



Arkansas Tech University

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# *TITLE IX OFFICE*

## Resource Guide

# Steps to Take

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If you have experienced a form of harassment (sexual misconduct) such as sexual assault, please consider taking the following recommended actions.

1. Go to a safe location as soon as you are able.
2. Seek immediate medical attention if you are injured or believe you may have been exposed to an STI/STD or potential pregnancy.
3. If you are experiencing an emergency situation, please call 911.

#### 4. Contact any of the following for assistance:

- a. Title IX Coordinator Amy Pennington at 479-968-0407. Regular business hours, M-F
- b. ATU Department of Public Safety-Russellville Campus, at 911 or 479-968-0222, 24/7
- c. ATU Department of Public Safety-Ozark Campus, at 911 or 479-508-3359. Regular business hours, M-F
- d. ATU Health and Wellness Center, at 479-968-0329. Regular business hours, M-F
- e. Human Resources, at 479-968-0396. Regular business hours, M-F
- f. Ozark Rape Crisis Center, at 1-800-818-1189, 24/7
- g. River Valley Shelter, at 479-968-3110, 24/7

#### 5. Preserve evidence

If you choose to have forensic evidence collected at a hospital, it is important to do so **within 96 hours** of an assault, but the sooner you can be examined, the better. Even if you do not want to file charges or report to ATU or police at the time, by having evidence collected, you **keep your options open**. Having evidence collected does not mean you have to want to press charges or even make up your mind about what you want to do. It means that if you decide a few days, weeks, or months later that you want to report the assault to ATU and/or law enforcement, the physical evidence has been preserved. Exams performed in the 96-hour timeframe are **paid for by the state of Arkansas**. *Some general guidelines for evidence collection:*

- a. Seek forensic medical assistance at a local hospital (sooner is better). In Russellville, Saint Mary's Regional Medical Center is located at 1808 West Main Street. In Ozark, Mercy Hospital is located at 801 West River.
- b. You may want to shower, bathe, brush your teeth, smoke, change your clothes, or clean the area where the assault occurred. Try to avoid these things before having evidence collected if possible, but an evidence collection kit can still be completed if you have already done any or all of these things. If you have already changed clothes, take what you were wearing at the time of the assault to the hospital in a paper (not plastic) bag.
- c. If you are unsure about the identity of your assailant, write down everything you are able to remember about that person, including a physical description.
- d. Save any forms of communication or documents that might be helpful in an investigation. This may include text messages, emails, messages on social media like Instagram, Facebook, and Snapchat, pictures, etc.

#### 6. Choose how to proceed

Understand that you have options and are encouraged to contact the Title IX Office to discuss how you would like to proceed. Options include: 1) Elect to not pursue any official action unless/until you are ready; 2) Pursue resolution by ATU; and/or 3) Initiate criminal proceedings; and/or 4) Initiate a civil process against the Respondent. You may pursue whatever combination of options is best for you. If you wish to have an incident investigated and resolved by ATU, please contact Amy Pennington, AVP/Dean of Students and Title IX Coordinator, at 479-968-0407. Those who wish incidents to be handled criminally should contact the Department of Public Safety or local police where the harassment (sexual misconduct) occurred. An ATU Advisor is available to accompany students in making such reports, if desired. Contact Amy Pennington for more information.

# About Confidentiality

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To make informed choices, all parties should be aware of confidentiality and privacy issues, as well as institutional reporting requirements.

## **Confidential Reporting**

If reporting students wish that details of an incident be kept confidential, they should speak with counselors and/or medical professionals in the Health and Wellness Center. Short-term on-campus counseling services are free of charge. Members of the clergy, chaplains, and off-campus rape crisis center staff can also maintain confidentiality. Local resources such as the Ozark Rape Crisis Center and River Valley Shelter (domestic and dating violence) are confidential and have no duty to report your information to ATU or law enforcement unless the incident involves a minor (please see below).

## **Mandated Reporting**

All ATU employees who are not designated above as confidential should immediately report all the details of which they are aware about an incident. Many ATU employees are mandated to report actual or suspected discrimination or harassment (sexual misconduct) to the Title IX Coordinator immediately. These employees are called Responsible Employees.

