

**University of Arkansas at  
Monticello**

Monticello - Crossett - McGehee

**2016 Annual  
Security Report/Fire  
Safety Report**

1/23/2017

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The *2016 University of Arkansas at Monticello (UAM), Annual Security Report/Fire Safety Report* is provided to current and prospective students and to employees as part of the University's commitment to the safety and well-being of the UAM community. All policy statements contained in this report apply to all campuses unless otherwise indicated.

### **Policy for Reporting the Annual Disclosure of Crime Statistics**

The University Police Department prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act). The *2016 Annual Security Report/Fire Safety Report* includes statistics for the previous three years (2013, 2014, and 2015) concerning reported crimes/fires that occurred: (1) on-campus; (2) in certain off-campus buildings or property owned or controlled by UAM; and (3) on public property within, or immediately adjacent to and accessible from, the campus. The report also includes institutional policies concerning campus security, such as policies addressing domestic violence, dating violence, sexual assault, stalking, and other matters. In accordance with the Clery Act, the UAM-College of Technology McGehee (UAM-CTM) and UAM College of Technology Crossett (UAM-CTC) are each defined as a separate campus. As a result, the Annual Security and Fire Safety Report separately contains information for all three campuses (Monticello, McGehee, and Crossett), including: 1) crime statistics chart for each campus; and 2) any policy statements at UAM-CTM or UAM-CTC that are different from those of the main campus. The Annual Security and Fire Safety Report is updated each year and a copy of this report may be obtained by contacting University Police at 870-460-1083, Office of Student Affairs at 870-460-1053, or by accessing the UAM web site at:

<http://uam-web2.uamont.edu/pdfs/Student%20Affairs/AnnualSecurityAndFireSafetyReport.pdf>

### **Emergencies and Reporting Crime**

Students, faculty or staff encountering emergencies, violations of University regulations, or crimes in violation of local, state, or federal law should report these incidents to one of the following offices.

#### *Medical emergency –*

University Police, 284 University Dr., Monticello, AR 71656  
870-460-1000 or 870-460-1083 or 911

City of Monticello Police, 101 N Church, Monticello, AR 71655 and Ambulance  
Switchboard – 870-367-3411 or 911

Student Health Nurse, 531 University Dr., Monticello, AR 71656  
870-460-1051 or 911

#### *Other types of emergency –*

University Police, 284 University Dr., Monticello, AR 71656  
870-460-1000 or 870-460-1083 or 911

City of Monticello Police, 101 N Church, Monticello, AR 71655 and Ambulance  
Switchboard – 870-367-3411 or 911

#### *Crimes in violations of local, state or federal law –*

University Police, 284 University Dr., Monticello, AR 71656  
870-460-1000 or 870-460-1083 or 911

City of Monticello Police, 101 N Church, Monticello, AR 71655  
870-376-3411 or 911

*Violations of University regulations –*

Office of Judicial Affairs, 1514 Scogin Dr., Monticello, AR 71656  
870-460-1045

University Police, 284 University Dr., Monticello, AR 71656  
870-460-1000 or 870-460-1083

Responses to these reports will vary according to the situations. Emergencies will receive immediate action to resolve the situation. Reported crimes in violations of local, state or federal law will be investigated by University Police. Information acquired in this investigation will be used in selecting an appropriate course of action. Options for action include: 1) pursuing the alleged violation through the criminal justice system which may include criminal charges and/or protection or no contact orders, 2) pursuing the alleged violation through the University Judicial System, 3) pursuing the alleged violation through both the criminal justice system and the University Judicial System, or 4) taking no action. Reported violations of University policies or regulations will be investigated and, where appropriate, adjudicated by the Office of Student Affairs.

Community members, students, faculty, staff, and guests are encouraged to accurately and promptly report all crimes and public safety related incidents to University Police in a timely manner, including when the victim elects to, or is unable to, make such a report. Crimes should be reported to University Police to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate. If assistance is required from the Monticello Police Department or the Monticello Fire Department, University Police will contact the appropriate unit.

All University Police incident reports are forwarded to the Dean of Students office for review and potential action. University Police officers will investigate a report when appropriate and additional information obtained during the course of the investigation will also be forwarded to the Dean of Students.

The institution will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

### **Clery Act Definitions of Reportable Crimes**

**Murder and Non-Negligent Manslaughter** is defined as the willful (non-negligent) killing of one human being by another.

**Negligent Manslaughter** is defined as the killing of another person through gross negligence.

## **Sex Offenses**

**Rape** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

A. *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 mental incapacity.

**Sex Offenses – Non-forcible** are incidents of unlawful, non-forcible sexual intercourse. Only two types of offenses are included in this definition; incest and statutory rape.

B. *Incest*—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

C. *Statutory Rape*—Sexual intercourse with a person who is under the statutory age of consent.

**Robbery** is 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** is 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 means likely to produce death or great bodily harm.

**Burglary** is the unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft** is the theft or attempted theft of a motor vehicle.

**Arson** is 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.

**Liquor Law Violations** are defined as the violations of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Included in this classification is the furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; underage possession; using liquor by a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and attempts to commit any of the above.

**Illegal Weapons Possession** is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Included in this classification: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.

**Drug Law Violation** is defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those 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-manufactured narcotics which can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

**Domestic Violence** includes felony or misdemeanor crimes of violence committed by a current or former spouse 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, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, 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.

**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; and where the existence of such a relationship shall be determined based on a consideration of the following factors: 1) the length of the relationship; 2) the type of relationship; and, 3) the frequency of interaction between the persons involved in the relationship.

**Stalking** is defined as 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.

**Hate Crime** is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias against a race, gender, religion, disability, sexual orientation, or ethnicity/national origin.

- Race bias: A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).

- Gender bias: A preformed negative opinion or attitude toward a group of persons because those persons are male or female. Gender bias is also a Clery Act-specific term, not found in the FBI's Hate Crime Data Collection Guidelines.
- Gender Identity Bias: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.
- Religion bias: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).
- Sexual orientation bias: A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).
- Ethnicity/national origin bias: A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (e.g., Arabs, Hispanics).
- Disability bias: A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairment that substantially limits one or more of the major life activities or a record of such an impairment or being regarded as having such an impairment.

### **Law Enforcement Authority of University Police Personnel**

University Police has primary responsibility for campus safety. Specifically, University Police is responsible for crime prevention, law enforcement, (which includes enforcing Federal, state and local laws), parking control, emergency response, residence hall security, policing of special events, and various other community services on campus. University Police provides a full range of campus services 24 hours a day, 365 days a year. Some of these services include investigating reports of crimes, conducting follow-ups as necessary, and filing criminal charges or referring the matter (as appropriate) to another department. University Police officers have complete police authority to apprehend and arrest anyone involved in illegal acts on-campus and areas immediately adjacent to the campus pursuant to A.C.A. 25-17-305.

Where appropriate, the campus police may also refer the individual to the Dean of Students. All officers of University Police meet state mandated training requirements and are certified by the Arkansas Commission on Law Enforcement Standards. Major offenses such as rape, murder, aggravated assault, robbery, and auto theft are reported to the local police and joint investigative efforts with officers from University Police and the Monticello Police Department are deployed to investigate these serious felony crimes. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted in the appropriate local, state, or federal court.

While there is no written memorandum of understanding pertaining to the investigation of alleged criminal incidents between University Police and the Monticello Police Department, a



verbal mutual agreement addresses the jurisdictional boundaries (restricted to the UAM campus and the city of Monticello) and the limits of law enforcement authority of University Police officers in off-campus areas. Based on this verbal mutual agreement, University Police officers have the authority to affect an arrest or execute a search warrant within the agreed jurisdictional boundaries. The mutual agreement also provides for reciprocal service to protect the community in the event of a critical incident. When a UAM student is involved in an off-campus offense, University Police officers may assist with the investigation in cooperation with local, state, or federal law enforcement. University Police and Monticello Police Department maintain a close working relationship and Monticello Police Department officers routinely work and communicate with University Police officers on any serious incidents occurring on-campus or in the immediate neighborhood and business areas surrounding campus. UAM operates no noncampus housing and there are no student organization facilities that own, lease or control permanent space (housing, offices, etc) off campus. However, many students live in the neighborhoods surrounding UAM. While the Monticello Police Department and Drew County Sheriff's Department have primary jurisdiction in all areas off-campus, University Police officers can and do respond to student-related incidents that occur in close proximity to campus. University Police officers have direct radio communications with the city police, fire department, and ambulance services to facilitate rapid response in any emergency situation. In addition, the University Police requests specified crime statistics reported to local police agencies that occurred on or near campus and on University controlled or affiliated property be reported for inclusion in the University's Annual Crime Report.

University Police maintains an Arkansas Crime Information Center (ACIC) terminal. Through this system University Police personnel have access to the National Crime Information Center (NCIC) as well as ACIC. These databases are used for accessing criminal histories, nationwide police records, and department of motor vehicle information.

### **Campus Security Authorities**

The Clery Act definition of a Campus Security Authority (CSA) includes all UAM personnel beyond University Police officers that have a significant responsibility for student and campus activities. CSA's, as defined by the Clery Act, have an obligation to assist victims by reporting allegations of Clery Act-defined crimes that they conclude are made in good faith. These crime allegations should be reported as soon as practicable to University Police or to the local police. The intent of including non-law enforcement personnel as CSAs is to acknowledge that many individuals and students in particular are hesitant about reporting crimes to the police, but may be more inclined to report incidents to other campus-affiliated individuals. Although not encouraged, crimes may be reported confidentially to CSAs for inclusion in the annual security report.

### **Confidential Reporting**

Confidential reporting is available if you witness or are the victim of a crime and do not want to pursue action within the University System or the criminal justice system. With your permission, the Chief of University Police or a designee of University Police can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record

of the number of incidents involving students, employees and visitors; determine whether there is a pattern of crime with regard to a particular location, method, or assailant; and when necessary alert the campus community to potential danger. Confidential reports made to University Police or CSAs are counted and disclosed in the annual crime statistic survey for the institution. It is the policy of the University to encourage the reporting of crimes even if the victim does not wish to file a complaint. All faculty and staff are informed of the policy at Professional Development meetings each year. If a crime is reported to the CSA and the victim chooses not to report it to the police, then the faculty or staff member is required to complete a *Crime Incident Report Form*, on-which the victim's name is not required. This form is available at University Police, Office of Residence Life, and Office of Student Affairs. Any information received will be reported to University Police for crime reporting notifications, campus crime statistics reporting, and campus education programs. The Chief of University Police is responsible for the collection, reporting, and disseminating of annual crime statistics from the local police agencies and CSAs for inclusion in the annual crime report. A crime is reported when it is brought to the attention of a CSA or local law enforcement by (regardless of that person's affiliation with the campus): 1) a witness; 2) a victim; 3) a third party; and 4) the offender. The institution will disclose crimes regardless of whether the crimes have been investigated by University Police or local police, and regardless of whether a finding of guilt or responsibility has been assigned. On occasion, an agency will receive a complaint that is determined through investigation to be false or baseless. If the investigation shows that no offense occurred nor was attempted, the reported offense can be classified as "unfounded". Only sworn law enforcement may classify a reported offense as "unfounded."

### **Counselor Confidential Reporting**

The Director of Counseling and Testing, when acting as the counselor, is not considered to be a CSA and is not required to report crimes for inclusion into the annual security report. The counselor determines on a case-by-case basis when and how to encourage clients to report crimes voluntarily to law enforcement for investigation and when and how to confidentially report crimes solely for inclusion in UAM's annual security report.

### **Daily Crime Log**

University Police maintains a daily crime log. The daily crime log discloses all alleged criminal incidents, including non-Clery Act crimes, reported to University Police and the Vice Chancellors for UAM-CTC and UAM-CTM regardless of how much time has passed since the alleged incident occurred.

The Clery Act requires that the daily crime log include specific categories of information including: 1) the nature of the crime; 2) the date and time the crime occurred; 3) the general location of the crime; and, 4) the disposition of the complaint, if known.

University Police and the Vice Chancellors for UAM-CTC and UAM-CTM may temporarily withhold information from the daily crime log in cases where there is clear and convincing evidence that the release of information would: 1) jeopardize an ongoing investigation; 2) jeopardize the safety of an individual; 3) cause a suspect to flee or evade detection; or, 4) result in the destruction of evidence.

The daily crime log for each campus is open to public inspection and available on the UAM website at:

University Police:

[http://uam-web2.uamont.edu/pdfs/UAM\\_PS\\_CRIME\\_LOG.HTML](http://uam-web2.uamont.edu/pdfs/UAM_PS_CRIME_LOG.HTML)

UAM - College of Technology - Crossett:

[http://uam-web2.uamont.edu/pdfs/UAM\\_PS\\_CRIME\\_LOG.HTML](http://uam-web2.uamont.edu/pdfs/UAM_PS_CRIME_LOG.HTML)

UAM - College of Technology – McGehee:

[http://uam-web2.uamont.edu/pdfs/UAM\\_PS\\_CRIME\\_LOG.HTML](http://uam-web2.uamont.edu/pdfs/UAM_PS_CRIME_LOG.HTML)

## **Timely Warning**

Timely warnings are triggered as soon as pertinent information is available about *Clery Act* crimes that have been committed and represent a serious or an ongoing threat. The decision to issue a timely warning shall be decided and initiated, on a case-by-case basis, by considering all available facts, by the Vice Chancellor for Student Affairs, Dean of Students and/or Chief of University Police for the Monticello campus and the CT Vice Chancellors for the Crossett and McGehee campuses.

