

## Changes made to the 2015 Faculty Handbook

### Added ~~Removed~~

Removed all footnotes referencing changes/additions from 2010 (example\*Amended 8/1/10)

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## 2 Role and Scope

~~—Arkansas Tech University was granted a change in role and scope by the Arkansas Higher Education Coordinating Board on July 25, 2014 to allow the institution to offer doctoral programs. Once revised by the Arkansas Department of Higher Education, the role and scope will be updated in this Faculty Handbook.~~

~~The Role and Scope for Arkansas Tech University as approved by the Board of Trustees on July 29, 2000, and defined by the Arkansas Department of Higher Education reads as follows:~~

Arkansas Tech University was granted a change in role and scope by the Arkansas Higher Education Coordinating Board on July 25, 2014 to allow the institution to offer doctoral programs. The Role and Scope reads as follows:

### 1. Audiences

Arkansas Tech University (ATU) is responsible for serving:

- Residents of the northwest quadrant of Arkansas who have completed a high school education and are seeking either a college degree or continuing professional education and residents of the state through specific degree programs and services.
- Employers in the region, both public and private—school districts, health care providers, local governments, and private businesses.
- Economic development interests and entrepreneurs in the region.
- The community and area by providing a broad range of academic and cultural activities and public events.
- Area K-12 schools seeking college general education courses for advanced students.
- Two-year college transfer students.

### 2. Array of Programs and Services

ATU serves these audiences by offering:

- Certificate and associate degree programs in applied technologies, nursing and allied health.
- Baccalaureate programs in arts and humanities, the natural sciences, and social sciences appropriate to a teaching institution with a predominantly undergraduate student body.
- Baccalaureate and masters programs in the professional fields of communications, information technology, engineering, education, nursing and allied health, and business.
- **Doctoral Degrees**
- Services specifically designed to meet the needs of regional economic development (small business development, support for entrepreneurs, problem-solving).

**4-6** AHECB Approved Degree Programs updated

**7** Organizational Units of Instruction, Research and Public Service updated

**8-11** Organizational charts updated

**25** \*SEXUAL MISCONDUCT POLICY AND PROCEDURES

### **OPTIONS FOR IMMEDIATE ASSISTANCE**

If you or someone you know may have been a victim of Sexual Assault, you are strongly encouraged to seek immediate assistance.

#### **Law Enforcement Assistance**

##### **ON CAMPUS - RUSSELLVILLE**

Assistance can be obtained 24 hours a day, 7 days a week, from the Arkansas Tech University Department of Public Safety located at 1508 N. Boulder Avenue and available by phone at (479) 968-0222.

##### **OFF CAMPUS – RUSSELLVILLE**

Assistance can be obtained 24 hours a day, 7 days a week, from the Russellville Police Department by dialing 911.

##### **ON CAMPUS – OZARK**

Assistance can be obtained from 8:00 a.m. to 5:00 p.m., Monday thru Friday by contacting Mr. David Spicer, Public Safety Officer located at the Collegiate Center, Room 100c, 1700 Helberg Lane or by phone at (479) 508-3359.

##### **~~ON OR OFF~~ CAMPUS – OZARK**

Assistance can be obtained 24 hours a day, 7 days a week, from the Ozark Police Department by dialing 911.

#### **Medical Assistance**

##### **Russellville**

St. Mary's Regional Medical Center  
1808 W. Main Street

##### **Ozark**

Mercy Hospital Ozark  
801 W. River

Medical assistance can be requested by dialing 911 or going directly to the hospital. Nurses on staff in the emergency room are trained and equipped with the supplies necessary to perform a rape kit to preserve evidence. Treatment of injuries, preventative treatment for sexually transmitted diseases, and other health services are provided.

During business hours (8:00 a.m. to 5:00 p.m., Monday through Friday), you are also strongly encouraged to contact Jennifer Fleming, Arkansas Tech University's Title IX Coordinator by telephone at (479) 498-6020, by email at [jfleming@atu.edu](mailto:jfleming@atu.edu), or in person at Room 212 of the Administration Building located at 1509 N. Boulder Avenue in Russellville, Arkansas or Amy ~~White~~ Anderson, Deputy Title IX Coordinator, at (479) 498-6071, by email at ~~[awhite@atu.edu](mailto:awhite@atu.edu)~~ ~~[aanderson41@atu.edu](mailto:aanderson41@atu.edu)~~, or in person at Women's Golf Office, Tucker Coliseum, 1604 Coliseum Drive, Russellville, Arkansas or **Tanya Martin, Deputy Title IX Coordinator for the Ozark Campus**, at (479) 508-3307, by email at [tmartin31@atu.edu](mailto:tmartin31@atu.edu), or in person at **Room 154 of the Technology & Academic Support Building, 1700 Helberg Lane, Ozark, Arkansas.**

For additional information about seeking medical assistance and emotional support, as well as important contact information, including local law enforcement agencies and St. Mary's Hospital in Russellville and Mercy Hospital in Ozark, **see Appendix "A" attached to this policy.**

### **OPTIONS FOR ONGOING ASSISTANCE**

If you believe you have been involved in an incident of sexual misconduct, you have the right to pursue action through the University conduct system and/or the appropriate law enforcement authorities. Options for reporting sexual misconduct are provided below. Assistance is available upon request for individuals wishing to review these reporting options regardless of whether a formal complaint is filed with the Office of Affirmative Action or to law enforcement officials.

