



VICTIMS RIGHTS IN CASES OF SEXUAL HARASSMENT, SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING

The Campus Sexual Assault Victims' Bill of Rights of 1992 (Public Law: 102-325, section 486c) affords sexual assault victims certain basic rights, as follows:

- Survivors shall be notified of their options to notify law enforcement.
- Accuser and accused must have the same opportunity to have others present during university proceedings.
- Accuser and accused shall be informed of the outcome of any disciplinary proceeding.
- Survivors shall be notified of counseling services and advocacy.
- Survivors shall be notified of options for changing academic and living situations.

The University of South Alabama is committed to promoting an environment in which students, faculty, staff and all guests are free from sexual harassment, including sexual violence, sexual assault, domestic violence, dating violence and stalking. All members of the University community (including faculty, staff, students and visitors) are expected to abide by the University of South Alabama Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence and Stalking Policy. This policy can be found by visiting:

<http://southalabama.edu/departments/studentaffairs/titleninelindex.htm>.

Persons found to be in violation of the policy will be subject to disciplinary actions by the University, including, but not limited to, warning/reprimand, demotion, transfer, suspension, expulsion, dismissal, or termination. Complainants, or individuals alleging a violation of the University of South Alabama Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence and Stalking Policy, may utilize this document to review victim rights.

IMMEDIATE RESPONSE

If you are in any kind of emergency, in immediate danger or threat of harm on campus, call the University Police Department at 251-460-6312. If you are off campus, call 911. If you have experienced sexual violence (e.g. rape, sexual assault, dating violence, domestic violence or stalking), you are encouraged to seek immediate assistance from police and health care providers for your physical safety, emotional support and medical care.

EMOTIONAL SUPPORT AND ADVOCACY VICTIM'S ADVOCATE PROGRAM

The Victim's Advocate Program (VAP) provides confidential support for student sexual assault victims. The VAP assists in linking students to resources at the University and in the community.

The VAP provides emotional support and assistance concerning counseling, alternate housing assignments, academic alternatives, medical treatment, disciplinary process and court proceedings. The advocates are University personnel who are formally trained by the Mobile Rape Crisis Center and agree to assist students in their time of need.

To reach an advocate, a victim can call the Answering Service at 251-341-9884 or the Student Health Center at 251-460-7151.

Victim Advocate Program Coordinator

FeAunte' Preyear

fpreyear@southalabama.edu or 251-460-6353

RAPE CRISIS CENTER

The Rape Crisis Center of Mobile also provides confidential advocacy and support services to victims. The Rape Crisis Center of Mobile can provide an advocate, hotline support, counseling, legal advocacy and support groups.

Rape Crisis Center of Mobile

24 Hour Rape Crisis Hotline 251-473-7273 or 1-800-718-7273

Office line 251-602-0909

COUNSELING AND TESTING SERVICES

The University of South Alabama Counseling and Testing Services provides confidential counseling and support free of cost to students at the University. Counseling and Testing Services can provide individual counseling, group counseling, consultation, and referrals to other mental health providers and resources as need.

Counseling and Testing Services

University of South Alabama

326 Alpha Hall East

Mobile, AL 36688

251-460- 7051

PENELOPE HOUSE

The Penelope House is a community agency that provides assistance to domestic violence and dating violence victims by providing a crisis hotline, shelter, court advocacy, support groups, outreach and a children's program.

Penelope House

24 Hour Crisis Line 251-342-8994

Office line 251-342-3144

FACULTY AND STAFF SPECIFIC COUNSELING SERVICES

Employee Assistance Program (EAP)

251-461-1346

The EAP offers confidential counseling and referral services at no cost to the employee.

REPORTING OPTIONS

When reporting, individuals may choose to report to the University, the police, or both the University and the police. The University and the police have separate processes for investigating sexual harassment, sexual assault, domestic violence and stalking; however, investigations may occur simultaneously.