Timely warnings alert the campus community regarding any *Clery Act* crime committed on the Clery geography that has been reported to University Police, CSAs or local police agencies and is considered to represent a serious or continuing threat to students and employees. Anyone with information warranting a timely warning should report the circumstances to the following:

- Monticello campus – University Police at 870-460-1000 or 870-460-1083 or dial 911.
- Crossett campus – University Police at 870-460-2012 or 870-500-8000 or Ashley County Sheriff’s Department at 870-853-2040 or dial 911.
- McGehee campus – University Police at 870-222-5360 or McGehee Police Department at 870-222-3636 or dial 911.

Timely warnings are typically issued for the following incidents when it is determined that the incident represents a serious or continuing threat to students and employees:

- Murder and non-negligent manslaughter
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known). In cases involving sexual assault are often reported long after the incident occurred, as such, there may be no ability to distribute a “timely” warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a timely warning notice.
- Robbery
- Aggravated assault (cases involving assaults among know parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis

to determine if the individual is believed to be an ongoing threat to the larger community.)

- Major incidents of Arson
- Domestic violence, dating violence, stalking
- Other crimes as determined necessary

A timely warning may be distributed to the campuses using some or all of the following mechanisms:

- WeevilNet email system
- Flyers posted on bulletin boards, exterior doors in academic buildings, residence halls, outdoor boards and administrative buildings.
- Campus meetings and/or announcements
- Posted on one or more campus websites:
  - University Police website:  
<http://www.uamont.edu/pages/university-police/>
  - UAM - College of Technology - Crossett website:  
<http://www.uamont.edu/pages/uam-college-of-technology-crossett/public-safety/>
  - UAM - College of Technology - McGehee website:  
<http://www.uamont.edu/pages/uam-college-of-technology-mcgehee/public-safety/>
  - UAM website:  
<http://www.uamont.edu/>

Information contained in each timely warning will include: 1) specific information about the crime that prompted the alert (date/time/location and nature of the crime); 2) information promoting safety (crime prevention and safety tips); and 3) information that will assist individuals in protecting themselves (what action to take or not take). The name(s) of alleged victim(s) will be withheld as confidential from all timely warnings.

Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences.

*NOTE: FERPA does not preclude an institution's compliance with the timely warning provision of the campus security regulations. FERPA recognizes that information can, in case of an emergency, be released without consent when needed to protect the health and safety of others. In addition, if institutions utilize information from the records of a campus law enforcement unit to issue a timely warning, FERPA is not implicated as those records are not protected by FERPA. [34 CFR.99.31(b) (6) and 99.36]*

## **Emergency Preparedness**

The ultimate goal of emergency preparedness is to promote community safety, assure continuity of emergency response operations, and restore normal University operations and services as quickly as possible following an emergency. The Emergency Procedures Manual identifies key

decision makers and their roles during a significant emergency or dangerous situation occurring on campus that involves an immediate threat to the health or safety of students or employees.

UAM will test the emergency response and evacuation procedures at least once per calendar year. University Police will publicize these procedures in conjunction with this test and document the date and time of the event, as well as provide a description of the exercise.

The University's Emergency Procedures Manual includes information about Incident Teams; University operating status parameters; incident priorities and performance expectations; shelter-in-place and evacuation guidelines; and local contingency and continuity planning requirements. University departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility. The University conducts numerous emergency response exercises each year, such as table top exercises, field exercises, and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution and may be announced or unannounced.

University Police officers have received training in Incident Command and Responding to Critical Incidents on campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually University Police, Monticello Police Department, Monticello Fire Department and Emergency Medical Services, and they typically respond and work together to manage the incident. Depending on the nature of the incident, other UAM departments and other local, state, or federal agencies could also be involved in responding to the incident.

Some emergencies may require the evacuation of a building or the entire campus. The decision to evacuate a building/area will be made by the Chancellor or designee. The evacuation will be carried out under the direction of University Police or other Emergency Personnel with assistance of faculty and/or Student Affairs personnel. Persons evacuated will be escorted to designated areas. University Police or other Emergency Personnel reports safety clearance to the Chancellor or designee, who decides when classes will resume. A post-incident debriefing, presided by the Chancellor or designee will be held to critique the procedures used and modify the plan for greater effectiveness.

### **Building Evacuation**

A building evacuation will occur when a fire alarm sounds and/or upon notification by University Police.

If necessary or directed to do so by University Police, activate the building fire alarm.

Exits are clearly marked in all buildings - Be aware of all marked exits in your area and building.

Know the exit routes in your area.

Never use an elevator to exit a building.

Evacuees should move at least 500 feet from the building.

Know your assembly point so a roll call can be taken.

Once the building has been evacuated, no individual will be permitted to re-enter the building until the Chief of University Police or designee has given approval to re-enter.

Keep streets, fire lanes, hydrant areas, and walkways clear for emergency vehicles and personnel.

If requested or directed, assist the emergency personnel.  
An Incident Command Post (ICP) may be set up near the emergency site.  
Keep clear of the ICP unless you have important information to report.  
If someone is not counted on roll call, notify University Police immediately.  
Do not return to an evacuated building until you are told to do so by authorized personnel.

### **Campus Evacuation**

Individuals who are asked by University Police to evacuate the campus should do so immediately and relocate to a specified assembly point off campus as directed. Special consideration and care will be given to individuals with access and functional needs. Residence Hall evacuation(s) will necessitate the utilization of the UC as a staging area. In some cases, an alternate staging area may be used and will be announced by University Police. A total campus evacuation may require the transportation of individuals to a designated area off campus.

General information about the emergency response and evacuation procedures for UAM are publicized each year as part of the institution's Clery Act compliance efforts, and that information is available on the UAM website at:

<http://uam-web2.uamont.edu/pdfs/Student%20Affairs/EmergencyProceduresGuide.pdf>

Additional information and details (username and password required) pertaining to emergency response and evacuation procedures is located in the UAM Emergency Management Plan (EMP) at: <https://uam-web2.uamont.edu/netlist/emergencymanagementplan.pdf>

### **UAMAlert (Emergency Notification System and Procedures)**

The UAM has partnered with Rave Wireless to provide the UAMAlert emergency notification system. UAMAlert can rapidly provide mass notifications during natural disasters or other emergencies taking place on campus. UAMAlert uses an opt-out method of registration to provide faculty, staff and enrolled students with voice, text, and email notifications. All students and employees are automatically registered in UAMAlert at the time of enrollment or employment. Individuals have the opportunity to opt-out of receiving text and/or voice alerts at any time. (Note: Cellular phone providers may charge a per-text message fee for the delivery of emergency notification.) UAMAlert has been programmed by the UAM Information Technology Department to update and purge users every 24 hours. This automated programming ensures accuracy in the delivery of alerts to all currently enrolled students and employees. Face to face communication may be used if appropriate for the situation. UAMAlert may be activated in the event of an immediate threat to the UAM, UAM-CTC, or UAM-CTM campus community. University Police, in consultation with the Chancellor, Vice Chancellor for Student Affairs, Dean of Students, Vice Chancellor for UAM-CTC or Vice Chancellor for UAM-CTM, will determine if an emergency notification is necessary. University Police, Student Health, Maintenance, Residence Life, Athletics, and Dean of Students are the departments generally responsible for confirming that a significant emergency or dangerous situation exists on campus. The types of incidents that may cause an immediate threat to the community could include, but are not limited to, emergencies such as: inclement weather, an active shooter on campus, a hostage/barricade situation, a riot, a suspicious package with confirmation of a device, a tornado, a fire/explosion, a suspicious death, structural damage to

University owned or controlled facility, a biological threat (anthrax, etc.), significant flooding, a gas leak, a hazardous materials spill, etc.

In the event of an emergency, UAM will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the University community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employee and visitors.

Upon confirmation that a significant emergency or dangerous situation exists, the Vice Chancellor for Student Affairs, Dean of Students, Vice Chancellor for UAM-CTC, Vice Chancellor for UAM-CTM, or Chief of University Police will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the UAMAlert notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. These departments will also identify the appropriate segment of the community intended to receive the notification, if the threat is limited to a particular building or segment of the population.

NOTE: In the event of inclement weather conditions, students and non-essential employees are not expected to place class or work attendance above personal safety. It is ultimately the individual employee and student's responsibility to exercise judgment as to whether travel to or from work or school is appropriate for them at that time.

To assist in timely notification, pre-scripted emergency alerts have been developed and uploaded in UAMAlert (e.g. Inclement Weather, Active Shooter, Active Shooter All Clear, Tornado Warning, and Tornado Warning All Clear). The University will post updates and follow-up information during a critical incident on the UAM website at: <http://www.uamont.edu>

The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents and other interested parties. The larger community can also access emergency information via the University of Arkansas at Monticello homepage and/or social media.

UAMAlert provides the capability to alert each campus separately or all campuses simultaneously. See the five distribution lists named below.

- ALL USERS (which includes all employees and students on all campuses and Early College High School students)
- MONTICELLO
- CROSSETT
- McGEHEE
- RESIDENTS

Each week, a UAMAlert administrator from one of the three campuses conducts a test of the system.

- Monticello campus – Vice Chancellor for Student Affairs, Dean of Students, and Chief of University Police
- Crossett campus – Vice Chancellor for UAM-CTC and University Police officer
- McGehee campus – Vice Chancellor for UAM-CTM and University Police officer

This practice is designed to ensure that each system administrator can successfully navigate the UAMAlert dashboard in a timely manner to successfully initiate the alert during an actual emergency.

Each semester University Police conducts an ALL USERS test of UAMAlert. In the fall semester the test is announced in advance to the entire campus community and is **unannounced** in the spring semester. Both tests provide faculty, staff and students an opportunity to verify enrollment in UAMAlert by receipt of a text, email and/or voice message.

Additionally, in the event the institution should ever experience an emergency or face an imminent emergency requiring key personnel to communicate instantly and simultaneously, UAMAlert has the ability to send a “Conference Blast”. This feature allows members of the Emergency Administrative System (Chancellor, Provost, VC Advancement, VC Finance and Administration, VC for Student Affairs, VC UAM-CTC, VC UAM-CTM, Dean of Students, Chief of University Police, Director Student Health, Director Media Services, Director Information Technology, and Director Maintenance) to join and participate in a conference call that is connected through a trunk line using the cell phone each EAS member has registered in UAMAlert. The Conference Blast feature of UAMAlert is tested annually.

A final feature of UAMAlert, provides the capability for the Dean of Students, Chief of University Police and all members of the Executive Council to text message an alert to “ALL USERS” directly from his/her cell phone.

Information regarding the response and notification policies will be distributed to faculty and staff during annual meetings and to students during orientation sessions.

### **EyeWitness (Anonymous Reporting System)**

The Eyewitness solution of UAMAlert offers anonymous text-based crime tips, which enhances the campus watch by offering faculty, staff and enrolled students (tipsters) absolute anonymity. To submit a tip, please text to **67283** with the keyword **UAMTIP** and a space at the beginning of the message. **Everything after the space will be sent to University Police as your tip.** It is recommended that you save the number 67283 as a contact in your phone for easy access.

### **Video Surveillance**

Numerous video surveillance cameras are located in common areas throughout the UAM campus. These include cameras at entryways and parking lots of many residence halls and other student complexes. The cameras are monitored and recorded digitally to help enhance safety for students, faculty, and staff while on our campus. The system is set up in common areas across the campus and has both indoor/outdoor cameras that are often vandal proof and infrared. The



system is battery backed up and continues surveillance even if a campus wide power loss occurs.

The University gives consideration to a reasonable expectation of privacy at every camera location on campus. Typically cameras are installed in pedestrian throughways, building egresses, parking lots, and facilities. Cameras are only installed where an individual's expectation of privacy is generally limited.

### **Emergency Blue Light Phones**

Emergency Blue Light Phones are located throughout the UAM campus. The Blue Light Phones provide assistance, and protective and safety services to the campus community on a 24/7/365 basis. When used, the telephones are immediately connected to University Police. The phones are equipped with a speakerphone and blue light. The phones are to be used by faculty, staff, students, or visitors experiencing any problems and in need of assistance. The University maintains a proactive stance for campus safety.

### **Security and Access to Campus**

The UAM has on-campus security 24 hours a day 7 days a week. University facilities are open and accessible during normal business hours and into the evening hours for night classes. The buildings are accessible to members of the community and visitors. Tours may be scheduled through the Office of Admissions. Visitor parking is allowed in designated areas or by temporary permit only. To obtain parking permission, please call University Police at 870-460-1083. Administrative and academic buildings are typically closed and locked at 4:30 p.m. Academic facilities close and are locked at either 4:30 p.m. or after the last class scheduled in the facility. Service buildings (i.e., library, university center) are open during posted hours.

Some facilities have varied hours at different times of the year. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility. Emergencies may necessitate changes or alterations to any posted schedules. University Police conducts daily security patrols of the inside of buildings as well as the exterior areas, including residential halls, to verify that all facilities on campus are secured.