#### **On Campus Resources**

The University encourages victims of sexual misconduct to talk to somebody about what happened so that victims can get the support they need, and so that the University can respond appropriately. Different employees on campus have different abilities to maintain a victim's confidentiality. Some employees are required to maintain near complete confidentiality; talking to them is sometimes called a "privileged communication." At Arkansas Tech, these employees are the licensed counselors staffed in the Health and Wellness Center (<http://www.atu.edu/hwc/index.php>):

- Kristy Davis, [kdavis51@atu.edu](mailto:kdavis51@atu.edu), (479) 968-0329
- Craig Witcher, [cwitcher@atu.edu](mailto:cwitcher@atu.edu), (479) 968-0329
- Hunter Bramlitt, [jbramlitt@atu.edu](mailto:jbramlitt@atu.edu), (479) 968-0329
- Janis Taylor, [jtaylor78@atu.edu](mailto:jtaylor78@atu.edu), (479) 968-0329

In addition, academic accommodations and interim measures may be provided to victims of sexual misconduct. That information is found in Article IV(b)(i)(8) on page 10.

#### **Off Campus Resources**

##### **Victim Assistance Outreach Program**

The 5<sup>th</sup> Judicial District Prosecuting Attorney's Office has a "Victim Assistance Outreach Program" which provides assistance with:

- Orders of Protection
- Contacting Law Enforcement Agencies
- VINE (Victim Identification and Notification Everyday)
- Arkansas Crime Victims Reparations Program (assists with financial compensation, counseling, lost wages, and funeral expenses).
- Referrals to other community services such as the Ozark Rape Crisis Center, River Valley Shelter, and Crisis Intervention Center.
- Information on the criminal court process.

The contact person for this program is Patricia Andrade. Her telephone number is (479) 705-0579.

### **Ozark Rape Crisis Center**

Located in Clarksville, Arkansas, this entity provides 24 hour crisis intervention. The hotline telephone number is (800) 818-1189 and the website is: <http://www.ozarkrapecrisis.com/>

## **ARTICLE I. INTRODUCTION**

### **(a) Notice of Nondiscrimination.**

As a recipient of federal funds, Arkansas Tech University is required to comply with Title IX of the Higher Education Amendments of 1972, 20 U.S.C. §1681 *et seq.* (“Title IX”), which prohibits discrimination on the basis of sex in educational programs or activities, admission and employment. Under certain circumstances, Sexual Misconduct (defined below) constitutes sexual discrimination prohibited by Title IX. Inquiries concerning the application of Title IX may be referred to Arkansas Tech University’s Title IX Coordinator or to the U.S. Department of Education’s Office for Civil Rights. Arkansas Tech University’s Title IX Coordinator is Jennifer Fleming, whose office is in Room 212 of the Administration Building located at 1509 N. Boulder Avenue in Russellville, Arkansas. Jennifer Fleming may be contacted by phone at (479) 498-6020 or by email at [jfleming@atu.edu](mailto:jfleming@atu.edu).

### **(b) Overview of this Policy.**

Arkansas Tech University (“the University”) is committed to providing programs, activities, and an educational environment free from sex discrimination.

**Sexual misconduct, as that term is used in this policy, is any sexual act which violates the criminal laws of the State of Arkansas or laws of the United States including but not limited to sexual assault (non-consensual sexual contact or intercourse), domestic violence, dating violence, stalking, and sexual exploitation.**<sup>1</sup> Sexual misconduct can occur between strangers or acquaintances, and even people involved in intimate or sexual relationships. Sexual misconduct can be committed by men or women and can occur between individuals of the same or different gender. Any sexual activity which is entered into without consent of both or all persons involved is a violation of this policy.

The University is committed to fostering a community that promotes prompt reporting of all types of Sexual Misconduct and timely and fair resolution of Sexual Misconduct Complaints, and in furtherance of that commitment, this Policy sets forth available resources ([Appendix A](#)), describes prohibited conduct (Article II), and establishes procedures for responding to Complaints of Sexual Misconduct (Articles III-VI).

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<sup>1</sup> Sexual misconduct also constitutes sexual harassment. The Sexual Misconduct policy shall govern in cases involving sexual assault, domestic violence, dating violence, stalking, and sexual exploitation. The University’s Sexual Harassment policy shall be applicable in all other sexual harassment cases not involving sexual misconduct.

The University will make this Policy and information about recognizing and preventing Sexual Misconduct readily available to all Students and other members of the University community.

**(c) Applicability of this Policy.**

This Policy applies to any allegation of Sexual Misconduct made by or against a student or an employee of the University or a third party, regardless of where the alleged Sexual Misconduct occurred, if the conduct giving rise to the Complaint is related to the University's academic, educational, athletic, or extracurricular programs or activities. The University's disciplinary authority, however, may not extend to third parties who are not students or employees of the University. Additionally, while there is no geographical limitation to invoking this Policy, Sexual Misconduct that is alleged to have occurred at a significant distance from the University and/or outside of University property may be more difficult for the University to investigate. This policy applies to all students, employees and third parties, regardless of sexual orientation or gender identity.

In the case of allegations of Sexual Misconduct, this Policy supersedes all other procedures and policies set forth in other University documents.

**(d) Period of Limitations.**

A Complaint of Sexual Misconduct may be filed at any time, regardless of the length of time between the alleged Sexual Misconduct and the decision to file the Complaint. However, the University strongly encourages individuals to file Complaints promptly in order to preserve evidence for a potential legal or disciplinary proceeding. A delay in filing a Complaint may compromise the subsequent investigation, particularly if neither the Complainant nor the Respondent is employed by the University or enrolled as a student at the time.

**(e) Definitions Applicable to this Policy.**

The definitions applicable to this Policy are set forth in Appendix B.

**ARTICLE II. STATEMENTS OF POLICY**

**(a) Prohibition on Sexual Misconduct.**

This Policy is designed to protect the rights and needs of alleged victims, Complainants (if not the alleged victim), and Respondents. Creating a safe environment is the responsibility of all members of the University community.

The University strongly encourages accurate and prompt reporting of all types of Sexual Misconduct and is committed to fostering a community that promotes a prompt, fair, and impartial resolution of Sexual Misconduct cases.