REPORTING TO THE UNIVERSITY OF SOUTH ALABAMA AND ITS TITLE IX COORDINATOR AND DEPUTY COORDINATORS:

While you may report to anyone at the University, the University of South Alabama has designated a Title IX Coordinator to provide you with assistance and support, and to monitor and oversee overall compliance with laws and policies related to sexual violence. Your campus Title IX Coordinator and Deputy Coordinators are available to explain and discuss the following: your right to file a criminal complaint; the University's relevant complaint process; the University investigation process; how confidentiality is handled; available resources, both on and off campus; your right to receive assistance in filing either a criminal complaint or a University complaint; and other related matters.



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Title IX Coordinator also oversees: monitoring of University policy related to Title IX; implementation of procedures for complaints/grievances, including notification, investigation, and disposition; provision of educational materials and training for the campus community; conducting and/or coordinating investigations of complaints received pursuant to Title IX; ensuring a fair and neutral process for all parties; and monitoring all other aspects of the University's Title IX compliance related to sexual harassment and sexual violence.

See more at: <http://southalabama.edu/departments/studentaffairs/titlenine/>

Dr. Krista Harrell
Associate Dean of Students
Student Center, Room 116
Mobile, AL 36688
251-460-6452 or Kristaharrell@southalabama.edu

Title IX Deputy Coordinators: are responsible for Title IX training, education, and administration of the complaint/grievance procedures for all complaints against individuals in their respective areas. Coordinators will also be responsible for facilitating the referral of complaints with the appropriate office.

For students (except College of Medicine and College of Nursing students):

Dr. Michael Mitchell, Vice President and Dean of Students
Student Center, Room 245
251-460-6172 or mmitchell@southalabama.edu

For College of Nursing students:

Dr. Heather R. Hall, Associate Dean for Academic Affairs
HAHN 3068
251-445-9483 or heatherhall@southalabama.edu

For College of Medicine students:

Dr. Kelly P. Roveda, Assistant Professor of Pathology
Department of Pathology, USAMC
251-471-7790 or kroveda@health.southalabama.edu

For Academic Affairs Faculty:

Dr. Charles Guest, Associate Vice President for Academic Affairs
AD 300
251-460-6261 or cguest@southalabama.edu

For College of Medicine Faculty:

Dr. Sam Strada, Dean of College of Medicine
MSB 2015
251-460-6041 or sstrada@southalabama.edu

For Staff, Administrators, Coaches, Resident Physicians, Patients, Visitors, and Post Docs:

Paula Buerger, Manager EEO
TRP Building III Suite 2200
251-460-6641 or pbuerger@southalabama.edu

Gender Equity in Athletics

Jinni Frisbey, Assistant Athletic Director

Mitchell Center 1209

251-445-9551 or jfrisbey@southalabama.edu

REPORTING TO THE POLICE

Additionally, victims have the right to report the incident to the police. Below are contact information of the University of South Alabama Police Department and local police departments.

UNIVERSITY POLICE

University of South Alabama Police Department

Beta/Gamma Commons Bldg.

290 Stadium Blvd

Mobile, AL. 36688

251-460-6312

LOCAL POLICE

Call 911 for emergencies

251-208-7211 for non-emergencies.

WHISTLEBLOWER HOTLINE

This Whistleblower and Non-Retaliation Policy is designed to provide a mechanism for individuals doing work for or on behalf of the University of South Alabama to raise good faith concerns, including but not limited to, observed or suspected violations of law, policies or procedures, including but not limited to harassment, discrimination, research misconduct, mishandling of funds and other illegal activities; to facilitate cooperation in any inquiry or investigation by any court, agency, law enforcement, or other governmental body; and to protect individuals who take or participate in such action from retaliation or any threat of retaliation by any other individual doing work for or on behalf of the University.

For more information about the Whistleblower Hotline, visit

[http://www.southalabama.edu/departments/financialaffairs/internalaudit/whistlebl](http://www.southalabama.edu/departments/financialaffairs/internalaudit/whistleblower)

[ower](http://www.southalabama.edu/departments/financialaffairs/internalaudit/whistleblower).

