UNIVERSITY of ARKANSAS
FORT SMITH

2022

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics and Fire Safety Report

(Statistics for 2019, 2020, & 2021)

Prepared by
University of Arkansas - Fort Smith Police Department Published October 2022

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Introduction

On Nov. 8, 1990, President Bush signed the "Student Right to Know and Campus Security Act of 1990." The Act applies to every institution of higher education that receives federal financial aid. Title II of the Act was called the "Campus Crime Awareness and Campus Security Act of 1990." It requires institutions of higher education to distribute to all current students and employees, and applicants for enrollment or employment, two types of information: (1) descriptions of policies related to campus security, and (2) statistics concerning specific types of crimes. Amendments enacted in 1998 renamed Title II, and it is now known as the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act." The amendments require the disclosure of crimes that are reported to police and campus officials other than police, along with a breakdown of locations of criminal activity to be specified as on-campus, non-campus, residence hall or public property.

University of Arkansas - Fort Smith Police Department Law Enforcement Authority

Arkansas State Statute 25-17-304 confers upon the chancellor of a state institution of higher education the right to create a university agency with the same powers as any municipal, county, or state police agency in Arkansas. The University of Arkansas - Fort Smith (UAFS) Police Department is made up of sworn, state-certified law enforcement officers. The UAFS Police Department continually works with municipal, county, state, and federal law enforcement agencies within the state of Arkansas, and occasionally with others outside the state as well. The UAFS Police Department is a prevention/service-oriented agency. Service to the campus community is top priority.

UAFS is located in the city of Fort Smith, Arkansas, and Fort Smith Police Department (FSPD) police officers travel around and through the campus each day. In addition, FSPD police officers may assist officers from the UAFS Police Department when their assistance is requested. During their travels on campus and those times when their assistance is requested, FSPD police officers have full authority to make arrests for violations of law. UAFS Police Department's jurisdiction goes as follows:

- Kinkead Avenue from North 49th Street to North 48th Street
- North 48th Street from Kinkead Avenue to Grand Avenue
- Grand Avenue from North 48th Street to North 50th Street
- North 50th Street at Grand Avenue north to the north boundary of the parking lot adjacent to Grand Avenue
- North boundary of the parking lot from North 50th Street to Waldron Road
- Waldron Road from Grand Avenue parking lot north boundary (extended) to north boundary of the Church of Christ parking lot
- East boundary of Church of Christ parking lot and North 56th Street to Kinkead Avenue
- Kinkead Avenue from North 56th Street to the creek at east boundary of Crowder Field
- Creek from Kinkead Avenue to the south boundary of Crowder Field parking lot
- Crowder Field parking lot south boundary to Waldron Road
- Waldron Road from Stubblefield Center parking lot southern entrance to Park Avenue
- Park Avenue from Waldron Road to North 49th Street
- North 49th Street from Park Avenue to Kinkead Avenue

Mutual Relations with Other Law Enforcement Agencies

The UAFS Police Department enjoys an excellent working relationship with the City of Fort Smith Police Department, the Sebastian County Sheriff Department, and the Arkansas State Police. The exercise of that authority is described in a memorandum of understanding between UAFS Police Department and FSPD that outlines which law enforcement agency will have jurisdiction over which type of offenses. Personnel and resources are provided by these law enforcement agencies whenever an incident occurs that exceeds the capabilities of the UAFS Police Department.

Reporting Crime and Other Emergencies on Campus

The UAFS Police Department can be contacted by telephone, emergency, and information phones, in person, and by email. By telephone, University Police may be reached by dialing 479-788-7140. Numerous emergency phones are also located around campus: the east side of the Old Gym; the middle of Lot E (parking area south of the Recreation and Wellness Center); the middle of Lot F (parking area south of the Windgate Art and Design); Lot A behind the Business Center; and north of the Vines Building near the pedestrian tunnel. Elevators in campus buildings contain emergency phones as well, which provide a direct connection to the UAFS Police Department.

University police officers in vehicles, on foot, or on bicycles are eager to be of assistance and may be contacted directly. E-mails may be sent directly to the UAFS Police Department at UPD@uafs.edu. University police officers are in radio contact with the Fort Smith Police Department. For emergencies involving the need of immediate ambulance, fire department or armed law enforcement response, dial 911 immediately and then notify University Police as described above. The UAFS Police Department will respond as quickly as possible to any request for assistance. Response time is based on current activity and the severity of the call. Crimes in progress, traffic accidents and medical assists have a higher priority than other types of calls. The crime also could be reported to one of the following: Student Affairs Office, advisement director, or a faculty or staff member who the student is comfortable talking to about the crime. Members of the community are reminded it is important to report incidents immediately so an investigation can be conducted promptly, and evidence preserved.

It cannot be stated enough how important it is to promptly and accurately report crime, no matter where it occurs. If a crime is not promptly reported, evidence can be lost and/or a suspect could get away. If a crime is not accurately reported, leads could be missed and an investigation could head the wrong direction. If one witnesses a crime or emergency, it must be promptly reported to the UAFS Police Department and questions should be answered as accurately as possible. The investigation can only be as good as the information received. If one sees or receives knowledge of criminal activity or other emergencies, or if one is the victim of such, they are encouraged to contact the UAFS Police Department or any campus official.

All victims are encouraged to report crimes and emergencies to the UAFS Police Department. UAFS police officers are primary responders to any emergency or criminal situation on campus. Direct radio and telephone communications with local police, fire, and emergency medical services ensures that police officers can initiate and direct necessary emergency responders to any campus area. In an emergency situation, dialing 9-1-1 from any UAFS campus telephone will contact the Fort Smith Police Department Communications Center. A trained dispatcher will direct the appropriate response to emergency situations.

Monitoring Crime Off Campus

The UAFS Police Department works closely with the Fort Smith Police Department in reference to crimes that occur off-campus involving student organizations that are recognized by the institution. Depending on the location of the incident, either the city police or university police will respond and make proper documentation of the incident for Annual Security Report purposes.

How to Report a Crime

To report a crime, call the UAFS Police Department at 479-788-7140 (or simply dial 7140 from a campus phone). Stay on the line so all necessary information can be obtained. An officer will be dispatched quickly. Or visit the office located in the 51st Annex at 425 N. 51st St. The UAFS Police Department is open 24 hours every day. UAFS encourages and allows professional counselors to inform clients on our campus of their option to fill out a Confidential Informant (CI) form in the case of an alleged assault or other criminal matter. This report is maintained by University Police and used for annual statistical purposes only. It will not generate an investigation or the use of and names that may be included. In fact, no personal identifiers are required in the CI form or used in compiling the statistics. To report an emergency to the Fort Smith Police Department, call 911 from any off-campus phone or cell phone. One should report any criminal activity or incidents to Fort Smith Police Department or to UAFS Police.

Voluntary Confidential Reporting

Like any other community of 10,000 people, UAFS experiences accidents, injuries, crimes, and other emergencies. To report voluntary incidents, potential criminal actions, or suspicious incidents, UAFS faculty, staff, students, and visitors should notify the UAFS Police Department at 479-788-7140. The university has emergency two-way (blue light phones) throughout campus for use during emergencies. By pressing the red button on the stations, users can communicate directly with the UAFS Police Communications Center. To report an incident of a confidential nature, an individual should contact a Campus Security authority.

Stay Informed

The UAFS Police Department uses a variety of methods to keep the campus informed about incidents occurring on or near campus. Members of the campus community can stay informed about criminal incidents at UAFS by reading the Daily Crime Logs or Crime Alerts. Crime Alerts are distributed to members of the campus community as part of an ongoing effort to keep the community informed and to raise awareness of significant unsolved crimes that occur on or near the campus. Alerts are distributed by Lion's Alert, social media accounts, campus e-mail, and postings on public bulletin boards. The UAFS Police Department maintains a Daily Crime and Fire Log in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The crime and fire logs are available in two formats. Persons may view a copy at UAFS Police Department headquarters located at 425 N. 51st St. (51st Annex) during normal business hours.

Note: Any incidents that may have been reported only to pastoral and professional counselors of the institution are generally protected by privacy rights of the client or patient and are not included in any of the following statistics, nor for any timely warning notifications to the campus.

Campus and Community Notification of Criminal Activity

If there are crimes occurring on the UAFS campus that will continue to endanger or affect the campus community, Public Safety Bulletins will be published and posted on My.UAFS.
The bulletins will allow members of the campus community to know what is currently happening in order to better protect them. Students and employees can also subscribe to Lions Alert, a text messaging and e-mail subscription service for notifying the UAFS community of emergency situations and campus closing announcements free of charge.
Information about the department, services provided, and related resources concerning safety and security can be obtained by contacting a University police officer or e-mailing the University Police Department with questions or information at UPD@uafs.edu.

Daily Crime Log

The University Police Department maintains a log of all alleged crimes and incidents reported to the University Police Department. The log is available for viewing upon request at the UAFS Police Department located in the 51st Annex at 425 North 51st St. during regular business hours.

Timely Warning Notices

Campus Safety Advisories: The UAFS Police Department distributes Campus Safety Advisories in various ways dependent upon the circumstances. Once UAFS determines that an advisory will be issued, the coordinator of Health and Safety and the chief of police are responsible for ensuring that alerts are dispatched to the UAFS campus community utilizing the most feasible method(s) possible. Typically, e-mail and/or text notices will be sent. Campus alerts by cell phones via text messages and e-mails are available. The UAFS Police Department may also post advisories on bulletin boards throughout buildings, on the radio and on the university operated television monitor boards. In the event a serious crime occurs, or any crime mandated by Clery to be reported, the suspect remains at large and there is a potential threat to the campus community, specific messages called Timely Warning Advisories will be published.

Safety advisories are released for natural or manmade disasters, which could affect any significant segment of the campus community.

Emergency Preparedness

UAFS has long recognized the need to be prepared for critical incidents. Under the guidance of the university's Emergency Response Team, the university is doing all it can to prepare for, prevent, respond to, and recover from emergency situations. In conjunction with local first responders, the university is well-prepared to respond to a full range of critical incidents.

UAFS operates under the Incident Command System – a system utilized by FEMA and many other emergency response organizations. Under this system, a single incident commander directs all UAFS resources. Although the UAFS incident commander may consult other individuals, it is imperative that all faculty and staff follow the decisions made by the incident commander.

In case of any type of emergency, individuals making the discovery should move to a safe location and then contact University Police at 479-788-7140. Individuals making the discovery may also contact 9-1-1 using a cell phone or campus phone, pull the fire alarm, or take other appropriate emergency actions. Initial civilian responders are asked to not intervene in any crime or dangerous event.

The university police officer should follow standard operating procedures while contacting additional civil authorities (FSPD, Fire, etc.) as necessary. If the emergency warrants, the
officer should also communicate immediately with the incident commander. The incident commander will assess the situation and direct University Police to contact and summon the necessary UAFS officials and other resources required to contain and control the emergency. Emergency procedures information such as Rapid Response Information, Emergency Action Plan, and Emergency Maps are listed on the university's webpage.

Campus Community Emergency Notification

It is UAFS policy to issue Emergency Notification Alerts about immediate emergencies on and around the campus. When a report of a potential emergency or dangerous situation occurs, appropriate university personnel will respond in order to assess the situation. If it is determined that an emergency or other dangerous situation involving an immediate threat to the health or safety of students or others on campus exists, immediate notification of the event will be made to the campus community.

Usually, such notification will be made by using the university's Lions Alert notification system. UAFS students, faculty and staff are automatically enrolled in the emergency notification system. Students can select how they receive the messages by clicking on "Lions Alert" in My.UAFS under the "Students" tab. Faculty and staff members can change their alert settings by logging into Lions Alert as well.

