



Sexual Violence Policy

I. Introduction

Sexual violence, as defined by this policy, comprises a broad range of behavior that is unacceptable. For the purposes of this policy, sexual violence is defined as physical sexual acts perpetrated against a person's will or when a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual may also be unable to give consent due to an intellectual or other disability. Some examples of violent sexual behavior include rape, sexual battery and sexual coercion. Sexual violence violates University policy as defined in the Student Code of Conduct and federal civil rights law and may also subject the perpetrator to criminal prosecution. UAHuntsville is committed to fostering a community that promotes prompt reporting of all types of sexual violence and is committed to providing ongoing prevention and educational efforts to inform the campus community about these issues.

II. General Policy

A. **Basis for University Actions.** Sexual violence is a specific type of misconduct prohibited by the University's Student Code of Conduct. Students charged with this type of misconduct will be subject to the provisions for resolution provided in the Student Code of Conduct. The Student Code of Conduct applies to any individual enrolled at the University in any of the recognized admission categories.

B. **Other University Policies.** As a recipient of Federal funds, the University is required to comply with Title IX of the Higher Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs or activities. Sexual violence, as defined in this policy, is a form of sex discrimination prohibited by Title IX. The University of Alabama in Huntsville is committed to providing programs, activities, and an educational environment free from sex discrimination.

C. **Implementation Responsibility.** Responsibility for the implementation of this policy will rest with the Dean of Students.

III. Prevention Program

A. Educational Efforts: The University maintains an ongoing workgroup charged with developing outreach and prevention efforts geared toward students. This workgroup is tasked with developing active and passive campaigns to inform students about sexual violence. Specific emphasis is given to educating students on the dangers associated with alcohol and drug use as it relates to sexual violence. Workshops are presented each academic year on topics related to sexual violence. These workshops are made available to the campus at large and targeted student populations including first year students, fraternity and sorority members, and student athletes. Additional awareness activities related to sexual violence are held each semester. Posters and other printed materials are distributed to students and residence halls which detail reporting procedures.

B. Environmental Hazards: The University community is encouraged to participate in the detection and reporting of unsafe or potentially unsafe areas of the campus where lighting is decreased or other physical obstacles are in place that may increase the risk of an attack. These reports will be used to suggest modifications to structures, landscapes, lighting, etc. in order to minimize the risk of surprise or undetected attacks on campus.

IV. Specific Policies and Procedures

A. Reporting. A student who is a victim of sexual violence should report the incident immediately to the Office of the Dean of Students and University Police. The University Police are trained to receive reports and to investigate charges of sexual violence. The student may also contact local police authorities. The Dean of Students and other University authorities who are aware of the incident will provide assistance to the student, if the student desires, in contacting police authorities.

It is important that any physical evidence of an incident of sexual violence be preserved. Prompt reporting will facilitate the collection and preservation of physical evidence, although a student is encouraged to report a case of sexual violence even if there is no such evidence. Prompt reporting will also assist the police agency in its investigation of the incident, make it possible for the student to receive timely medical and psychological attention, and possibly prevent additional assaults on other individuals.

A student who is a victim of sexual violence is not obligated to pursue criminal charges against the offender but is encouraged to do so. The student has the additional option of filing charges of misconduct against the offender under the University's Student Code of Conduct. A report of the incident should be made, however, even if the student is undecided about carrying the charges forward to the criminal process or the campus disciplinary process.

B. Services for Victims. Confidential professional counseling is available to students victimized by sexual violence in the UAHuntsville Counseling Center. Additionally, for those students suffering from physical trauma, the on-campus Student Health Center is available to provide ongoing care to students. Both of these offices can provide referrals for students to other local resources as

needed. Crisis Services of North Alabama offers free, confidential services to victims of sexual violence including rape exams and personal and group counseling.

After an alleged incident of sexual violence, a student who desires a change in academic scheduling or living arrangements can request an accommodation from the Dean of Students office. The Dean will consult with other officials in assessing the extent to which the requested changes are reasonably available.

C. Disciplinary Procedures: Sexual violence is a specific type of misconduct prohibited by the University's Student Code of Conduct. Students charged with this type of misconduct will be subject to the provisions for resolution provided in the Student Code of Conduct. These procedures lead to a hearing before a panel of the Student Conduct Board. Both the victim and the accused student have the right to be present at a hearing, to have an advisor present for assistance and to be informed of the outcome of the hearing. Sanctions which can be imposed if a student is found responsible for sexual violence include the full range of sanctions outlined in the Student Code of Conduct including probation, suspension, and expulsion. Additional information about these procedures can be found in the Student Handbook.

IV. Resource Information

The following are campus telephone numbers of those offices that are responsible for providing assistance to students in cases of sexual misconduct or sexual violence.

University Police	256-824-6911
Dean of Students	256-824-6700
Counseling Center	256-824-6203
Student Health Center	256-824-6775
Crisis Services of North Alabama	256-716-1000

V. Annual Review of Policy

Annual Review. This policy will be reviewed annually by the Dean of Students or more frequently if organization or situational changes warrant it.

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