility and amend the disciplinary sanctions and remedies, if applicable or (5) affirm or amend the sanctions and/or remedies outlined in the determination.

The Appellate Decisionmaker will notify both parties in writing of their decision within fourteen (14) business days of receipt of the appeal.

The determination regarding responsibility becomes final on the date that the College provides the parties with the written determination of the result of any appeal, or, if no party appeals, the date on which an appeal would no longer be considered timely.

At the conclusion of the appeals process, employee Respondents will receive all rights, if applicable and if any, which are granted by either their contract or the Alabama Students First Act in the event any disciplinary sanction is proposed.



Informal Resolution

In lieu of resolving a complaint through the College's Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process. Informal resolution does not involve an investigation, adjudication hearing, or disciplinary action against a Respondent and is not appropriate for all forms of conduct under these Procedures. Informal resolution is not an option for sexual harassment incidents involving a student Complainant and an employee

Respondent. Both parties must voluntarily agree in writing to participate in the informal resolution process.

The Title IX Coordinator will inform the parties in writing of the informal resolution process it offers. The College will not offer informal resolution to resolve a complaint when such a process would conflict with Federal, State, or local law. Before the initiation of an informal resolution process, the Title IX Coordinator will explain in writing to the parties:

- The allegations;
- The requirements of the informal resolution process;
- That any party has the right to withdraw from the informal resolution process and initiate or resume grievance procedures at any time before agreeing to a resolution;
- That if the parties agree to a resolution at the end of the informal resolution process, they cannot initiate or resume grievance procedures arising from the same allegations;
- The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
- What information the College will maintain and whether and how the College could disclose such information for use in Title IX grievance procedures if such procedures are initiated or resumed.

Informal resolution will be facilitated by Informal Resolution Facilitators. The time frame for completion of informal resolution may vary, but the College will seek to complete the process within a prompt timeframe.

The College retains the discretion to determine which cases are appropriate for informal resolution. The College may gather information necessary through interviewing individuals and other evidence gathering to determine if the case is appropriate for informal resolution. Factors the College will consider when determining whether a report of Prohibited Conduct is suitable for informal resolution include, but are not limited to, the following:

- The nature of the alleged offense;
- The dynamics of power or control commonly associated with the alleged offense and/or with the parties involved;
- The Respondent's prior known conduct;



- Whether there would be a continuing safety threat to the campus community after resolution of the specific report of Prohibited Conduct;
- Whether multiple parties are involved;
- Whether the resolution proposed is designed to eliminate, prevent, and address the reported Prohibited Conduct; and
- Any other factor deemed relevant by the Title IX Coordinator in the interest of overall campus safety or safety of the parties involved.

Informal resolution may result in the following remedies: establishing supportive measures; conducting targeted or broad-based educational programming or training for relevant individuals or groups; providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; the Respondent is willing to accept responsibility for violating Policy and is willing to agree to actions that will be enforced similarly to sanctions; and any other remedy that can be tailored to the involved individuals to achieve the goals of these Procedures.

Informal resolution may also include restorative principles that are designed to allow a Respondent to accept responsibility for misconduct and acknowledge harm to the Complainant or to the College community. Informal resolution may also include mediation.

Participation in informal resolution is a choice, and either party can request to end this manner of resolution and pursue an investigation at any time, including if informal resolution is unsuccessful at resolving the report. Similarly, a Complainant may request to end an investigation and pursue informal resolution at any time if the Respondent also consents to informal resolution. In addition, either party may request supportive measures regardless of whether any particular course of action is sought.

The College may also decide to proceed with a formal investigation and withdraw its approval for the informal resolution at any time during the process. If additional potential policy violations are revealed during the informal resolution process, the College may withdraw its approval for the process and proceed with a formal investigation or the College, with the consent of the parties, may continue the informal resolution process and resolve the additional potential policy violations.

Information disclosed by any party during the informal resolution process will not be considered during a subsequent investigation or adjudication hearing.

Because the outcome of informal resolution process is mutually developed and agreed upon by the parties, an appeal of the process and its result is not permitted.

Confidentiality and Privacy

The College will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties cannot engage in retaliation, including against witnesses.



Retaliation

Neither the College nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or these Procedures or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under these Procedures.

Alleged acts of Retaliation will be referred to the Title IX Coordinator and may be investigated and resolved under the respective Student Code of Conduct or Employee Policy.

The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this Policy.

Charging an individual with a Student Code of Conduct/Employee Policy violation for making a materially false statement in bad faith in the course of a Title IX grievance proceeding does not constitute Retaliation prohibited under these Procedures.

Freedom of Speech and Academic Freedom

Freedom of speech and principles of academic freedom are central to the mission of the College. Constitutionally protected expression cannot be considered sexual harassment under these Procedures. To establish a violation of Title IX, the harassment must be subjectively and objectively offensive and so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the College's education program or activity.

Records Retention

The College will maintain all of the documentation related to reports of sex discrimination and sexual harassment, the grievance process, and information resolution process for seven (7) years in accordance with state and federal records laws and requirements. The documentation of all records is private and confidential to the extent possible under law. Student records of the grievance process are disciplinary records under the Family Education Rights and Privacy Act (FERPA). Employee records of the grievance process are subject to the Freedom of Information Act (FOIA) and applicable state laws and included in the employee's official employment record.

Complaints of Non-Harassment Title IX Discrimination Policy Statement

Central Alabama Community College (the "College") is committed to creating and maintaining a learning and working environment that is free from unlawful discrimination based on sex in accordance with Title IX of the Higher Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in education programs or activities; Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits sex discrimination in employment; and the Campus Sexual Violence Elimination Act, the Jeanne Clery Campus Safety Act, and the Violence Against Women



Act (VAWA). Sex discrimination and retaliation under these Procedures will not be tolerated by the College and is grounds for disciplinary action, up to and including, permanent dismissal from the College and/or termination of employment.

Purpose

The College takes all reported sex discrimination seriously. The College will promptly take action against any individuals within its control who are found responsible for violating these Procedures.

Application of these Procedures

These Procedures apply to complaints of sex discrimination covered under Title IX, but which do not fall within the category of sexual harassment as defined in the Grievance Procedures for Complaints of Title IX Sexual Harassment. These Procedures also apply to any complaints of retaliation as defined by the Grievance Procedures for Complaints of Title IX Sexual Harassment.

Discrimination prohibited under this policy includes: the exclusion from participation in, denial of the benefits from, or subjection to unfavorable treatment in any College education program or activity on the basis of sex, including sexual orientation or gender identity.