Residence halls are secured 24 hours a day. Every effort is made to ensure that all residence halls are free from uninvited guests. University Housing uses camera and video surveillance in the public areas of the residence halls and apartment buildings to identify parties responsible for damages, vandalism, and any other violation of the Student Code of Conduct. Visitation hours for Bankston Hall, Horsfall Hall, and Royer Hall are from 3:00PM to midnight on Monday through Thursday; 3:00PM to 3:00AM on Friday, 12:00PM to 3:00AM on Saturday; and 12:00PM to midnight on Sunday. For added security, a resident assistant is on duty in each of the residence halls during visitation hours and all visitors must check in at the desk and leave a picture ID. Visitation hours for Maxwell Hall are from 11:00AM to midnight Sunday through Thursday and 11:00AM to 3:00AM Friday and Saturday. The University Apartments have 24 hour visitation, however, this policy requires an apartment resident to inform the Resident Director if he/she plans to have a guest for longer than 48 hours. Over extended breaks, the doors of residence halls will be secured around the clock, and will be equipped with a lock separate from the regular key issued to resident students.

The UAM is committed to campus safety and security, thus security considerations are used in the maintenance of campus facilities. Exterior lighting and landscape control is a critical part of the commitment. The Physical Plant maintains the University buildings and grounds, including lighting, walks, roadways, and landscaping, and conducts routine checks of lighting on campus. University Police officers regularly patrol campus and report any deficient lighting (such as dim, obstructed, or non-operational) or other unsafe facility conditions to the Physical Plant at 460-1018.

### **Safe Walk**

Safe Walk is a campus service for anyone who feels unsafe walking alone on campus at night. Safe Walk escorts are provided by University Police free of charge and are available to all members of the University community. Simply call University Police at 460-1000 and a University Police officer will meet and escort you to the desired campus location.

### **Protection of Minors on Campus**

The University of Arkansas at Monticello is committed to a safe and secure environment for all its faculty, staff, students, and visitors, including minor-aged children who participate in programs that may be connected with the University.

Further, The Child Maltreatment Act 12-12-501 and Act 6-61-133 requires mandated reporting by University employees or volunteers. Mandated reporting includes programs, camps, or activities that involve minor-aged children that University units operate, host, or permit third parties to use University facilities. This law also prohibits any person from requiring prior permission, or prohibiting a person from, making a report of suspected child maltreatment. A person, acting in good faith, who makes a report of suspected maltreatment, is immune to civil or criminal liability for making the report. The University prohibits retaliation against any person who makes a good faith report of child maltreatment.

The University makes training available regarding child maltreatment and mandated reporters. The free web-based training for mandated reporters of child abuse is available at: [www.ar.mandatedreporter.org](http://www.ar.mandatedreporter.org). All summer programs, camps, or activities that involve minor-age children provide child maltreatment training to employees, volunteers, and students who interact with minors and assure that persons involved in the conduct of camps/institutes have undergone criminal background checks (including registered sex offender checks). Units that operate facilities or locations that are frequented by minors and where inappropriate interactions could occur determine whether additional measures are needed. Failure to report suspected child maltreatment by a mandated reporter may have civil and/or criminal consequences.

The following steps will be taken if any University employee or volunteer reasonably suspects or observes child maltreatment.

1. Immediately report the suspected maltreatment to the Child Abuse Hotline (1-800-482-5964). The hotline is manned 24/7 by a team of operators.
2. Report the suspected child maltreatment to University Police at 460-1000 (emergency number) or 460-1083 immediately after the Hotline call or report is completed.

University Police will coordinate with local and state official law enforcement and will notify appropriate University personnel.

### **Security Awareness, Crime Prevention, and Educational Programs**

The Division of Student Affairs conducts regular educational programs on drug and alcohol abuse throughout each academic year. The Student Affairs Office and University Police distributes information regarding security awareness to students and personnel on procedures for reporting criminal actions, policies concerning campus security, criminal and drug enforcement policies, crime prevention, and statistics concerning criminal activities on campus. University Police and the Office of Judicial Affairs provide educational programs designed for prevention and awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking for current and incoming students and current and new employees. The education, prevention, and awareness programming includes:

- 1) a statement that UAM prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;
- 2) the definition of domestic violence, dating violence, sexual assault, and stalking;
- 3) the definition of consent, in reference to sexual activity;
- 4) safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;
- 5) information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks;
- 6) information concerning possible sanctions or protective measures imposed following a final determination of disciplinary procedure regarding rape, acquaintance rape, domestic violence, sexual assault, or stalking;
- 7) procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking has occurred, including information in writing about:
  - (a) the importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, stalking, or in obtaining a protection order;
  - (b) to whom the alleged offense should be reported;
  - (c) options regarding law enforcement and campus authorities, including notification of the victim's option to:
    - notify proper law enforcement authorities, including on-campus and local police
    - be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses
    - decline to notify such authorities
  - d) where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by the Courts;
  - e) procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault or stalking, which include a clear statement that:
    - such proceedings shall provide a prompt, fair, and impartial investigation and resolution; and

- such proceedings shall be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability
- f) the accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice; and both the accuser and the accused shall be simultaneously informed, in writing, of:
- the outcomes of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking
  - the institution's procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding
  - any change to the results that occurs prior to the time that such results become final; and
  - when such results become final.
- 8) information about how the institution will protect the confidentiality of victims, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.
- 9) notification of students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community;
- 10) notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

Domestic Abuse Awareness Training is conducted annually in October and Sexual Assault Awareness Training is conducted annually in April. All trainings and educational programs are available for faculty, staff, and students. During 2015, UAM offered approximately 10 crime prevention and security awareness programs. Topics such as personal safety, residence hall security, drug and alcohol abuse awareness and sexual assault prevention are some examples of programs offered during the prior academic year.

Crime prevention programs are conducted in the residence halls under the direction of the Office of Residence Life. Video and PowerPoint presentations outline ways to maintain personal safety and residence hall security. A common theme of all security awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. In addition to seminars, information is disseminated to students and employees through crime prevention awareness packets, security alert posters, displays, videos, and articles or advertisements in the university newspaper. University Police will compile campus crime statistics and these statistics will be distributed annually to all students and staff. When time is of the essence, information about potentially dangerous situations will be released to the university community through security alerts posted throughout

campus, through computer memos sent over the university's electronic mail system and/or voice mail broadcasting system.

UAM strives to inform campus community about safety procedures and a common theme during security awareness programs is to encourage the campus community to be responsible for their own security and the security of others.

Specifically, the University offered the following primary prevention and awareness programs in 2015:

<b>Sexual Misconduct – Primary Prevention and Awareness Programs</b>				
<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>*Prohibited Behavior Addressed</b>	<b>Employees and/or Students</b>
**Haven-Student	Fall 2015	Online	DoV, DaV, SA, S	Students
**Haven-Employees	Fall 2015	Online	DoV, DaV, SA, S	Employees
Wellness Fair	March 18, 2015	University Center	DoV	Students & Employees
She said NO! But you said Yes!	October 5, 2015	Bankston Hall	DaV, SA	Students
Bullying Event	October 20, 2015	Pond & IM Field	DoV, DaV	Students
Domestic Violence Awareness	October 28, 2015	Wellness Center	DoV	Students & Employees
Bystander Booth	April 27, 2015	Wellness Center	DoV, DaV, SA	Students & Employees

\*DoV=Domestic Violence, DaV=Dating Violence, SA=Sexual Assault, and S=Stalking

\*\*Primary Prevention

<b>AOD – Primary Prevention and Awareness Programs</b>				
<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>*Prohibited Behavior Addressed</b>	<b>Employees and/or Students</b>
National Collegiate Alcohol Awareness	October 19-23, 2015	Wellness Center & University Center	ALC	Students and Employees
Say NO! Absolutely NOT!	November 12, 2015	Bankston Hall	MAR, OTH	Students
A Sobering View of What Impairment Can Do	November 13, 2015	Maxwell Hall & University Apts	ALC	Students
Keep it Sober Santa	November 30, 2015	University Center	ALC, OTH	Students
Making a Difference with Water Pong	February 16, 2015	Bankston Hall & Maxwell Hall	ALC	Students
Casino Night	March 16, 2015	University Center	ALC	Students
Wellness Fair	March 18, 2015	University Center	ALC, MAR, OTH	Students & Employees
National Alcohol Screening Day	April 9, 2015	University Center	ALC	Students & Employees
Greek Week Alcohol Awareness	April 9, 2015	University Center	ALC	Students
**AlcoholWise	TBD	Online	ALC	Students
**MarijuanaWise	TBD	Online	MAR	Students

\*ALC-Alcohol, MAR=Marijuana, and OTH=Other Drugs

\*\*Primary Prevention program to be launched in 2016-2017 academic year

### **University Behavior Intervention Team (UBIT)**

The UAM is committed to the health and safety of its faculty/staff/students and to maintaining a safe and efficient workplace. Safety and security concerns are managed with both employee/student safety and student success as primary goals. Accordingly, UAM has developed University Behavior Intervention Team (UBIT) procedures outlining a proactive intervention process to address specific behaviors of students.

While interacting with students, the faculty and staff may be confronted with situations in which a student is displaying concerning behavior. UBIT is designed to assist by assessing any reported behavior that poses a potential threat to campus safety/security and coordinating resources for early intervention and support for the involved student.

The UBIT committee provides annual workshops for the purpose of explaining the UBIT intervention process in greater detail and how faculty or staff member can engage in the process if the need should arise. Faculty, staff and students that become concerned about a student displaying mild to moderate levels of distress, are encouraged to fill out a Person of Concern Report and submit it to the Director of Counseling Services. For convenience, the Person of Concern Report form may be found at:

[https://cm.maxient.com/reportingform.php?UnivofArkansasMonticello&layout\\_id=10](https://cm.maxient.com/reportingform.php?UnivofArkansasMonticello&layout_id=10)

**NOTE:** The UBIT process does not replace faculty classroom management, disciplinary processes, or public safety action.

### **Sexual Misconduct, Discrimination, Harassment, and Retaliation Complaints**

The University of Arkansas at Monticello is committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from harassment and discrimination based upon race, color, religion, national origin, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, pregnancy, gender identity, sexual orientation, physical or mental disability or genetic information. Such an environment is necessary to a healthy learning, working and living atmosphere. Accordingly, all acts of discrimination, harassment, retaliation, and sexual misconduct as defined by this Policy are prohibited.

### **JURISDICTION**

Title IX protects the University community from sexual discrimination, harassment and misconduct in a school's education programs and activities. Title IX protects the University community in connection with all academic, educational, extracurricular, athletic and other University programs, whether those programs take place on University property, in University transportation, at a class or training program sponsored by the University at another location or elsewhere.

This Policy shall not be construed or applied to restrict academic freedom at the University, nor shall it be construed to restrict constitutionally protected expression.

Consistent with state and federal law, reasonable accommodation will be provided to persons with disabilities.

All complaints or any concerns about conduct that may violate this Policy should be submitted to the Title IX Coordinator or respective Deputy Title IX Coordinator listed below.

**UAM students (Monticello campus):**

Title IX Coordinator  
Mr. Jay Hughes  
Vice Chancellor for Student Affairs  
(870) 460-1053  
[hughesj@uamont.edu](mailto:hughesj@uamont.edu)  
University Center, Office of Student Affairs  
517 University Drive  
Monticello, AR 71656

Deputy Title IX Coordinator  
Ms. Renea McClendon  
Dean of Students  
(870) 460-1110  
[mcclendon@uamont.edu](mailto:mcclendon@uamont.edu)  
Harris Hall, Room 212  
1514 Scogin Drive  
Monticello, AR 71656

**UAM students (McGehee campus):**

Deputy Title IX Coordinator  
Mr. Cyrus Vance  
Director of Student Services  
(870) 460-2103  
[vancecj@uamont.edu](mailto:vancecj@uamont.edu)  
UAM-CTM  
1609 East Ash  
McGehee, AR 71654

**UAM students (Crossett campus):**

Deputy Title IX Coordinator  
Dr. David Streeter  
Director of Student Services  
(870) 364-6414  
[streeter@uamont.edu](mailto:streeter@uamont.edu)  
UAM-CTC  
1326 Hwy 52 West  
Crossett, AR 71635

**UAM faculty, staff, and visitors:**

Deputy Title IX Coordinator  
Mrs. Debbie Gasaway  
Associate Vice Chancellor for Administration  
(870) 460-1622  
[gasaway@uamont.edu](mailto:gasaway@uamont.edu)  
Babin Business Center, Room 205G  
140 University Place  
Monticello, AR 71656

***NOTE:** Associate Vice Chancellor for Administration, Mrs. Debbie Gasaway is responsible for administration of the grievance procedure for all complaints against faculty, staff, and visitors, including those complaints filed by students.*

**Additional Title IX Resource:**

Dallas Office  
Office for Civil Rights  
U.S. Department of Education  
1999 Bryan Street, Suite 1620  
Dallas, TX 75201-6810  
Telephone: (214) 661-9600

FAX: (214) 661-9587; TDD: (877)521-2172  
Email: [OCR.Dallas@ed.gov](mailto:OCR.Dallas@ed.gov)

### **FILING REPORT WITH LOCAL LAW ENFORCEMENT**

In some instances, sexual misconduct may constitute both a violation of University 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:

#### **University Police Department**

University Police  
284 University Drive  
Monticello, AR 71656  
(870) 460-1083 or (870) 460-1000

#### **City/County Police**

Monticello Police Department  
101 N. Church Street  
Monticello, AR 71655  
(870) 367-3411

Drew County Sheriff's Office  
210 S. Main  
Monticello, AR 71655  
(870) 367-6211

Ashley County Sheriff's Office  
842 Ashley Road 12 West  
Hamburg, AR 71646  
(870) 853-2040

McGehee Police Department  
517 East Ash Street  
McGehee, AR 71654  
(870) 222-3636

### **PRESERVING EVIDENCE**

It is important that evidence of sexual assault be preserved, because it may be needed for prosecuting the criminal case. Victims and others should not alter the scene of the attack. The victim should not change clothes, bathe or shower, drink or eat anything, or brush her/his 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 rape and sexual assault.

