

# Reporting Incidents of Violence and Sexual Misconduct

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This section provides an overview of the procedures the University uses to respond to reports of Prohibited Conduct. While the Title IX Coordinator has general responsibility for oversight of the reporting process and investigation of a report, Deputy Coordinators and other departments may be involved and consulted as necessary.

## Timeliness and Location of Incident

All individuals, including a Complainant or witness, are encouraged to report Prohibited Conduct regardless of when or where it occurred, as soon as possible to maximize the ability to respond promptly and effectively. The University may also initiate a complaint of Prohibited Conduct. The University does not, however, limit the time frame for reporting. If the Respondent is no longer a student at the time of the report, or if the conduct did not occur on campus, in the context of an education program or activity of the University, or have continuing adverse effects on campus or in an off-campus education program or activity, the University may not be able to fully investigate nor take disciplinary action against the Respondent. In each instance, the University will still provide any fair and reasonable support and resources to a Complainant designed to end the Prohibited Conduct, prevent its recurrence, and address its effects.

### A. How to Make a Report.

Any person may make a report, including anonymously, of Prohibited Conduct to the Title IX Coordinator, Human Resources, or the Office of Diversity, Inclusion and Equity:

#### Title IX Coordinator:

**Dr. John Jones, III**  
**VP Student Affairs and Interim Title IX Coordinator**  
**Hill Student Center, Suite 401**  
**1400 University Blvd.**  
**(205) 996-0132**

#### Student Advocacy, Rights and Conduct

**Emily Feinstein**  
**Director, Student Advocacy Rights and Conduct**  
**Hill Student Center, Suite 303**  
**1400 University Blvd.**  
**(205) 975-9509**

#### Human Resources:

**Robert Barnes (Deputy Title IX Coordinator)**  
**Administration Building, Room 210**  
**701 20th Street South**  
**(205) 934-4458**

#### Athletics:

**Derita Ratcliffe (Deputy Title IX Coordinator)**  
**Senior Associate Athletic Director/SWA**  
**Bartow Arena**  
**617 13th Street South**  
**(205) 975-6283**

#### Office of Diversity, Equity, and Inclusion:

**Dr. Paulette Patterson Dilworth**  
**VP Diversity, Equity and Inclusion**  
**Administration Building 320B**  
**701 20th Street South**  
**(205) 934-0451**

For the Huntsville and Montgomery Campus, in addition to the above, reports can also be made to:

#### UAB School of Medicine - Huntsville Regional Medical Campus:

**W. Scott Bence (or his designee)**  
**Executive Administrator and Assistant Dean**  
**(256) 539-7757**  
**[bencew@uab.edu](mailto:bencew@uab.edu)**

#### UAB School of Medicine - Huntsville Regional Medical Campus:

**Todd A Smith (or his designee)**  
**Director of Administration and Fiscal Affairs**  
**(334) 284-7542**  
**[tbsmith@uab.edu](mailto:tbsmith@uab.edu)**

Reports can also be made to any Responsible Employee, or to another appropriate office such as Student Affairs or the Office of Provost. Reports shall be sent to the Title IX Coordinator. If the person to whom a report normally would be made is the Respondent, reports may be made to another Responsible Employee. Anonymous reports may be made submitting online at UAB Ethics Hotline at 1-866-362-9476.

With respect to anonymous reports, depending on the level of information available about the incident, the University's ability to respond to an anonymous report may be limited.

In cases in which the report was made anonymously or by a third party (such as a family member, friend, roommate, adviser, or faculty member), the Title IX Policy will apply in the same manner as if the Complainant had made the initial report. The Title IX Coordinator or designee will make every effort to meet with the Complainant to discuss available options and on-campus and off-campus resources

### B. Emergency/Immediate Assistance

The University encourages all community members affected by sexual misconduct to seek immediate assistance. Doing so promptly may be important to ensure the person's physical safety or to obtain medical care or other support. It may also be necessary to preserve evidence, which can assist the University or law enforcement in responding effectively. Assistance is available from the UAB Police Department (UABPD) 24 hours a day, 7 days a week at (205)934-3535. The UABPD will investigate every incident reported to them to determine if a crime has been committed. The UABPD will also inform the University Title IX Coordinator of the incident. Any criminal investigation by UABPD or

other law enforcement agency is independent from any disciplinary investigation undertaken by the Title IX Coordinator under the Title IX Policy. Victims of sexual violence are not required to report to law enforcement in order to receive assistance from or pursue any options provided by UAB.

### **C. Amnesty**

The University community views the safety of our students as a top priority. A student who is under the influence of alcohol or drugs at the time of an incident should not be reluctant to seek assistance for that reason. The University will not pursue disciplinary violations against a student (or against a witness) for their improper use of alcohol or drugs (e.g., underage drinking) if the student is making a good faith report of Prohibited Conduct. The Title IX Coordinator (or designee) may, however, refer a student to substance abuse counseling depending on the circumstances of the individual situation. Thus, for purposes of this Policy, as applied to UAB, individuals who report potential Prohibited Conduct or participate in an investigation of Prohibited Conduct and reveal a potential violation of UA policy relating to drug or alcohol use may not be sanctioned for such violations.

### **D. Prohibition on Retaliation.**

It is illegal and a violation of the University's Title IX Policy to retaliate against a person for filing a complaint of sexual misconduct or for cooperating in a sexual misconduct investigation. Any person who retaliates against a person for reporting sexual misconduct, filing a sexual misconduct complaint, or participating in a sexual misconduct investigation is subject to disciplinary action up to and including expulsion or termination from the University.

### **E. Public Awareness Events and IRB Research**

Responsible Employees are not required to report information disclosed (a) at public awareness events (e.g. Take Back the Night, protests, survivor speak outs) or (b) during a student's participation in an Institutional Review Board-approved human subject research protocol ("IRB Research"). The University may provide information about Title IX rights and about available University and community resources and support at Public Awareness Events. Institutional Review Boards may, in appropriate cases, require researchers to provide such information to all subjects of IRB Research.

### **F. Reporting of Crimes and Disciplinary Statistics**

The University also has certain reporting obligations under the Clery Act, with regard to incidences of sexual misconduct and violence, including issuing timely warnings as necessary. A copy of the University's annual Clery report can be found at <https://www.uab.edu/police/crime-statistics>

### **G. Mandatory Reporting**

In addition to reports of sexual misconduct or violence, Alabama law and University policy imposes a mandatory reporting duty of known or suspected child abuse on certain individuals, including all University employees, who must report to the UABPD. University Policy implementing the law also encourages students, volunteers, and representatives as well as third-party vendors and their employees, representatives, or volunteers that contract for use of University facilities with responsibilities that involve interaction with children) to report (orally and then in written form) known or suspected child abuse to UABPD. Sexual abuse, which is one element of the more comprehensive term "abuse" under the Alabama law, includes actual or attempted rape, molestation, sexual exploitation, etc. For child protection purposes, a child is any person under 18 years of age. A freshman student, a "dual

enrolled" high school student, or a summer camp participant, among others, may fall into the category of a "child."