**(b) Prohibition on Retaliation.**

Retaliation against any person for filing, supporting, providing information in good faith, or otherwise participating in the investigative and/or disciplinary process in connection with a Complaint of Sexual Misconduct is strictly prohibited. Violations of this prohibition will be addressed through this Policy and/or other University disciplinary procedures and will result in strong responsive action by the University. Any person who feels that he or she has been subject to retaliation should notify the Title IX Coordinator,

Jennifer Fleming, ~~or the~~ Deputy Title IX Coordinator, Amy ~~White~~-Anderson, ~~or the~~ Deputy Title IX coordinator for the Ozark Campus, Tanya Martin.

**(c) Prohibition on Providing False Information.**

Any individual who knowingly files a false Complaint under this Policy, or knowingly provides false information to University officials, or who intentionally misleads University officials who are involved in the investigation or resolution of a Complaint may be subject to disciplinary action.

**(d) Confidentiality.**

Generally, a person may report an incident of Sexual Misconduct confidentially to the professional counselors located in the Arkansas Tech University Health and Wellness Center.

Reports of sexual misconduct made to “responsible employees” are not confidential.

For more detailed information on who a victim can and cannot speak to confidentially, please see the full discussion of confidentiality found in attached “[Appendix C](#)”.

If an alleged victim’s request for confidentiality limits the school’s ability to investigate a particular matter, the University may take steps to limit the effects of the alleged sexual misconduct and prevent its recurrence without initiating formal action against the alleged perpetrator or revealing the identity of the alleged victim. Examples include: providing increased monitoring, supervision, or security at locations or activities where the misconduct was alleged to have occurred; providing training and education materials for students and employees; revising and publicizing the University’s policies on sexual misconduct; and conducting climate surveys regarding sexual misconduct.

**(e) Related Misconduct and Limited Immunity/Amnesty.**

The University considers the reporting and adjudication of Sexual Misconduct cases on campus to be of paramount importance. The University does not condone illegal drug use, underage drinking, or other violations of the Student Code of Conduct. However, the University may extend limited immunity from punitive sanctioning in the case of illegal alcohol or drug use to victims, witnesses, and those reporting incidents and/or assisting the victims of Sexual Misconduct, provided that they are acting in good faith in such capacity. Stated another way, the University wishes to encourage all persons to report incidents of sexual misconduct, and therefore reserves the right to waive disciplinary charges against victims, witnesses and those reporting incidents and/or assisting the victims of Sexual Misconduct, for certain circumstances surrounding the incident. For example, an underage victim who had been drinking alcohol would not typically face charges for violating alcohol policies.

**(f) Individuals with Disabilities.**

The University will make arrangements to ensure that individuals with disabilities are provided appropriate accommodations, to the extent necessary and available, to participate in the steps and procedures outlined in this Policy. Requests for accommodations must be made to the Disability Services Office (located in Doc Bryan Student Services Center) and available by phone at (479) 968-0302.

**(g) Standard of Evidence.**

In a Formal Resolution on a Complaint alleging Sexual Misconduct, the standard of evidence that will be used by the Hearing Board to determine if the Sexual Misconduct Policy has been violated will be the preponderance of the evidence.

**(h) Educational Programming.**

Arkansas Tech University requires educational programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking. This educational campaign shall also be for on-going prevention and awareness. These education programs shall include primary prevention and awareness programs for all incoming students and new employees which shall include: 1) the statement that the University prohibits domestic violence, dating violence, sexual assault and stalking; 2) the definitions of domestic violence, dating violence, sexual assault, and stalking as well as the definition of “consent” in reference to sexual activity; 3) Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene in cases of a risk of domestic violence, dating violence, sexual assault, or stalking; 4) Information on risk reduction and how to recognize warning signs of abusive behavior and how to avoid potential attacks; and 5) ongoing prevention and awareness campaigns for students and faculty on all of the items above.

Educational programming and training is provided to faculty, staff, and students in an effort to create a University community free of sexual harassment, sexual assault (non-consensual sexual contact or intercourse), domestic violence, dating violence, stalking, and sexual exploitation or any other type of sexual misconduct. The Jerry Cares campaign promotes shared responsibility by all members of the University community in an effort to reduce the risk of sexual violence and to equip members with the tools, training, and resources necessary to take action in stopping sexual misconduct. This includes prevention programs and educational training in risk reduction and bystander intervention, equipping members of the University community to play a role in preventing and interrupting incidents of sexual misconduct. Training on campus resources and step-by-step procedures on how to report incidents of sexual misconduct is also provided. For more detailed information, please visit the Jerry Cares website at <http://www.atu.edu/jerrycares/>.

**(i) Sexual Misconduct Policy.**

This Sexual Misconduct Policy: 1) sets out the procedures that a victim of Sexual Misconduct should follow; 2) sets out the procedure for University disciplinary action; and 3) provides equal opportunity for both the alleged victim and the Respondent on their choice of advisor at the Formal Resolution hearing.

**(j) Annual Training.**

Training for employees conducting investigations and formal resolution hearings will be conducted at least annually.

**(k) VAWA/Campus SaVE Act.**

Arkansas Tech University acknowledges that the Violence Against Women Act and the Campus SaVE Act add domestic violence, dating violence, and stalking to “sexual assault” as reportable events in the [Annual Security Report required by the Clery Act](#).

**(l) Duty to Report.**

All employees (except those employees statutorily barred from sharing such information (ex. Licensed counselors, medical professionals)) have a duty to immediately report to the Title IX Coordinator or the Deputy Title IX Coordinator information related to sexual misconduct.

**ARTICLE III.**  
**HOW AND WHERE TO FILE A COMPLAINT ALLEGING SEXUAL MISCONDUCT**

*For information regarding seeking medical assistance and emotional support, as well as important contact information for local law enforcement agencies and hospitals, see Appendix A attached to this Policy.*

Because Sexual Misconduct may in some instances constitute both a violation of University policy and criminal activity, and because 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, however, choose not to report alleged Sexual Misconduct to such campus officials and/or law enforcement authorities.** The University respects and supports the individual's decision with respect to reporting; nevertheless, the University may notify appropriate law enforcement authorities if required or warranted by the nature of the allegations at issue.