### **STUDENT AND VISITOR RESPONSIBILITY TO REPORT**

Students and visitors to the University are strongly encouraged to report allegations of discrimination, harassment, retaliation and sexual misconduct to the Title IX Coordinator or deputies. A report should be made as soon as possible after the incident in order to facilitate an effective response. The longer a report is delayed, the more difficult it will be for the University



to investigate. Reports may be made by the person experiencing the misconduct or by a third party, such as a witness or someone who is told of the misconduct.

### **MANDATORY EMPLOYEE REPORTING**

In order to enable the University to respond effectively and to proactively stop instances of discrimination, harassment, retaliation and sexual misconduct at the University, all employees must, within 24 hours of receiving information regarding a potential violation of this Policy, report information to the Title IX Coordinator or deputies. Only employees who are statutorily prohibited from reporting such information (e.g., licensed health-care professionals) are exempt from these reporting requirements. This Policy is not intended to restrict curriculum or prohibit or abridge the use of particular textbooks or curricular materials.

### **OFF-CAMPUS CONDUCT**

Conduct that occurs off campus can be the subject of a Complaint or report and will be evaluated to determine whether it violates this Policy. Allegations of off-campus sexual misconduct are of particular concern and should be brought to the University's attention.

### **CONFIDENTIALITY**

Subject to the other provisions of this Policy and the requirements of law, every possible effort will be made to ensure that all information received as part of the University's Complaint/Grievance Procedure is treated discreetly. All parties to the Complaint are required to maintain the confidentiality of all information received during this process. However, it is not possible to guarantee that all Complaints will remain confidential because of the University's obligation to investigate allegations of misconduct. All requests to maintain confidentiality shall be directed to the Title IX Coordinator or deputy who has the authority to make such determinations.

Except as compelled by law or in the interest of fairness, just resolution or health and safety considerations, disclosure of information contained in Complaints, their substance, procedures and the results of investigations will be limited to the immediate parties, witnesses and other appropriate officials. Limited disclosure may also be necessary to conduct a full and impartial investigation.

### **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 and employees may use Counseling Services located in Harris Hall, Room 201 and Student Health Services located in the Randy S. Risher Wellness Center. Employees of the University may be able to seek help through the Employee Assistance Program. Community mental health agencies, counselors, and psychotherapists in private practice in the area can provide individual and group therapy. Students and employees may contact any of the agencies listed below for counseling assistance.

Delta Counseling Associates  
Monticello Clinical Office  
790 Roberts Drive  
Monticello, AR 71655

Delta Counseling Associates  
McGehee Clinical Office  
2410 Hwy. 65 N  
McGehee, AR 71654

Delta Counseling Associates  
Crossett Clinical Office  
1308 W. 5<sup>th</sup>  
Crossett, AR 71635

(870) 367-2461

(870) 222-3107

(870) 364-6471

Delta Counseling Associates  
Lake Village Clinical Office  
1127 2<sup>nd</sup> Street  
Lake Village, AR 71653  
(870) 265-3808

Delta Counseling Associates  
Warren Clinical Office  
1404 E. Church  
Warren, AR 71671  
(870) 226-5856

Delta Counseling Associates  
Dumas Clinical Office  
741 Hwy. 65 S  
Dumas, AR 71639  
(870) 382-4001

Committee Against Spouse Abuse (CASA) Women's Shelter or Domestic Violence and Rape Crisis Programs may assist with making referrals for individual counseling and support groups and in identifying non-counseling campus and community resources that may be of additional help and serve as a victim advocate upon request.

Options, Inc.  
110 N. Main Street  
Monticello, AR 71655  
Phone: (870) 460-0684  
Hotline: (870) 367-3488

Arkansas Coalition Against Sexual Assault  
Toll Free 1-866-63-ACASA (22272)

Arkansas Coalition Against Domestic Violence  
800-799-SAFE  
Teen Dating Abuse Helpline:  
866-331-9474

National Sexual Assault Hotline  
1-800-656-HOPE

National Center on Domestic and Sexual Violence  
Web: [www.ncdsv.org](http://www.ncdsv.org)

National Coalition Against Domestic Violence  
Web: [www.ncadv.org](http://www.ncadv.org)

National Center for Victims of Crime  
Web: [www.ncvc.org](http://www.ncvc.org)

National Sexual Violence Resource Center  
[www.nsvrc.org](http://www.nsvrc.org)

Rape Abuse Incest National Network (RAINN)  
[www.rainn.org](http://www.rainn.org)

## **EDUCATION AND AWARENESS PROGRAMS**

The University's Division of Student Affairs is responsible for planning and coordinating campus education and awareness programs about all forms of sexual assault, including rape, acquaintance rape, domestic violence, dating violence, and other sex offenses. Programs are presented regularly throughout the academic year in residence halls, fraternities, sororities, and for other student organizations, academic classes, employee training and professional development, and in other settings that are likely to reach people throughout the campus community. Campus-wide education and awareness activities are also conducted during Sexual Assault Prevention and Awareness Week.

## **POLICY EXPECTATIONS WITH RESPECT TO CONSENSUAL RELATIONSHIPS**

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as teacher and student, or supervisor and employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation of Policy.

The University does not wish to interfere with private choices regarding personal relationships when those relationships do not interfere with the goals and policies of the University. However, for the personal protection of members of this community, relationships in which power differentials are inherent (faculty-student, staff-student, administrator-student or employee) are prohibited except in extraordinary circumstances.

Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisors. This will likely result in the necessity to remove the employee from the supervisory or evaluative responsibilities, or will shift the student or employee out of being supervised or evaluated by someone with whom he or she has established a consensual relationship. Failure to self-report such relationships to a supervisor as required can result in disciplinary action for an employee, up to and including termination.

## **COMPLAINT/GRIEVANCE PROCEDURE**

These procedures are intended to apply to all grievances involving discrimination, harassment, retaliation and sexual misconduct as described in this Policy, including but not limited to those brought by a student against an employee and/or fellow student, employee against fellow employee and/or student, and third party against employee and/or student. All other grievances by students, employees or third parties shall be addressed through other grievance procedures. The University benefits from formal and informal procedures that encourage prompt resolution of Complaints and concerns raised by members of the University community.

## **INFORMAL COMPLAINT PROCESS**

The University does not require a Complainant to utilize the Informal Complaint Process if doing so is impracticable or unsafe, or if the Complainant believes that the conduct cannot be effectively addressed through informal means. For example, the Informal Complaint Process should not be used to address allegations of sexual assault. However, in other circumstances where it is practical and safe to do so, every reasonable effort should be made to constructively resolve issues with students, faculty, staff and administrators before pursuing the Formal Complaint Process. Under the Informal Complaint Process, a Complainant may elect to resolve his/her Complaint by discussing it with the offending party. If the offending party is an employee and satisfactory resolution cannot be reached after discussion, the Complainant may also contact the individual's direct supervisor to resolve the Complaint. If these efforts are unsuccessful, the Formal Complaint Process may be initiated.

### **FORMAL COMPLAINT PROCESS**

Upon receiving a report of alleged or possible violation of this Policy, the Title IX Coordinator or deputy will evaluate the information received and determine what further actions should be taken. The Title IX Coordinator or deputy will follow the procedures described in this Policy. The Title IX Coordinator or deputy will take steps, either directly with the complainant or through a reporting employee, to provide information about the University's Complaint/Grievance Procedure, as well as available health and advocacy resources and options for criminal reporting.

### **INVESTIGATION**

The Title IX Coordinator or deputy will be responsible for overseeing the prompt, fair, and impartial investigation and resolution of Complaints filed with the University. The Title IX Coordinator or deputy will investigate all Complaints of discrimination, harassment, retaliation and sexual misconduct and determine any accommodations or other remedial short-term actions necessary in light of the individual circumstances presented.

The Title IX Coordinator or deputy will apprise the vice chancellor for the appropriate division or department of the Complaint.

The Title IX Coordinator or deputy, who will have been properly trained, will:

- identify the correct policies allegedly violated;
- conduct an immediate initial investigation to determine if there is reasonable cause to charge the Respondent(s);
- meet with the Complainant to finalize the Complaint;
- prepare the notice of charges on the basis of initial investigation;
- develop a strategic investigation plan which may include a witness list, an evidence list, an intended timeframe, and an order of interviews for all witnesses, including the Respondent;
- conduct a thorough, reliable and impartial investigation during which witnesses may or may not be given notice prior to the interview;
- complete the investigation promptly, and without unreasonable deviation from the intended timeline;

- make a written finding on the case, based on a preponderance of the evidence, which indicates that it is more likely than not that a Policy violation has or has not occurred, and identifies appropriate remedies and/or sanctions, if any; and
- prepare a complete report on the investigation and findings.

As noted above, an investigation of the Complaint will be conducted by the Title IX Coordinator or deputy unless it is clear from the face of the Complaint or the Title IX Coordinator's or deputy's initial meetings with the parties that no reasonable grounds exist for believing that the conduct at issue violates this Policy.

In the event that the Complaint was made by someone other than the alleged victim, the Title IX Coordinator or deputy will consider the following factors in determining whether it is reasonable to investigate the Complaint:

- the source and nature of the information,
- the seriousness of the alleged incident,
- the specificity of the information,
- the objectivity and credibility of the source of the information,
- whether the alleged victims can be identified, and
- whether those individuals wish to pursue the matter.

In the event that the Title IX Coordinator or deputy determines that an investigation of the Complaint should not be conducted, he/she will determine and document (in consultation, as necessary, with the alleged victim, the Respondent and any other University administrators) the appropriate resolution of the Complaint and inform the parties of the same.

With all Complaints, if the Title IX Coordinator or deputy determines that an investigation should be conducted, the Title IX Coordinator or deputy will promptly investigate the matter. The existence of concurrent criminal investigations or proceedings shall not delay the investigation of any Complaint filed under this Policy.

If another individual is designated to investigate the matter, the Title IX Coordinator or deputy will share the investigator's name and contact information with the alleged victim and the Respondent and will forward the Complaint to the investigator. Within three (3) days of such appointment, the investigator, the alleged victim or the Respondent may identify to the Title IX Coordinator or deputy in writing any real or perceived conflicts of interest posed by assigning such investigator to the matter. The Title IX Coordinator or deputy will carefully consider such statements and will assign a different individual as investigator if it is determined that a material conflict of interest exists.

Upon receipt of the Complaint, the Title IX Coordinator or deputy will promptly begin the investigation, which shall include but is not limited to the following:

- conducting interviews with the Complainant, the alleged victim (if not the Complainant), the Respondent, and third-party witnesses

(including expert witnesses, where applicable) and summarizing such interviews in written form;

- visiting, inspecting, and taking photographs at relevant sites; and
- where applicable, collecting and preserving relevant evidence (in cases of corresponding criminal reports, this step may be coordinated with law enforcement agencies).

Throughout the investigation, the Title IX Coordinator or deputy will remain neutral. The Title IX Coordinator or deputy should obtain, where applicable and where possible, the written consent of any third-party witnesses to the disclosure, as contemplated by this Policy, of any personally identifiable information contained in the Complaint, the Investigative Report, and for any other documents the disclosure of which is contemplated by this Policy in order to further the resolution of the Complaints.

Initial Meeting with Complainant and/or Alleged Victim. As soon as is practicable, the Title IX Coordinator or deputy will contact the Complainant and the alleged victim (if not the Complainant) to schedule an initial meeting to, as applicable:

- provide a copy of this Policy;
- provide a copy of the Discrimination, Harassment and Sexual Misconduct Complaint Form (a copy of which is attached as Exhibit A) 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 (the Complaint Form may be completed by Complainant or dictated to the Title IX Coordinator or deputy, who will confirm the accuracy of his or her documentation with the Complainant);
- explain avenues for resolution;
- explain the steps involved in an investigation under this Policy;
- discuss confidentiality standards and concerns;
- determine whether the Complainant or the alleged victim (if not the Complainant) wish to pursue a resolution through the University or no resolution of any kind;
- refer to law enforcement, counseling, medical, academic or other resources, as appropriate; and
- discuss, as appropriate, possible interim measures that can be provided during the pendency of the investigative and resolution processes.

Interim Measures. Unless circumstances dictate otherwise, the Title IX Coordinator or deputy will promptly issue a “No Contact” order to all parties upon notice of any sexual assault Complaint. In all cases, the University may implement any necessary interim measures, deemed appropriate and reasonably available, regardless of whether a Complaint has been filed (with either campus administrators or law enforcement agencies) or whether an investigation has commenced (by either

campus administrators or law enforcement agencies). Interim measures may include, but are not limited to:

- issuing no-contact orders;
- providing an escort to ensure that an individual can move safely between classes, work, and/or activities;
- reassigning on-campus housing;
- dissolving a campus housing contract and offering a pro-rated refund;
- changing work arrangements or location;
- rescheduling class work, assignments, and examinations;
- arranging for the Complainant to take an incomplete in a class;
- reassigning class section;
- permitting a temporary withdrawal from the University;
- providing alternative course completion options;
- providing counseling services; and
- providing academic support services.