Notification can also be accomplished using a variety of other messaging methods that include text, telephone, email, computer pop-up windows on campus networked computers, and public address systems. In residence halls, Housing staff members may share information face to face with residents. University personnel authorized to issue such notifications will use their discretion to determine the specific method of notification.

Upon confirmation of an emergency or dangerous situation, the chief of the UAFS Police Department and/or designee, coordinator of Health and Safety and/or designee, and the vice chancellor of finance and administration and/or designee are responsible for consulting on a case-by-case basis when information in the form of an alert is disseminated. If it is determined that any of the Clery Act Criminal Offenses of Criminal Homicide, Manslaughter by Negligence, Sexual Assault, to include: Rape, Fondling, Incest or Statutory Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, or Arson have been reported and pose an immediate threat to the health or safety of the campus community an immediate notification will be made The notification will be made without delay. University departments authorized to initiate and carry out emergency notifications include the UAFS Police Department and the university's Office of Health and Safety. Notification will only be withheld if in the professional judgment of responsible authorities, doing so would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

If the emergency information needs to be disseminated outside of the campus community, this will be accomplished utilizing the UAFS website, telephone information line, and by communicating with local news

agencies. Campus evacuation and storm shelter information may be found on My.UAFS under the Campus Services and Information tab, labeled "Emergency Procedures Documents." Evacuation route maps are posted in hallways throughout all campus buildings.
Fire drills are scheduled annually to test the evacuation procedures for residence halls on the university campus. A test of the Lions Alert notification system is conducted at least once per calendar year. These tests and drills are announced through the university's web/email or through a specific department

Campus Facilities Security and Access

Academic and Administrative Facilities: UAFS police officers normally unlock the main entrances to buildings at the start of each business day; however, the responsibility for locking academic and administrative facility doors rests with the custodial staff. Times vary from building to building and are arranged with the appropriate vice chancellor, dean or department head. For activities scheduled at times when a building is normally locked, arrangements must be made in advance with the UAFS Police Department through one of the above officials and the facilities coordinator located in the Smith-Pendergraft Campus Center.

Athletic Facilities: UAFS police officers normally unlock the entrances to buildings at the start of each business day; however, the responsibility for locking athletic facility doors rests with the custodial staff. Times vary from building to building depending on the activity in the facility. For activities scheduled at times when an athletic facility is normally locked, arrangements need to be made in advance with the athletic department official responsible for the building.

Residence Halls and Dining Halls: The responsibility for locking and unlocking residence hall and dining hall doors rests with University Housing and Campus Dining Services. All of the residence halls are secured with card access systems. Only those individuals given authority to enter a building may enter.

Apartments and Managed Properties: Sebastian Commons Apartments do not have card access systems. The responsibility for locking doors rests with the resident(s) of each apartment.

Fraternities: The responsibility for locking and unlocking doors rests with the fraternities.

Sororities: The responsibility for locking and unlocking doors rests with the sororities.

Security Considerations in the Maintenance of Campus Facilities

UAFS is committed to campus safety and security. Exterior lighting and landscape control is a critical part of that commitment. Representatives from various departments continually conduct security surveys to ensure campus lighting is adequate and the landscape is appropriately controlled. UAFS Police Department officers conduct routine checks of lighting on campus during regularly assigned patrol duties. If lights are out or dim, officers will initiate an immediate work order, which is acted upon by a representative of the appropriate maintenance office, usually within 24 hours or the next business day. We encourage community members to report any deficiency in lighting to Plant Operations at 479-788-7170.
Any community member who has a concern about physical security should contact the UAFS Police Department at 479-788-7140.
Representatives from the UAFS Police Department and Plant Operations work together to identify inoperative locking mechanisms on a continual basis. Community members are encouraged to promptly report any locking mechanism deficiency to the UAFS Police Department at 479-788-7140. Maintenance staff are available to respond to calls for service regarding unsafe facility conditions or for personal safety and property protection. These conditions may also include unsafe steps or handrails, unsafe roadways on campus, and unsecured equipment.

University of Arkansas – Fort Smith Weapon Policy

Student possession and use of a weapon (air rifles, pistols, firearms, weapons, ammunition, gunpowder, fireworks, explosives, gasoline, and other dangerous articles and substances) on campus and in university facilities, including residential housing, and at official university functions held on campus is prohibited, except as provided in Arkansas Act 562. It is the policy of the university that the use of weapons by employees and students is prohibited on university property or as a part of any university activity whether on or off campus. Irresponsible behavior with any type of weapon is not condoned and may be subject to review and/or action by the appropriate judicial body.

Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals on UAFS premises or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others, is prohibited. See AR Code Annotated 5-73-306.

University of Arkansas – Fort Smith Alcohol Policy

Student possession and use of alcohol in University facilities, including residential housing, and at official university functions held on campus is generally prohibited. Alcohol is allowed per housing policy for those residents over 21 in the Sebastian Commons Apartments. It is the policy of the university that the use of drugs or alcohol by employees and students is prohibited on university property or as a part of any university activity whether on or off campus. Special occasion exemptions for alcohol are available through approval of the Chancellor's Office.

Irresponsible behavior while under the influence of intoxicants is not condoned and may be subject to review and/or action by the appropriate judicial body. UAFS reserves the discretionary use of an amnesty regulation in certain rare circumstances in order to encourage the reporting of very serious matters, e.g. sexual assault.

University of Arkansas – Fort Smith Drug Policy

Possession, use, or manufacture of illicit drugs is strictly prohibited at the University of Arkansas – Fort Smith. Students enrolled at UAFS are subject to disciplinary action for violation of federal or state law regarding the possession, purchase, manufacture, use, sale, or distribution (by either sale or gift) of any quantity of any prescription drug or controlled substance, except for the use of any over-the-counter medication or the prescribed use of medication in accordance with the instructions of a licensed physician. Possession of paraphernalia associated with the use, possession, or manufacture of a prescription drug or controlled substance is also prohibited.

Enforcement of Federal and State Alcohol and Drug Laws

The UAFS Police Department works with the Fort Smith Police Department to enforce all state and local liquor laws, including those for underage drinkers, as well as all state and local laws regarding prescription drugs and controlled substances. University Police will work with federal agencies when needed to enforce any applicable federal laws.

University of Arkansas – Fort Smith Disciplinary Policy

Any student who fails to comply with University policies or local, state or federal laws may be subject to discipline under the University Code of Student Conduct. Sanctions can include, but are not limited to, a reprimand, disciplinary probation, withdrawal of privileges, suspension, and/or expulsion. When a student's presence on campus is considered a threat to order, health or safety, the provost or his or her designee may impose a mandatory leave of absence or conditions on the student's attendance.

Generally, prospective students are asked about certain felony convictions. Employees are also required to disclose any and all convictions for a felony, crime of violence, dishonesty or crime against property or involving the threat of violence. A criminal record, if relevant to the position in question, is a factor considered in the employment process.

Crime Prevention and Drug and Alcohol Abuse Education Programs Available Through the UAFS Police Department and the Office of Student Affairs

Programs are available to members of the university community on the topics of crime prevention and drug and alcohol abuse. Programs can be arranged through the director/chief of the UAFS Police Department, the Student Affairs Office, and/or Housing and Residential Life.
Information on drug and alcohol abuse education may also be obtained through the National Clearinghouse for Alcohol and Drug Information at 800-729-6686.

Programs and Activities Available on Campus to Raise Awareness of Safety and Risk Reduction

Crime prevention programs available through UPD include:

Campus Lighting Tour - A walking tour of campus grounds is conducted annually to inspect lighting and identify needs for improvement. Representatives from several departments, administration, student groups and media participate in the tour. Monthly
inspections of lighting are made by police officers and facilities management staff. Anyone can report an outage by calling Plant Operations at 479-788-7171.

Crosswalk Safety Awareness - A cooperative effort involving campus and community is scheduled each fall semester to bring attention to the pedestrian safety laws and heighten awareness of crosswalk safety.

Housing Resident Assistant Programs - These training were sponsored by Housing and Residential Life to raise awareness about alcohol education in 2021:

- SebCo Block Party
- Think Before You Drink
- BOOze!!
- Boos not the Booze
- Vision Boards

A primary goal of the UAFS Police Department is the prevention of crime before it occurs. The department regularly presents programs covering crime prevention topics such as:

Alcohol Awareness - Review of Arkansas's alcohol-related laws, DWI detection techniques, University of Arkansas - Fort Smith alcohol policies, tips on staying sober, and demonstrations with Fatal Vision goggles.

Apartment Safety - Review of tips on apartment safety.

Domestic Violence - Review of types of violence, what can be done, and services that are available.

Drug Recognition - Presented annually to housing staff so they know what to look for in residence halls.

Effects of Alcohol - Review of common reactions a person might exhibit while under the influence of alcohol.

Operation ID - Review of the importance of engraving property and how to do it. Engravers and assistance are provided continuously throughout the year.

Personal Safety - Review of how to prevent personal attacks and what you can do if you are attacked, including safety tips for walking, driving, traveling, and a variety of other situations.

Rape Aggression Defense (RAD) Women's Self-Defense - A basic self-defense program for women that teaches risk avoidance techniques and basic self-defense in seminar format.

Vehicle Safety Check - Checking student, faculty, and staff personal vehicles before they leave on break.

Safety on Campus - Review of tips on how to prevent crime and stay safe on campus. Sexual Assault: Review of the legal definitions of sexual assaults and tips on risk reduction. Theft Prevention: Review of tips on preventing thefts.

Traffic Law - A question-and-answer session that allows members of the campus community to get answers to their questions about traffic law.

These are examples of crime prevention programs offered by the UAFS Police Department. If there is a program of interest not listed, contact the UAFS Police Department's Crime Prevention Unit at 479-788-7140 to discuss programming opportunities. A program can be developed to fit your needs. All crime prevention programs are available upon request, and some are scheduled by the UAFS Police Department during appropriate times throughout the school year. All programs given by the UAFS Police Department encourage students, faculty, and staff to work with the police and be responsible for their personal safety and the safety of others.

VAWA Definitions of Dating Violence, Domestic Violence, and Stalking.

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. For the purpose of this definition Dating violence includes but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence is defined as a felony or misdemeanor crime 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 of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; by any other person against an adult or youth victim who is protected from that person's act under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress. For the purpose of this definition, a course of conduct means two or more acts.

UAFS Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault, and Stalking (Also Rape Awareness and Acquaintance Rape)

UAFS regularly schedules educational programs designed to prevent domestic violence, dating violence, sexual assault, and stalking. Some programs are presented by Lion's Roar, a peer-educator organization focused on behavioral issues. Programs include Night Walk and UAFS Cares, an umbrella programming group representing a partnership between UAFS Police, Academic Affairs, and Student Affairs. UAFS Police also conducts RAD training throughout the year. Other awareness and intervention programs are offered through the year.

The Title IX Office, Student Affairs, and a number of other groups sponsor these programs. Examples from 2021 include:

- "Walk a Mile in Her Shoes," a statement of solidarity by men committed to reducing violence against women

- "Rising in the River Valley, a community-oriented celebration of prevention, awareness, and survival of domestic abuse involving numerous community groups, such as the local Crisis Center, and hosted on our campus.
- Title IX, Title IX Procedures, Title IX Volunteer Group, Title IX for Staff, Mandatory Reporting for Athletic Staff, Student Government Association, ROTC, Faculty and International Students, Cross Examination.
- Sexual Assault Awareness Month
- "Second Assault" documentary and discussion
- Smart Phone Sexual Assault
- Denim Day
- Block Party and Fresh Check

Other programs put on by Housing include Pizza and Planners, XOXOO in the HO, Condom Sense, Cover your banana, SebCo Block Party, Think Before You Drink, Booze!, Safe Sex Snacks, Spooky Care Package, Splash of Spooky and Trivia with Steven. Title IX trainings, conducted by Title IX coordinators, deputies, and other trained personnel, also address some of the same issues, as do Residence Life and Greek Life programs. Student organizations such as the Student Nurses Association augment these efforts. The Financial Aid Office is responsible for training all new student employees in Title IX obligations. All incoming UAFS students receive an educational handout on Title IX, sexual assault, and violence. Beginning in 2014 all incoming students also received in-person training on the basics of Title IX. The UAFS Housing Office provides Title IX programs to residents and posts Title IX on Housing bulletin boards. An additional project dealing primarily with opioid use/abuse was the SAVE Ar Students project.