Individuals may file a Complaint at any time, but the University strongly encourages individuals to file Complaints promptly in order to preserve evidence for a potential legal or disciplinary proceeding.

**(a) Filing a Complaint with Local Law Enforcement:**

Individuals may file a complaint directly with local law enforcement agencies by dialing 911. Individuals may contact any of the following for assistance in filing a complaint with local law enforcement:

- (i) The Arkansas Tech University Department of Public Safety, 24 hours a day, seven days a week (available by phone at (479) 968-0222) and located at 1508 N. Boulder Avenue on the Russellville campus.
- (ii) Arkansas Tech University's Title IX Coordinator, Jennifer Fleming, from 8:00 a.m. to 5:00 p.m., Monday through Friday (available by phone at (479) 498-6020) or by e-mail at [jfleming@atu.edu](mailto:jfleming@atu.edu) and in Room 212 of the Administration Building, located at 1509 N. Boulder Avenue, Russellville, AR, 72801.
- (iii) Arkansas Tech University's Deputy Title IX Coordinator, Amy ~~White~~ Anderson, by telephone at (479) 498-6071, by email at ~~[awhite@atu.edu](mailto:awhite@atu.edu)~~ [aanderson41@atu.edu](mailto:aanderson41@atu.edu), or in person at the Women's Golf Office, Tucker Coliseum, 1604 Coliseum Drive, Russellville, Arkansas, 72801.
- (iv) **Arkansas Tech University's Deputy Title IX Coordinator for the Ozark Campus, Tanya Martin, by telephone at (479) 508-3307, by email at [tmartin31@atu.edu](mailto:tmartin31@atu.edu), or in person at Room 154 of the Technology & Academic Support Building, 1700 Helberg Lane, Ozark, Arkansas, 72949**

Individuals may inform law enforcement authorities about Sexual Misconduct and discuss the matter with a law enforcement officer without making a formal criminal complaint (or a University Complaint). Individuals who make a criminal complaint may also choose to pursue a University Complaint simultaneously.

A criminal investigation into the matter does not preclude the University from conducting its own investigation (nor is a criminal investigation determinative of whether Sexual Misconduct, for purposes of this Policy, has occurred). However, the University's **fact-finding aspect of the** investigation may be delayed temporarily while the criminal investigators are gathering evidence. **The University will promptly resume its Title IX investigation as soon as notified by the law enforcement agency that it has completed**



the evidence gathering process. In the event of such a delay, the University may take interim measures when necessary to protect the alleged victim and/or the University community.

Neither the results of a criminal investigation nor the decision of law enforcement to investigate or decline to investigate the matter is determinative of whether Sexual Misconduct, for the purposes of this Policy, has occurred.

**(b) Filing a Complaint with the University:**

Individuals may choose not to report alleged Sexual Misconduct to campus officials. The University respects and supports the individual's decision with respect to reporting; however, if information about Sexual Misconduct comes to the attention of the University, the University may (1) start an investigation even in the absence of a filed Complaint and/or (2) notify appropriate law enforcement authorities if required or warranted by the nature of the information of which it becomes aware.

Anyone wishing to make a Complaint under this policy should contact one of the following individuals or offices:

- i) Title IX Coordinator. Arkansas Tech University's Title IX Coordinator is Jennifer Fleming, whose office is in Room 212 of the Administration Building. Ms. Fleming may be contacted during business hours (8:00 a.m. to 5:00 p.m., Monday through Friday) by phone at (479) 498-6020 or by email at [jfleming@atu.edu](mailto:jfleming@atu.edu). As the Title IX Coordinator for Arkansas Tech University, Ms. Fleming receives and investigates reports of discrimination, including sexual misconduct. The Title IX Coordinator has ultimate oversight responsibility for handling Title IX-related complaints and for identifying and addressing any patterns or systematic problems involving Sexual Misconduct. The Title IX Coordinator is available to meet with individuals who are involved with or concerned about issues or University processes, incidents, patterns, or problems related to Sexual Misconduct on campus or in University programs. All allegations involving Sexual Misconduct should be directed to the Title IX Coordinator or other designated University individuals or offices as outlined herein. More information about the investigation process can be found in Article IV below. The Title IX Coordinator may designate the Deputy Title IX Coordinator to serve in her stead for any requirements contained in this policy.

Deputy Title IX Coordinator. Arkansas Tech University's Deputy Title IX Coordinator is Amy ~~White~~-Anderson, whose telephone number is (479) 498-6071, her email address is [awhite@atu.edu](mailto:awhite@atu.edu) [aanderson41@atu.edu](mailto:aanderson41@atu.edu) or she may be contacted in person at Tucker Coliseum, 1604 Coliseum Drive, Russellville, Arkansas.

Deputy Title IX Coordinator. Arkansas Tech University, Ozark Campus' Deputy Title IX Coordinator is Tanya Martin, whose telephone number is (479) 508-3307, email at [tmartin31@atu.edu](mailto:tmartin31@atu.edu), or in person at Room 154 of the Technology & Academic Support Building, 1700 Helberg Lane, Ozark, Arkansas.

- (ii) Public Safety. The Arkansas Tech University Public Safety Department is located at 1508 N. Boulder Avenue on the Russellville campus. The Public Safety Department is also available by phone at (479) 968-0222. Public Safety officers are available 24 hours a day, seven days a week.

Public Safety - Ozark Campus. The Arkansas Tech University Public Safety Department for the Ozark Campus is located at 1700 Helberg Lane, Collegiate Center, Room 100C.

The Public Safety Officer is Mr. David Spicer and is available by phone at (479) 508-3359, Monday thru Friday, 8:00 a.m. to 5:00 p.m.

- (iii) Human Resources Office. The Human Resources Office is located in Browning Hall. The Human Resources Office is available during business hours (8:00 a.m. to 5:00 p.m., Monday through Friday) by phone at (479) 968-0396.