You may request confidentiality and/or that the Title IX Coordinator provide you with supportive measures without initiating a formal resolution process. The Title IX Coordinator will weigh requests for confidentiality against the institutional need to address and remedy discrimination under Title IX. Generally, ATU will be able to respect your wishes unless it believes there is a threat to the community based on the use of weapons, violence, pattern, predation, or threatening conduct by the person being accused.

In cases where your request for confidentiality is granted, the ATU will offer you available resources and supportive measures. You are not obligated to pursue formal resolution in order to access the resources and supportive measures that are available. If ATU decides that it is obligated to pursue a formal resolution based on the notice you have given, you are not obligated to participate in the resolution process. However, the ability of ATU to enforce its policies or provide some remedies may be limited as a result of your decision not to participate.

Certain employees are in a position to institute corrective measures at ATU. These employees are called "Officials with Authority" and have a responsibility to respond to reports of harassment (sexual misconduct). Complaints or notice of alleged Policy violations may be made to any Title IX Staff member listed on the last page of this document or identified on our website.

## **Incidents Involving Minors**

Please be aware that institutional duties with respect to minors (those under the age of 18) may require reporting harassment (sexual misconduct) incidents to state agencies and/or local law enforcement. As a result, confidentiality cannot be guaranteed in harassment (sexual misconduct) incidents involving minors. This may also be true for local advocacy groups like the Ozark Rape Crisis Center and the River Valley Shelter.

# *ATU Policy and Procedures*

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ATU's full Equal Opportunity, Harassment (Sexual Misconduct), and Nondiscrimination Policy and Procedures can be found on our website here: <https://www.atu.edu/titleix/policy.php>

## **ATU's Equal Opportunity, Harassment (Sexual Misconduct), and Nondiscrimination Policy and Procedures.**

Harassment, including sexual harassment, sexual violence, sexual exploitation, intimate partner violence, and stalking, are violations of ATU's Equal Opportunity, Harassment (Sexual Misconduct), and Nondiscrimination Policy and Procedures. A number of federal laws and regulations, including Title IX, the Violence Against Women Act, and the Clery Act, mandate how institutions respond to such allegations. Many types of harassment (sexual misconduct) also constitute violations of Arkansas law.

Members of the ATU community, guests, and visitors have a right to be free from harassment (sexual misconduct). All members of the community must conduct themselves in a way that does not infringe upon the rights of others. ATU's Equal Opportunity, Harassment (Sexual Misconduct), and Nondiscrimination Policy and Procedures is intended to define expectations for appropriate conduct and outline resolution processes to address conduct that does not meet these expectations. When individuals accused of harassment (sexual misconduct) are found to be in violation of the policy, ATU will impose serious sanctions, as detailed below.

All members of the ATU community, guests, and visitors are protected by this Policy regardless of the sex, sexual orientation, or gender identity of those involved. The next page defines types of harassment (sexual misconduct) prohibited by the Equal Opportunity, Harassment (Sexual Misconduct), and Nondiscrimination Policy and Procedures. For more details on this policy, please visit [www.atu.edu/titleix](http://www.atu.edu/titleix).

Additional information about campus crime, state laws, and disclosures related to harassment (sexual misconduct) can be found online in ATU's Combined Annual Security Report & Fire Safety Report. Access it here: <https://www.atu.edu/psafe/cleryreport.php>.

Students/organizations found to have violated the Policy may be subject to the following sanctions:

- Warning
- Probation
- Loss of Privileges
- Monetary Fines
- Restitution
- Educational Sanctions
- Discretionary Sanctions
- Holds
- Housing Suspension
- Housing Expulsion
- University Suspension
- University Expulsion
- Loss of Scholarship
- Withholding Diploma
- Revocation of Admission or Degree
- Organizational Sanctions
- Other Sanctions

Employees found to have violated the Policy may be subject to the following sanctions:

- Warning
- Performance Improvement/Management Process
- Required Counseling
- Required Training or Education
- Probation
- Loss of Annual Pay Increase
- Loss of Oversight or Supervisory Responsibility
- Demotion
- Suspension with Pay
- Suspension without Pay
- Termination
- Other Actions

# Harassment Violations

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The following are the definitions of conduct prohibited by ATU Policy related to harassment (sexual misconduct).

## Sexual Harassment

Sexual harassment is:

- a. unwelcome conduct,
- b. determined by a reasonable person,
- c. to be so severe, and
- d. pervasive, and
- e. objectively offensive,
- f. that it effectively denies a person equal access to ATU's education program or activity.