Following the initial meeting with the Complainant and the alleged victim (if not the Complainant), the Title IX Coordinator or deputy will, if applicable, promptly determine the interim measures to be provided to the alleged victim. Such determination will be promptly communicated to the alleged victim, and no later than the point at which it is communicated to the Respondent.

Initial Meeting with Respondent. If the Complainant or alleged victim (if not the Complainant) wishes to pursue resolution through the University or if the University otherwise deems that a further investigation is warranted, as soon as is reasonably practicable after the Title IX Coordinator's or deputy's initial meeting with the Complainant (and, if applicable, the alleged victim), the Title IX Coordinator or deputy will schedule an initial meeting with the Respondent. During the initial meeting with the Respondent, the Title IX Coordinator or deputy will, as applicable:

- provide sufficient written information, consistent with privacy laws and any request for confidentiality, to allow Respondent to address the allegation (e.g., the name of the Complainant/alleged victim, the date, location, nature of the alleged violation of Policy, etc.);
- provide a copy of this Policy;
- explain the University's procedures for resolution of the Complaint;
- explain the steps involved in an investigation under this Policy;
- discuss confidentiality standards and concerns;
- discuss non-retaliation requirements;
- inform of any interim measures already determined and being provided to the Complainant and/or the alleged victim that would directly affect the Respondent (e.g., changing his or her class schedule, moving him or her to an alternate residence hall, etc.);
- refer to law enforcement, counseling, medical, academic or other

- resources, as appropriate; and
- discuss, as appropriate, possible interim measures that can be provided to the Respondent during the pendency of the investigative and resolution processes.

Investigative Report. The Title IX Coordinator or deputy shall complete a written investigative report (“Investigative Report”) that shall include the following items:

- The name and sex of the alleged victim and, if different, the name and sex of the person reporting the allegation (It should also include any other relevant protected class characteristics if the Complaint involves a violation of this Policy based on a protected status other than gender);
- a statement of the allegation, a description of the incident(s), and the date(s) and time(s) (if known) of the alleged incident(s);
- the date that the Complaint or other report was made;
- the date the Complainant and alleged victim (if not the Complainant) were interviewed;
- the date the Respondent was interviewed;
- the names and sex of all persons alleged to have committed the alleged violation of this Policy (It should also include any other relevant protected status characteristics if the Complaint involves a violation of this Policy based on a protected status other than gender);
- the names and sex of all known witnesses to the alleged incident(s);
- the dates that any relevant documentary evidence (including cell phone and other records as appropriate) was obtained;
- any written statements of the Complainant (or victim, if different from the Complainant), the Respondent and any witnesses;
- summaries of all interviews conducted, photographs, and descriptions of relevant evidence, summaries of relevant electronic records, and a detailed report of the events in question;
- a written finding on the case, based on a preponderance of the evidence which indicates whether or not it is more likely than not that a Policy violation has occurred;
- the policy or policies violated and, in consultation, as necessary, with the Complainant, alleged victim (if different than the Complainant), Respondent, and other University officials, any remedial and/or disciplinary action deemed appropriate under the circumstances;
- the response of University personnel and, if applicable, University-level officials, including any interim measures and permanent steps taken with respect to the Complainant, alleged victim (if different than the Complainant) and the Respondent; and



- a narrative of all action taken to prevent recurrence of any harassing incident(s), including any written documentation.

If the Title IX Coordinator or deputy is unable to obtain the consent of third-party witnesses, he or she will redact the Investigative Report to the extent necessary to avoid inappropriate disclosure of such witness's personally identifiable information, while ensuring that such redaction does not prevent resolution of the Complaint.

If the Title IX Coordinator or deputy determines and documents, based on the investigation, that reasonable grounds exist to believe that the conduct at issue constitutes a violation of this Policy, the Title IX Coordinator or deputy will determine the appropriate remedy and/or sanction to be imposed and will include the appropriate remedy and/or sanction in the Investigative Report. Imposition of the appropriate remedy and/or sanction will be imposed only after all appeals have been exhausted.

In determining the appropriate remedy and/or sanction, the University will act to end the discrimination, harassment, retaliation or sexual misconduct, prevent its recurrence and remedy its effects on the victim and/or University community. Sanctions will depend upon the nature and gravity of the misconduct, any record of prior discipline for a violation of this Policy, or both. Sanctions may include, without limitation, withholding a promotion or pay increase, reassigning employment, terminating employment, temporary suspension without pay, compensation adjustments, expulsion or suspension from the University, disciplinary probation, expulsion from campus housing, mandated counseling and/or educational sanctions as deemed appropriate.

The Title IX Coordinator or deputy shall complete and distribute the Investigative Report, concurrently, to the alleged victim and Respondent within thirty (30) calendar days following receipt of a Complaint. All parties to whom the Investigative Report is distributed pursuant to this Policy should maintain it in confidence. The Investigative Report may only be disclosed as contemplated by this Policy.

If the Title IX Coordinator or deputy finds no reasonable grounds to believe that the conduct at issue constitutes a violation of this Policy, then the Title IX Coordinator or deputy will determine and document the appropriate resolution of the Complaint in the Investigative Report and will promptly notify the parties of that determination.

#### **APPEAL INVOLVING FACULTY/STAFF**

All appeals where the Respondent is a University faculty or staff member shall be made to the Chancellor. Both the alleged victim and the Respondent may appeal any or all of the Faculty/Staff Deputy Title IX Coordinator's decision in writing to the Chancellor within ten (10) days of receipt of the Investigative Report. The appealing party must also provide a copy of the appeal to the Faculty/Staff Deputy Title IX Coordinator within the same time period. The appeal should include a brief statement describing any or all parts of the Investigative Report that is being appealed and the reason for appeal. Acceptable means of notification include email, facsimile, hand delivered notification or postal delivery. The Faculty/Staff Deputy Title IX Coordinator will promptly inform the other party of the appeal.

Within thirty (30) days of receipt of the appeal, the Chancellor will make a final determination as to whether the Complaint should be closed, whether a violation of Policy has occurred, and/or whether any additional or different remedial action or sanctions are warranted. The Chancellor will concurrently notify the alleged victim and the Respondent of his/her decision.

All non-tenured faculty and staff members of the University 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. When the Respondent is a faculty member with tenure and the sanction imposed or upheld by the Chancellor is dismissal of the Respondent's employment, the matter shall proceed pursuant to Board Policy 405.1.

### **APPEAL INVOLVING A STUDENT**

In those instances where the Respondent is a University student, the alleged victim and/or the Respondent may appeal any or all of the Title IX Coordinator's or deputy's decision to a Hearing Panel by providing a written appeal to the Vice Chancellor for Finance & Administration with a copy also being provided to the Title IX Coordinator or deputy. The appeal must be submitted within ten (10) days of receipt of the Investigative Report and must include a brief statement describing any or all parts of the Investigative Report being appealed and the reason for appeal. Acceptable means of notification include email, facsimile, hand delivered notification or postal delivery.

Within three (3) days of receiving the appeal, the Vice Chancellor for Finance & Administration will appoint the members of the Hearing Panel, to include at least three faculty and/or staff members. The Vice Chancellor for Finance & Administration will select one member of the Hearing Panel to act as the Chair. The Title IX Coordinator or deputy will provide a copy of the Complaint and the Investigative Report to each member of the Hearing Panel and, if only a portion of the Title IX Coordinator's or deputy's findings and determinations are appealed, the Title IX Coordinator or deputy will specify which part(s) of the alleged misconduct will be the subject of the hearing.

Promptly after the appointment of the members of the Hearing Panel, the Title IX Coordinator or deputy will provide concurrent written notice to the alleged victim and the Respondent, setting forth the names of the individuals selected to serve on and chair the Hearing Panel. If only a portion of the findings and determination are appealed, the Title IX Coordinator or deputy will also specify in the notice which part(s) of the alleged misconduct will be the subject of the hearing.

The parties may challenge the participation of any member of the Hearing Panel by submitting a written objection to the Vice Chancellor for Finance & Administration within three (3) days of receipt of the notice of the composition of the Hearing Panel. Any objection must state the specific reason(s) for the objection. The Vice Chancellor for Finance & Administration will evaluate the objection and determine whether to alter the composition of the Hearing Panel. Failure to submit a timely and proper objection will constitute a waiver of any right of objection to the composition

of the Hearing Panel. Any changes in the composition of the Hearing Panel will be provided in writing to both parties prior to the date of the hearing.

Submission of Written Materials. Within five (5) days of receipt of the notice of the initial composition of the Hearing Panel, the alleged victim and the Respondent may provide the Chair of the Hearing Panel with a list of witnesses, if any, that they propose that the Hearing Panel call and a brief description of each proposed witness's connection to and/or knowledge of the issues in dispute, any supporting documents or other evidence, and a written statement of position.

Notice of the Hearings. Not less than five (5) days but not more than ten (10) days after delivery of notice of the initial composition of the Hearing Panel to the parties, the Hearing Panel will provide a separate notice to the alleged victim, Respondent and any witnesses or other third parties whose testimony the Hearing Panel deems relevant, requesting such individuals to appear before the Hearing Panel. The notice should set forth the date, time, and location for the individual's requested presence. The Hearing Panel shall provide the names of the witnesses or other third parties that the Hearing Panel plans to call in its notices to the alleged victim and the Respondent. The hearing shall be conducted within twenty (20) days but no sooner than ten (10) days of the receipt of the appeal.

Failure to Appear. If any party fails to appear before the Hearing Panel if requested to do so, and such party was provided proper notice of the hearing as set forth above, then absent extenuating circumstances, the Hearing Panel will proceed to determine the resolution of the Complaint.

Support Persons. Both the alleged victim and the Respondent may be accompanied by one support person to assist them during the hearing process. This support person can be anyone, including an attorney. Unless the student has received a suspension of ten (10) or more days or expulsion, the support person may not address the Hearing Panel, present evidence, make objections or statements, ask questions of any party or witness or otherwise participate in the hearing, beyond privately communicating with the party that he/she is supporting. If the student has received a suspension of ten (10) or more days or expulsion, the support person may fully participate during the disciplinary appeal proceeding.

The Chair must be notified five (5) business days in advance of the hearing if a party will be accompanied by a support person. The Chair may disallow the attendance of any support person if he/she is also a witness or if, in the discretion of the Chair, such person's presence would be disruptive or obstructive to the hearing or otherwise warrant removal. All support persons must agree to keep any and all information presented in the hearing confidential in order to attend. Absent accommodation for 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 and procedure at any time during the process.

Evidentiary Matters. The alleged victim and the Respondent will have an equal opportunity to present evidence during their hearing. Formal rules of evidence will not be observed during the hearings.

Prior Sexual Conduct. Evidence of the prior sexual conduct of the alleged victim and the Respondent with others will not be permitted at the hearings, with the following exceptions:

- evidence is permitted to show that the alleged victim has in the past been formally disciplined by the University for falsely filing Complaints alleging a violation of this Policy;
- evidence is permitted to show that the Respondent has in the past been either convicted in a criminal proceeding or formally disciplined by the University for conduct which would violate this Policy, if deemed relevant; and
- evidence regarding the past sexual activity of the Respondent (regardless of whether the Respondent was formally charged with a violation of the Policy with respect to such conduct) may be permitted to show that the Respondent has engaged in a pattern of behavior similar to the alleged violations of policy at issue before the Hearing Panel, provided that (1) the Respondent has not been found “not responsible” by the University in a proceeding related to such conduct and (2) the Chair has made written findings both that the evidence is reliable and trustworthy and that the conduct is sufficiently and substantially similar to the conduct at issue before the Hearing Panel to suggest a pattern of behavior.

Hearing Procedure. The Hearing Panel will conduct a hearing during which it will interview and question the Complainant, the alleged victim, the Respondent, and any witnesses or other third parties whose testimony the Hearing Panel deems relevant. The parties will not be allowed to personally question or cross-examine each other during the hearing, but will be allowed to question witnesses. The Chair will resolve all questions concerning procedure or the admission of evidence or testimony, including the relevancy and reliability of the evidence and testimony. All participants at the hearing are expected to provide truthful testimony. The Complainant and/or alleged victim have the option not to be in the same room with the alleged Respondent during the hearing. Any party may choose not to testify or appear before the Hearing Panel; however, his/her exercise of that option will not preclude the Hearing Panel from making a determination regarding the Complaint filed against the Respondent.

Decision of the Hearing Panel. Following the conclusion of the hearing, the Hearing Panel will confer and by majority vote determine whether the evidence (including the information provided in and by the Investigative Report, the parties’ written statements, if any, the evidence presented at the hearings, and the testimony of the parties and witnesses) 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. If the Hearing Panel determines that more likely than not the Respondent committed a violation of this Policy, the Hearing Panel will recommend sanctions and give consideration to whether a given sanction will (a) bring an end to the violation in question, (b) reasonably prevent a recurrence of a similar violation, and (c) remedy the effects of the violation. The Hearing Panel will forward its recommendations regarding sanctions to the Vice Chancellor for Finance & Administration, who will make the final determination regarding all sanctions.