These Procedures are the exclusive means of resolving complaints of alleged violations of Title IX involving complaints of non-harassment Title IX discrimination brought against College faculty, staff, employees, and students. To the extent there are any inconsistencies between these procedures and other College grievance, complaint, or discipline procedures, these complaint resolution procedures will control the resolution of complaints alleging non-harassment Title IX discrimination.

Title IX Coordinator

The College's Title IX Coordinator is the person designated by the College who is responsible for coordinating the College's compliance with its obligations under Title IX. The Title IX Coordinator is responsible for the administrative response to complaints of sex discrimination. The Title IX Coordinator is available to discuss the grievance process, coordinate supportive measures, explain the College's policies and procedures, and provide education on relevant issues. The Title IX Coordinator may designate one or more Assistant Title IX Coordinators to facilitate any of these responsibilities.

Any member of the College's community may contact the Title IX Coordinator with questions. The Title IX Coordinator and Assistant Title IX Coordinators contact information are as follows:



Title IX Coordinator

Leslie Mitchell, Associate Director of Student Success 1009
South Street East
Talladega, AL 35160
Phone: (256) 480-2114
E-mail: l Mitchell@cacc.edu

Assistant Title IX Coordinators

Students: Cindy Entrekin, Dean of Students
1675 Cherokee Road
Alexander City, AL 35010
Phone: (256) 215-4273
E-mail: centrekin@cacc.edu

Employees: Tina Shaw, Executive Human Resource Director
34091 U.S. Hwy. 280
Childersburg, AL 35044
Phone: (256) 378-2010
E-mail: tshaw5@cacc.edu

In addition to the Title IX Coordinator and Assistant Title IX Coordinators, the Title IX staff may include Investigators, Appellate Decisionmakers, Advisors, if applicable, and Informal Resolution Facilitators who have roles in the formal grievance process, which are detailed in this Procedure.

The Title IX Coordinator, Assistant Title IX Coordinators, Investigators, Appellate Decisionmakers, Advisors, if applicable, and Informal Resolution Facilitators will receive annual training in compliance with Title IX. All administrators in these roles will not rely on sex stereotypes and will provide impartial investigations and adjudications of complaints of sex discrimination. All materials used to train these administrators will be available upon request for inspection by members of the public in accordance with Title IX regulations.

Conflict of Interest

The Title IX Coordinator, Assistant Title IX Coordinators, Investigators, Appellate Decisionmakers, and Informal Resolution Facilitators shall not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent. Whether bias exists requires examination of the particular facts of a situation. A determination of bias must be based on an objective evaluation of the available facts (i.e., whether a reasonable person would believe bias exists).

Any person exercising investigative or decision-making authority under these Procedures who



believes they may have a potential conflict of interest or bias that would prevent them from impartially exercising their authority, must disclose the potential conflict/bias to the Title IX Coordinator as soon as practicable after it is discovered. Arrangements will then be made to designate a conflict/bias free alternative in the case at issue.

If the Complainant or the Respondent believes the Title IX Coordinator has a conflict of interest or bias, such objection should be made to the College President as soon as practicable after the potential conflict or bias is discovered. If the College President determines that the objection is reasonable, the Title IX Coordinator will be replaced with a conflict/bias free Assistant Title IX Coordinator.

If the objection as to a conflict or bias is made with respect to an Investigator, such objection should be reported to the Title IX Coordinator as soon as practicable after the potential conflict or bias is discovered. If the Title IX Coordinator determines that the objection is reasonable, the Investigator will be replaced with a conflict/bias free alternative Investigator.

If the objection as to a conflict or bias is made with respect to an Appellate Decisionmaker, such objection must be reported to the Title IX Coordinator before the appeal decision. If the Title IX Coordinator determines that the objection is reasonable, the challenged person will be replaced with a conflict/bias free Appellate Decisionmaker.

The decision of the Title IX Coordinator or the College President (in objections to the Title IX Coordinator), regarding an objection will be final.

Knowledge of or acquaintance with the Complainant, Respondent, or witnesses in a matter; awareness of a matter; participation as a consequence of one's official role in events surrounding a matter; and/or participation in the investigation process prior to the formal disciplinary process does not automatically result in the finding of a disqualifying conflict; however, such factors may be considered in determining whether a conflict exists.

The mere fact that a certain number of findings under these Procedures result in determinations of responsibility, or non-responsibility, does not necessarily indicate or imply bias on the part of Title IX personnel.

Definitions

Business Day: any weekday not designated by the College as a holiday or administrative closure day. When calculating a time period of business days specified in these Procedures, the business day of the event that triggers a time period is excluded

Complainant: An individual who is alleged to be the victim of conduct that could constitute sex discrimination



Complaint: a written request to the College that objectively can be understood as a request for the College to investigate and make a determination about alleged discrimination under Title IX or its regulations.

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.

Disciplinary Sanctions: consequences imposed on a Respondent following a determination under Title IX that the Respondent violated the College's prohibition on sex discrimination

Education Program or Activity: locations, events, or circumstances over which the College exercises substantial control over both the Respondent and the context in which the conduct occurred, circumstances where the College has disciplinary authority and to misconduct occurring on College property, during any College activity, or in any building owned or controlled by the College or by a student organization that is officially recognized by the College

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.

Official with Authority: an individual who has the authority to institute corrective measures and is required to report sex discrimination, including sex-based harassment to the Title IX Coordinator to initiate the College's response to the sex discrimination and sex-based harassment allegations. The College's Officials with Authority include the following positions at the College: Title IX Coordinator and Assistant Title IX Coordinators; President of the College; College Deans; employees with supervisory authority; College Police Department.

Party: a Complainant or Respondent

Relevant: related to the allegations of sex discrimination under investigation as part of the grievance procedures. Questions are relevant when they seek evidence that may aid in showing



whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a Decisionmaker in determining whether the alleged sex discrimination occurred

Remedies: measures provided, as appropriate, to a Complainant or any other person the College identifies as having had their equal access to the College's education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person's access to the College's education program or activity after a College determines that sex discrimination occurred.

Respondent: a person who is alleged to have violated the College's prohibition on sex discrimination

Responsible Reporting Official: any individual who is employed by the College (full-time, part-time, adjunct) and not deemed to be an Official with Authority. Responsible Reporting Officials are mandated by the College to report sex discrimination, including sex-based harassment, to the Title IX Coordinator promptly upon receiving a report.