## Quid Pro Quo

Quid Pro Quo sexual harassment is:

- a. an employee of ATU,
- b. conditions the provision of an employment or educational benefit, aid, or service of ATU,
- c. on an individual's participation in unwelcome sexual conduct.

## Stalking

Stalking is:

- a. engaging in a course of conduct,
- b. on the basis of sex,
- c. directed at a specific person, that
  - i. would cause a reasonable person to fear for the person's safety, or
  - ii. the safety of others; or
  - iii. suffer substantial emotional distress.

## Retaliation

It is prohibited for any member of ATU's community to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy and procedure.

## Domestic Violence

Domestic Violence is:

- a. felony or misdemeanor crimes,
- b. on the basis of sex,
- c. committed by a current or former spouse or intimate partner of the Complainant under family or domestic violence laws of Arkansas, and
- d. includes the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a Complainant, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who-
  - e. is a current or former spouse or intimate partner of the Complainant, or person similarly situated to a spouse of the Complainant;
  - f. is cohabitating, or has cohabitated, with the Complainant as a spouse or intimate partner;
  - g. shares a child in common with the Complainant;
  - h. commits acts against a youth or adult Complainant who is protected from those acts under the family or domestic violence laws of the jurisdiction.

## Dating Violence

Dating Violence is:

- a. violence,
- b. on the basis of sex,
- c. committed by a person,
- d. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.

## Sanctions

Sanctions for the listed offenses range from warning up to and including suspension or expulsion/termination.

# Sexual Assault Defined

The following are the definitions of conduct prohibited by ATU Policy that specifically fall under the term "Sexual Assault."

## A. Rape

- 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 their consent,
- including instances where they are incapable of giving consent because of age, or because of temporary or permanent mental or physical incapacity.

## B. Sodomy

- Oral or anal sexual intercourse with another person,
- forcibly,
- and/or against that person's will (non-consensually), or
- not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

## C. Sexual Assault with an Object

- The use of an object or instrument to penetrate,
- however slightly,
- the genital or anal opening of the body of the Complainant,
- forcibly, and/or
- against their will (non-consensually), or
- not forcibly or against their will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

## D. Fondling

- The touching of the private body parts of the Complainant (buttocks, groin, breasts),
- for the purpose of sexual gratification,
- forcibly, and/or
- against that person's will (non-consensually), or
- not forcibly or against their will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

## E. Sex Offenses, Non-Forcible

- Incest is:
  - Non-forcible sexual intercourse,
  - between persons who are related to each other,
  - within the degrees wherein marriage is prohibited by Arkansas law.
- Statutory Rape is:
  - Non-forcible sexual intercourse,
  - with a person who is under the statutory age of consent of 14.

## Sexual Exploitation\*

- An individual taking non-consensual or abusive sexual advantage of another,
- for their own benefit or for the benefit of anyone other than the person being exploited, and
- that conduct does not otherwise constitute sexual harassment under ATU Policy. Examples of Sexual Exploitation can be found in the full Equal Opportunity, Harassment (Sexual Misconduct), and Nondiscrimination Policy and Procedures.

\*While Sexual Exploitation does not fall under "Title IX," it is still prohibited by ATU Policy.

## Sanctions

Sanctions for the listed offenses range from warning up to and including suspension or expulsion/termination. A list of possible sanctions can be found on page 4 of this document.

# Complainant Options

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You may choose one or any combination of the options below. We encourage medical and mental health assistance for all options.

## **Option 1: Medical treatment and optional evidence collection at hospital emergency room.**

Medical assistance can be obtained by dialing 911 or going directly to the hospital. Emergency Room staff at Saint Mary's Regional Medical Center in Russellville and Mercy Hospital in Ozark are equipped with the supplies necessary to collect and preserve forensic evidence (sometimes called a "rape kit"). They are also able to treat any possible injuries, provide preventative treatment for sexually transmitted infections, and offer other health services.

## **Option 2: Report to ATU.**

Reports can be made to Title IX Staff (listed on the last page) and will be referred to Title IX Coordinator. Complaints can be resolved formally or informally.