UAFS prohibits acts that constitute sexual harassment, domestic violence, dating violence, sexual assault, and stalking. Definitions of these acts are provided below.

Specialized Title IX trainings are provided for certain groups, including student athletes, international students, resident assistants, and the ROTC battalion, fraternity and sorority life, as well as faculty and staff. Human Resources provides Title IX training for all new UAFS employees.

Dating Relationship: A romantic or intimate social relationship between two individuals that shall be determined by examining the following factors:

- The length of the relationship;
- The type of the relationship; and
- The frequency of interaction between the two individuals involved in the relationship

Domestic Abuse:

- Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault between family or household members; or
- Any sexual conduct between family or household members, whether minors or adults, that constitutes a crime under the laws of this state; and
- "Family or household members" means spouses, former spouses, parents and children, persons related by blood within the fourth degree of consanguinity, any children residing in the household, persons who presently or in the past have resided or cohabited together, persons who have or have had a child in common, and persons who are presently or in the past have been in a dating relationship together.

Harassment: Harassment can include shoving, striking, kicking, or otherwise touching a person without good cause or even threatening to do so. Harassment can also involve the use of obscene language or gestures in a public place. Following a person or continually being present outside of a school, place of employment, vehicle, or residence may be considered harassment.

Sexual Assault Second Degree: A person commits sexual assault in the second degree if the person:

- Engages in sexual contact with another person by forcible compulsion; or
- Engages in sexual contact with another person who is incapable of consent because the person is physically helpless, mentally defective, or mentally incapacitated; or
- Being eighteen (18) years of age or older, engages in sexual contact with the sex organs of another person who is not the person's spouse, and who is less than fourteen (14) years of age. (Arkansas)

Sexual Contact: Any act of sexual gratification involving the touching, directly or through clothing, of the sex organs, buttocks or anus of a person, or the breast of a female. (Arkansas)

Stalking: A person commits stalking in the first degree if he or she purposely engages in a course of conduct that harasses another person and makes a terroristic threat with the intent of placing that person in imminent fear of death or serious bodily injury or placing that person in imminent fear of the death or serious bodily injury of his or her immediate family.

UAFS procedures will be employed once an incident of domestic violence, dating violence, sexual assault, and stalking has been reported. Possible sanctions or protective measures that UAFS may impose following a final determination:

- If a student is found responsible for violating the Student Code of Conduct by committing sexual harassment, domestic violence, sexual assault, dating violence, or stalking, sanctions may range from warnings and educational requirements to suspension or expulsion from the University. For employees, sanctions may range from warnings and educational requirements up to termination.
- Protective measures that may be employed range from no-contact orders to a ban from campus property. In addition, changes in academic arrangements, on-campus living arrangements, work arrangements, or schedules for access to various facilities may all be addressed to minimize the impact of a sex offense, stalking, domestic violence, or dating violence.

Bystander Intervention Suggestion

UAFS implemented a social marketing program in fall 2014. Called #umatter, the program targets specific topics over the course of the academic year. These topics are frequently focused on topics related to sexual assault prevention and include bystander intervention and alcohol use facts and statistics.

The UAFS Student Affairs staff members provide training in the bystander skills training program titled Step Up! The program is based on theories of bystander intervention, prosocial behavior, motivational interviewing, cognitive dissonance, and social norms. The program provides attendees with skills to step up in a variety of situations from direct and indirect methods to emergency and non-emergency situations.

Two examples of culturally relevant programming occurred between academic years 2014 and 2015. Student feedback on our New Student Orientation presentation identified the presence of alcohol in all of our embedded video scenarios as unrealistic. Based on the students' comments, which was supported by data from our first Campus Climate Survey (administered in spring 2014), we created a new video, scripted by a student leader, which involved no alcohol. An additional example is the invitation by a Greek letter social fraternity of representatives from our local Crisis Intervention Center (CIC) to discuss sexual encounters with that group. The CIC also provided trainings during our residential orientation, or Cub Camp. The cultural benefit in both instances, but especially the case of the fraternity, is that the CIC staff are not university employees, are not present on a daily basis, and do not have to report issues to us. The reports are that the conversations were more frank and in-depth than are typically the case with campus-based facilitators.

In the Moment (from Mediation@MIT)

- Name or acknowledge the offense
- Point to the "elephant in the room"
- Interrupt the behavior
- Publicly support an aggrieved person

- Use body language to show disapproval
- Use humor (with care)
- Encourage dialogue
- Help calm strong feelings
- Call for help

Strategies After the Fact

- Privately support an upset person
- Talk privately with the inappropriate actor
- Report the incident, with or without names

Bystanders who intervene in the spirit of a Good Samaritan to assist a victim or prevent an assault will typically be granted partial immunity in case they have violated the Student Code; for example, if they have had a drink on campus. For strategies for intervention while remaining safe, we suggest this online resource through Virginia Tech.

Procedures Victims Should Follow

- The importance of preserving evidence
- To whom the alleged offense should be reported
- Options regarding law enforcement:
  - Notify local law enforcement
  - Be assisted by campus authorities
  - Decline to notify such authorities
  - Where applicable, the rights of victim's No Contact Order

Importance of Preserving Evidence

Victims are encouraged to preserve evidence for any possible investigation, even if at the time no decision has been made about how, whether, or where to file a report. Depending on the nature of the incident, evidence may include: clothing or bedding, names of witnesses; pictures of the room or location after an incident; text messages, emails, tweets, phone messages and other electronic media; and in the most severe cases, a medical examination (preferably before bathing or changing clothes).

To Whom a Complainant Should Report

- UAFS Coordinator for Title IX: Dr. Lee Krehbiel, Vice Chancellor for Student Affairs, 479-788-7310
- Deputy Coordinator for Students: Kathryn Janz, 479-788-7413
- Deputy Coordinator for Employees and Guests: Brittany Slamons, 479-788-7084
- Deputy Coordinator for Athletics: Katie Beineke, 479-788-7687

Reports can be made to University Police, Residential Life, the Office of the Vice Chancellor for Student Affairs, or any of the Title IX coordinators or deputy coordinators listed above.

If you want full confidentiality, and the issue is not an immediate life emergency, speak with a professional counselor, clergy member, or health care provider (e.g., the University Counseling Center at 479-788-7398, or off-campus at the Crisis Intervention Center 479-782-1821 or 24-Hour Hotline: 800-359-0056)

Options for Reporting and Receiving Assistance to Report to Law Enforcement

Persons wishing to report an incident may do so on their own behalf or on the behalf of another person. UAFS personnel should always make the option of filing a report with the police known.

The university has its own police department, which can coordinate with other local law enforcement agencies as needed. The university also offers personal assistance to reporters who wish to speak with local or municipal law enforcement. Assistance in contacting the police is available through the Office of Student Affairs (788-7310), through University Housing staff, or through any of the Title IX coordinators or

deputies. Persons retain the right to decline reporting to such authorities.

Rights of Victims for No Contact Orders (NCO)
Persons reporting a complaint have the option of requesting a no contact order if the other party attends class on campus, resides on campus, or otherwise frequents campus. A formal restraining order may also be sought through a local judge. Initiating that process can be facilitated by the University Police. In some cases, a preliminary letter may be requested from the prosecuting attorney, who can inform a person that certain actions alleged to have occurred, if they were ever repeated and verified, might violate a certain statute(s) and result in criminal charges.
Procedures for institutional disciplinary action in case of alleged domestic violence, dating violence, alleged sexual assault, or stalking, which shall include a clear statement that:
Such proceedings shall

- Be prompt, fair, and impartial investigation and resolution
- Be conducted by official who undergo annual training. The accuser and accused shall receive the same opportunities…

Both the accuser and accused shall be simultaneously informed, in writing, of:

- The outcome
- The institution's procedures
- Any change to the results that occur prior to the time that such results become final

When such results become final:

- Information about keeping the confidentiality of victims,
- Written notification of resources for victim,
- Written notification about options for, and available assistance in changing living arrangements

Context and Rights
In cases of alleged domestic violence, dating violence, sexual assault, or stalking, the university will provide a prompt, fair and impartial investigation and resolution. The officers conducting the investigation and hearings receive training on an annual basis on the nature of these offenses and in how to conduct the investigations and hearings in a manner that protects the safety of victims and promotes accountability.
Both the accused and the complainant, in all of these types of cases, will have equal access to: have others present during a conduct hearing, including at any related meetings; written notification concerning the outcome of the proceeding and any subsequent appeals, including the end of the process; all process related to appeals; confidentiality, including how publicly available record keeping will be accomplished without the inclusion of identifying information about the alleged victim, to the extent allowed by law.
All persons reporting offenses covered by this section will receive a packet of written information covering on- and off-campus support services, such as counseling, student health services, and victim advocacy; options for confidential reporting and legal assistance; options for assistance in changing living, transportation, working, and academic situations, assuming the accommodations are requested and reasonably available. This remains true regardless of the person's decision concerning formal reporting of the alleged crime to campus or community law enforcement.

UAFS Sexual Misconduct Policy and Procedures

The attached Title IX policy outlines the university's process, your rights, and where you can turn to for additional assistance. This includes where and how to report a sexual discrimination claim, what Title IX actually is, what process the university will follow, and various related regulations covering topics like retaliation, confidentiality and confidential listeners, legal and on-campus options, on and off-campus counseling options, interim measures to allow persons to continue functioning in their work and study while an investigation and/or hearing is ongoing, and estimated time tables.

If you ever have any questions, please contact the Title IX coordinator for UAFS, Dr. Lee Krehbiel, at 479-788-7310. Even if you prefer to speak with someone else (e.g., a female Title IX officer or police officer), Dr. Krehbiel can help arrange that.

UAFS TITLE IX POLICY FOR COMPLAINTS OF SEXUAL ASSAULT AND OTHER FORMS OF SEXUAL HARASSMENT: 2021-2022

NOTICE OF NONDISCRIMINATION UNDER TITLE IX

The University of Arkansas - Fort Smith does not discriminate on the basis of sex in the education programs and activities that it operates and is prohibited from doing so by Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq., and the U.S. Department of Education's implementing regulations, 34 CFR Part 106. The University's nondiscrimination policy extends to admission, employment, and other programs and activities. Inquiries regarding the application of Title IX and 34 CFR. Part 106 may be sent to the university's Title IX coordinator, the U.S. Department of Education assistant secretary for civil rights, or both.

JURISDICTION AND SCOPE

Sexual harassment as defined in this policy (including sexual assault) is a form of sex discrimination and is prohibited. Title IX requires the university to promptly and reasonably respond to sexual harassment in the university's education programs and activities, provided that the harassment was perpetrated against a person in the United States. At the time that a formal complaint is filed, the complainant must be participating in (or attempting to participate in) an education program or activity of the university. An education program or activity includes locations, events, or circumstances over which the university exercised substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution.

This policy applies to allegations and complaints of sexual harassment as defined herein. All other complaints of discrimination or misconduct that do not fall within the jurisdiction of Title IX may be addressed through other campus procedures.