Retaliation: intimidation, threats, coercion, or discrimination against any person by the College, a student, or an employee or other person authorized by the College to provide aid, benefit, or service under the College's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing, including in an informal resolution process, grievance procedures, and in any other actions taken by a College, under the Title IX regulations.

Nothing in this definition precludes a College from requiring an employee or other person authorized by a College to provide aid, benefit, or service under the College's education program or activity to participate as a witness in, or otherwise assist with, an investigation, proceeding, or hearing.

Student: a person who has gained admission

Supportive Measures: individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a Complainant or Respondent, not for punitive or disciplinary reasons, and without fee or charge to the Complainant or Respondent to:

- (1) Restore or preserve that party's access to the College's education program or activity, including measures that are designed to protect the safety of the parties or the College's educational environment; or
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- (2) Provide support during the College's grievance procedures or during the informal resolution process.

Prohibited Conduct

Under Title IX, Prohibited Conduct includes sex discrimination as defined below.

To the extent that federal or state laws addressing conduct that could be deemed Prohibited Conduct are created or amended, engaging in such conduct shall be considered a violation of this Policy even if the definitions below have not been updated to reflect the most recent additions to or changes in law.

Sex Discrimination: the exclusion from participation in, denial of benefits from, or subjection to unfavorable treatment in any educational or employment-related program or activity on the basis of sex, gender, sexual orientation, or gender identity. The discrimination can be based in whole or in part, upon the individual's actual or perceived protected characteristic.

Reporting Procedures

A report of sex discrimination can be made to the persons below in person (during business hours) or by mail, telephone, or by email using the contact information below at any time, including during non-business hours.

- (1) Reporting to the Title IX Coordinator: Reports of sex discrimination may be made to the Title IX Coordinator in any of the following ways, by anyone, at any time: email, phone, mail. Reports may be made to the Title IX Coordinator in person at the Talladega Center located at 1009 South Street East, Talladega, AL 35160. After an incident of sex discrimination has been reported to the Title IX Coordinator, the Title IX Coordinator will promptly offer supportive measures to the Complainant, regardless of whether the Complainant was the reporter of the sex discrimination.
- (2) Reporting to Officials with Authority: If Officials with Authority are notified of sex discrimination, they shall promptly report such sex discrimination to the Title IX Coordinator who will take immediate action under this Procedure. The College's Officials with Authority include the following positions at the College: Title IX Coordinator and Assistant Title IX Coordinators; President of the College, College Deans; employees with supervisory authority; College Police Department.
- (3) Reporting to Responsible Reporting Officials: College employees who are not Officials with Authority are mandated by the College to report alleged sex discrimination to the Title IX Coordinator promptly upon receiving a report of sex discrimination.
- (4) Anonymous Reporting: Anonymous reports may be made by telephone, in writing or electronically to the Title IX Coordinator. A decision to remain anonymous, however, may



greatly limit the College's ability to stop the alleged conduct, collect evidence, or take action against parties accused of violating these Procedures.

- (5) Reporting to Local Law Enforcement: Reports of sex discrimination may be filed with local law enforcement agencies. The Title IX Coordinator can assist with contacting law enforcement agencies. Law enforcement investigations are separate and distinct from the College's investigations.

Mandatory Reporting under Alabama Law: Alabama law imposes a mandatory duty on all College employees to immediately report all incidences of known or suspected child abuse. Such reports must be made to the College's Police Department. The College also encourages students, volunteers, and representatives (as well as third-party vendors and their employees, representatives, or volunteers that contract for use of College facilities with responsibilities that involve interaction with children) to report (verbally and in writing) known or suspected child abuse to the College's Police Department. Sexual abuse is one element of the more comprehensive term "abuse" under Alabama law. For child protection purposes, a child is any person under 18 years of age or any individual under 19 years of age who is in need of protective services and does not qualify for adult protective services under Chapter 9 of Title 38 in Alabama Law. A freshman student, a "dual enrolled" high school student, or a summer camp participant, among others, may fall into the category of a "child."

Consolidation of Complaints

The College may consolidate complaints of sex discrimination against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances. When more than one Complainant or more than one Respondent is involved, references below to a party, Complainant, or Respondent include the plural, as applicable.

The College will not consolidate complaints if consolidation would violate the Family Educational Rights and Privacy Act (FERPA). Consolidation would not violate FERPA when the College obtains prior written consent from parties to the disclosure of their educational records.

Amnesty for Students

The College strongly encourages students to report incidents violating the policy related to discrimination, harassment, and related inappropriate conduct. The College's primary concern is the safety of the members of the college community, and it encourages behavior that demonstrates care and concern for members of the community. Accordingly, the College reserves the right to provide a reprieve from disciplinary actions for Complainants and other individuals who exhibit responsible and proactive behavior in reporting sex discrimination or other prohibited conduct or for students acting as a witness during the formal grievance procedures. The College may provide referrals to counseling and may require educational options, rather than disciplinary sanctions, in such cases.



Allegations Related to Culture

Allegations related to a culture of sexual harassment or non-harassment sex discrimination by a group, organization, department, division, or the College as a whole will be investigated and resolved as closely as possible to these Procedures. Resolutions for a group, organization, division or the College will be communicated with the highest ranking member of the group, organization, department, division or the College.

Supportive Measures

The College will offer and coordinate supportive measures as appropriate for the Complainant and/or Respondent to restore or preserve that person's access to the College's education program or activity or provide support during the College's Title IX grievance procedures or during the informal resolution process. For complaints of sex discrimination, these supportive measures may include but are not limited to: counseling; extensions of deadlines and other course-related adjustments; campus escort/transportation services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more parties; leaves of absence; changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to sex discrimination. Complainants are eligible for supportive measures at the time their identity is known to the Title IX Coordinator. Respondents are eligible for supportive measures at the time that notice of an alleged complaint has been given.

Supportive measures cannot unreasonably burden either party and must be designed to protect the safety of the parties or the College's educational environment, or to provide support during the College's grievance procedures or during the informal resolution process. The College will not impose such measures for punitive or disciplinary reasons.

The College may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance procedures or at the conclusion of the informal resolution process or the College may continue them beyond that point.

The College will not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the education program or activity.

If the party is a student with disabilities, The Title IX Coordinator may consult, as appropriate, with the individual or office that the College has designated to provide support to students with disabilities to determine how to comply with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, in the implementation of supportive measures.