- Provided option to receive supportive measures (whether you choose to move forward with a complaint or decide not to).
- Provided options to seek medical treatment and optional evidence collection at hospital emergency room.
- Provided options to seek medical and/or mental health care through the ATU Health and Wellness Center (for students).
- Provided option to receive advocacy through groups like the Ozark Rape Crisis Center and the River Valley Shelter (intimate partner violence).

## **Option 3: Report to law enforcement.**

File a report and/or initiate criminal proceedings.

- Provided option of disclosing the incident to local advocacy agency.
- Provided option of reporting the incident to ATU.

## **Option 4: Confidential disclosure to ATU Health and Wellness Center (\*students).**

- Provided option of reporting to ATU and/or local police.
- Provided option of seeking counseling for on- and off-campus support. Health and Wellness Center staff can assist students, faculty, and staff with finding off-campus counseling.
- Provided options to seek medical treatment and optional evidence collection at hospital emergency room and/or medical care on-campus (for students).

## **Option 5: Confidential disclosure to community advocacy groups like the Ozark Rape Crisis Center or River Valley Shelter.**

- Provided option of reporting to ATU and/or local police and accompaniment during the report(s) and/or investigative process(es).
- Provided options to seek medical treatment and optional evidence collection at hospital emergency room and hospital accompaniment.
- Provided option of assistance seeking an order of protection.

# Understanding Consent

Consent is: knowing, voluntary, and clear permission, by word or action, to engage in sexual activity.

## Consent

Since different people may experience the same interactions differently, each party is responsible for making sure that partners have provided ongoing, clear consent to engaging in any sexual activity or contact.

A person may withdraw consent at any time during sexual activity or contact through words or actions. If that happens, the other party must immediately cease the activity or contact. Pressuring another person into sexual activity can constitute coercion, which is also considered to be sexual misconduct.

Silence or the absence of resistance alone does not constitute consent. A victim is not required to resist or say “no” for an offense to be proven.

Consent to some forms of sexual activity (e.g., kissing, fondling, etc.) should not be construed as consent for other kinds of sexual activities (e.g., intercourse).

Being or having been in a dating relationship with the other party does not mean that consent for sexual activity exists.

Previous consent to sexual activity does not imply consent to sexual activity in the future.

**Consent is: knowing, voluntary, and clear permission, by word or action, to engage in sexual activity.**

## Force

Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., “Have sex with me or I’ll hit you,” “Okay, don’t hit me, I’ll do what you want.”).

## Coercion

Coercion is unreasonable pressure for sexual activity.

## Incapacitation

Incapacitation is defined as a state in which individuals are unable to make rational, reasonable decisions because they lack the capacity to understand the “who, what, when, where, why, or how” of a situation or interaction. Individuals cannot give sexual consent if they can’t understand what is happening, or if they are disoriented, helpless, asleep, or unconscious for any reason. That applies even if it is because they voluntarily consumed alcohol or drugs. Unless consent is “knowing,” it is not valid. Those engaging in sexual activity who know or should have known that the other party is incapacitated are engaging in sexual assault. The possession, use, distribution, and/ or administration of any incapacitating substances is prohibited.

The fact that a responding party was intoxicated, and thus did not realize the reporting party was incapacitated, does not excuse harassment (sexual misconduct).



# *Your Rights at ATU*

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ATU strives to provide members of the campus community with fair and equitable resolution processes that include both formal and informal options.

## **Reporting**

- Complainants have the right to notify law enforcement of incidents and to receive assistance from campus personnel in doing so.
- Complainants may decline to report to law enforcement if they so wish.
- Complainants have the right to have their allegations investigated and resolved by ATU.

## **Fairness**

- All members of the campus community have the right to have reported incidents addressed according to ATU's published procedures.
- The parties may each have an Advisor of their choice present with them for all meetings, interviews, and hearings within the resolution process (see below).
- All parties have the right to written Notice of the Outcome of harassment (sexual misconduct) resolution proceedings.
- Complainants and witnesses will receive amnesty for minor infractions (e.g., alcohol and drug violations) that are secondary to incidents of harassment (sexual misconduct).
- All parties have a right to be free from retaliation.

## **Support**

- Students have a right to be notified of their ability to access campus counseling and health services through the Health and Wellness Center.
- Students and employees have a right to be notified of available supportive measures as well as on- and off-campus resources.
- All parties involved in harassment (sexual misconduct) allegations will receive the information and assistance needed to effectively participate in all proceedings.
- Complainants have the right to seek orders of protection, no-contact directives, restraining orders, or similar lawful orders issued by criminal, civil, or tribal courts, and may seek the help of ATU's Title IX Office and/or the Department of Public Safety in requesting and/or enforcing these orders.