This policy shall not be construed or applied to restrict academic freedom at the university. Further, it shall not be construed to restrict any rights protected under the First Amendment, the Due Process Clause, or any other constitutional provisions. This policy also does not limit an employee's rights under Title VII of the Civil Rights Act.

REPORTING

All complaints or reports about sex discrimination (including sexual harassment) should be submitted to the Title IX coordinator or a deputy coordinator:

Lee Krehbiel, Ph.D.
UAFS Title IX Coordinator
Smith-Pendergraft Campus Center Room 201A
479-788-7310
Lee.Krehbiel@uafs.edu

Kathryn Janz
Deputy Title IX Coordinator for Students
Smith-Pendergraft Campus Center 230
479-788-7413
Kathryn.Janz@uafs.edu

Brittany Slamons
Deputy Title IX Coordinator for Employees, Visitors, and Associates
Fullerton Administration Building 235
479-788-7084
Brittany.Slamons@uafs.edu

Katie Beineke
Deputy Title IX Coordinator for Athletics
Stubblefield Center 147
479-788-7687
Katie.Beineke@uafs.edu

In addition, the U.S. Department of Education, Office of Civil Rights, may be contacted by phone at 800-421-3481 or by email at OCR@ed.gov.

Any person may report sex discrimination, including sexual harassment (whether or not the person is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed above, or by any other means that results in the Title IX coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX coordinator.

AMNESTY

The University encourages reporting of incidents of prohibited conduct and seeks to remove any barriers to reporting. The university recognizes that an individual who has been drinking or using drugs at the time of an incident may be hesitant to make a report because of potential consequences for their own conduct. Individuals who report prohibited conduct or participate as witnesses will not be subject to disciplinary sanctions for personal consumption of alcohol and/or other substances.

The university may initiate an educational discussion with individuals about their alcohol and/or drug use or may direct these individuals to services such as counseling for alcohol and/or drug use. Amnesty will not be extended for any violations of University policy other than alcohol/drug use. The use of alcohol, drugs, and/or legally prescribed medication does not justify or excuse behavior that constitutes prohibited conduct under this policy.

FILING REPORT WITH LOCAL LAW ENFORCEMENT

In some instances, sexual harassment may constitute both a violation of this policy and criminal activity. The university grievance process is not a substitute for instituting legal action. The university encourages individuals to report alleged sexual misconduct promptly to campus officials AND to law enforcement authorities, where appropriate. Individuals may file a report directly with local law enforcement agencies by dialing 911. Individuals may also contact any of the following for assistance in filing a report with local law enforcement:

UAFS Police Department
51st St. Annex 100
Fort Smith, AR 72903
479.788.7140

Fort Smith Police Department
100 S. 10th St.
Ft. Smith, AR 72901
479.709.5000

PRESERVING EVIDENCE

It is important that evidence of sexual assault be preserved because it may be needed for prosecuting a criminal case. Victims and others should not alter the scene of an attack. The victim should not change clothes, bathe or shower, drink or eat anything, or brush his or her teeth before reporting the assault. Any items worn by the victim during the assault, but are not currently being worn, and any materials encountered during the assault (i.e., bed sheets, blankets, etc.) should be placed in a paper bag and brought along with the victim to a local hospital emergency department that has kits to collect and preserve evidence of sexual assault.

EMPLOYEES' DUTY TO REPORT TO TITLE IX COORDINATOR

In order to enable the university to respond effectively and to proactively stop instances of sexual harassment, employees must, within 24 hours of receiving information regarding a potential violation of this policy, report information to the Title IX coordinator. Any employee who fails to promptly report a matter to the Title IX coordinator may be subjected to disciplinary action for failing to do so. There are two categories of employees who are exempt from this requirement:

- licensed health-care professionals and other employees who are statutorily prohibited from reporting such information
- persons designated by the campus as victim advocates

OFF-CAMPUS CONDUCT
Conduct that occurs off campus that is the subject of a formal complaint or report will be evaluated to determine whether the matter falls within the university's jurisdiction under Title IX or should be referred to a different department or official within the university.

CONFIDENTIALITY
Except as compelled by law or as required to conduct a full and fair grievance proceeding in response to a formal complaint, the University will treat the information obtained or produced as part of the Title IX procedures as confidential. The University will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetuator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. § 1232g, or FERPA regulations, 34 CFR Part 99, or as required by law, or to carry out the purposes of 34 CFR Part 106, including the conduct of any investigation, hearing, or judicial proceedings arising thereunder.

AVAILABILITY OF COUNSELING AND ADVOCACY
Counseling and other mental health services for victims of sexual assault are available on campus and in the community. Students may use the Student Counseling Center (Pendergraft Health Sciences Center 129, 479-788-7398). Employees of the university may be able to seek help through the Employee Assistance Program (contact Human Resources). Community mental health agencies, such as the Guidance Center (479-478-6664), may also assist, in addition to counselors and psychotherapists in private practice in the area who can provide individual and group therapy. The Crisis Intervention Center in Fort Smith may assist with referrals for individual counseling and support groups and in identifying non- counseling campus and community resources that may be of additional help. The Crisis Center may also have victim advocates upon request. The CIC can be reached at 479-782-1821; their hotline is 800-359-0056.

EDUCATION AND AWARENESS PROGRAMS
The university's Title IX coordinator is responsible for planning and coordinating campus education and awareness programs about all forms of sexual harassment. Programs are presented regularly throughout the academic year, both general education sessions and customized training. Customized sessions often focus on the needs and obligations of specific populations, such as residential students, sorority and fraternity members, ROTC, student-athletes, student organizations, and academic classes. Employee training and professional development is another domain. Campus-wide education and awareness activities are also conducted during Sexual Assault Awareness Month and Welcome Back Week.

GRIEVANCE PROCEDURE
These procedures apply to all grievances regarding conduct that may constitute sexual harassment as defined in this policy (including sexual assault) and that falls within the university's Title IX jurisdiction. All other grievances by students, employees, or third parties shall be addressed through other procedures. The cniversity's Title IX grievance process includes formal and informal procedures that encourage prompt resolution of complaints. In most cases, the complainant's submission of a formal, written complaint to the Title IX coordinator will initiate the formal grievance process. However, the Title IX coordinator may also submit a formal complaint under the circumstances described below. The university will respond promptly to all formal complaints of sexual harassment.

BASIC REQUIREMENTS
The university's grievance process shall adhere to the following principles:

- All relevant evidence — including both inculpatory and exculpatory evidence — will be evaluated.
- Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.
- The Title IX coordinator, investigator, hearing officers or panel members, decision-makers on appeal, persons involved with the informal resolution, and any other persons that play a significant role in the Title

IX grievance process shall not have a conflict of interest or bias for or against complainants or respondents generally or for or against an individual complainant or respondent.

- The respondent is presumed to not be responsible for the alleged conduct until a determination of responsibility is made at the conclusion of the grievance process.
- The time frames for concluding the grievance process shall be reasonably prompt, as set forth in more detail in the procedures below.
- The grievance process may be temporarily delayed, and limited extensions of time frames may be granted, for good cause. In such instances, written notice to the complainant and the respondent of the delay or extension and the reasons for the action will be provided. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurring law enforcement activity; or the need for language assistance or accommodations of disabilities.
- Questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege will not be required, allowed, relied upon, or otherwise used. The university shall not consider, disclose, or otherwise use a party's 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 the capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the university obtains that person's voluntary, written consent to do so for a grievance under this section.
- No party shall be restricted from discussing the allegations under investigation or to gather and present relevant evidence.
- A party whose participation in a hearing, investigative interview, or other meeting shall be provided with a written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

INITIAL REPORT/INTAKE PROCESS

Initial Meeting with Complainant: Promptly upon receiving a report of conduct that could potentially be a violation of Title IX, the Title IX coordinator (or designee) will contact the complainant to schedule an initial meeting to, as applicable:

- Provide a copy of this policy
- Explain the process for filing a formal complaint and provide a copy of the Sexual Harassment Complaint Form on which the complainant may, if he or she agrees to disclose the information, provide details regarding the allegation, including the name of the accused individual and the date, location, and general nature of the alleged violation of policy
- Explain avenues for resolution, including informal and formal
- Explain the steps involved in an investigation and hearing under this policy
- Discuss confidentiality standards and concerns
- Refer to law enforcement, counseling, medical, academic or other resources, as appropriate
- Discuss, as appropriate, possible supportive measures, which are available with or without the filing of a formal complaint

If the complainant requests that no further action be taken and/or that no formal complaint be pursued, the Title IX coordinator (and/or his or her designee) will inform the complainant that retaliation is prohibited and that honoring the complainant's request may limit the University's ability to fully respond to the incident. In the event the complainant stands firm on his or her request that no further action be taken, the Title IX Coordinator will evaluate whether to file a complaint under the criteria set forth below.

FORMAL COMPLAINT PROCESS

Form and Filing of Complaint: The filing of a formal, written complaint initiates the formal grievance process and is available to any person who is participating in (or attempting to participate in) a university educational program or activity. The Title IX coordinator (or an investigator designated by the Title IX coordinator) will investigate the allegations in the formal complaint. Formal complaints can be filed in several ways. The complainant may utilize the form provided or may submit the complainant's own

document that contains the complainant's signature (either physical or digital) and is filed with the university's Title IX Office by U.S. mail, in person, through the Title IX portal provided for this purpose, or by email. The formal complaint should set forth the allegations and request that the Title IX Office investigate the matter.

Filing by Title IX Coordinator: The Title IX coordinator may initiate the grievance process, even where the complainant declines to file a formal complaint, if the coordinator determines that the particular circumstances require the University to formally respond to and address the allegations. Circumstances to be considered include, among others, a pattern of alleged misconduct by a respondent and whether the complaint has alleged use of violence, weapons, or other similar conduct. The Title IX coordinator will also consider the complainant's wishes with respect to supportive measures and desired response by the university. Where a report is made anonymously and the Title IX coordinator files the complaint, both the complainant and respondent will receive notice of the allegations with written details and identities of the parties if known.

Consolidation of Formal Complaints: The Title IX coordinator may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

D**ismissal of Complaint Prior to Resolution:** A formal complaint must be dismissed by the Title IX coordinator if the alleged conduct (1) does not constitute sexual harassment, as defined in this policy, even if proved; (2) did not occur in the university's education program or activity; or (3) did not occur against a person in the United States. In addition, a complaint may be dismissed if, at any time during the investigation or hearing, a complainant notifies the Title IX coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled or employed by the recipient; or specific circumstances prevent the gathering of evidence sufficient to reach a determination as to the formal complaint or any allegations therein.
Upon dismissal of a formal complaint, for any reason, the Title IX coordinator will send simultaneous, written notice of and reason(s) for the dismissal to the parties. The dismissal decision may be appealed pursuant to the procedure for appeals set forth in this policy. Dismissal of a complaint under this Title IX policy does not preclude a complainant from pursuing a grievance through other appropriate campus procedures.