Emergency Removals and Administrative Leave

The College may remove a Respondent from the College's education program or activity on an emergency basis, provided that the College undertakes an individualized safety and risk analysis, determines that an imminent and serious threat to the health or safety of a Complainant or any students, employees, or other persons arising from the allegations of sex discrimination justifies removal, and provides the Respondent with notice and an opportunity to challenge the decision immediately following the removal.

The College may place a student employee Respondent on administrative leave from employment responsibilities during the pendency of the College's grievance procedures.

Any challenges to an emergency removal should be sent to the Title IX Coordinator in writing within three (3) business days of the notification to the Respondent of the emergency removal. The Respondent should state the reasons for the challenge and any supporting documentation. The Title IX Coordinator will forward all documentation to the College President to render a decision within three (3) business days. The College President will notify both parties in writing of the decision.

Initial Evaluation

When a report has been made, the Title IX Coordinator will contact the Complainant for an initial discussion to provide information of their rights and options, availability of supportive measures, consideration of the Complainant's wishes with respect to supportive measures, explanation of the policy and grievance procedures.

Complaint Investigation

The College will treat Complainants and Respondents equitably.

Complainants and Respondents may be accompanied by one (1) Advisor of their choice throughout the investigation. An Advisor's role is limited to assisting, advising, and/ or supporting a Complainant or Respondent.

An Advisor is not permitted to speak for or on behalf of a Complainant or Respondent or appear in lieu of a Complainant or Respondent.

- Both parties may select whomever they wish to serve as their Advisor as long as the Advisor is eligible and available. However, the College has the right to remove any advisor who does not adhere to the College's policies and procedures.
- The College cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not, or cannot afford an attorney, the College is not obligated to provide an attorney to advise that party.



- If a party requests that all communication be made through their attorney Advisor instead of to the party, the College will agree to copy both the party and their Advisor on all communications.
- Advisors should help the parties to prepare for each meeting and are expected to advise ethically, with integrity, and in good faith. Advisors may not provide testimony or speak on behalf of the party unless given specific permission to do so.
- The parties are expected to ask and respond to questions on their own behalf throughout the grievance process. Although the Advisor generally may not speak on behalf of the party, the Advisor may consult with the party, either privately as needed, or by conferring or passing notes during any meeting or interview. For longer or more involved discussions, the parties and their Advisors should ask for breaks to allow for private consultation.

It is the goal of the College to complete investigations in a prompt timeframe. Any timeframes or deadlines may be extended when necessary to ensure the integrity and completeness of the investigation, comply with a request by external law enforcement, accommodate the availability of parties and/or witnesses, account for College breaks or vacations, and the complexity of the investigation or severity and extent of the alleged conduct.

The Title IX Coordinator will notify both parties in writing of any College delays.

If a Complainant or Respondent shall request a delay in the investigation or extension of any timeframes, the party must notify the Title IX Coordinator in writing as soon as practicable stating the requested new timeframe and reason for the delay or extension. The Title IX Coordinator will notify the party in writing of the denial or both parties in writing of the approval within three (3) business days of notification of the request. Any delays or extension will apply equally to both parties.

All requests will be on a case-by-case basis for good cause.

Written Notice of Allegations

Upon initiation of this Title IX grievance procedure, the Title IX Coordinator will notify the parties in writing of the following with sufficient time for the parties to prepare a response before any initial interview:

- (1) The College's Title IX grievance procedures and any informal resolution process;
 - (2) Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
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- (3) Retaliation is prohibited;
- (4) The Respondent is presumed not responsible for the alleged sex discrimination until a determination is made at the conclusion of the grievance procedures.
- (5) The parties may have an advisor of their choice who may be, but is not required to be, an attorney;
- (6) If the College becomes aware of any person knowingly making false statements or knowingly submitting false information during these grievance procedures, disciplinary actions may be sought under the College's Code of Conduct or Employee Policy.

If, in the course of an investigation, the College decides to investigate additional allegations of sex discrimination by the Respondent toward the Complainant that are not included in the written notice or that are included in a consolidated complaint, the Title IX Coordinator will provide written notice of the additional allegations to the parties.

Investigation

The College will provide for adequate, reliable, and impartial investigation of complaints.

The Complainant and Respondent will have an equal opportunity to be heard, identify witnesses, and provide information and evidence. The Investigator will gather additional information and evidence as appropriate, including, but not limited to, social media information, text messages, email messages, videos, and other records. The Investigator has the discretion to determine the relevance of information and witnesses and decide whether information or evidence should be excluded as irrelevant.

Administrative Action

Determination Whether Sex Discrimination Occurred

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the Investigator will serve as the Decisionmaker and will provide a written report with a recommendation to the Title IX Coordinator on whether sex discrimination occurred.

The Investigator/Decisionmaker will:

- (1) Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred. This means that the Investigator/Decisionmaker will decide whether it is more likely than not based upon the available information at the time of the decision, that the Respondent is in violation of the alleged Policy violation(s). The standard of proof requires the Investigator/Decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the Investigator/Decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity



of the evidence is, the Investigator/Decisionmaker will not determine that sex discrimination occurred.

- (2) Notify the parties in writing of the determination whether sex discrimination occurred under Title IX including the rationale for such determination and any disciplinary sanctions the College will impose on the Respondent, if applicable, and the procedures and permissible bases for the Complainant and Respondent to appeal, if applicable;
- (3) Not impose discipline on a Respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the Title IX grievance procedures that the Respondent engaged in prohibited sex discrimination.
- (4) If there is a determination that sex discrimination occurred, as appropriate, the Title IX Coordinator will, as appropriate:
 - Coordinate the provision and implementation of remedies to a Complainant and other people the College identifies as having had equal access to the College's education program or activity limited or denied by sex discrimination;
 - Coordinate the imposition of any disciplinary sanctions on a Respondent, including notification to the Complainant of any such disciplinary sanctions; and
 - Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the College's education program or activity.
- (5) Comply with the grievance procedures before the imposition of any disciplinary sanctions against a Respondent; and
- (6) Not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred.

Sanctions

Factors considered by the Investigator/Decisionmaker when determining sanctions and responsive actions may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
 - The Respondent's disciplinary history
 - The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
 - The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
-



- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the Decisionmaker

The sanctions will be implemented upon the outcome of any appeal or the expiration of the window to appeal, without an appeal being requested.

Student Sanctions

The following are the common sanctions that may be imposed upon students singly or in combination:

- Reprimand
- Required Counseling
- Probation
- Suspension
- Expulsion
- Withholding Diploma
- Revocation of Degree
- Other Actions: In addition to, or in place of, the above sanctions, the College may assign any other sanctions as deemed appropriate.