## **Advisors**

- The parties may each have an Advisor of their choice present with them for all meetings and interviews within the resolution process.
- An Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process.
- The Title IX Coordinator will offer to assign an Advisor from ATU's Grievance Process Pool for any party. Advisors from ATU's pool are trained by ATU and are familiar with ATU's resolution processes.
- Parties have a right to choose not to have an Advisor in the initial stages of the resolution process, prior to a hearing.

# Procedures at ATU

ATU has two umbrella processes. Process A refers to a very narrow group of violations, and Process B refers to all other violations. The Title IX Coordinator will help you understand any differences there may be between the two.

## Initial Meeting

After an incident has been reported to ATU, the Title IX Coordinator meets with the Complainant to discuss their rights, options, supportive measures, and resources. At this meeting, the Title IX Coordinator will (as applicable):

- Explain options for informal and formal ATU resolution processes and options for reporting to law enforcement
- Explain steps involved in an investigation
- Discuss confidentiality and privacy
- Determine if the Complainant wants to pursue an ATU resolution (informal or formal). If the Complainant wishes to move forward with an ATU resolution, the Title IX Coordinator will ask that they submit a written complaint that includes details of the allegation.
- Discuss supportive measures available

If the Complainant chooses to move forward with an ATU resolution, the Title IX Coordinator will conduct an assessment to determine which ATU process the allegation falls under (Process A, Process B, or other ATU processes) and will explain to the Complainant any differences in resolution process.

## Supportive Measures

ATU may take whatever steps are deemed necessary to appropriately respond to allegations of harassment (sexual misconduct), protect students' and employees' rights, and keep members of the campus community safe from further harm. These measures are available regardless of whether or not a Complainant seeks an ATU resolution or makes a crime report. These measures may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to community-based service providers

- Visa and immigration assistance
- Student financial aid counseling
- Education to the institutional community or community subgroup(s)
- Altering campus housing assignment(s)
- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus safety escorts
- Providing transportation accommodations
- Implementing contact limitations (no contact directives) between the parties
- Academic support, extensions of deadlines, or other course/program-related adjustments
- Campus ban letters
- Timely warnings
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Title IX Coordinator or the AA/EEO Officer

## Informal Resolution Process

The Informal Resolution Process may be appropriate when the conduct complained of is not as severe or of a repetitive nature and disciplinary action is not required to remedy the situation. As there is no formal investigation involved in the Informal Resolution Process, there is no imposition of discipline.

ATU methods for resolving complaints informally include, but are not limited to:

- Mediating between the Complainant and the Respondent;
- Aiding in the modification of the situation in which the offensive conduct occurred;
- Assisting a department or division with the resolution of a real or perceived problem; or
- Arranging for a documented meeting between the Respondent and an ATU official that involves, at a minimum, a discussion of the requirements of ATU policies.

# Formal Resolution

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This information is intended to provide an overview of the Formal Resolution Process. Please visit <https://www.atu.edu/titleix/policy.php> to view the entire Policy with all details, and contact the Title IX Coordinator with any questions.

## First Steps and Advisors

Upon initiation of the Formal Complaint Resolution Process, the Title IX Coordinator will provide written notice of the investigation and allegations to the Respondent. The Title IX Coordinator will give the Respondent a copy of the complaint. The Respondent may submit a written response to the complaint within five days of receiving it.

Both parties may each have an Advisor of their choice present with them for all meetings and interviews within the resolution process. An Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. The Title IX Coordinator will offer to assign an Advisor from ATU's Grievance Process Pool for any party. Advisors from ATU's pool are trained by ATU and are familiar with ATU's resolution processes.

## Investigation

Typically, a team of two investigators will be appointed by the Title IX Coordinator to conduct an investigation that is prompt, thorough, reliable, equitable, fair, and impartial. Investigators interview all relevant parties and witnesses, gather available, relevant evidence, and prepare reports with their findings. The parties have opportunities to review and respond to these reports.

## Hearings

Formal complaints that are not resolved informally are heard by a three-member panel (Decision-Makers) of trained faculty and staff. At the hearing, the parties and witnesses will submit to questioning by the Decision-Makers and then by the parties through their Advisors ("cross-examination"). The parties must each have an Advisor present at the hearing to ask questions on their behalf (ATU can provide this Advisor).