Notice of Formal Complaint: Upon receipt of the formal complaint, the Title IX coordinator will send simultaneous notifications of the filing of the complaint to the complainant and the respondent (if known). If, in the course of an investigation, the Title IX coordinator decides to investigate allegations about the complainant or respondent that are not included in the initial notice, the Title IX coordinator will provide notice of the additional allegations to the parties whose identities are known. The initial notice will contain the following:

- The allegations of the complaint that potentially constitute sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview (including the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment under this policy, and the date and location of the alleged incident, if known)
- A copy of the Title IX policy
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process
- A statement informing the parties that they have a right to have one advisor of their choice to assist them throughout the proceedings who may be (but is not required to be) an attorney
- A statement that the parties have the right to inspect and review all evidence collected during the

complaint process
- A statement that any party who knowingly makes false statements or submits false information during the grievance process will be subject to disciplinary procedures

Initial Meeting with Respondent: If a formal complaint is filed, the Title IX coordinator will promptly schedule an initial meeting with the respondent after the written notice of the formal complaint is sent as described above. Prior to the initial meeting, the Title IX coordinator shall provide a written notice of the date, time, location, participants, and purpose of the meeting, with sufficient time for the party to prepare to participate. During the initial meeting with the respondent, the Title IX coordinator (or designee) will, as applicable:

- Provide a copy of this policy (if not previously provided)
- Explain avenues for resolution, including informal and formal
- Explain the steps involved in an investigation and hearing under this policy
- Discuss confidentiality standards and concerns
- Discuss non-retaliation policy
- Inform of any supportive measures already determined and being provided to the complainant that would directly affect the respondent
- Refer to law enforcement, counseling, medical, academic or other resources, as appropriate
- Discuss, as appropriate, possible supportive measures that can be provided to the respondent

Right to Advisor: Both parties will be advised that they may be accompanied by one advisor/support person to assist them throughout the Title IX process, which can be (but is not required to be) an attorney. The advisor is not allowed to speak or otherwise actively participate during the pre-hearing interviews or meetings. It is the party's responsibility to obtain the services of an advisor, except that the university will make an advisor available to the parties during the hearing to determine responsibility upon request. A party who wants the university to provide an advisor for the determination hearing should make a request within 15 days after the party's filing or receipt of the formal complaint. The advisor's role at the hearing is further explained below (Advisor's Role, p 13).

Emergency Removal: If, after the Behavioral Intervention Team undertakes a safety and risk analysis, the university determines that the respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment, it may remove the respondent from the University's programs or activities. In such instances, the respondent will be provided with a written notice of the reasons for the removal. Within five (5) days of receiving the notice, the respondent may challenge the decision by requesting a meeting with the vice chancellor for student affairs (or designee).

Administrative Leave: Nothing in this policy precludes the University from placing a non-student employee respondent on administrative leave during the pendency of the grievance process.

Supportive Measures: Supportive measures, as defined in this policy, will be based on the facts and circumstances of each situation. The Title IX coordinator is responsible for coordinating the effective implementation of supportive measures. They may include, but are not limited to, the following:

- Counseling
- Extensions of deadlines or other course-related adjustments
- Modifications of work or class schedules
- Campus escort services
- Mutual restrictions on contact between the parties
- Changes in working or housing locations
- Leaves of absence
- Increased security and monitoring of certain areas of the campus

The university will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures.

Informal Resolution: At any time after a formal written complaint is filed but prior to reaching a determination regarding responsibility, the University may facilitate a resolution without a full investigation and adjudication. The complainant and respondent must give their voluntary, written consent to the informal resolution process. The informal resolution process will not be utilized to resolve allegations that an employee sexually harassed a student.

Prior to commencing the informal resolution process, the Title IX coordinator or designee must provide the parties a written notice that includes the following information:

- Notice of the allegations contained in the formal complaint, including dates, location(s), and identities of the parties
- Any agreed upon resolution reached at the conclusion of the informal complaint process will preclude the parties from resuming a formal complaint arising from the same allegations
- At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint
- Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared

COMPREHENSIVE INVESTIGATION

If resolution of the allegations does not proceed through the informal process, the matter will proceed with a comprehensive investigation and resolution through the formal complaint processes.
The Title IX coordinator will be responsible for overseeing the prompt, equitable, and impartial investigation during the formal complaint process. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility shall rest on the university and not the parties.

Assignment of Investigator: If the Title IX coordinator's designee is to conduct the investigation, the Title IX coordinator will forward the complaint to the investigator and share the investigator's name and contact information with the complainant and the respondent.

Conflicts of Interest and Bias: Immediately after the identity of the person who will conduct the investigation is determined and communicated to the parties, the investigator, the complainant, or the respondent may identify to the Title IX coordinator in writing any real or perceived conflicts of interest or bias that the person charged with conducting the investigation (including the Title IX coordinator, where applicable) may have. The Title IX coordinator will carefully consider such statements and will assign a different individual as investigator if it is determined that a material conflict of interest or bias exists.

Overview of Investigation: Upon receipt of the formal complaint, the Title IX coordinator/investigator (hereinafter "investigator") will promptly begin the investigation, which shall include but is not limited to the following:

- Conducting interviews with the complainant, the respondent, and any witnesses (including expert witnesses, where applicable) and summarizing such interviews in written form
- Visiting, inspecting, and taking photographs at relevant sites
- Where applicable, collecting and preserving relevant evidence (in cases of corresponding criminal reports, this step may be coordinated with law enforcement agencies)
- Obtaining any relevant medical records pertaining to treatment of the complainant, provided that the complainant has voluntarily authorized release of the records in writing to the investigator

Inspection and Access to Evidence: The parties may identify to the Investigator any evidence or witnesses they wish to be included as part of the investigation. Both parties will also have equal opportunity to inspect and review any evidence obtained during the investigation. The Investigator will complete the gathering of evidence as soon as practicable, which will ordinarily occur within approximately 30 days after the filing of the formal complaint.
After the gathering of evidence has been completed but prior to completion of the investigative report, the Investigator will provide to each party and party's advisor, if any, any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence (whether obtained from a party or other source), so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. The evidence will be provided in an electronic format or a hard copy. The parties will have 5 days to submit a written response to the evidence, which will be considered by the Investigator prior to completion of the investigative report. The evidence will be made available for the parties to use at the hearing to determine responsibility.

Investigative Report: The investigative report shall fairly summarize the relevant evidence and must include the following items and information that is relevant to the allegations in the formal complaint:

- The dates of the Title IX coordinator's initial receipt of a report of alleged sexual harassment against the complainant, intake meeting, and the filing of the formal complaint
- A statement of the allegation(s), a description of the incident(s), the date(s) and time(s) (if known), and location of the alleged incident(s)
- The names of all known witnesses to the alleged incident(s)
- The dates that the complainant, respondent, and other witnesses were interviewed, along with summaries of the interviews
- Descriptions or summaries of any physical or documentary evidence that was obtained (e.g., text messages, emails, surveillance video footage, photographs)
- Any written statements of the complainant, respondent, or other witnesses
- The response of university personnel and, if applicable, university-level officials, including any supportive measures taken with respect to the complainant and respondent

The investigator shall provide a draft of the investigative report to the Title IX coordinator for review before the report becomes final. An electronic or hard-copy version of the final investigative report will be provided to each party (and each party's advisor) concurrently. The investigative report shall be provided as soon as practicable after the parties have submitted their written responses to the evidence (if any) and at least 10 calendar days prior to the determination hearing. The parties may provide a written response to the investigative report within 5 calendar days after receiving it.

DETERMINATION HEARING
Following the conclusion and distribution of the investigative report, a hearing will be conducted to determine the outcome and resolution of the complaint. The parties and their advisors, if any, will be notified by the Hearing officer, Hearing Panel chairperson, or Title IX coordinator of the date, time and location of the hearing, as set forth in the notice provisions below.

Hearing Officer or Hearing Panel: Within three (3) days of the release of the investigative report to the parties, the chancellor or their designee, typically the Title IX coordinator, will appoint:

1. a single Hearing officer who may be (but is not required to be) an outside person not permanently employed by the university

OR

2. a three-member Hearing Panel, which shall be composed of at least two (2) faculty and/or staff members and may include (but is not required to include) one outside person who is not permanently employed by the university. If a Hearing Panel will be used, the chancellor or their

designee will select one member of the Hearing Panel to act as the chair. The Title IX coordinator will provide a copy of the formal complaint and the investigative report, along with the parties' written responses to the investigative report, to the Hearing officer or each member of the Hearing Panel.

Promptly after the appointment of the members of the Hearing Panel, the Title IX coordinator will provide concurrent written notice to the complainant and the respondent, setting forth the names of the individuals selected to serve as the Hearing Officer or member of the Hearing Panel. The parties may challenge the participation of any decision-maker based on bias or a conflict of interest by submitting a written objection to the chancellor or their designee within three (3) calendar days of receipt of the notice. Any objection must state the specific reason(s) for the objection. The chancellor or their designee will evaluate the objection and determine whether to select a new Hearing officer or alter the composition of the Hearing Panel. Failure to submit a timely and proper objection will constitute a waiver of the objection. Any changes in the Hearing officer or Hearing Panel will be provided in writing to both parties prior to the date of the hearing.

Submission of Witnesses Lists: Within five (5) calendar days of receipt of the notice of the Hearing officer or Hearing Panel, both parties may provide to the Hearing officer or chair of the Hearing Panel a list of witnesses, if any, that they propose be called to testify and a brief description of each proposed witness's connection to and/or knowledge of the issues in dispute. Absent good cause, a party cannot include a witness on the party's pre-hearing witness list unless the witness was identified during the investigation. The Hearing officer of Hearing Panel reserves the right to call relevant witnesses who may not have been included on a party's witness list.

Notice of the Hearing: Not less than five (5) days but not more than 10 days after delivery of the notice of the Hearing officer's identity or initial composition of the Hearing Panel, the Hearing officer or chair of the Hearing Panel will provide a separate notice to the complainant, respondent, and any other witnesses whose testimony the Hearing officer or Hearing Panel deems relevant, requesting such individuals to appear at the hearing to determine responsibility. The notice should set forth the date, time, and location for the individual's requested presence. The Hearing officer or Hearing Panel shall provide, in its notice to the parties, the names of the witnesses that the Hearing officer or Hearing Panel plans to call. The hearing shall be conducted promptly but no sooner than 10 calendar days after release of the investigative report.

Failure to Appear: If any party fails to appear at the hearing if requested to do so, and such party was provided notice of the hearing as set forth above, then absent extenuating circumstances, the Hearing officer or Hearing Panel will proceed to determine the resolution of the complaint. As explained below, if a party fails to appear, it is unlikely that the Hearing officer or Hearing Panel will consider the non- appearing party's version of events based on another source, such as the formal complaint or a prior statement.
If any party fails to appear at the hearing if requested to do so, and such party was provided notice of the hearing as set forth above, then absent extenuating circumstances, the Hearing officer or Hearing Panel will proceed to determine the resolution of the complaint. As explained below, a party's failure to appear may impact the Hearing officer or Hearing Panel's consideration and weight given to the non-appearing party's version of events based on another source, such as the formal complaint or a prior statement.

Option for Virtual or Separate Presence: Live hearings may be conducted with either all parties present in the same geographic location or, at the university's discretion, any or all parties and witnesses may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other. Either party may request not to be in the same room as the other party. If any party makes such a request, then both parties will be required to attend the hearing from a location or room different from where the Hearing officer or Hearing Panel is sitting. If the hearing is virtual, or there is a request for separate rooms at a physical location, the university will ensure that all participants are able to simultaneously see and hear the party or witness answering questions. Instructions will be provided for accessibility prior to the hearing date.

Recordings: An audio or audio-visual recording will be created of the live hearing and will be made available for inspection and review at any party's request.

Advisor's Role at Hearing: The complainant and respondent may be accompanied by an advisor during the hearing to determine responsibility. A party must identify his or her advisor (if any) at least five (5) days prior to the hearing. The advisor's role at the hearing shall consist of:

1. providing private advice to the party he/she is supporting

AND

2. questioning the opposing party and other witnesses.

The advisor can be anyone, including an attorney. A party may arrange for the party's advisor of choice to attend the hearing at the party's own expense. Alternatively, the University will select and provide an advisor to assist a party at the hearing to determine responsibility, without fee or charge, upon request. In either scenario, the advisor may only participate in the hearing to the extent allowed under this policy. A party who wants an advisor to be provided by the university should notify the Title IX coordinator at least 15 days after the filing or receipt of the formal complaint.