Employee Sanctions/Responsive/Corrective Actions

Responsive actions for an employee who has engaged in sex-based harassment include:

- Verbal or Written Warning
 - Performance Improvement Plan/Management Process
 - Enhanced Supervision, Observation, or Review
 - Required Counseling
 - Required Training or Education
 - Probation
 - Denial of Pay Increase/Pay Grade
 - Loss of Oversight or Supervisory Responsibility
 - Demotion
 - Transfer
 - Shift or schedule adjustments
 - Reassignment
 - Delay of (or referral for delay of) Tenure Track Progress
 - Assignment to New Supervisor
-



- Restriction of Stipends, Research, and/or Professional Development Resources
- Suspension/Administrative Leave with Pay
- Suspension/Administrative Leave without Pay
- Termination
- Other Actions: In addition to or in place of the above sanctions/responsive actions, the College may assign any other responsive actions as deemed appropriate.

Appeals

The College will offer an appeal from a dismissal of a complaint or determination whether sex discrimination occurred on the following bases:

- (1) Procedural irregularity that would change the outcome;
- (2) New evidence that would change the outcome and that was not reasonably available when the determination or dismissal was made; and
- (3) The Title IX Coordinator, Investigator, Decisionmaker, or Informal Resolution Facilitator had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that would change the outcome.
- (4) Sanctions were disproportionate to the policy violation(s).

If either party wishes to appeal a dismissal of complaint or determination whether sex discrimination occurred, the party must submit an appeal in writing to the Title IX Coordinator in writing within five (5) business days of receiving written notification of the hearing determination. The party requesting the appeal should state the basis for the appeal and any supporting documentation.

If a party appeals a dismissal or determination whether sex discrimination, the Title IX Coordinator will:

- Notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the Respondent;
 - Implement appeal procedures equally for the parties;
 - Ensure that the Appellate Decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
 - Ensure that the Appellate Decisionmaker for the appeal has been trained consistent with the Title IX regulations;
 - Provide the parties a reasonable and equal opportunity to make a statement in support of or challenging the outcome; and
-



- Notify the parties in writing of the result of the appeal and the rationale for the result.

The written determination on responsibility and sanctions, if applicable, are postponed until the decision on the appeal is sent to the parties. Supportive measures will remain in place during the appeal period.

The Appellate Decisionmaker will issue a written decision describing the result of the appeal and the rationale for the result which can be one of the following: (1) affirm the determination of the Investigator/Decisionmaker and affirm the disciplinary sanctions and remedies, if applicable (2) affirm the determination of the Investigator/Decisionmaker regarding the Respondent's responsibility and amend the disciplinary sanctions and remedies, if applicable (3) remand the process back to the Investigator/Decisionmaker to remedy any procedural irregularity or consider any new evidence (4) reverse the Investigator/Decisionmaker's determination of the Respondent's responsibility and amend the disciplinary sanctions and remedies, if applicable or (5) affirm or amend the sanctions and/or remedies outlined in the determination.

The Appellate Decisionmaker will notify both parties in writing of their decision within fourteen (14) business days of receipt of the appeal.

The determination regarding responsibility becomes final on the date that the College provides the parties with the written determination of the result of any appeal, or, if no party appeals, the date on which an appeal would no longer be considered timely.

At the conclusion of the appeals process, employee Respondents will receive all rights, if applicable and if any, which are granted by either their contract or the Alabama Students First Act in the event any disciplinary sanction is proposed.

Informal Resolution

In lieu of resolving a complaint through the College's Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process. Informal resolution does not involve an investigation, adjudication hearing, or disciplinary action against a Respondent and is not appropriate for all forms of conduct under these Procedures. Both parties must voluntarily agree in writing to participate in the informal resolution process.

The Title IX Coordinator will inform the parties in writing of the informal resolution process it offers. The College will not offer informal resolution to resolve a complaint when such a process would conflict with Federal, State, or local law. Before the initiation of an informal resolution process, the Title IX Coordinator will explain in writing to the parties:



- The allegations;
- The requirements of the informal resolution process;
- That any party has the right to withdraw from the informal resolution process and initiate or resume grievance procedures at any time before agreeing to a resolution;
- That if the parties agree to a resolution at the end of the informal resolution process, they cannot initiate or resume grievance procedures arising from the same allegations;
- The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
- What information the College will maintain and whether and how the College could disclose such information for use in Title IX grievance procedures if such procedures are initiated or resumed.

Informal resolution will be facilitated by Informal Resolution Facilitators. The time frame for completion of informal resolution may vary, but the College will seek to complete the process within a prompt timeframe.

The College retains the discretion to determine which cases are appropriate for informal resolution. The College may gather information necessary through interviewing individuals and other evidence gathering to determine if the case is appropriate for informal resolution. Factors the College will consider when determining whether a report of Prohibited Conduct is suitable for informal resolution include, but are not limited to, the following:

- The nature of the alleged offense;
- The dynamics of power or control commonly associated with the alleged offense and/or with the parties involved;
- The Respondent's prior known conduct;
- Whether there would be a continuing safety threat to the campus community after resolution of the specific report of Prohibited Conduct;
- Whether multiple parties are involved;
- Whether the resolution proposed is designed to eliminate, prevent, and address the reported Prohibited Conduct; and
- Any other factor deemed relevant by the Title IX Coordinator in the interest of overall campus safety or safety of the parties involved.

Informal resolution may result in the following remedies: establishing supportive measures; conducting targeted or broad-based educational programming or training for relevant individuals or groups; providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; the Respondent is willing to accept responsibility for violating Policy and is willing to agree to actions that will be enforced similarly to sanctions; and any other remedy that can be tailored to the involved individuals to achieve the goals of these Procedures.



Informal resolution may also include restorative principles that are designed to allow a Respondent to accept responsibility for misconduct and acknowledge harm to the Complainant or to the College community. Informal resolution may also include mediation.

Participation in informal resolution is a choice, and either party can request to end this manner of resolution and pursue an investigation at any time, including if informal resolution is unsuccessful at resolving the report. Similarly, a Complainant may request to end an investigation and pursue informal resolution at any time if the Respondent also consents to informal resolution. In addition, either party may request supportive measures regardless of whether any particular course of action is sought.

The College may also decide to proceed with a formal investigation and withdraw its approval for the informal resolution at any time during the process. If additional potential policy violations are revealed during the informal resolution process, the College may withdraw its approval for the process and proceed with a formal investigation or the College, with the consent of the parties, may continue the informal resolution process and resolve the additional potential policy violations.