During the hearing, the parties may make opening and closing statements to address the issues raised in the investigative report and/or hearing. Parties and witnesses must participate in the hearing by submitting to cross-examination for their statements and evidence to be considered by the Decision-Makers.

## Deliberation, Decision-Making and Standard of Evidence

Following the hearing, the Decision-Makers will deliberate in closed session to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. Since ATU uses a preponderance of evidence standard, Decision-Makers will consider whether, given the available credible evidence, it is more likely than not that a violation occurred. At the conclusion of deliberation, the Decision-Makers will prepare a deliberation statement detailing the determination, rationale, evidence supporting their decision, etc., and submit this statement to the Title IX Coordinator for inclusion in the Notice of Outcome.

The parties will be sent the Notice of Outcome letter, informing them in writing of the final determination, rationale, and any applicable sanction(s). This notice includes the procedures for appealing the decision, any change to the results that occurs prior to the time that such results become final, and when results are considered to be final.

## Appeals

Any party may file a Request for Appeal on the basis of the three grounds permitted by ATU policy, but it must be submitted in writing to the Title IX Coordinator within five days of the Notice of Outcome being sent. All parties are included in any appeal reconsideration and have equal rights of participation. There is only one level of appeal. That decision is final. To view the entire Policy with all details, please visit: <https://www.atu.edu/titleix/policy.php>.

# Prevention and Risk Reduction

Risk reduction and prevention of domestic and dating violence, stalking, sexual assault, sexual harassment, and sexual exploitation.

## Tips for Preventing Harassment (Sexual Misconduct)

We all have a part to play in the fight against sexual and relationship violence. The following are some things to keep in mind as you interact with peers or sexual/romantic partners.

- Always ask first. Listen for your partner's response, and take both verbal and nonverbal signs of reluctance or refusal seriously. If the response is not clear, ask again. Mixed messages from your partner are a clear indication that you should stop and talk about it. You have a responsibility to respect your partner's timeline for sexual activities with which they are comfortable.
- Respect the wishes of the person you are interacting with. Even if the person you are with initially gives permission, consent can be withdrawn at any time.
- Remember that prior sexual activity does not equal future consent. Consent must be obtained during every encounter and for every sexual act.
- Realize that drugs and alcohol are no excuse to have sex. Alcohol and other drugs impair judgment and communication, making it difficult to obtain consent. Additionally, it is against the law to engage in sexual activity with someone who is incapacitated or incapable of saying "no."
- Trust your instincts. If you are uncomfortable or sense that you are in danger, leave as soon as you are able. In an emergency, you should always call 911.
- Be a role model and engage respectfully with others in the Arkansas Tech University community. Set high standards for your friend group and the larger University community, and model the conduct you expect from others.
- Be an leader. If you see concerning behavior, don't be afraid to intervene if it is safe to do so, and don't be afraid to contact Public Safety to assist. Speak out against harmful stereotypes and behaviors in conversations with peers and offer help to community members who may need it.
- Some students have a more difficult time reading social cues than others. If you are one of these people, it might be important that you rely less on non-verbal cues and practice good verbal communication with your peer or sexual/romantic partner. If you think that you need to improve your communication skills, consider getting connected with Counseling and Disability Services.

# Educational Programming

ATU offers a variety of educational outreach and training opportunities to all students, faculty, and staff related to harassment (sexual misconduct).

## Online Vector Solutions Training

All students, faculty, and staff complete annual online through Vector Solutions. The online courses provide awareness and prevention information and educate community members about sexual assault, domestic/dating violence, stalking, sexual harassment, consent, and bystander intervention in compliance with the Violence Against Women Act and the Clery Act.

## Ongoing Campaigns

Ongoing harassment (sexual misconduct) awareness and prevention campaigns are provided throughout the academic year to students, faculty, and staff.

## Events and Trainings

ATU supplements online Vector Solutions training with several in-person and virtual events, trainings, and programs each semester. A full list is available on the Title IX website.

One type of training the Title IX Office offers is bystander intervention programming. Office trainings build on Vector Solutions content in an effort to ensure that each member of the ATU community is invested in creating a safe environment for themselves and others. Program participants are instructed on safe options for preventing harm and intervening when a risk of harassment (sexual misconduct) exists.