*If one of the parties designated above is the Respondent or is otherwise at issue in a Complaint, or if an individual is otherwise uncomfortable making a complaint to one of the parties listed above, the individual may report alleged Sexual Misconduct to any other party or office in the above list.*

If an employee of the University Public Safety Department, or the Human Resources Office receives a report of alleged Sexual Misconduct, that employee must notify the University's Title IX Coordinator.

**Confidential Disclosure.** The University encourages victims of sexual misconduct to talk to somebody about what happened so that victims can get the support they need, and so that the University can respond appropriately. Different employees on campus have different abilities to maintain a victim's confidentiality. Some employees are required to maintain near complete confidentiality; talking to them is sometimes called a "privileged communication." At Arkansas Tech, the following employees are the licensed counselors staffed in the Health and Wellness Center (<http://www.atu.edu/hwc/index.php>) located in Dean Hall:

- o Kristy Davis, [kdavis51@atu.edu](mailto:kdavis51@atu.edu), (479) 968-0329
- o Craig Witcher, [cwitcher@atu.edu](mailto:cwitcher@atu.edu), (479) 968-0329
- o Hunter Bramlitt, [jbramlitt@atu.edu](mailto:jbramlitt@atu.edu), (479) 968-0329
- o Janis Taylor, [jtaylor78@atu.edu](mailto:jtaylor78@atu.edu), (479) 968-0329

Disclosures made to the counseling staff at the Health and Wellness Center will be held in strict confidence and will not serve as notice to the Office of Affirmative Action requiring an initiation of a review of the disclosed conduct. Please note that all university employees, except for the counseling staff and the medical professionals, serve as mandatory reporters who are required to share immediately all reports of sexual misconduct that they receive with the Title IX Coordinator or the Deputy Title IX Coordinator.

If the counseling staff member determines that the alleged perpetrator(s) pose a serious and immediate threat to the University community, the Department of Public Safety may be called upon to issue a timely warning via the CEON system. Any such warning will not include any information that identifies the victim.

**All other University employees who are not barred by statute have a duty to immediately report all the details of an incident of sexual misconduct** (including the identities of both the victim and alleged perpetrator, any witnesses, and other relevant facts, including date, time, and specific location of alleged incident) to the Title IX Coordinator or the Deputy Title IX Coordinator. A report to these employees constitutes a report to the University and generally obligates the University to investigate the incident and take appropriate steps to address the situation. When a victim reports an incident of sexual misconduct, the victim has the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

To the extent possible, information reported to an employee will be shared only with people responsible for handling the University's response to the report and will not be shared with law enforcement without the victim's consent or unless the victim has also reported the incident to law enforcement. If the victim requests confidentiality, the employee will consider the request, but cannot guarantee that the University will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the employee will inform the Title IX Coordinator of the victim's request for confidentiality.

An individual may report alleged Sexual Misconduct to a faculty or staff member other than those referenced above. No member of the University community may discourage an individual from reporting alleged incidents of Sexual Misconduct. A faculty or staff member with any knowledge (including firsthand observation) about a known or suspected incident of Sexual Misconduct (other than health-care professionals and others who are statutorily barred from reporting) must immediately report the incident to the Arkansas Tech University Public Safety Department or the University's Title IX Coordinator. No employee is authorized to investigate or resolve Complaints without the involvement of the University's Title IX Coordinator or Deputy Title IX Coordinator.

**Anonymous Reporting.** Although the University encourages victims to talk to someone, Arkansas Tech provides an online form for anonymous reporting. The system will notify the user that entering personally identifying information may serve as notice to the University for the purpose of triggering an investigation. The form can be found at this link: <http://www.atu.edu/psafe/psafe-report-sexassault.php>. Individuals who choose to file anonymous reports are advised that it may be very difficult for the University to follow up or take action on anonymous reports, where corroborating information is limited. Anonymous reports may be used for Clery Act data collection purposes.

#### **ARTICLE IV. PROCEDURES APPLICABLE TO COMPLAINTS OF SEXUAL MISCONDUCT**

##### **(a) Overview**

- (i) **Oversight.** The Title IX Coordinator and/or deputy Title IX Coordinator will be responsible for conducting the prompt, fair, and impartial investigation of Complaints filed with the University.
- (ii) **Conflicts.** If any administrator or employee that is designated by this Policy to participate in the investigation or resolution of a Complaint is the Respondent (including, but not limited to, the Title IX Coordinator), then the President will appoint another University administrator to perform such person's duties under this Policy. (If the President is the Respondent, then the Title IX Coordinator will appoint another University administrator to perform her duties under this Policy.)
- (iii) **Timing.** 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 (not including an appeal, if applicable) will generally be completed within 60 calendar days of the receipt of the Complaint, absent extenuating circumstances. Hearings, if any, will take place after the conclusion of the investigation. If hearings have taken place, both the Complainant and the Respondent generally will receive a Final Outcome Letter within 7 calendar days of the conclusion of the hearings.

Any party may request an extension of any deadline by providing the Title IX Coordinator with a written request for an extension that includes reference to the duration of the proposed extension and the basis for the request. The Title IX Coordinator may modify any deadlines contained in this Policy as necessary and for good cause. **Both parties will be notified if and when a modification is made with a brief explanation of the need for the modification.**

- (iv) **Request Not to Pursue Complaint.** A Complainant (or alleged victim, if not the Complainant) may determine after filing a Complaint that he or she does not wish to pursue resolution of the Complaint through the University. The University takes such requests seriously. However, such individuals are advised that such requests may limit the

University's ability to take action in response to a Complaint. Title IX requires the University to evaluate the request(s) that a Complaint not be adjudicated in the context of the University's commitment to provide a reasonably safe and non-discriminatory environment. In order to make such an evaluation, the Title IX Coordinator may conduct a preliminary investigation into the alleged Sexual Misconduct and may weigh the request(s) against the following factors:

- 1) The seriousness of the alleged Sexual Misconduct;
- 2) The Complainant's and/or alleged victim's age;
- 3) Whether there have been other Complaints of Sexual Misconduct against the Respondent;
- 4) The Respondent's right to receive information about the allegations if the information is maintained by the University as an "education record" under FERPA, and
- 5) The applicability of any laws mandating disclosure.