Information disclosed by any party during the informal resolution process will not be considered during a subsequent investigation or adjudication hearing.

Because the outcome of informal resolution process is mutually developed and agreed upon by the parties, an appeal of the process and its result is not permitted.

Confidentiality and Privacy

The College will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties cannot engage in retaliation, including against witnesses.

Retaliation

Neither the College nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or these Procedures or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Procedure.

Alleged acts of Retaliation will be referred to the Title IX Coordinator to be investigated and resolved under the respective Code of Conduct or Employee Policy.

The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this Procedure.

Charging an individual with a Code of Conduct/Employee Policy violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute Retaliation prohibited this Procedure.

Freedom of Speech and Academic Freedom

Freedom of speech and principles of academic freedom are central to the mission of the College. Constitutionally protected expression cannot be considered sex discrimination under these Procedures. To establish a violation of Title IX, the harassment must be subjectively and objectively offensive and so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the College's education program or activity.

Records Retention

The College will maintain all of the documentation related to reports of sex discrimination, the grievance process, and information resolution process for seven years in accordance with state and federal records laws and requirements. The documentation of all records is private and confidential to the extent possible under law. Student records of the grievance process are disciplinary records under Family Education Rights and Privacy Act (FERPA). Employee records of the grievance process are subject to the Freedom of Information Act (FOIA) and applicable state laws and included in the employee's official employment record.

ATTACHMENT B — ALCOHOL AND DRUG ABUSE PREVENTION POLICY

Alcohol and Drug Abuse Prevention Policy — Effective Date: [Date of current adoption or most recent revision]

Alcohol and Drug Prevention Abuse Policy

Central Alabama Community College complies with initiatives described by the Drug-Free Schools and Campuses Regulations. The College is strongly committed to providing a drug-free learning and working environment. It is the policy of Central Alabama Community College that information related to compliance with the Drug-Free Schools and Campuses Regulations shall be distributed to each student at Central Alabama Community College.

Standards of Conduct, Enforcement and Sanctions

Central Alabama Community College is a public educational institution of the State of Alabama and, as such, shall not allow on its premises or at any activity it sponsors the possession, use, or distribution of any alcoholic beverage or any illicit drug by any student, employee, or visitor. If such prohibited possession, use, or distribution by a student or employee is confirmed, Central Alabama Community College shall, within the scope of applicable federal and state due process requirements, take such administrative or disciplinary action as is appropriate. For a student, the disciplinary action may include, but is not limited to, suspension, expulsion, and/or arrest or referral to the appropriate law enforcement agency. Any visitor engaging in any act prohibited by this policy shall be called on to immediately cease such behavior.

If any student or visitor shall engage in any behavior prohibited by this policy which is also a violation of federal, state, or local law or ordinance, that employee, student, or visitor shall be subject to referral to law enforcement officials for arrest and prosecution. Contact the Office of Student Services at all college locations for specific and detailed information concerning (1) legal sanctions regarding unlawful use, possession, or distribution of alcoholic beverages and illicit drugs; (2) health risks of drug and alcohol use and abuse; and (3) where to get assistance.

The College may notify the parents of students who are under the age of 21 after adjudication of any violations of college policies involving the use, possession, or distribution of alcohol or drugs.

Legal Sanctions: State Offenses

Activities which violate Alabama laws concerning illicit possession, use and distribution of alcoholic beverages or drugs include, but are not limited to, the following:

1. Public intoxication is punishable by up to 30 days in jail. (Code of Alabama [1975], Sec. 13A-11-10).
2. Possession, consumption or transportation of an alcoholic beverage by a person of less than 21 years of age is punishable by fine of \$25-\$100 or a 30-day jail term. (Code, Sec. 28-1-5).
3. Possession or distribution of an alcoholic beverage in a dry county is punishable by a fine of \$50-\$500 and, at the discretion of a judge, a jail sentence of up to six months. (Code, sec. 28-4-20, et seq).
4. Possession of an alcoholic beverage illegally manufactured or illegally brought into the State of Alabama is punishable by a fine of \$100-\$1,000, plus, at the discretion of a judge, a jail sentence of up to six (6) months (Code, sec. 28-1-1).
5. Driving or being in actual physical control of a vehicle while under the influence of alcohol or other drugs is punishable, upon first conviction, by a fine of \$250-\$1,000 and/or one year in jail plus suspension of drivers' license for 90 days. (Code, sec. 32-5A-191).

6. Possession of marijuana for personal use is punishable by a fine of up to \$2,000 and/or a jail sentence of up to one year (Code, sec. 13A-12-214).
7. Possession of marijuana for other than personal use is punishable by a fine of up to \$15,000, a mandatory six-month suspension of driver's license, and/or a prison sentence from 1 to 10 years in prison. (Code, sec. 13A-12-213).
8. The selling, furnishing, giving away, manufacturing, delivery or distribution of a controlled substance listed in Schedules I-V of the Alabama Controlled Substance Act is punishable by a fine of up to \$10,000 and/or a prison term of not less than two years and not more than 20 years (Code, sec. 13A-12-211).
9. The selling, furnishing or giving by a person 18 years or older to a person under 18 years of age any controlled substance listed in Schedules I-V of the Alabama Controlled Substance Act is punishable by a fine of up to \$20,000 and/or a prison term of not less than ten years and up to life (Code, sec. 13A-12-215).
10. Possession of a controlled substance enumerated in Schedule I through V is punishable by a fine of not more than \$5,000 and/or prison term of not more than ten years (Code, sec. 13A-12-212).
11. Conviction for an unlawful sale of a controlled substance within a three-mile radius of an educational institution brings with it an additional penalty of five years of imprisonment with no provision for parole. The use or possession with intent to use of drug paraphernalia is punishable by up to one year in jail and/or a fine of up to \$2,000 (Code, sec. 13A-12-260).
12. The sale or delivery of or possession with the intent to sell or deliver, drug paraphernalia is punishable by not more than one year in prison and/or a fine of up to \$1,000. If the delivery or sale is to a person under 18 years of age, it is punishable by up to 20 years in prison and/or a fine of up to \$10,000 (Code, sec. 13A-12-260). Penalties for subsequent violations of the above described provisions are progressively more severe than the initial convictions.