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. Sanctions may include, without limitation, expulsion or suspension from the University, disciplinary probation, expulsion from campus housing, mandated counseling, and/or educational sanctions deemed appropriate by the Hearing Panel.

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 Panel may recommend and the Vice Chancellor for Finance & Administration may determine that any sanctions be imposed immediately and continue in effect until such time as the appeal process is exhausted.

At such time that the appeal process is exhausted, the Title IX Coordinator or deputy will determine the final accommodations to be provided to the victim, if any, and the Title IX Coordinator or deputy will communicate such decision to the victim and the Respondent to the extent that it affects him/her.

The Title IX Coordinator or deputy will also take steps to prevent any harassment of or retaliation against the Complainant, the victim (if not the Complainant), 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, providing training for the campus community, and providing counseling for the Respondent. The Title IX Coordinator or deputy will also take steps to prevent the harassment of or retaliation against the Respondent.

Furthermore, the Title IX Coordinator or deputy will take prompt corrective action if the Complainant or the victim (if not the Complainant) experiences retaliation or is subjected to further violation of this Policy or if the original sanctions imposed on the Respondent are ineffective to protect the safety and well-being of the Complainant, the victim (if not the Complainant), or other members of the University community. The Title IX Coordinator or deputy will also take reasonable steps to eliminate any hostile environment that has been created, such as conducting trainings and disseminating informational materials. In taking the above-outlined steps, the Title IX Coordinator or deputy will make every reasonable effort to minimize the burden on the Complainant and/or alleged victim.

Final Outcome Letter. Within ten (10) calendar days following the conclusion of the hearings, the Hearing Panel will issue a written decision letter (the “Final Outcome Letter”) concurrently to the Respondent and the alleged victim. The Final Outcome Letter will set forth (1) the name of the Respondent, (2) the violation(s) of this Policy for which the Respondent was found responsible, if any, (3) the recommended sanctions imposed on the Respondent, if any, and it may set forth names of other individuals, such as a victim or witness, provided that such other individuals provide their written consent to such inclusion.

In order to comply with FERPA, the letter will not include information considered part of a party’s “education record” (as that term is defined by FERPA) that is not otherwise exempt from disclosure under the Act, or other information about sanctions that do not relate to the victim.

Confidentiality and Disclosure. In order 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 hearing process is not open to the general public. Accordingly, documents prepared in anticipation of the hearings (including the Complaint, the Investigative Report, the notices of hearing, and the pre-hearing submissions referenced above) and documents, testimony, or other information introduced at the hearings may not be disclosed outside of the hearing proceedings, except as may be required or authorized by law.

### **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. The University's investigation and resolution of a Complaint (including an appeal, if applicable) will generally be completed within 60 calendar days of the receipt of the Complaint, absent extenuating circumstances. Hearings, if at all, will take place after the conclusion of the investigation. If hearings have taken place, both the alleged victim and the Respondent generally will receive a Final Outcome Letter within ten (10) calendar days of the conclusion of the hearing.

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

For purposes of calculating all time periods set forth in this Complaint and Grievance Policy, a business day is defined to mean normal operating hours, Monday through Friday, excluding recognized national and state holidays and University closings.

Timelines may be modified in cases where information is not clear, judged to be incomplete, relevant parties are not available for interview, and/or other related circumstances as may arise. The Title IX Coordinator or deputy may also modify any deadlines contained in this Policy as necessary and for good cause.

### **ACKNOWLEDGEMENT OF RESPONSIBILITY**

At any time prior to the issuance of the Investigative Report or the date of his/her designated hearing, the Respondent may elect to acknowledge his/her actions and take responsibility for the alleged policy violation. In such situation, the Title IX Coordinator or deputy will propose sanction(s). If either party objects to the proposed sanction(s), they may appeal the sanction pursuant to this Policy.

### **NO RETALIATION**

Retaliation against any person who files a Complaint, participates in an investigation, or opposes a discriminatory employment or educational practice or policy is prohibited. A person who believes retaliation has occurred should notify the Title IX Coordinator or deputy as soon as possible.

### **FALSE REPORTS**

Willfully making a false report of sexual harassment is a violation of University policy and is a serious offense. 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.

### **OFFICE OF CIVIL RIGHTS COMPLAINT**

Although Complainants are encouraged to resolve their grievances related to discrimination by utilizing this Complaint/Grievance Procedure, they have the right to file a complaint directly with the U.S. Department of Education, Office for Civil Rights (OCR). Information regarding applicable timelines and procedures is available from OCR. You may call 1-800-421-3481 to obtain further information about filing a complaint with OCR.

### **EFFECTIVE DATE**

The University reserves the right to make changes and amendments to this Policy as needed, with appropriate notice to the 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 that are heard.

### **DOCUMENTATION**

The University will retain documentation (including but not limited to the written Complaint, notifications, the Investigative Report, any written findings of fact, petitions for appeal, any documents or evidence submitted by the parties, hearing transcripts or recordings (if any), and any written communication between the parties), for at least three (3) years. Documentation pertaining to terminations, expulsions or educational sanctions may be retained indefinitely.

### **DEFINITION OF TERMS**

***Complainant:*** Any party who makes a Complaint against a student, employee, staff member or campus visitor.

***Consent:*** Consent is a clear, knowing and voluntary decision to engage in sexual activity.

Because consent is voluntary, it is given without coercion, force, threats, or intimidation. It is given with positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will.

Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions consist of an affirmative, unambiguous, conscious decision by each participant to engage in mutually agreed-upon sexual activity.

Consent is revocable, meaning consent can be withdrawn at any time. Thus, consent must be ongoing throughout a sexual encounter. Once consent has been revoked, sexual activity must stop immediately.

Consent can be limited, meaning consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity. Further, previous relationships or prior consent cannot imply consent to future sexual acts.

Consent cannot be given when a person is incapacitated, such as when a person is physically or mentally unable to make informed, rational judgments, or lacks the ability to understand the “who, what, when, where and how” related to the sexual activity. States of incapacitation include, but are not limited to, unconsciousness and sleep. Where alcohol or drugs are involved, incapacitation is determined by how the alcohol or other drugs have impacted a person’s decision-making capacity, awareness of consequences, and/or ability to make fully informed judgments.

Use of alcohol or other drugs will never function as a defense to a violation of this Policy.

In sum:

- Silence does not equal consent.
- Lack of verbal resistance does not constitute consent.
- Lack of physical resistance does not constitute consent.
- There is no consent when there is force, coercion, intimidation, threats or duress.
- Consent may be withdrawn at any time, and sexual activity must cease when consent is withdrawn unless or until additional consent is given.
- Consent to one form of sexual activity does not indicate consent to another form of sexual activity.
- A prior sexual relationship does not indicate current or future consent.
- Minors cannot give consent.
- Physically or mentally incapacitated persons cannot give consent.
- Consent may be determined by whether the accused knew, or a reasonable person should have known, that the alleged victim was incapacitated.

***Dating Violence:*** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the alleged victim. It includes any unwelcome physical violence such as hitting, pulling, shoving, kicking, biting or throwing things; and sexual assault, sexual exploitation and sexual harassment.

***Discrimination (general definition):*** Conduct that is based upon an individual’s race, color, religion, national origin, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, pregnancy, physical or mental disability or genetic information that excludes an individual from participation, denies the individual the benefits of, treats the individual differently or otherwise adversely affects a term or condition of an individual’s employment, education, living environment or participation in a University program or activity. This includes failing to provide reasonable accommodation, consistent with state and federal law, to persons with disabilities.

***Discriminatory Harassment:*** Detrimental action based on an individual’s race, color, religion, national origin, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, pregnancy, physical or mental disability or genetic information. Harassing conduct may take various forms, including, name-calling, graphic or written statements (including the use of cell phones or the Internet), or other conduct that may be physically threatening, harmful, or humiliating. Harassment does not have to include intent to harm, be directed at a specific target or involve repeated incidents. Gender-based harassment includes sexual harassment.



***Domestic Violence:*** 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. 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. See also, Arkansas Code Annotated § 9-15-103—”Domestic Abuse”).

***Hostile Environment:*** A hostile environment exists when there is harassing conduct based on race, color, religion, national origin, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, pregnancy, physical or mental disability or genetic information that is sufficiently serious (i.e., severe, pervasive, or persistent) and objectively offensive to deny or limit a person’s ability to participate in or benefit from the University’s programs, services, opportunities or activities; or when such conduct has the purpose or effect of unreasonably interfering with an individual’s employment. Harassment that creates a hostile environment (“hostile environment harassment”) violates this Policy.

***Non-Consensual Sexual Contact:*** Non-consensual sexual contact is any intentional sexual touching, however slight, with any object by a male or female upon a male or a female that is without consent and/or by force. Sexual Contact includes intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

***Non-Consensual Sexual Intercourse:*** Non-consensual sexual intercourse is any sexual intercourse however slight, by a male or female upon a male or a female that is without consent and/or by force. Intercourse includes vaginal penetration by a penis, object, tongue or finger; anal penetration by a penis, object, tongue, or finger; and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

***Respondent:*** The person(s) against whom a Complaint has been made.

***Retaliation:*** Action taken by an accused individual or by a third party against any person because that person has opposed any practices forbidden under this Policy or because that person has filed a Complaint, testified, assisted or participated in any manner in an investigation or proceeding under this Policy. This includes action taken against a bystander who intervened to stop or attempt to stop discrimination, harassment or sexual misconduct. Retaliation includes intimidating, threatening, coercing or in any way discriminating against an individual because of the individual’s Complaint or participation. Action is generally deemed retaliatory if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this Policy.

***Sexual Assault:*** An actual or attempted sexual contact with another person without that person’s consent. Sexual assault includes, but is not limited to involvement in any sexual contact when the

victim is unable to consent; intentional and unwelcome touching of, or coercing, forcing, or attempting to coerce or force another to touch a person's intimate parts (defined as genital area, groin, inner thigh, buttocks, or breast); and sexual intercourse without consent, including acts commonly referred to as "rape."

**Sexual Exploitation:** Occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of behavior that could rise to the level of sexual exploitation include, but are not limited to:

- invading sexual privacy;
- prostituting another person;
- non-consensual video or audio-taping of sexual activity;
- going beyond the boundaries of consent (e.g., allowing others to watch consensual sex without that party's knowledge or consent);
- engaging in voyeurism;
- non-consensual distribution of photos, other images, or information of an individual's sexual activity, intimate body parts, or nakedness, with the intent to or having the effect of embarrassing an individual who is the subject of such images or information;
- knowingly transmitting an STI, such as HIV, to another without disclosing your STI status;
- exposing one's genitals in non-consensual circumstances or inducing another to expose his or her genitals; or
- possessing, distributing, viewing or forcing others to view illegal pornography.

Sexually-based stalking and/or bullying may also be forms of sexual exploitation.

**Sexual Harassment:** Sexual Harassment is unwelcome, gender-based spoken, written or symbolic action or physical conduct that is sufficiently severe, persistent or pervasive that it has the effect of unreasonably interfering with, limiting or denying someone the ability to participate in or benefit from the University's educational programs. The unwelcome behavior may be based on power differentials, the creation of a hostile environment or retaliation.

For the purpose of this Policy, sexual harassment includes stalking. **Stalking** is repeated or obsessive unwanted attention directed toward an individual or group that is likely to cause alarm, fear, or substantial emotional distress. Stalking may take many forms, including following, lying in wait, monitoring, and pursuing contact. Stalking may occur in person or through a medium of communication, such as letters, e-mail, text messages, or telephone calls. In some circumstances, two instances of such behavior may be sufficient to constitute stalking.

Sexual harassment also includes *quid pro quo* sexual harassment which exists when there are unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature and submission to or rejection of such conduct results in adverse educational or employment action.

Not all workplace or educational conduct that may be described as “harassment” affects the terms, conditions or privileges of employment or education. For example, a mere utterance of an ethnic, gender-based or racial epithet which creates offensive feelings in an employee or student would not normally affect the terms and conditions of their employment or limits a student’s ability to participate in or benefit from the University’s educational programs or activities.

**Sexual Misconduct:** includes sexual assault, inducing incapacitation for sexual purposes, sexual exploitation and dating and domestic violence.

**Status:** A full-time employee of the University will be considered an “employee” for the purposes of this Policy, regardless of whether he/she is also enrolled as a student. Any student who is a part-time employee will be considered a “student” for the purposes of this Policy unless the incident under consideration occurred in connection with his/her employment.

### **Sexual Offender Registration**

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. The federal law requires institutions of higher education to issue a statement advising the campus community where information concerning registered sex offenders may be obtained. Persons convicted of certain sex offenses are required by law to register with the State of Arkansas and also provide notice of each institution of higher education where the person is employed or is a student. University Police maintains a folder of all registered sexual offenders in Drew County (UAM), Ashley County (UAM-CTC) and Desha County (UAM-CTM). To view this folder, visit University Police between the hours of 8AM and 4:30PM. In addition, a current listing of all registered sex offenders in Arkansas is available at: <http://acic.org/>. The web site can be searched by city, county, zip code, or name. For Monticello-Drew County (71655 and 71656), Crossett-Ashley County (71635), and McGehee-Desha County (71654).