Evidentiary Matters and Procedure: The parties, through their advisors, shall have an equal opportunity to question the opposing party and other witnesses, including fact and expert witnesses, and present other inculpatory or exculpatory evidence. Formal rules of evidence will not be observed during the hearing. The Hearing officer or Hearing Panel will conduct the initial questioning of witnesses prior to the questioning by an advisor. The Hearing officer or chair of the Hearing Panel (acting alone or in consultation with other panelists) will make all determinations regarding the order of witnesses, relevancy of questions, and the evidence to be considered or excluded during the hearing and decision-making process. The Hearing officer or Hearing Panel may, in its discretion, choose to call the Investigator for the purpose of providing an overview of the investigation and findings.

Witness Examinations by the Parties: Each party's advisor is permitted to question the opposing party and the other witnesses, so long as the questions are relevant and not duplicative of the questions posed by the Hearing officer or Hearing Panel. The questions may include challenges to credibility. No other questioning or speaking participation by an advisor will be allowed. A party may not examine a party or witness directly; rather, a party must utilize the services of an advisor for the purpose of posing questions to another party or witness. A party not represented by an advisor may, however, submit a list of proposed questions to the Hearing officer or Chair of the Hearing Panel and ask that the questions be posed to the opposing party or witness.

The decision-maker(s) cannot draw an inference about the responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions. In a circumstance where a party or witness does not participate in a hearing, the panel should weigh the facts and circumstances in determining whether to consider, and what weight to assign, any statements furnished outside the hearing process.

The Hearing officer or chair of the Hearing Panel will make determinations regarding relevancy of questions before a party or witness answers. If a determination is made to exclude the question based on relevancy, the Hearing officer or Panel chair will provide an explanation of why the question was deemed irrelevant and excluded. The Hearing officer or Panel chair may disallow the attendance of any advisor if, in the discretion of the Hearing officer or Panel chair, such person's presence becomes disruptive or obstructive to the hearing or otherwise warrants removal. Advisors will be not be permitted to badger or question the opposing party or any witness in an abusive or threatening manner. Absent accommodation for a disability, the parties may not be accompanied by any other individual during the hearing process except as set forth in this policy. University officials may seek advice from the university's Office of General Counsel on questions of law, policy, and procedure at any time during the process.

Prior Sexual Conduct: 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.

Confidentiality and Disclosure: To comply with FERPA and Title IX and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, the grievance process is not open to the general public. Accordingly, documents prepared in anticipation of the hearing (including the formal complaint, investigative report, evidentiary materials, notices, and prehearing submissions), recordings of the hearing, and documents, testimony, or other information used at the hearing may not be disclosed outside of the hearing proceedings, except as may be required or authorized by law.

Decision of the Hearing Officer or Panel and Standard of Evidence: Following the conclusion of the hearing, the Hearing officer or Hearing Panel will confer and determine whether the evidence establishes that it is more likely than not that the respondent committed a violation of this policy. In other words, the standard of proof will be the preponderance of the evidence. This standard applies to complaints against both students and employees. In reaching the determination, the Hearing officer or Hearing Panel will objectively and thoroughly evaluate all relevant evidence, both inculpatory and exculpatory, and reach an independent decision, without deference to the investigative report. If a Hearing Panel is utilized, the determination of responsibility shall be made by majority vote.

Written Determination of Responsibility: As soon as practicable following the hearing (and ordinarily within 10 days thereafter), the Hearing officer or Panel chair shall complete a report of the decision-maker's findings. The Hearing officer or Panel chair will send simultaneous notification of the decision to both parties and their advisors, where applicable, with the following information:

- Identification of the allegations potentially constituting sexual harassment under the policy
- 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 the hearing held
- Findings of fact that support the determination
- Conclusions regarding the application of the university's conduct standards to the facts
- A statement and rationale for the result as to each allegation, including a determination as to responsibility using the preponderance of the evidence standard
- Any disciplinary sanctions imposed on respondent
- Whether any remedies designed to restore or preserve equal access to the university's education program or activity will be provided to the complainant (description of remedies is not included)
- Procedures and permissible bases for the parties to appeal

Sanctions: If the Hearing officer or Hearing Panel determines that more likely than not the respondent committed a violation of this policy, then the Hearing officer or Hearing Panel will determine sanctions and give consideration to whether a given sanction will:

- bring an end to the violation in question,
- reasonably prevent a recurrence of a similar violation

AND

- remedy the effects of the violation.

Sanctions for a finding of responsibility will depend upon the nature and gravity of the misconduct, any record of prior discipline for a violation of this policy, or both. The range of potential sanctions is set forth in the definitions section of this policy.

Ordinarily, sanctions will not be imposed until the resolution of any timely appeal under this policy. However, if it is deemed necessary to protect the welfare of the victim or the university community, the Hearing officer or Hearing Panel may recommend to the decision-maker on appeal that any sanctions be imposed immediately and continue in effect until such time as the appeal process is exhausted.

Remedies: Where a determination is made that the respondent was responsible for sexual harassment, the Hearing officer or Hearing Panel will determine any final remedies to be provided to the complainant, if any, and the Title IX coordinator will communicate such decision to the complainant and the respondent to the extent that it affects them. Remedies must be provided in all instances in which a determination of responsibility for sexual harassment has been made against the respondent. Remedies must be designed to restore or preserve equal access to the university's education program or activity. Such remedies may include the same individualized services described above as "supportive measures"; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

No Retaliation: The Title IX coordinator will take steps to prevent any harassment of or retaliation against the complainant, the respondent, or third parties, such as informing them about how to report subsequent problems, following up with them to ensure that there are no subsequent problems, and providing training for the campus community.

APPEALS

Procedure for Appeals: Both the complainant and the respondent may appeal from

- the Title IX coordinator's dismissal of a formal complaint or any allegations therein

OR

- the Hearing officer or Hearing Panel's determination.

The appeal should be submitted in writing to the Title IX coordinator within five (5) days of receipt of the Hearing officer or Hearing Panel's decision. The Title IX coordinator will forward the appeal to the chancellor. The appeal will be decided based on the written record and without deference to the decision of the Hearing officer or Hearing Panel.

If the respondent is an employee, the chancellor or their designee will decide the appeal. If the respondent is a student, the appeal will be decided by the chancellor or their designee or, in the alternative, the chancellor will designate an Appeal Panel comprised of at least two (2) faculty and/or staff members. One of the members of the Appeal Panel can be (but need not be) an outside person who is not an employee. If an Appeal Panel is utilized, the chancellor shall designate one of the panelists as the chair of the Appeal Panel. The chair of the Appeal Panel (in cases where the respondent is a student and a panel is utilized) or the chancellor or designee (in other cases) shall make any decisions concerning appellate jurisdiction under the permissible grounds for appeal described below.

The party appealing may use the Appeal Form or the party may submit his/her own written and signed document. Acceptable means of notification include email, facsimile, hand-delivered notification, or postal delivery. The Title IX coordinator will promptly inform the other party of the appeal.

Grounds for Appeal: The appeal from the decision of the Hearing officer or Hearing Panel must be for one of the following reasons:

- a procedural irregularity that affected the outcome of the decision;
- there is new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made and that could affect the outcome of the matter;

OR

- the Title IX coordinator, investigator(s), Hearing officer, or Panel member(s) had a conflict of interest or bias for or against complainants or respondents in general or against an individual complainant or respondent that affected the outcome.

Responses: Within five (5) days of receipt of the appeal, the other party may submit a written statement in response to the appeal and which supports or challenges the dismissal or determination. The response should be submitted to the Title IX coordinator, who shall provide a copy to the decision-maker and the appealing party.

Decision on Appeal: As soon as practicable after receiving the parties' written submissions (and ordinarily within approximately 10 days), the chancellor (or designee) or Appeal Panel will issue a written decision describing the result of the appeal and the rationale for the result. The decision on appeal may uphold the decision, modify it, or remand for further factual development. The decision-maker on appeal will concurrently notify the complainant and the respondent of the decision, with a written copy provided to the Title IX coordinator.

Employees: All non-tenure track faculty and staff members of the university without term contracts are at-will employees who may be terminated at any time, with or without cause. With regard to such faculty and staff, nothing in this policy shall create an expectation of continued employment with the university or be construed to prevent or delay the university from taking any disciplinary action deemed appropriate (including suspension and immediate termination of employment) for any violation of state law, federal law or university policy.

TIME PERIODS

The university will make every reasonable effort to ensure that the investigation and resolution of a complaint occurs in as timely and efficient a manner as possible.

Any party may request an extension of any deadline by providing the Title IX coordinator or their respective deputies with a written request for an extension that includes reference to the duration of the proposed extension and the basis for the request.

The Title IX coordinator may also modify timelines in cases where information is not clear, judged to be incomplete, relevant parties are not available for interview, absence of an advisor, concurrent law enforcement activity, the need for language assistance or disability accommodation and/or other circumstances that may arise.

RETALIATION PROHIBITED

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, 34 C.F.R. Part 106, or this policy, or because an 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 part. Intimidation, threats, coercion, or discrimination, including changes 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 sex discrimination of harassment, for the purpose of interfering with any right or privilege secured by Title IX, 34 C.F.R. Part 106, or this policy, constitutes retaliation. However, the exercise of rights protected under the First Amendment does not constitute retaliation.

FALSE REPORTS

Willfully making a false report of sexual harassment or submitting false information during these proceedings is a violation of university policy and is a serious offense. However, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith. Any person who willfully makes or participates in making a false or frivolous report of discrimination, harassment, retaliation or sexual misconduct will be subject to disciplinary action. False reporting may also violate state criminal statutes and civil defamation laws.

EXTERNAL REPORTING AGENCIES
Although complainants are encouraged to resolve their grievances related to discrimination by utilizing this Complaint/Grievance Procedure, they may have the right to file a complaint directly with the following agencies. Individuals who wish to file complaints with these external agencies should make contact as soon as possible and verify any applicable time limits and deadlines.

Office of Civil Rights (OCR)
U.S. Department of Education
1999 Bryan St., Suite 1620
Dallas, TX 75201-6810
Toll Free: 800-421-3481
Telephone: 214-661-9600
Fax: 214-661-9587
Email: OCR.Dallas@ed.gov

NSF Grantees Only
National Science Foundation Office of Diversity and Inclusion 2415 Eisenhower Ave.
Alexandria, VA 22314
Telephone: 703-292-8020
Fax: 703-292-9072
Email: ProgramComplaints@nsf.gov

EFFECTIVE DATE
The university reserves the right to make changes and amendments to this policy as needed, with appropriate notice to the campus community. However, the policy in force at the time that a complaint is filed will be the policy used throughout the investigation, hearing, and any appeals.

RETENTION OF RECORDS
For a period of at least seven (7) years, the university will maintain the records of:

- Each sexual harassment investigation, including any determination regarding responsibility, any recordings or transcripts, disciplinary sanctions, and remedies provided to the complainant
- Any appeal and the result therefrom
- Any informal resolution and the result therefrom
- All materials used to train Title IX coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. These materials will be made publicly available on the University's website.
- Records of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, along with documentation of the university's bases for its conclusion that its response was not deliberately indifferent.

Documentation pertaining to terminations, expulsions or educational sanctions may be retained indefinitely.

DEFINITIONS

Complainant: Any individual who is alleged to be the victim of conduct that could constitute sexual harassment. At the time of the filing of a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the recipient with which the formal complaint is filed. Any person may report sex discrimination, including harassment, whether or not the person reporting is the person alleged to be the victim of discrimination or harassment.