UNIVERSITY DISCIPLINARY PROCEDURES

All University Disciplinary proceedings shall provide a prompt, fair, and impartial investigation and resolution; and be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects safety of victims and promotes accountability and fairness. When determining a student conduct case at the University, the standard of proof used is the preponderance of evidence standard which means that it is more likely than not that the violation of policy occurred. If an individual reports to police and the report goes through the legal system, legal standard of evidence is beyond a reasonable doubt which means that the evidence is sufficient to convince a reasonable person beyond doubt of the guilt of the defendant.

See more at: <http://www.southalabama.edu/departments/studentaffairs/lowdown/>

ASSURANCE AGAINST RETALIATION

Retaliation is prohibited and will constitute separate grounds for disciplinary action. Retaliation is the act of taking adverse action against a complainant, a respondent, or any other person involved in the process under this policy based on the person's reporting or participation in the process under this policy. Retaliation includes behavior on the part of the respondent or the complainant and other related persons, including, but not limited to, acquaintances, friends, and family members.



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PROTECTIVE MEASURES

There are several options for victims to ensure safety and to limit the communication between the victim/complainant and the respondent. Students can work with the Title IX Coordinator or Title IX Deputy Coordinator to have a No Contact Order issued, to have Interim Protective Measures instituted or to receive assistance in applying for an Ex Parte Order of Protection.

No Contact Orders are temporary directives issued by the University prohibiting communication between or among designated individuals. No Contact Orders are issued when there is reason to believe that such an order would be in the best interest of all parties and the community for promoting peace and civility. No Contact Orders prohibit all forms of communication between designated students, direct or indirect, written, electronic or through a third party. The duration of a No Contact Order is determined by the University, and students may request to have the No Contact Order lifted after an appropriate sustained period of compliance.

Interim Protective Measure: The University may institute Interim Protective Measures when necessary to protect the safety of the parties or witnesses involved. Interim Protective Measures are temporary actions taken by the University to ensure equal access to its education programs and activities and foster a more stable and safe environment during the process of reporting, investigation, and/or adjudication. Interim Protective Measures may be applied to the Complainant, the Responding Party, and other involved individuals as appropriate to ensure their safety and well-being. Interim Protective Measures may be requested by the parties or the University at any time, regardless of whether any particular course of action is sought by the Complainant. All individuals are encouraged to report concerns about the adequacy of the Interim Protective Measures or failure of another individual to abide by any Interim Protective Measure to the applicable individual initiating the Interim Protective Measure.

Order of Protection: The University shall enforce any court order including a violation of a protection order obtained by a victim/complainant.

Options for Changing Academic, Transportation, Living and Working Situations: After a sexual assault, domestic violence, dating violence, or stalking incident has been reported, the victims of such crimes shall have the right to require that campus personnel take the necessary steps or actions reasonably feasible to prevent any unnecessary or unwanted contact or proximity with alleged assailants, including immediate, temporary or permanent relocation of the victim to safe and secure working location, alternative housing, and/or transfer of classes if requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

CONFIDENTIAL RESOURCES VS. NON-CONFIDENTIAL RESOURCES

We encourage victims of sexual violence to talk to someone about what happened - so you can get the support you need, and so the University can respond appropriately. Whether -and the extent to which -a University employee may agree to maintain confidentiality (and not disclose information to the Title IX Coordinator) depends on the employee's position and responsibilities at the University. This information is intended to make you aware of the various reporting and confidential disclosure options available to you - so you can make informed choices about where to turn for help.