### **Missing Community Member**

If a member of the University community has reason to believe that a student is missing, he or she should immediately notify University Police at (870)-460-1083 or (870)-460-1000. University Police will generate a missing person report and initiate an investigation.

A student shall be officially classified as "missing" when University Police has completed its investigation and determined that the reported information is credible and circumstances warrant declaring the person missing. The procedures that the institution must follow when a student who resides in an on-campus student housing facility is determined to have been missing for 24 hours include:

Should University Police determine that a residential student is a missing person, the Dean of Students will be immediately notified to verify the appropriate missing person contact information and the Monticello Police Department or the law enforcement agency with jurisdiction in the area that the student went missing, will be notified within 24 hours of making the determination that the student is missing (regardless of the age of the missing student). Contact will then be made with the listed contact person(s) within 24 hours by the Dean of

Students. If the missing student is under the age of 18 and is not an emancipated individual, the Dean of Students will notify the student's parent or legal guardian, in addition to the confidential missing person contact that has been identified, within 24 hours of making the determination that the student has been missing for more than 24 hours. University Police will provide the Dean of Students timely and continuous notification of the status of the investigation until the case is closed.

In addition to registering an emergency contact, students residing in on-campus housing have the option to identify, confidentially, an individual to be contacted by UAM in the event the student is determined to be missing for more than 24 hours. A student who wishes to identify a confidential contact may do so by completing the Missing Student Notification Form at the time a student checks-in the residential facility.

A student's confidential contact information will be accessible only by authorized campus officials and law enforcement as appropriate and it may not be disclosed outside of a missing person investigation.

### **Drug-Free Schools & Campuses Act**

In accordance with the Drug-Free Schools and Communities Act Amendments of 1989, the institution has developed and implemented a program to prevent the unlawful possession, use, sale, or distribution of illicit drugs and alcohol by students and employees. The institution's annual Drug-Free Schools and Communities Act notification includes the items listed below.

1. Standards of conduct that clearly prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by employees and students on its property or as part of its activities;
2. A description of applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;
3. A description of health risks associated with the use of illicit drugs and the abuse of alcohol;
4. A description of available drug or alcohol counseling, treatment, or rehabilitation or re-entry programs;
5. A clear statement of the disciplinary sanctions that the University will impose on employees and students and the consistency of the enforcement of sanctions. Disciplinary sanctions may include, but are not limited to, a warning, written reprimand, suspension (with or without pay), dismissal, expulsion, and/or mandatory participation and successful completion of a drug abuse assistance or rehabilitation program approved by an appropriate health or law enforcement agency. The institution's DFSCA Annual Notification/Disclosure is located at:

<http://uam-web2.uamont.edu/pdfs/dfsca%20annual%20notification.pdf>

### **Alcohol and Illicit Drug Policies & Sanctions for Students:**

UAM strictly prohibits the dispensing, selling, supplying, possession, use, manufacture, or distribution of alcohol or illicit drugs on University owned/University controlled property or at any University sponsored event, including off campus University sponsored events that have been approved by the Office of Student Affairs or another University Office. University Police actively enforces all Arkansas underage drinking laws as well as both state and Federal drug laws and University policies. Students found to be in violation of the alcohol and illicit drug policies are subject to arrest, criminal prosecution, imprisonment, and/or fine according to state and federal law. In addition, students found in violation of this policy will face university sanctions ranging from probation to expulsion.

The University may notify, in writing, a parent or legal guardian of a student who is under twenty-one (21) years of age if he/she violates any rule or policy of the university governing the use or possession of alcohol, controlled substances, or illicit drugs while on University controlled property or at a University sponsored or sanctioned event. Notification to the parent/legal guardian will be in addition to disciplinary action.

### **Alcohol and Illicit Drug Policies & Sanctions for Employees:**

#### ***The State of Arkansas Drug-Free Workplace Policy***

(Governor's Executive Order 89-2; approved by Administrative Cabinet May 15, 1989)

Drug abuse and use at the workplace are subjects of immediate concern in our society. These problems are extremely complex and ones for which there are no easy solutions. From a safety perspective, the users of drugs may impair the well-being of all employees, the public at large, and may cause damage to state property. Therefore, it is the policy of the State of Arkansas that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in a state agency's workplace is prohibited. Any employee violating this policy will be subject to discipline up to and including termination. The specifics of this policy are as follows:

1. State agencies [University of Arkansas at Monticello] will not differentiate between drug users and drug pushers or sellers. Any employee who gives or in any way transfers a controlled substance to another person or sells or manufactures a controlled substance while on the job or on agency premises will be subject to discipline, up to and including termination.
2. The term "controlled substance" means any drug listed in 21 U.S.C. Section 812 and other federal regulations. Generally, these are drugs that have a high potential for abuse. Such drugs include, but are not limited to Heroin, Marijuana, Cocaine, PCP, and "Crack". They also include "legal drugs" that are not prescribed by a licensed physician.
3. Each employee is required by law to inform the agency within five (5) days after he or she is convicted for violation of any federal or state criminal drug statute where such violation occurred on the agency's premises. A conviction means a finding of

- guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury in any federal court, state court, or other court of competent jurisdiction.
4. [The University of Arkansas at Monticello] must notify any U.S. government agency with which any contract has been made within ten (10) days after receiving notice from the employee or otherwise receiving actual notice of such a conviction.
  5. If an employee is convicted of violating any criminal drug statute while in the workplace, he or she will be subject to discipline up to and including termination. Alternatively, the agency may require the employee to successfully finish a drug abuse program sponsored by an approved private or governmental institution.
  6. As a condition of further employment under any federal government contract, the law requires all employees to abide by this policy.

***Alcohol Use*** (Board Policy 860.1; Governor's Policy Directive -5)

Possession and use of any intoxicant on University property is grounds for immediate termination of any employee. Reporting to work under the influence of alcohol is also grounds for termination. Violations of state law while on University property may result in referral to law enforcement authorities and may result in criminal charges being brought against an employee.

NOTE: Any University employee paid from federally funded grants or contracts, or any student participating in any federally funded or guaranteed Student Loan Program, must notify the University of any criminal drug statute conviction for a violation occurring at the University or while engaged in University activities.

**Legal Sanctions Under Federal Laws:**

Federal law provides criminal and civil penalties for unlawful possession or distribution of drugs and alcohol. Along with incarceration and/or fines, there are federal laws allowing the forfeiture of property used in possession or to facilitate possession of a controlled substance. This could include homes, vehicles, boats, aircrafts and other personal or real property. Fines could range up in the millions of dollars. An individual becomes ineligible to receive federal benefits such as student loans and grants. For more details on the Federal laws related to alcohol and other drug violations, go to:

<http://www.justice.gov/dea/druginfo/ftp3.shtml>

**Crime Statistics – UAM**

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the University community which are obtained from the following sources:

- University Police
- Monticello Police Department
- Drew County Sheriff's Office
- Campus Security Authorities

For statistical purposes, crimes reported to any of the sources named above are recorded in the calendar year the crime was reported. A written request for statistical information is made on an annual basis to CSAs, Monticello Police Department and Drew County Sheriff's Office. All of the statistics are gathered, compiled, and reported to the University community via the Annual Security and Fire Safety Report (ASF SR), which is published by University Police. University Police submits the annual crime statistics published in this brochure to the U.S. Department of Education (ED). The statistical information gathered by the ED is available to the public at: <http://ope.ed.gov/security/>

NOTE: Currently, there are no off-campus locations of student organizations officially recognized by the institution, including student organizations with off-campus housing facilities.

### **Campus Maps**

An interactive map of all UAM campuses is located at: <http://www.myatlascms.com/map/index.php?id=691>

**Crime Statistics: UAM**

<b>Offense (Reported By Hierarchy)</b>	<b>Year</b>	<b>On Campus</b>	<b>Noncampus</b>	<b>Public Property</b>	<b>Total</b>	<b>Residential Facilities*</b>	<b>Unfounded Crimes**</b>
Murder/Non Negligent Manslaughter	2015	0	0	0	0	0	0
	2014	0	0	0	0	0	0
	2013	0	0	0	0	0	--
Negligent Manslaughter	2015	0	0	0	0	0	0
	2014	0	0	0	0	0	0
	2013	0	0	0	0	0	--
Rape	2015	0	0	0	0	0	1
	2014	1	0	0	1	1	0
	2013	0	0	0	0	0	--
Fondling	2015	0	0	0	0	0	0
	2014	0	0	0	0	0	0
	2013	0	0	0	0	0	--
Incest	2015	0	0	0	0	0	0
	2014	0	0	0	0	0	0
	2013	0	0	0	0	0	--
Statutory Rape	2015	0	0	0	0	0	0
	2014	0	0	0	0	0	0
	2013	0	0	0	0	0	--
Robbery	2015	0	0	0	0	0	0
	2014	0	0	0	0	0	0
	2013	0	0	0	0	0	--
Aggravated Assault	2015	1	0	0	1	0	0
	2014	1	0	0	1	0	0
	2013	1	0	0	1	0	--
Burglary	2015	2	0	1	3	2	0
	2014	5	0	0	5	0	0
	2013	12	0	0	12	12	--
Motor Vehicle Theft	2015	0	0	0	0	0	0
	2014	0	0	0	0	0	0
	2013	1	0	0	1	0	--
Liquor Law Arrests	2015	0	0	0	0	0	0
	2014	1	0	0	1	1	0
	2013	0	0	0	0	0	--
Drug Law Arrests	2015	7	0	0	7	5	0
	2014	3	0	0	3	1	0
	2013	2	0	0	2	2	--
Weapons Law Arrests	2015	2	0	0	2	0	0
	2014	0	0	0	0	0	0
	2013	1	0	0	1	1	--
Liquor Law Violations Referred for Disciplinary Action	2015	9	0	0	9	2	0
	2014	4	0	0	4	3	0
	2013	4	0	0	4	2	--
Drug Law Violations Referred for Disciplinary Action	2015	4	0	0	4	2	0
	2014	1	0	0	1	1	0
	2013	6	0	0	6	6	--
Weapons Law Violations Referred for Disciplinary Action	2015	13	0	1	14	1	0
	2014	1	0	0	1	0	0
	2013	2	0	0	2	1	--
Arson	2015	0	0	0	0	0	0
	2014	0	0	0	0	0	0
	2013	0	0	0	0	0	--
Domestic Violence	2015	1	0	0	1	1	0
	2014	0	0	0	0	0	0
	2013	3	0	0	3	2	--
Dating Violence	2015	1	0	0	1	1	0
	2014	4	0	0	4	2	0
	2013	1	0	0	1	1	--
Stalking	2015	3	0	0	3	1	0
	2014	0	0	0	0	0	0
	2013	0	0	0	0	0	--

\*Residential Facility crime statistics are a subset of the On Campus category, i.e. they are counted in both categories.

\*\*Institutions are required to publish the number of "Unfounded Crimes" beginning with calendar year 2015 crime statistics. The University of Arkansas at Monticello has elected to voluntarily report this information for 2014 crime statistics in advance of the requirement taking effect.

**There were no hate crimes reported for 2015, 2014, or 2013.**



## **2016 Annual Security Report University of Arkansas at Monticello College of Technology-Crossett (UAM-CTC)**

1326 Highway 52 W  
Crossett, AR 71635

UAM-CTC is a two-year campus of the UAM located in Crossett that provides post-secondary academic and occupational/technical programs, services, and resources for the residents of its service area. UAM-CTC is located on a 36-acre plot that is 4.5 miles northeast of Crossett and 9.5 miles southwest of Hamburg and includes four administrative/classroom/lab buildings and two auxiliary buildings totaling approximately 51,500 square feet of floor space.

### **Emergencies and Reporting Crime**

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to one of the offices listed below.

#### *Medical Emergency and Other Types of Emergencies*

UAM-CTC University Police at 870-460-2012 or 870-500-8000

Ashley County Sheriff's Office at 870-853-2040 or 911

#### *Violations of Local, State, and Federal Law*

UAM-CTC University Police at 870-460-2012 or 870-500-8000

Ashley County Sheriff's Office at 870-853-2040 or 911

#### *Domestic violence, dating violence, sexual assault, stalking*

Although it may be difficult, it is always best to report domestic violence, dating violence, sexual assault, and stalking to University Police or local police.

Individuals may report domestic violence, dating violence, sexual assault, and stalking to:

UAM-CTC University Police at 870-460-2012 or 870-500-8000

Ashley County Sheriff's Office at 870-853-2040

#### *Other Available Resources:*

UAM-CTC Counselor at 870-460-224

Ashley County Medical Center at 870-364-4111

Delta Counseling Associates at 870-364-6471 or 800-323-2703

### **Access to Facilities**

The campus' facilities are open to members of the University and escorted or authorized visitors. Tours may be scheduled through the Student Services Office when visiting the campus or by calling 870-364-6414. Visitor parking is allowed in designated areas or by temporary permit only. Permission to park on campus may be obtained by calling University Police at 870-364-6414. The administrative and classroom/lab buildings on campus are typically open from 7:30 a.m. until 9:00 p.m. Monday through Thursday and from 8:00 a.m. until 4:30 p.m. on Friday. Unless there is a special activity, during all other times not noted and during the weekend, all campus buildings are locked, the campus entrances are secured by locked gates, and watchmen

are scheduled accordingly. The four major buildings on the campus are also monitored by security cameras 24 hours a day. There are no residential facilities on the Crossett campus.