Consent: Consent is clear, knowing, and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, if those words or actions create

mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity. If coercion, intimidation, threats, or physical force are used, there is no consent.
If a person is mentally or physically incapacitated so that the person cannot understand the fact, nature, or extent of the sexual situation, there is no consent. Incapacitation can be due to alcohol or drugs or being asleep or unconscious. This policy also covers incapacity due to mental disability, involuntary physical restraint, or from the taking of rape drugs. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Brundage, etc. is prohibited, and administering one of these drugs to another person is a violation of this policy. More information on these drugs can be found at 911rape.org.
Use of alcohol or other drugs will never function as a defense to a violation of this policy. An individual violates this policy if the individual initiates and engages in sexual activity with someone who is incapacitated, and

- the individual knew the other person was incapacitated,

OR

- a sober reasonable person under similar circumstances as the person initiating the sexual activity would have known the other person was incapacitated.

There is also no consent when there is force, expressed or implied, or use of duress or deception upon the victim. Whether an individual has taken advantage of a position of influence over an alleged victim may be a factor in determining consent.
Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes overt threats, implied threats, intimidation, and coercion that overcome resistance or produce consent.
Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.
Under Arkansas law the age of consent varies with the degrees of assault, the age of the actor, and the relationship of the actor to the other party. For specific information, please refer to Arkansas statutes (e.g., Arkansas Code Annotated § 5-14-125, Sexual Assault in the Second Degree).
Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity. In addition, previous relationships or prior consent cannot imply consent to future sexual acts.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such relationship is determined based on consideration of:

- the length of the relationship;
- the type of relationship;

AND

- the frequency of interaction between the persons involved in the relationship.

Days: Refers to working days, rather than calendar days, unless otherwise specified.

Domestic Violence: The term includes felony or misdemeanor crimes of violence committed by a current 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 of the victim under the domestic or family violence laws of Arkansas, or by any other person against an adult or youth victim who is protected from that person's acts under the laws of Arkansas. Under the Arkansas law on domestic abuse, "family or household members" means spouses, former spouses, parents and children, persons related by blood within the fourth degree of consanguinity, in-laws, any children residing in the household, persons who presently or in the past have resided or cohabitated together, persons who have or have had a child in common, and persons who are presently or in the past have been in a dating relationship together.

Education Program or Activity: Includes locations, events, or circumstances over which the University exercised substantial control over both the respondent and the context in which the sexual harassment occurred, and also includes any building owned or controlled by an officially recognized student organization.

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 recipient investigate the allegation of sexual harassment. The phrase "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the University) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.

Party: The complainant or respondent.

Preponderance of the Evidence: A standard of proof where the conclusion is based on facts that are more likely true than not.

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

Sanctions: The determination of sanctions to be imposed against a respondent who is found to have been responsible for violating this policy will depend upon the nature and gravity of the misconduct, any record of prior discipline for a violation of this Policy, or both. Sanctions against students may include, without limitation, expulsion or suspension from the University, disciplinary probation, expulsion from campus housing, mandated counseling, and/or educational sanctions. Sanctions against employees and other non-students may include, without limitation, a written reprimand, disciplinary probation, suspension, termination, demotion, reassignment, revision of job duties, reduction in pay, exclusion from campus or particular activities, and/or educational sanctions deemed appropriate.

Sexual Assault: The term "sexual assault" means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. A nonforcible sex offense includes incest (i.e., the nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law) and statutory rape (i.e., nonforcible sexual intercourse with a person who is under the statutory age of consent). A forcible sex offense is any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent. A forcible sex offense includes:

- Forcible rape: the penetration, no matter how slight, of the vagina or anus with any part of the body or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Forcible sodomy: Oral or sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against that person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity;
- Sexual assault with an object: Using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against that person's will in instances where the victim is incapable of giving consent because of his/her youth or because his/her temporary or permanent or physical incapacity.
- Forcible fondling: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or against that person's will in instances where the victim is incapable of giving consent because of his/her youth or because his/her temporary or permanent or physical incapacity.

Sexual Harassment: Sexual harassment is conduct on the basis of sex constituting one of the following:

- An employee of the university conditioning the provision of an aid, benefit, or service of the institution
- on an individual's participation in unwelcome sexual conduct;
- 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 university's educational programs or activities; or
- Any of the following:
  - "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v) and this policy
  - "Dating violence" as defined in 34 U.S.C. 12291(a)(10) and this policy
  - "Domestic violence" as defined in 34 U.S.C. 12291(a)(8) and this policy
  - "Stalking" as defined in 34 U.S.C. 12291(a)(30) and this policy

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

Supportive Measures: Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without a fee or charge to the complaint or 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 recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment or deter sexual harassment.

Campus Disciplinary Procedure

If the victim of sexual harassment or sexual assault so desires and all parties involved are members of the university community, the incident can be referred to the university administration to be adjudicated. The victim must request a university administrative judicial hearing. These proceedings are totally separate from any criminal action that may be taken. The victim has the right to change academic and living arrangements, if requested and it is reasonably available.

Both the victim and the accused have the option of having others present during administrative judicial hearings. These individuals are for a support capacity only and may not represent the victim or accused. Both the victim and the accused will be notified of the outcome of any administrative hearing. In some instances it may be appropriate for university faculty and staff members to use the university's formal grievance procedures to address grievances related to allegations of sexual harassment or sexual assault. The faculty and staff grievance procedure is described in the university's Employee Handbook.

Upon request the institution will disclose the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of any crime of violence or non-forcible sex offense to the alleged victim, or next of kin if the victim is deceased.

Campus Disciplinary Sanctions

Sanctions imposed through the University Administrative Judicial System can range from no action up to expulsion from school.

Possible sanctions for violation of VAWA offenses:

- Withholding a promotion or pay increase (for regular or student employees);
- Reassigning employment (for regular or student-employees);
- Terminating employment (for regular or student-employees);
- Temporary employment suspension without pay (for regular or student-employees);
- Compensation adjustments (for regular or student-employees);
- No-contact order of a specified duration;
- Expulsion, or permanent separation, from the university (for students);

- Suspension from the university for a period of time from one semester to ten semesters (fall and spring semesters, with summers normally included as part of the spring semester). Re-admission may be made contingent upon completion of a course of action such as completion of a course related to the offense;
- Suspension for a specified period that allows the party offended against to have reasonable time to finish a course of studies. If the offended party graduates early, or leaves the university without plans to return, the suspension may be re-visited. Re-admission may be made contingent upon completion of a course of action such as completion of a learning module related to the offense;
- Conduct probation for up to four semesters;
- Disciplinary probation (for students; this is one step below suspension) for up to eight semesters;
- Expulsion from campus housing (for any employee or student resident);
- Mandated counseling;
- Educational sanctions as deemed appropriate, such as research papers, interviews, reflections on assigned readings, audio material, or events with presentations, or required courses of learning;
- Ban of specified duration from the entire campus or a specified portion of campus

Campus Sex Crimes Prevention Act

The Federal Campus Sex Crimes Prevention Act, (section 1601 of Public Law 106-386) enacted on Oct. 28, 2000, went into effect Oct. 28, 2002. It is a law that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or those working or volunteering on campus. The law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already registered in a state to provide notice to the appropriate state agency, as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student.

The Clery Act, as amended by the Campus Sex Crimes Prevention Act, requires an educational institution to state the location of where information concerning registered sex offenders is maintained. The Arkansas Registry of Sex Offenders is located at ark.org/offender-search/index.php In accordance with Arkansas law, relevant and necessary information will be disclosed when the information is necessary for public protection. Inquiries regarding registered sex offenders may be directed to the university's Police Department at 479-788-7140.

Policy on Preparing the Annual Disclosure of Crime Statistics

The Clery Report is compiled by University of Arkansas – Fort Smith Police Department. Crime and arrest statistics for the report are compiled from police reports from the files of the UAFS Police Department, Fort Smith Police Department, Sebastian County Sheriff 's Office, and the Crawford County Sheriff 's Office. Judicial referral statistics are provided by the UAFS Office of Student Affairs. We cast a wide net for input from other campus officials. Inquiries are made to the top university administrators (chancellor and vice chancellors), all deans, directors and department heads requesting information, if a crime was reported to anyone in their area and not reported to the police.

Policy on Preparing the Annual Fire Safety Report

The Fire Safety Report is compiled by the UAFS Police Department. Information is gathered from UAFS Police Department files, University Housing, Greek Life, and Plant Operations.

Health and Wellness

Student Health Clinic: UAFS students have access to quality, convenient primary healthcare. A medical doctor or nurse practitioner is always present at the Powell Student Health Clinic during normal operating hours. The clinic is conveniently located on campus on the second floor of the Pendergraft Health Sciences Center. Information contained in student health records is confidential and cannot be released to anyone

(including parents and faculty) without the express written consent of the patient, except as provided for by law. Clinic services include:

- Treatment for common illnesses and minor injuries
- Laboratory when indicated
- Acute care management
- Prescriptions

Hours and Contact Information
Monday, Tuesday, Thursday: 8 a.m. to noon and 1-5 p.m.
Wednesday and Friday: 8 a.m. to noon
Phone: 479-788-7444
Email: StudentHealth@uafs.edu
No appointment necessary
Clinic hours are subject to change. The last patients will be seen at 11:30 a.m. and 4:30 p.m.

Counseling Center: College life can be an exciting and a unique experience; however, there are times when the stress of juggling studying, working and a personal life may be overwhelming and frustrating. Many students find themselves dealing with anxiety, substance abuse, depression and suicidal thoughts. The UAFS Counseling Center is available to assist students.
The Counseling Center is committed to treating the psychiatric, behavioral and emotional needs of the university's students. The center's licensed, caring mental health professionals understand that mental illness and disorders are real and they are here to help students navigate through these "rough waters." The Counseling Center supports the mission of the university by enabling students to maximize their educational experience through counseling and psychotherapy.
All students are eligible for up to eight (8) sessions per year at no additional charge.
The Counseling Center is conveniently located in Pendergraft Health Sciences Center 129. Students should call 479-788-7398 to schedule a free, confidential appointment.

Missing Student Policy

A missing student is defined as any currently registered student at the University Arkansas – Fort Smith who has not been seen by friends, family members or associates for a reasonable length of time, and whose whereabouts have been questioned and brought to the attention of a member of the university community. Missing students should be reported to the UAFS Police Department immediately.
The Office of Housing and Residential Life will initiate an investigation when notified by UAFS Police that a student, who resides in a university apartment/residence hall, is missing, with no reasonable explanation for his/her absence. In the event of a missing student residing on campus, the director of Housing and/ or the vice chancellor for student affairs will notify the contact person (if 18 or older) or parents/family members (under 18) regarding the situation. The missing student's contact person information is registered and confidential. During this process the student's contact information will be registered confidentially. This information would be accessible only to authorized campus officials and would only be disclosed to law enforcement personnel in furtherance of a missing person's investigation.
If a student is under 18 years of age and not emancipated, the institution will notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student.
Resident assistants or resident directors who determine that a resident has been missing for longer than 24 hours shall immediately report the same to their resident director or director of Housing, respectively.
If a member of the university community has reason to believe that a resident has been missing for 24 hours, he or she should immediately notify the University Police Department at 479-788-7140), dean of students, or the vice chancellor for student affairs at 479-788-7310. UPD, upon notice, will generate a

missing person report and initiate an investigation with the assistance of Housing and Residential Life.
In addition to notification to UAFS Police, the institution will notify the local law enforcement agency within 24 hours of the determination the student is missing unless the local law enforcement agency was the agency that made the determination the student was missing.
In the event the student does not reside in a university residence hall, the appropriate municipal local police authorities will be notified by UAFS Police, and an investigation will be initiated.