Legal Sanctions: Federal Offenses

Activities which violate Federal laws concerning illicit possession, use or distribution of alcoholic beverages and drugs include, but are not limited to, the following (21 U.S.C. 841) makes it a crime:

1. to manufacture, distribute, dispense or possess with intent to manufacture, distribute or dispense a controlled substance or
2. to create, distribute or dispense or possess with intent to distribute or dispense or counterfeit a controlled substance. (The U.S. Code establishes, and authorizes the U.S. Attorney General to revise as needed classifications of controlled substances. The drugs are each classified in one or more of five "schedules," Schedule I being comprised essentially of "street drugs" and Schedule V being comprised of drugs with a "low potential for abuse" as compared with drugs in Schedules I-IV). Examples of Schedule I drugs are heroin and marijuana. PCP, for example, is a Class I drug. Amphetamine is a Schedule II drug, while Barbitol is a Schedule IV drug. An example of a Schedule V drug would be a prescription medication with not more than 200 mg. of codeine per 100 grams. Penalties for a first offense conviction of violating the laws described in items (1) or (2) above are:

a. in the case of a Schedule I or II drug which is a narcotic drug, not more than fifteen years in prison, a fine of not more than \$25,000 or both. b. in the case of a Schedule I or II drug which is not a narcotic drug or in the case of a Schedule III drug, not more than five years in prison, a fine of not more than \$15,000 or both. c. in the case of a Schedule IV drug, not more than three years in prison, a fine of not more than \$10,000 or both. d. in the case of a Schedule V drug, not more than one year in prison, a fine of not more than \$5,000 or both. e. notwithstanding sub-paragraphs (1) through (4) above, the distribution of a small amount of marijuana for no remuneration is punishable by imprisonment of not more than one year and/or a fine of not more than \$5,000. f. notwithstanding subparagraph (1) through (4) above, the manufacture, possession, distribution or intent to manufacture, possess or distribute phencyclidine (PCP, "angel dust") is punishable by up to ten years in prison and/or a fine of not more than \$25,000. Penalties for subsequent violations of these provisions are progressively more severe than for initial convictions.

Local Ordinances

The State of Alabama Code has been adopted locally. Any other provisions as are applicable to the cities and counties in which Central Alabama Community College campuses are located have also been adopted.

Health Risks of Drug and Alcohol Use and Abuse

The following is a list of some of the health risks and symptoms associated with the following categories or substances. This list is not intended to be the final word on such health risks since the scientific and medical communities will continue their research into and discoveries concerning the abusive use of drugs and alcohol.

- Cannabis: includes marijuana, hashish, hashish oil, and tetrahydrocannabinol (THC).
- Regularly observed physical effects of cannabis are a substantial increase in heart rate, bloodshot eyes, a dry mouth and throat and increased appetite. Use of cannabis may impair or reduce short-term memory and comprehension, alter sense of time and reduce ability to perform tasks requiring concentration and coordination such as driving a car. Research also shows that students do not retain knowledge when they are "high."
- Motivation and cognition may be altered, making the acquisition of new information difficult. Marijuana can also produce paranoia and psychosis. Because users often inhale the unfiltered smoke deeply and then hold it in their lungs as long as possible, marijuana damages the lungs and pulmonary system. Marijuana smoke contains more cancer-causing agents than tobacco. Long-term users of cannabis may develop psychological dependence and require more of the drug to get the same effect.
- Cocaine: includes cocaine in powder form and "crack" in crystalline or pellet forms.

- Cocaine stimulates the central nervous system. Its immediate effects include dilated pupils and elevated blood pressure, heart rate, respiratory rate and body temperature. Occasional use can cause a stuffy or runny nose while chronic use can ulcerate the mucous membrane of the nose. Injecting cocaine with unsterile equipment may transmit AIDS, hepatitis and other diseases. Preparation of freebase, which involves the use of volatile solvents, can result in death or injury from fire or explosion.
- Cocaine can produce psychological and physical dependency, a feeling that the user cannot function without the drug. In addition, tolerance develops rapidly. Crack or freebase rock is extremely addictive and its effects are felt within 10 seconds. The physical effects include dilated pupils, increased pulse rate, elevated blood pressure, insomnia, loss of appetite, tactile hallucinations, paranoia, and seizures. The use of cocaine can cause death by disrupting the brain's control of the heart and respiration.
- Other Stimulants: include amphetamines and methamphetamines ("speed"); phenmetrazine (Preludin); methylphenidate (Ritalin) and "anorectic" (appetite suppressant) drugs such as Didrex, Pre-Sate, Fastin, Profast, etc. Stimulants can cause increased heart and respiratory rates, elevated blood pressure, dilated pupils and decreased appetite. In addition, users may experience sweating, headache, blurred vision, dizziness, sleeplessness and anxiety. Extremely high doses can cause rapid or irregular heartbeat, tremors, loss of coordination and physical collapse.
- An amphetamine injection creates a sudden increase in blood pressure that can result in stroke, very high fever or heart failure. In addition to the physical effects, users report feeling restless, anxious, and moody. Higher doses intensify the effects. Persons who use large amount of amphetamines over a long period of time can develop an amphetamine psychosis that includes hallucinations, delusions and paranoia. These symptoms usually disappear when drug use ceases.
- Depressants: include such drugs as barbiturates; methaqualone (Quaaludes) and tranquilizers such as Valium, Librium, Equanil, Meproamate, Xanax, etc.
- The effects of depressants are in many ways similar to the effects of alcohol. Small amounts can produce calmness and relaxed muscles but somewhat larger doses can cause slurred speech, staggering gait and altered perception. Very large doses can cause respiratory depression, coma and death.
- The combination of depressants and alcohol can multiply the effects of the drugs thereby multiplying the risks. The use of depressants can cause both physical and psychological dependence.
- Regular use over time may result in a tolerance to the drug, leading the user to increase the quantity consumed. When regular users suddenly stop taking large doses, they may develop withdrawal symptoms ranging from restlessness, insomnia and anxiety to convulsions and death.
- Babies born to mothers who abuse depressants during pregnancy may be physically dependent on the drugs and show withdrawal symptoms shortly after they are born. Birth defects and behavioral problems also may result.
- Narcotics: include such substances as heroin, morphine, opium and codeine as well as methadone, meperidine (Demerol), hydromorphone (Dilaudin) and such drugs as Percocet, Percodan, Darvon, Talwin, Lortab, Lorcet, Anexia, etc.
- Narcotics initially produce a feeling of euphoria that often is followed by drowsiness, nausea and vomiting. Users also may experience constricted pupils, watery eyes and itching. An overdose may produce slow and shallow breathing, clammy skin, convulsions, coma and possibly death.
- Tolerance to narcotics develops rapidly and dependence is likely. The use of contaminated syringes may result in disease such as AIDS, endocarditis and hepatitis.
- Addiction in pregnant women can lead to premature, stillborn or addicted infants who experience severe withdrawal symptoms.
- Hallucinogens: Include phencyclidine ("PCP"), lysergic acid diethylamide ("LSD"), mescaline peyote and psilocybin (mushrooms).
- Phencyclidine (PCP) interrupts the functions of the neocortex, the section of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries.
- The effects of PCP vary but users frequently report a sense of distance and estrangement. Time and body movement are slowed down. Muscular coordination worsens and senses are dulled. Speech is blocked and incoherent. Chronic users of PCP report persistent memory problems and speech difficulties. Some of these effects may last six months to a year following prolonged daily use. Mood disorders such as depression and anxiety and violent behavior also occur. In later stages of chronic use, users often exhibit paranoid and violent behavior and experience hallucinations. Large doses may produce convulsions, coma, heart, lung, and brain damage.
- Lysergic acid (LSD) mescaline and psilocybin cause illusions and hallucinations. The physical effects may include dilated pupils, elevated body temperature, increased heart rate and blood pressure, loss of appetite, sleeplessness and tremors. Sensations and feelings may change rapidly. It is common to have a bad psychological reaction to LSD, mescaline or psilocybin. The user may experience panic, confusion, suspicion, anxiety and loss of control. Delayed effects, or flashbacks, can occur even after use has ceased.