Even when the University is in receipt of a request not to pursue an investigation, Title IX requires the University to take reasonable action in response to the information known to it; thus, the University may take such measures and impose such discipline as are deemed necessary by the Title IX Coordinator. The Complaint may also be used as an anonymous report for data collection purposes under the Clery Act.

(v) **Interim Measures.** If at any point during the complaint, investigative or disciplinary processes, the Title IX Coordinator reasonably believes that a Respondent who is a member of the University community poses a substantial threat of harm to any member of the campus community; threatens or endangers University property; or disrupts the stability and continuance of normal University operations and functions, the Title IX Coordinator may take actions such as the following:

1. For student Respondents:
  - (a) Request that Student Services:
    - (i) summarily suspend the Respondent from campus housing on an interim basis and/or restrict his or her movement on campus, or
    - (ii) suspend the Respondent from campus;
2. For employee Respondents, request that the individual authorized to make personnel decisions regarding the employee at issue:
  - (a) take such steps as are reasonable, appropriate, and necessary to restrict the Respondent's movement on campus; or
  - (b) reassign the Respondent or place him or her on administrative leave.

These actions may be appealed by student Respondents to the Vice President of Student Services, and by employees to the respective Vice President or Athletic Director over their division.

**(b) Initial Meetings with the Title IX ~~Coordinator~~ Investigator.**

(i) **Complainant's Initial Meeting with the Title IX ~~Coordinator~~ Investigator.** As soon as is practicable after receiving notice of a Complaint, the Title IX ~~Coordinator~~ Investigator will contact the Complainant to schedule an initial meeting. If the Complainant is not the alleged victim, the Title IX ~~Coordinator~~ Investigator also will contact the alleged victim as

soon as possible to schedule an initial meeting and will discuss item number 5 listed below with the alleged victim rather than the Complainant. All mentions of the “Complainant” in items 1-9 of this subsection also apply to the alleged victim if the Complainant is not the alleged victim. At this initial meeting (or these initial meetings, in the case of a Complainant who is not the alleged victim), the Title IX ~~Coordinator~~ Investigator will, as applicable:

1. Provide the Complainant a copy of this Policy;
2. Provide the Complainant with a Sexual Misconduct Complaint Form (a copy of which is attached as Appendix D) 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 Sexual Misconduct (the Complainant may either complete the form him- or herself or he or she may choose to dictate the information to the Title IX Coordinator, who will confirm the accuracy of his or her documentation with the Complainant);
3. Explain avenues for formal resolution and informal resolution (mediation) of the Complaint;
4. Explain the steps involved in a Sexual Misconduct investigation;
5. Discuss confidentiality standards and concerns with the Complainant;
6. Determine whether the Complainant wishes to pursue a resolution (formal or informal) through the University, or no resolution of any kind;
7. Refer the Complainant to the Counseling Center or other resources, as appropriate; and
8. Discuss with the Complainant, as appropriate, possible interim measures that can be provided to the Complainant, **at no cost**, during the pendency of the investigative and resolution processes. The University may implement such measures if requested, appropriate, and reasonably available, whether a formal Complaint has been filed (with either the Title IX Coordinator or law enforcement agencies) or whether an investigation has commenced (by either the Title IX Coordinator or law enforcement agencies). Interim measures may include, but are not limited to:
  - a) issuing no-contact orders to prevent any contact between the Complainant, the Respondent, witnesses and/or third parties;
  - b) providing the Complainant an escort to ensure that he or she can move safely between classes, work, and/or activities;
  - c) changing a Complainant’s or a Respondent’s on-campus housing or dining, if any, to a different on-campus location and providing assistance from University support staff in completing the relocation;
  - d) arranging to dissolve a campus housing contract and offering a pro-rated refund;
  - e) changing work arrangements;
  - f) rescheduling class work, assignments, and examinations without penalty;
  - g) arranging for the Complainant to take an incomplete in a class; or

- h) moving the Complainant or the Respondent from one class section to another without penalty;
- i) permitting a temporary withdrawal from the University;
- j) providing alternative course completion options without penalty;
- k) providing counseling services;
- l) suspension of Respondent's social privileges;
- m) taking disciplinary action against the Respondent before resolution of the Complaint;
- n) providing academic support services such as tutoring.

9. A Complainant will receive written notification of the availability of the interim measures set forth in section 8 above whether or not the Complainant chooses to report the incident to the University Public Safety Department or local law enforcement.

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

- (ii) **Respondent's Initial Meeting with the Title IX ~~Coordinator~~ Investigator.** If the alleged victim wishes to pursue a formal or informal 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~~ **Investigator's** initial meeting with the Complainant (and if applicable, the alleged victim), the Title IX ~~Coordinator~~ **Investigator** will schedule an initial meeting with the Respondent. During the initial meeting with the Respondent, the Title IX ~~Coordinator~~ **Investigator** will, as applicable:

- 1) Provide Respondent with a copy of the Complaint;
- 2) Provide Respondent with a copy of this policy;
- 3) Explain the University's procedures for formal resolution and informal resolution (mediation) of the Complaint;
- 4) Explain the steps involved in a Sexual Misconduct investigation;
- 5) Discuss confidentiality standards and concerns with the Respondent;
- 6) Discuss non-Retaliation requirements with the Respondent;
- 7) Inform the Respondent of any interim measures already determined and being provided to the Complainant and/or the alleged victim (if not the Complainant) that directly affect the Respondent (e.g. changing his or her class schedule, or moving him or her to an alternate residence hall);
- 8) Refer the Respondent to the Counseling Center or other resources, as appropriate; and
- 9) Discuss with the Respondent, as appropriate, possible interim measures that can be provided to the Respondent during the pendency of the investigative and resolution processes. The University may implement such measures if requested, appropriate, and reasonably available, whether a formal Complaint has been filed or whether an investigation by either campus administrators or law enforcement agencies has commenced.