# Key Contacts and Resources

## On-Campus Resources

**Amy Pennington** AVP/Dean of Students & Title IX Coordinator  
[Focus-Gender discrimination, including sexual misconduct]  
(479) 968-0407 | [apennington@atu.edu](mailto:apennington@atu.edu)

**Stacy Galbo** Deputy Title IX Coordinator/Investigator  
[Focus-Gender discrimination, including sexual misconduct]  
(479) 968-0239 | [sgalbo2@atu.edu](mailto:sgalbo2@atu.edu)

**Mitzi Reano** Deputy Title IX Coordinator  
[Focus-All types of protected class discrimination]  
Ozark Campus  
(479) 667-2117 | [mreano@atu.edu](mailto:mreano@atu.edu)

**Ashlee Leavell** Deputy Title IX Coordinator  
[Focus-Discrimination based upon pregnancy]  
(479) 968-0302 | [sleavell8@atu.edu](mailto:sleavell8@atu.edu)

**Melissa Riffle** AA/EEO Officer & Deputy Title IX Coordinator  
[Focus-All types of protected class discrimination]  
(479) 968-0396 | [mriffle@atu.edu](mailto:mriffle@atu.edu)

**William Titsworth** Lead Investigator  
(479) 498-6083 | [wtitsworth@atu.edu](mailto:wtitsworth@atu.edu)

## Health and Wellness Center (Confidential):

(479) 968-0329 | <https://www.atu.edu/hwc/>  
Students have access to both counseling and medical services. Licensed counselors and medical professionals in the Health and Wellness Center are considered confidential resources at ATU. While these services are for students, ATU can provide medical and mental health referrals off-campus for employees and students who prefer to see someone off-campus.

## Financial Aid Office:

(479) 968-0399 | <https://www.atu.edu/finaid/>  
Students who need financial assistance or help navigating their current assistance can get help through the Financial Aid Office.

## Fight On Fund:

Financial assistance for students who have experienced an emergency or crisis.  
<https://www.atu.edu/fightonfund/>

## Department of International Student Services:

(479) 964-0832 | <https://www.atu.edu/imss/>  
ISS offers visa and immigration assistance for ATU students.

Below are campus and community resources. The Title IX Office can help you get connected with these resources and identify others that may better meet your specific needs.

## Off-Campus Resources

### Emergency Response: 911

### Victim Assistance Outreach Program, 5th Judicial District Prosecuting Attorney's Office:

Court accompaniment, assistance filing orders of protection (restraining orders)  
(479) 968-8600

### Ozark Rape Crisis Center:

Confidential 24-hour crisis intervention, hospital accompaniment, and case management. Offices in Russellville and Clarksville.  
(800) 818-1189

### River Valley Shelter:

Confidential 24-hour crisis intervention, case management, and emergency shelter located in Russellville.  
(479) 968-3110

### St. Mary's Regional Medical Center:

(479) 968-6211

### Mercy Hospital in Ozark, AR:

(479) 667-4138

### National Domestic Violence Hotline:

24 hour hotline: (800) 799-7233  
24 hour live chat: [www.thehotline.org](http://www.thehotline.org)

### National Sexual Assault Hotline:

24 hour hotline: (800) 656-4673  
24 hour online chat: [www.hotline.rainn.org/online](http://www.hotline.rainn.org/online)

### Arkansas Coalition Against Sexual Assault (ACASA)

[www.acasa.us](http://www.acasa.us)  
24 hour hotline: (800) 656-4673

### Arkansas Coalition Against Domestic Violence

[www.domesticpeace.com](http://www.domesticpeace.com)  
List of domestic violence shelters throughout the state.

### Legal Aid of Arkansas:

1-870-338-9834

### Office for Civil Rights:

1-800-421-3481 | [www.hhs.gov/ocr](http://www.hhs.gov/ocr)  
To report any education discrimination on the basis of race, color, religion, national origin, sex, age, or disability, request information on civil rights compliance programs, procedures for filing discrimination complaints, or access to civil rights regulatory and policy documents.

More information as well as ATU's full *Equal Opportunity, Harassment (Sexual Misconduct), and Nondiscrimination Policy and Procedures* can be found online at: [www.atu.edu/titleix](http://www.atu.edu/titleix).