- **Inhalants:** include such substances as nitrous oxide ("laughing gas"), amyl nitrate, butyl nitrate (found in asthma inhalants), chlorohydrocarbons (used in aerosol sprays) and hydrocarbons (found in gasoline, glue and paint thinner).
- Immediate negative effects of inhalants include nausea, sneezing, coughing, nosebleeds, fatigue, lack of coordination, and loss of appetite. Solvents and aerosol sprays decrease heart and respiratory rates and impair judgment. Amyl and butyl nitrite (asthma inhalant) cause rapid pulse and feces. Long-term use may result in hepatitis or brain hemorrhage.
- Deeply inhaling the vapors or using large amounts over a short period of time may result in disorientation, violent behavior, unconsciousness or death. High concentration of inhalants can cause suffocation by displacing oxygen in the lungs or by depressing the central nervous system to the point that breathing stops. Long-term use can cause weight loss, fatigue, electrolyte imbalance, and muscle fatigue. Repeated sniffing of concentrated vapors over time can permanently damage the nervous system.
- **Designer Drugs:** include analogs of fentanyl and analogs of meperidine (synthetic heroin), analogs of amphetamines and methamphetamines (such as "Ecstasy") and analogs of phencyclidine. Illegal drugs are defined in terms of their chemical formulas. Underground chemists modify the molecular structure of certain designer drugs. These drugs can be several hundred times stronger than the drugs they are designed to imitate.
- The narcotic analogs can cause symptoms such as those seen in Parkinson's disease—uncontrollable tremors, drooling, impaired speech, paralysis and irreversible brain damage. Analogues of amphetamines and methamphetamines cause nausea, blurred vision, chills or sweating and faintness.
- Psychological effects include anxiety, depression and paranoia. As little as one dose can cause brain damage. The analogs of phencyclidine cause illusions, hallucinations and impaired perceptions.
- **Alcohol:** ethyl alcohol, a natural substance formed by the fermentation that occurs when sugar reacts with yeast, is the major active ingredient in wine, beer and distilled spirits.
- Ethyl alcohol can produce feelings of well-being, sedation and intoxication and can cause unconsciousness or death depending on how much is consumed and how fast it is consumed.
- Alcohol is a "psychoactive," or mind-altering drug, as are narcotics and tranquilizers. It can alter moods, cause changes in the body and become habit forming. Alcohol depresses the central nervous system and too much can cause slowed reactions, slurred speech and unconsciousness.
- Chronic use of alcohol has been associated with such diseases as alcoholism and cancers of the liver, stomach, colon, larynx, esophagus and breast. Alcohol abuse can also lead to damage to the brain, pancreas and kidneys; high blood pressure, heart attacks and strokes; hepatitis and cirrhosis of the liver; stomach and duodenal ulcers; colitis; impotence and infertility and premature aging.
- Abuse of alcohol has also been linked to birth defects and Fetal Alcohol Syndrome.

Where to Get Assistance

Help is available for persons who need counseling or other treatment for substance abuse. Listed below are agencies and organizations that can assist persons in need of such services.

National Toll-Free Hotlines & Websites

Resource: Treatment Facility Locator Contact Information: 1-800-662-HELP | <http://findtreatment.gov>

Resource: Drug Help Contact Information: <http://www.drughelp.org>

Resource: Cocaine Anonymous Contact Information: <http://www.ca.org>

Resource: Marijuana Anonymous Contact Information: <http://www.marijuana-anonymous.org>

Resource: Narcotics Anonymous Contact Information: <http://www.na.org>

Resource: Alcoholics Anonymous Contact Information: <http://www.aa.org>

Local Treatment Facilities

The treatment facilities listed below provide either alcohol, drug or alcohol, and drug treatment on an outpatient, residential or inpatient basis. Outpatient care generally consists of counseling and other therapy on a periodic basis, such as twice a week. Inpatient services include such treatment as detoxification and short-term hospital care. Residential services include residing (generally from one to six months) at a treatment facility and participating in such therapeutic activities as lectures, group counseling, individual counseling and self-analysis. Some of the listed facilities are private and some are public. In most instances, the care offered at a public facility is less expensive than similar services offered at private facilities.

However, many health and hospitalization insurance policies include coverage for substance abuse treatment. There are also situations in which private facilities are provided public funding to offer services to eligible clients who would not otherwise be able to afford such services.

Resource: Lighthouse of Tallapoosa County Contact Information: 36 Franklin Street, Alexander City, AL 35010 | (256) 234-4894

Resource: East Alabama Mental Health Center Opelika Addictions Center Contact Information: 2300 Center Hills Drive, Building I, Opelika, AL 36801 | (334) 742-2130

Resource: AltaPointe Contact Information: 10 Bemiston Avenue, Talladega, AL 35160 | (256) 362-8600

Resource: AltaPointe Contact Information: 1661 Old Birmingham Highway, Sylacauga, AL 35150 | (256) 245-2201

Resource: Carastar Crisis Center - Autauga County Clinic Contact Information: 461 East Main Street, Prattville, AL 36067 | (334) 279-783