**(c) The Investigation.**

- (i) Upon receipt of the Complaint, the Title IX ~~Coordinator~~ **Investigator** will promptly begin his or her investigation, taking steps such as:
- 1) Conducting interviews with the Complainant, the alleged victim (if not the Complainant), the Respondent, and third-party witnesses and summarizing such interviews in written form;
  - 2) Visiting, inspecting, and taking photographs at relevant sites; and
  - 3) Where applicable, collecting and preserving relevant evidence (in cases of corresponding criminal complaints, this step may be coordinated with law enforcement agencies pursuant to a Memorandum of Understanding).

Through the investigation, the Title IX ~~Coordinator~~ **Investigator** will remain neutral. The Title IX Coordinator **and Deputy Coordinators** will receive annual training on issues related to sexual harassment, sexual assault, intimate partner violence, and stalking.

The Title IX Coordinator **and Deputy Coordinators** 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/or any other documents the disclosure of which is contemplated by this Policy in order to further the resolution of this Complaint.<sup>2</sup>

The ~~Title IX Coordinator~~ **Investigator** will complete a written investigative report that includes items such as 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 (“the Investigative Report”). The Title IX ~~Coordinator~~ **Investigator** will distribute the Investigative Report, concurrently, to the alleged victim and the Respondent. The Title IX ~~Coordinator~~ **Investigator** will also provide a copy to the Dean of Students who shall serve as the Chair of the Hearing Board. All parties to whom the Investigative Report is distributed pursuant to this Policy must maintain it in confidence; the Investigative Report may only be disclosed as contemplated by this Policy.

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<sup>2</sup> If the Title IX ~~Coordinator~~ **Investigator** is unable to obtain the consent of such 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.

## 47 Appendix A to SEXUAL MISCONDUCT POLICY AND PROCEDURES

### Important Contact Information

#### University Resources

Arkansas Tech University's *Title IX Coordinator* is Jennifer Fleming, whose office is located in Room 212 of the Administration Building. Ms. Fleming may be contacted from 8:00 a.m. to 5:00 p.m. Monday through Friday by phone at 479-498-6020 or by email at [jfleming@atu.edu](mailto:jfleming@atu.edu).

Arkansas Tech University's *Deputy Title IX Coordinator* is Amy ~~White~~ Anderson, whose office is located in Tucker Coliseum. Ms. ~~White~~ Anderson may be contacted from 8:00 a.m. to 5:00 p.m. Monday through Friday by phone at (479) 498-6071 or by e-mail at ~~awhite@atu.edu~~ [aanderson41@atu.edu](mailto:aanderson41@atu.edu)

Arkansas Tech University's Deputy Title IX Coordinator for the Ozark Campus is Tanya Martin, whose office is located in the Technology & Academic Support Building. Mrs. Martin may be contacted from 8:00 a.m. to 5:00 p.m. Monday through Friday by phone at (479)508-3307 or by e-mail at [tmartin31@atu.edu](mailto:tmartin31@atu.edu).

The *Arkansas Tech University Department of Public Safety* is located at 1508 North Boulder Avenue on the ATU main campus in Russellville, Arkansas, and is available by phone at 479-968-0222. University Police Officers are available 24/7.

The Arkansas Tech University Department of Public Safety for Ozark Campus is David Spicer. Mr. Spicer is located in the Collegiate Center, Room 100C on the Ozark Campus. He is available by phone at (479) 508-3359, Monday through Friday from 8:00 a.m. to 5:00 p.m. or by email at [dspicer1@atu.edu](mailto:dspicer1@atu.edu).

The *Office of Human Resources* is located in Browning Hall and is available by phone at 479-968-0396. The office is staffed from 8 a.m. until 5 p.m. Monday through Friday.

The *Arkansas Tech University Health and Wellness Center* is located in Dean Hall 126 and is available by phone at 479-968-0329. The Center is staffed from 8 a.m. until 5 p.m. Monday through Friday. <http://www.atu.edu/hwc/index.php>

## 62 POLICY ON CONSENSUAL RELATIONS

Sexual relations between ~~employees and those students and faculty members~~ with whom they also have an academic or evaluative or supervisory relationship are fraught with the potential for exploitation. The respect and trust accorded a professor or staff member by a student, as well as the power exercised by the professor, or other staff member, in an academic or evaluative role, make voluntary consent by the ~~student subordinate~~ suspect. Even when both parties initially have previously consented, ~~circumstances could change and conduct that was once welcome could become unwelcome and~~ the development of a sexual relationship renders both the ~~employee faculty member~~ and the institution vulnerable to possible later allegations of sexual harassment in light of the significant power differential that exists between ~~faculty members and students~~ individuals in unequal positions.

In their relationships with students, members of the faculty, as well as employees whose position may be perceived as one of authority, are expected to be aware of their professional responsibilities and to avoid



apparent or actual conflict of interest, favoritism, or bias. When a sexual relationship exists, effective steps should be taken to ensure unbiased evaluation or supervision ~~of the student~~ **takes place.**

An employee, whether faculty or staff, should not develop a dating or sexual relationship with a student whenever the employee is in a “position of authority”, **real or perceived**, over that student. An employee is in a “position of authority” whenever he or she is that student’s teacher, or when the employee is either evaluating or supervising the student. **This includes resident assistants and students over whom they have direct responsibility.** The “position of authority” may also include formally advising the student or when that student is a major in the employee’s department **or college.**

A supervisor, whether faculty or staff, should also not develop a dating or sexual relationship with an employee when the supervisor has a “position of authority”, **real or perceived**, with respect to the employee.