Three-Year Disclosure of Campus Crime Statistics for the University of Arkansas - Fort Smith

Definitions of Reportable Crimes

Criminal Homicide

- Murder and non-negligent manslaughter: The willful (non-negligent) killing of one human being by another.
- Negligent manslaughter: The killing of another person through gross negligence

Sex Offenses

- Forcible rape: The carnal knowledge of a person, forcibly and/or against that person's will; or to forcibly or against the person's will, where the victim is incapable of giving consent because of his or her temporary or permanent mental or physical incapacity (or because of his or heryouth)
- 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 his/her age or because of his/her temporary or permanent mentalcapacity
- Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited bylaw
- Statutory Rape: Non forcible sexual intercourse with a person who is under the statutory age of consent

Robbery

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by a means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary

The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes: unlawful entry with intent to commit a larceny or a felony, breaking and entering with intent to commit a larceny, housebreaking, safecracking, and all attempts to commit any of the aforementioned acts.

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle. (Motor vehicle theft is classified as any case where an automobile is taken by a person not having lawful access, even if the vehicle is later abandoned, including joy riding.)

Arson

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Other Offenses

- Liquor Law Violations: The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned activities. (Drunkenness and driving under the influence are not included in this definition.)
- Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates,Benzedrine).
- Weapons Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: the manufacture, sale, or possession of deadly weapons; the carrying of deadly weapons, concealed or openly.

Hate Crime

A crime reported to local police agencies or to a campus security authority that manifests evidence that a victim was intentionally selected because of the perpetrators bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

- Simple Assault - An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- Intimidation - To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- Destruction/Damage/Vandalism of property - To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- The existence of such a relationship shall be determined based on the reporting party's statement with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- For the purpose of this definition: Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Domestic Violence

A felony or misdemeanor crime 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 of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person's safety or the safety of others; or suffer substantial emotional distress.
- For the purpose of this definition:

  • Course of conduct means two or more acts, including, but not limited to, acts in which the stalker 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.

  • Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

  • Reasonable person means a reasonable person under similar circumstances and with a similar identity to the victim.

	On Campus			On-Campus Housing			Non-Campus			Public Property		
Crime	2019	2020	2021	2019	2020	2021	2019	2020	2021	2019	2020	2021
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Rape	10	0	2	4	0	2	0	4	0	0	0	0
Fondling	0	1	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	1	1	0	1	0	0	0	0	0	0	0
Burglary	5	4	0	1	0	0	1	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	1	0	0	1	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Arrest - Liquor Law Violation	0	0	0	0	0	0	0	0	0	0	0	0
Arrest - Drug Abuse Violation	2	0	0	0	0	0	0	0	0	1	0	1
Arrest - Weapon Violation	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Liquor Law Violation	26	31	37	26	31	37	0	0	0	0	0	0
Disciplinary Referral - Drug Abuse Violation	12	5	5	12	5	5	0	0	0	0	0	0
Disciplinary Referral - Weapon Violation	2	1	0	2	1	0	0	0	0	0	0	0
Domestic Violence	2	2	0	0	1	0	0	0	0	0	0	0
Dating Violence	1	1	0	0	0	0	0	0	0	0	0	0
Stalking	4	1	3	0	0	0	0	0	0	0	0	0

Campus: Includes all academic, administrative and athletic buildings on the main campus and all outdoor common areas on UAFS property.

Non-Campus: Includes all UAFS buildings not on the main campus, fraternities, sororities and all other properties of registered student organizations.

Public Property: Streets and associated sidewalks through and around campus.

Residence Halls: Buildings on campus where people live.

Unfounded Reports

No crimes were determined to be "unfounded" by law enforcement officials and subsequently withheld from the crime statistics noted in the charts above.

Hate Crime Reporting

There is one report of a hate crime incident in 2020. The incident was racially motivated. There were no reports of hate crime incidents reported in 2018 or 2019.

Fire Safety Equipment

All suites/apartments are equipped with smoke detectors. Each floor in each residence hall is equipped with fire extinguishers. Fire alarm pull stations are located on each corridor of each hall. Tampering with fire safety equipment or setting off a false alarm is against the law. It also will make the system ineffective and endanger the lives of other residents. Any person who sets off a false alarm, interferes with the operation of the alarm system, damages or removes any part of the alarm system, fire extinguishers, smoke detectors, or exit signs are subject to severe disciplinary action, including dismissal from the residence halls, possible suspension from the university, and/or criminal prosecution. If a smoke detector is detached from the wall for any reason, it is the responsibility of the resident to report it immediately. If not reported, all residents will be held responsible for tampering with fire safety equipment and will be disciplined and/or fined.

Fire Evacuation Procedures

In the event of a fire, all residence hall buildings will be evacuated to protect the health and safety of the residents, guests and visitors. When an alarm is sounded, one must assume there is an emergency and adhere to the following steps:

- REMAIN CALM.
- Evacuate by the nearest safety exit stairway.
- DO NOT USE ELEVATORS. Elevators will either automatically return to the first floor or the UAFS Police will return them to the first floor.
- After departing the residence building, proceed directly to the designated assembly point away from the building. Do not leave the assembly area until told to do so by a responsible official. Suitable emergency shelter will be provided as soon as possible.
- Return to the hall ONLY when told by Fire Department officials, UAFS Police, or a Housing and Residential Life staff member.

Fire Safety Regulations

It is essential that residents observe and follow all fire safety regulations. Electrical appliances with exposed heating elements are prohibited.

All appliances must be UL approved. No open flames (candles, incense, kerosene lamps, etc.) or any incendiary devices are permitted in the residence halls, rooms/suites/apartments.

Smoking is not permitted in the residence halls, including balconies, vestibules, etc.

Reporting a Fire

To report a fire, students and employees should contact: the UAFS Police Department, Fire Department, or a Student Housing and Residential Life staff member.

Communicating a False Alarm

It is a violation of state law and university policy to deliberately sound a false alarm and/or to tamper with fire safety equipment. Violators may face prosecution in the local criminal court system and the university judicial system. Such behavior will not be taken lightly. In the most severe cases, it does endanger lives and at a minimum it disrupts the educational process.

Flammable Materials, Explosives, Fireworks, and Open Flames

Dangerous items such as flammable materials, explosives, and fireworks are not permitted on the university campus or in university buildings except in approved and supervised programs such as ROTC and certain academic programs. Substances which have the potential to cause fires or explosions are not permitted inside the residence halls.

No open flames are allowed. Smoking is not allowed in any residence hall. Halogen lamps are not allowed. Electrical appliances that have an exposed heating element are not allowed in residence halls. Fires in residence halls are known to have resulted from burning candles and/or incense. These items are not allowed in student rooms and/or public areas of the residence halls.

Fire Drills

The purpose of the fire drill is to acquaint residents with a rapid and orderly means of exit during an emergency. Each housing facility conducts no fewer than two fire drills annually. All persons in the building are required to participate in the fire drills and evacuate the building through the exit routes.

Fire Safety Education and Training Programs

Fire safety education programs for all students living in on-campus student housing and all employees that have any association with on-campus student housing are held at the beginning of each semester by the Housing Office. These programs are designed to: familiarize everyone with the fire safety system in each housing facility, train everyone on the procedures to be followed in case there is a fire and distribute information on the university's fire safety policies.

Fire Log

The UAFS Police Department maintains a Fire Log that records, by the date an Incident was reported, all fires that occur in an on-campus housing facility. The Fire Log is available for public inspection at the department's headquarters. The Fire Log includes the nature, date, time, and general location of each fire reported to the department. The department posts fire incidents in the Fire Log within two business days of receiving a report of a fire and reserves the right to exclude reports from the log in certain circumstances.

UAFS 2021 Fire Log

On-Campus Student Housing Facilities	# Fires	Date/Time of Fires	Cause of Fires	Deaths	Injuries	Value of Property Damage
Lion's Den	0	N/A	N/A	0	0	0
Sebastian Commons	1	08-6-21	Cooking	0	0	$100-999

On-Campus Residence Halls	Fire Alarms on Site	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plan Placards	Evacuation Fire Drills Per Year
*Lion's Den	X	X	X	X	X	2
*Sebastian Commons	X	X	X	X	X	2

*Note: No fire alarm monitoring is done from the police department.

Important Definitions

Fire: Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Cause of Fire: The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

Fire Drill: A supervised practice of a mandatory evacuation of a building for a fire.

Fire-Related Injury: Any instance in which a person is injured as a result of afire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term person may include students, faculty, staff, visitors, firefighters, or any other individuals.

Fire-Related Death: Any instance in which a person (1) Is killed as a result of afire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or (2) Dies within one year of injuries sustained as a result of the fire.

Fire Safety System: Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This system includes sprinkler systems or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of fire, such alarms, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.

Value of Property Damage: The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

Per federal law, UAFS is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the non- emergency numbers to call to report fires that have already been extinguished in on-campus student housing. These are fires for which you are unsure whether the UAFS Police Department may already be aware. If you find evidence of such fire or if you hear about a fire, please contact one of the following:

UAFS Police Department: 479-788-7140

UAFS Housing Office: 479-788-7340

Important Contacts and Resources

To report an emergency or a crime in progress anywhere, dial 911 and 479-788-7140.
For other University Police assistance on campus, dial 479-788-7140.
For other police assistance off campus, dial the Fort Smith Police Department: 479-709-5000.
Office of the Vice Chancellor for Student Affairs: 479-788-7310
University Housing Office: 479-788-7340
Campus Recreation and Wellness: 479-788-7596
Office of Non-Traditional Student Support: 479-788-7319
Student Counseling Center : 479-788-7398
Powell Student Health Clinic: 479-788-7444
Office of Human Resources: 479-788-7080
Plant Operations: 479-788-7170
National Clearinghouse for Alcohol and Drug Information: 800-729-6686
Rape, Abuse, and Incest National Network (RAINN): 800-656-4673
National Domestic Violence Hotline: 800-799-7233
Child Abuse Hotline: 800-482-5964
Commission on Child Abuse, Rape, and Domestic Violence: 501-661-7975
Arkansas Poison Control and Information Center: 800-376-4766
Alcoholics Anonymous, Fort Smith Area Intergroup, Central Office: 479-783-0123
Al-Anon Information: 479-441-9705

Sources of Statistics - Other Campus Officials

Chancellor
Provost and Senior Vice Chancellor
Associate Vice Chancellor for Academic Affairs
Associate Vice Chancellor – Campus and Community Events
Vice Chancellor for University Relations
Vice Chancellor for Enrollment Management
Vice Chancellor for Finance and Administration
Vice Chancellor for Student Affairs
Vice Chancellor for University Advancement
Chief/Director – University Police Department
Director – Athletics
Dean – College of Applied Science and Technology
Dean – College of Business
Dean – College of Education
Dean – College of Health Sciences
Dean – College of Humanities
Dean – College of Languages & Communication
Dean – College of Science, Technology, Engineering and Mathematics
Dean – College of Student Success
Department Head – Bachelor of Applied Science and Organizational Leadership
Department Head – Accounting
Department Head – Marketing and Communications
Director – Donor Relations
Director – Alumni Affairs
Director – Information Services
Director – Registrar's Office
Director – Western Arkansas Technical Center
Director – Human Resources
Director – Center for Lifelong Learning
Director – Library Services
Director – Financial Aid
Director – Admissions
Director – Student Advisement and Career Planning
Director – Academic Assessment and Accountability
Director – Plant Operations
Director – Housing
Director – Institutional Effectiveness
Manager – Lions Bookstore
Resident Assistants - Housing
Coaches – Athletic Programs
Director – Women's Intercollegiate Athletics
Director – Testing Services
Director – International Students
Director – Campus Involvement
Director – Greek Life Programs
Director – General Student Services (Non-Traditional)
Director – Center for Students with Disabilities
Director – Recreation and Wellness/Fitness Center
University Press