UAM-CTC has one off campus facilities that it operates. The UAM Educational Center is owned by the University and is located at 311 North Mulberry in Hamburg, Arkansas. The center is open to members of the University and escorted or authorized visitors. The Center is operational Monday through Thursday from 8:00 a.m. until 4:30 p.m. and Monday and Tuesday evenings from 5:00 p.m. until 8:00 p.m. The facility is monitored 24 hours a day by security cameras.

### **Maintenance of Facilities**

UAM-CTC is committed to campus safety and security. Proper lighting and building security are major factors in reducing crime on campus and at off campus facilities. Inspections of all UAM-CTC facilities are conducted on a regular basis and repairs are made as quickly as possible.

NOTE: All other policies and procedures outlined in this report for the Monticello campus apply to the UAM-CTC campus, unless otherwise described in this section. UAM reports the crimes required by the Clery Act that occurred on or within an institution's Clery Geography that were reported to a Campus Security Authority.

**Crime Statistics: UAM-CTC**

<b>Offense (Reported By Hierarchy)</b>	<b>Year</b>	<b>On Campus</b>	<b>Noncampus</b>	<b>Public Property</b>	<b>Total</b>	<b>Residential Facilities*</b>	<b>Unfounded Crimes**</b>
Murder/Non Negligent Manslaughter	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Negligent Manslaughter	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Rape	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Fondling	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Incest	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Statutory Rape	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Robbery	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Aggravated Assault	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Burglary	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Motor Vehicle Theft	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Liquor Law Arrests	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Drug Law Arrests	2015	0	0	0	0	--	0
	2014	1	0	0	1	--	0
	2013	0	0	0	0	--	--
Weapons Law Arrests	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Liquor Law Violations Referred for Disciplinary Action	2015	1	0	0	1	--	0
	2014	1	0	0	1	--	0
	2013	0	0	0	0	--	--
Drug Law Violations Referred for Disciplinary Action	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	1	0	0	1	--	--
Weapons Law Violations Referred for Disciplinary Action	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	1	0	0	1	--	--
Arson	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Domestic Violence	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Dating Violence	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Stalking	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--

\*Residential Facility crime statistics are a subset of the On Campus category, i.e. they are counted in both categories.

\*\*Institutions are required to publish the number of "Unfounded Crimes" beginning with calendar year 2015 crime statistics. The University of Arkansas at Monticello has elected to voluntarily report this information for 2014 crime statistics in advance of the requirement taking effect.

**There were no hate crimes reported for 2015, 2014, or 2013.**

**2016 Annual Security Report  
University of Arkansas at Monticello  
College of Technology-McGehee (UAM-CTM)**

1609 East Ash  
McGehee, AR 71654

UAM-CTM is a campus of the UAM located in McGehee. UAM-CTM is a public two-year post-secondary institution that provides academic and occupational/technical programs, services, and resources for the residents of a seven-county service area. Educational opportunities include; a High School Diploma, Continuing Education Units, Certificate of Proficiency (Non-Credit), Technical Certificate (Credit), Associate of Applied Science in General Technology with an emphasis in any technical area. There are no residential facilities on the UAM-CTM campus.

**Emergencies and Reporting Crime**

Students, faculty or staff encountering emergencies or violations of University regulations or local, state, or federal law should report these incidents to one of the following offices.

UAM-CTM University Police at 870-222-5360  
City of McGehee Police and Ambulance Switchboard – 870-222-3636

Although it may be difficult, it is always best to report domestic violence, dating violence, sexual assault, and stalking to University Police or local police. Individuals may report domestic violence, dating violence, sexual assault, and stalking to:

UAM-CTM University Police at 870-222-5360  
City of McGehee Police and Ambulance Switchboard – 870-222-3636

**Access to Facilities**

UAM-CTM facilities are open only to members of the University and escorted or authorized visitors. Academic and administrative buildings are locked after normal working hours.

**Maintenance of Facilities**

Proper lighting and building security are major factors in reducing crime on campus. Inspections of facilities are conducted regularly and repairs are made as quickly as possible.

NOTE: All other policies and procedures outlined in this report for the Monticello campus apply to the UAM-CTM campus, unless otherwise described in this section. UAM reports the crimes required by the Clery Act that occurred on or within an institution's Clery Geography that were reported to a Campus Security Authority.

**Crime Statistics: UAM-CTM**

<b>Offense (Reported By Hierarchy)</b>	<b>Year</b>	<b>On Campus</b>	<b>Noncampus</b>	<b>Public Property</b>	<b>Total</b>	<b>Residential Facilities*</b>	<b>Unfounded Crimes**</b>
Murder/Non Negligent Manslaughter	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Negligent Manslaughter	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Rape	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Fondling	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Incest	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Statutory Rape	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Robbery	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Aggravated Assault	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Burglary	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Motor Vehicle Theft	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Liquor Law Arrests	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Drug Law Arrests	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Weapons Law Arrests	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Liquor Law Violations Referred for Disciplinary Action	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Drug Law Violations Referred for Disciplinary Action	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Weapons Law Violations Referred for Disciplinary Action	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Arson	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Domestic Violence	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Dating Violence	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--
Stalking	2015	0	0	0	0	--	0
	2014	0	0	0	0	--	0
	2013	0	0	0	0	--	--

\*Residential Facility crime statistics are a subset of the On Campus category, i.e. they are counted in both categories.

\*\*Institutions are required to publish the number of "Unfounded Crimes" beginning with calendar year 2015 crime statistics. The University of Arkansas at Monticello has elected to voluntarily report this information for 2014 crime statistics in advance of the requirement taking effect.

**There were no hate crimes reported for 2015, 2014, or 2013.**

## 2016 Fire Safety Report

The Higher Education Opportunity Act, enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. This report refers to the Monticello campus, where UAM has residential facilities.

All fires shall be reported to University Police 460-1000, Maintenance 460-1018, and Residence Life 460-1245.

### Fire Statistics

Years >	Total fires in each facility			Fire number			Cause of fire (Unintentional, Intentional, Undetermined)			Number of injuries requiring medical treatment at a medical facility			Number of deaths related to a fire			Value of property damage caused by fire		
	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015	2013	2014	2015
<b>Residential Facilities</b>																		
Royer Hall 605 University Dr.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Maxwell Hall 136 University Ct.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Bankston Hall 283 University Dr.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Horsfall Hall 520 University Dr.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
University Apartments (East-A) 211 Forestry Park Dr.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
University Apartments (West-B) 231 Forestry Park Dr.	0	1	0	0	1	0	0	Uni	0	0	0	0	0	0	0	0	\$99	0
Family Housing 164 Stadium Dr.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

## **Residential Fire Safety Systems and Evacuation Drills**

### **Fire Evacuation Procedures for Student Housing**

Know the location of the fire extinguishers, exits, and pull stations in your area and know how to use them. Training and information are available from University Police.

- Safeguard life.
- Confine the fire by closing all doors as you leave. DO NOT lock the doors.
- Report fire and/or smoke by activating the nearest fire alarm.
- Call University Police at 870-460-1000.
- Do not attempt to fight the fire alone.
- Evacuate the building immediately when the building fire alarm sounds or when asked to do so by University Police or Residence Life personnel.
- Evacuation maps are located in each building on each floor. Familiarize yourself with the evacuation plan.
- When you evacuate, do not stop for personal belongings. Leave immediately using the stairs. Do not use the elevator.
- Assist any individual who is disabled.
- Evacuate at least 500 feet from the building. Do not return to the building until instructed to do so by authorized personnel.
- To move through a smoke-clouded area, drop to your knees and crawl to the nearest evacuation exit.
- Notify both University Police and any authorized fire personnel if you suspect someone may be trapped inside the building.
- If you become trapped in a building during a fire and a window is available, place an article of clothing outside the window as a marker for emergency personnel. If no window is available, stay near the floor where the air will be less smoky. Shout at regular intervals to alert emergency personnel of your location.

### **Fire Drills and Evacuations**

Each residence hall will conduct at least 1 fire drill per semester to educate and prepare residents for evacuation procedures in case of fire. All residents must evacuate the residence hall when the fire alarm sounds. Failure to exit the building during a fire drill could result in disciplinary action.

### **Fire Prevention**

The following items are prohibited in Residence Halls:

- Open flames
- Candles and incense
- Space heaters

- Hot plates
- Toasters/toaster ovens
- George Foreman or similar style electric grills
- Smoking

### **Suggested Ways to Prevent Fire in the Residence Halls**

- Make sure that all appliances are turned off as you finish using them. This includes curling irons, irons, and blow dryers. If you have a refrigerator or any other appliance using a large electrical cord, and find it necessary to use an extension cord, the extension cord must be of the same thickness as the appliance's cord. A smaller cord will not adequately or safely carry the necessary current.
- Avoid overloading an electrical outlet: You should not use cube plugs. Be sure that, if you do use extension cords, they are located safely and away from high traffic areas. These cords should never be frayed or have any wires exposed.
- It is important that you demonstrate your concern by noting problematic situations to others. If for any reason others are careless, you need to point this out to them so that the safety of all residents is maintained.

### **Procedures Students and Employees Should Follow In Case of a Fire**

- If you discover or suspect a fire immediately evacuate the building using the nearest available exit. Do not attempt to fight a fire unless you have been trained to do so. Sound the building fire alarm by activating the nearest pull station and or verbally sounding the alarm and knocking on doors as you evacuate the building by the nearest exit.
- Notify University Police by dialing 1000 from any campus phone, or if using a cell phone 911 and inform authorities of your situation and location.
- DO NOT re-enter the building for any reason until given clearance by University Police or other emergency responders on the scene.

### **Reporting a Fire for Inclusion in the Fire Statistics - Reporting Fires**

Per federal law, the University of Arkansas at Monticello is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Therefore, if you encounter a live fire in one of these facilities, you should immediately get to a safe place, then dial 911. Once the emergency has passed, you should notify University Police at 460-1000 to investigate and document the incident for disclosure in the University's annual fire statistics. If a member of the UAM community finds evidence of a fire that has been extinguished, and the person is not sure whether University Police has already responded, the community member should immediately notify University Police at 460-1000 to investigate and document the incident for disclosure in the University's annual fire statistics.

### **Daily Fire Log**



University Police maintains a daily fire log. The daily fire log for each campus is open to public inspection and available on the UAM website at:

University Police:

[http://uam-web2.uamont.edu/pdfs/UAM\\_PS\\_CRIME\\_LOG.HTML](http://uam-web2.uamont.edu/pdfs/UAM_PS_CRIME_LOG.HTML)

UAM - College of Technology - Crossett:

[http://uam-web2.uamont.edu/pdfs/UAM\\_PS\\_CRIME\\_LOG.HTML](http://uam-web2.uamont.edu/pdfs/UAM_PS_CRIME_LOG.HTML)

UAM - College of Technology – McGehee:

[http://uam-web2.uamont.edu/pdfs/UAM\\_PS\\_CRIME\\_LOG.HTML](http://uam-web2.uamont.edu/pdfs/UAM_PS_CRIME_LOG.HTML)

## **Fire Safety Education and Training**

The UAM maintains a system of building coordinators who monitor facility use and conditions. Certain unit/office heads in the respective buildings are charged with monitoring and enforcing policies that ensure efficient energy use, safety and security measures, and initiating reports and work orders regarding cleanliness and needed repairs.

Building coordinators work with the Director of Physical Plant to comply with quality standards of maintenance, safety, and energy usage. Employees who observe conditions needing attention should notify the secretary of the building coordinator. A complete list of building coordinators is maintained in the Director of Physical Plant's office. Assignment of personnel as building coordinators is a decision of the Executive Council.

Simplex, a third-party vendor, conducts semiannual inspections of all facilities on campus that have fire alarm systems. Another third-party vendor, Capital Fire Extinguishers, conducts annual inspections of all fire extinguishers on campus and makes any necessary repairs and upgrades.

All faculty, staff, and students are expected to familiarize themselves with the evacuation plan for the buildings in which they occupy including the identified immediate evacuation area. In the residence halls, evacuation routes are posted in the hallways on every floor and students are instructed at the opening meeting and other floor meetings on evacuation procedures. Programs are also presented in residence halls on various safety issues including fire safety. Students are reminded about fire evacuation procedures during all hall meetings, floor meetings, or after problems occur during fire drills and accidental activations of the alarm.

The resident assistant (RA) on duty completes rounds that include checking fire extinguishers (gauges, missing tags), and complete Work Order Requests for any issues. In addition, cleaning staff also check and submit Work Order Requests for extinguishers that need replacement. The Occupational Safety Coordinator conducts periodic inspections of exit signs, detectors, doors, and pull stations within the residence halls. Work Requests are subsequently submitted to address items that require corrective action. Additionally, student rooms are thoroughly inspected during Thanksgiving, winter, spring breaks, and during the annual state fire inspection conducted by the Monticello Fire Department.

Residence Directors and Residential Assistants receive fire safety/emergency training annually. Employees will also receive training when policy or procedures relating to fire safety change. This training will include: protocol for reporting fires, procedures for evacuating a building, and how to respond to other emergencies. Students will receive this training during the beginning of the fall semester or orientation sessions.

### **Plans for Future Improvement**

As resources become available, the institution will consider the installation of additional pull stations, heat detectors and fire extinguisher devices at all residential facilities.