NON-CONFIDENTIAL RESOURCES

Most University employees have a duty to report incidents of sexual violence when they are on notice of it. When you tell the Title IX Coordinator or another University employee about a sexual violence incident, you have the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. In all cases, we strongly encourage victims to report sexual violence directly to the Title IX Coordinator. As detailed above, all University employees except physicians, licensed counselors, pastoral counselors and advocates, must report to the Title IX Coordinator all relevant details about any sexual violence incidents of which they become aware. The University will need to determine what happened -and will need to know the names of the victim(s) and the perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the incident. To the extent possible, information reported to the Title IX Coordinator or other University employee will be shared only with individuals responsible for handling the University's response to the incident. The University will protect the privacy of individuals involved in a sexual violence incident except as otherwise required by law or University policy. A sexual violence report may result in the gathering of extremely sensitive information about you and other individuals in the campus community. While such information is considered confidential, University policy regarding access to public records and disclosure of personal information may require disclosure of certain information concerning a report of sexual violence. In such cases, efforts will be made to redact the records, as appropriate, in order to protect our identity and privacy and the privacy of other involved individuals.

CONFIDENTIAL RESOURCES

Confidential resources are those members of the university who are licensed or designated by law as professionals who can receive privileged communication, and receive information regarding possible sexual harassment, sexual assault, domestic violence, dating violence and stalking in the context of a professional relationship with the reporter of that information. Confidential resources are not required to report to the Title IX Coordinator or Deputy Coordinators unless required by law such as the duty to report an imminent threat to self or others. Confidential resources provide advice, support, and guidance about how to manage the situation. Confidential resources at the University of South Alabama are licensed counselors at Counseling and Testing, the Victim's Advocate Program, the Student Health Center and Pastoral Counselors.

PRESERVATION OF EVIDENCE

After a Sexual Assault

Physical evidence can be crucial in helping to criminally prosecute assailants in sexual assault cases. Physical evidence should be collected in a timely manner by a certified medical facility. The address and contact information for the local Sexual Assault Nurse Examiners (SANE) is listed below. The SANE can perform a sexual assault forensic examination as well as recommend medications and treatment for injuries related to the assault. Prior to a medical exam, victims of sexual assault should try not to bathe, brush teeth or drink anything, change clothes, douche, use the toilet (if possible), smoke, or clean the bed/linen/area or where the assault took place if the offense occurred within the past 96 hours so that evidence may be preserved. Victims have the right to submit a kit anonymously. If a victim does not want to opt for the forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted diseases.



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USA Children's and Women's Evaluation Center
Sexual Assault Nurse Examiners (SANE)
1700 Center Street
Mobile, AL 36604
251-415-1144

In cases of Stalking

Victims of stalking should save evidence such as any letters, notes, e-mails, phone calls, videos, photos, texts, social media postings, computer screenshots, voicemails, or any other form of evidence that could be helpful. If possible, keep a logbook or journal in chronological order of each contact or attempted contact.

VIOLENCE PREVENTION AT THE UNIVERSITY

The University of South Alabama is committed to offering educational programs to promote awareness and prevention of sexual harassment, sexual assault, domestic violence, dating violence, and stalking. Educational programs include:

An overview of the University's policies and procedures

- Relevant definitions, including sexual harassment, sexual assault, domestic violence, dating violence, and stalking
- Relevant discussion of the impact of alcohol and illegal drug use
- Consent
- Safe and positive options for bystander intervention
- Resources and reporting options available for students, faculty, and staff
- Information about risk reduction

Incoming first year students and new employees will receive primary prevention and awareness programming as part of their orientation to the university. Returning students and employees will also have ongoing opportunities for training and education.

Faculty and staff may visit the Human Resources Office's website for more information about harassment prevention: <http://www.southalabama.edu/hr/harassmentprevention.html>.

The Violence Prevention Alliance (VPA) is a volunteer-based committee that promotes efforts to prevent the victimization of USA students, faculty, staff and community members. The mission of the Violence Prevention Alliance is to create and sustain a collaborative, comprehensive community effort in reducing and eliminating violence and sexual victimization and harassment. The VPA identifies appropriate interventions aimed at reducing violence, provides educational programs that address sexual and intimate partner violence and provides a coordinated campus response and support to victims of violence.

VPA Contact: Dr. Krista Harrell
kristaharrell@southalabama.edu