Should a dating or sexual relationship develop or exist, the person with the greater position of authority must consult with an appropriate supervisor **immediately. Failure to self-report such relationships may result in disciplinary action.** The supervisor, with advice from University Counsel, shall develop a mechanism to ensure that objective evaluation is achieved, that conflicts of interest are avoided, and that the interest of the other individual and University are fully protected. **This will likely result in the removal of the employee from the supervisory or evaluative responsibility, or shift the individual out of being supervised or evaluated by someone with whom they have a consensual relationship.**

## **71 University Promotion and Tenure Committee**

- C. Three members of the UPTC shall be appointed by the chair of the Faculty Senate with its advice and consent, and three members shall be appointed by the Vice President for Academic Affairs. Appointments shall be for three years. On initial appointment, the term of each member shall be designated as one, two, or three years. The Chair of the Faculty Senate and the Vice President shall each appoint one new member each year thereafter for a three year term. The Faculty Senate Chair shall have first choice in the appointment process. **Administratively appointed members should not serve successive terms.**

## **87 Human Resources Termination Procedures**

Before an employee’s final paycheck will be issued, the following must be completed:

- ~~a. Exit interview with the Office of Human Resources~~
- ~~b. Exit interview packet of termination materials completed and returned to the Office of Human Resources.~~
- ~~c. Clearance from the Bookstore, Library, Information Services, Facilities Management, and Student Accounts offices.~~
- a. Exit interview packet of termination materials completed and returned to the Office of Human Resources.**
- b. Clearance from the Library, Procurement and Risk Management Services, Facilities Management, Travel/Budget Office and Student Accounts offices.**
- c. Return of Keys and/or University property**
- d. Exit Interview with the Office of Human Resources**

Questions concerning leave (when applicable), conversion of insurance, or retirement will be addressed during the exit interview.

~~Any keys or University property the employee may have must be returned prior to the delivery of the final paycheck.~~

After clearance from Human Resources, the employee may pick up the final paycheck from the Payroll Office, unless otherwise arranged. Automatic bank deposit is not allowed for a final paycheck. Additionally, the final paycheck will include all salary due the employee at the time of termination.

## **99 PRIVATE GIFTS FOR ARKANSAS TECH UNIVERSITY**

### **Purpose**

The Foundation partners with Arkansas Tech to strengthen and further the University's mission. The Arkansas Tech University Foundation is recognized by Arkansas Tech's Board of Trustees as a private partner, tax exempt, and an independent organization to receive and manage private gifts. The Arkansas Tech University Foundation maintains accounts for many of the academic departments and collegiate programs, as well as scholarship accounts. These accounts receive contributions from donors who direct that their gifts be used by a particular department, or to support the Alumni Association, ~~the Green and Gold Fund~~, or any of the other programs on campus. The appropriate dean, department head, or other program advisor may request expenditures from these funds, to support travel, professional meetings, luncheons, general supplies, or other discretionary spending needs.

## **102 Faculty Senate (Committee on Committees)**

*Membership:* Membership of the Faculty Senate will be established according to Article II, Section I of the Constitution of the Faculty Senate of Arkansas Tech University. That membership will be augmented by two additional Senators, one appointed by the President of the University and one by the Vice President for Academic Affairs. **Appointed members should not serve successive terms. A term equals three years.**

## **102 Athletics Committee**

*Membership:* Three faculty members elected at large, two faculty members and the **Great American** Conference representative appointed by the President, and two students selected by the Student Government Association. **The two appointed faculty members should serve no more than three successive terms as at large members. The Great American Conference representative may serve up to six consecutive terms. A term equals one year.**

*Function:* Promote and foster the athletics interests of Arkansas Tech University in a manner that is consistent with the educational standards of the institution, help provide additional oversight of the

institution's intercollegiate athletics program, and serve as an advisory body for the faculty on matters concerning the intercollegiate athletics program. **The GAC representative (i.e., Faculty Athletics Representative) will contact the President's Office to initiate a meeting with the President at least once each fall, spring, and summer session.**

#### **104 General Education Committee**

*Membership:* One faculty member elected from each college including the supernumerary voting block, one from the Ozark Campus, one faculty member appointed by the Vice President for Academic Affairs, one faculty member appointed by the Chair of the Faculty Senate, one faculty member appointed by the Chair of the Assessment Committee, and one ex officio student member selected by the Student Government Association. Faculty membership restricted to regular faculty. **Administratively appointed members should not serve successive terms. A term equals three years.**

#### **105 Academic Appeals Committee**

*Membership:* Eighteen members – Six faculty members, one appointed by the respective dean(s) from each college including the supernumerary voting block, six faculty members appointed by the Faculty Senate representing each college including the supernumerary voting block, and six students appoint by the Student Government Association. The faculty on the committee will elect a chair. **Administratively appointed members should not serve more than three successive terms. A term equals one year.**

#### **105 Assessment Committee**

*Membership:* The Director of Assessment and Institutional Effectiveness who will serve as chairperson, one faculty member from each college appointed by the college dean, the graduate college dean, one undergraduate dean appointed by the Vice President for Academic Affairs, the Vice President for Student Services or his/her designated representative, the Vice President for Administration and Finance or his/her designated representative, the Assistant Vice President for Academic Affairs or his/her designated representative for e-Tech, the Assistant Vice President of Enrollment Management or his/her designated representative, the Director of Institutional Research or his/her designated representative, the Director of Information Systems or his/her designated representative, the Chancellor of Arkansas Tech University-Ozark or his/her designated representative, one member appointed by the Faculty Senate, and one student member appointed by the Vice President for Student Services. Other members may be added by the Director of Assessment and Institutional Effectiveness as their expertise and/or assistance is needed to meet the charge of the committee, subject to the approval of the Vice President for Academic Affairs. **Administratively appointed members can serve up to two successive terms. A term equals three years.**

## **106 Commencement Committee**

*Membership:* Representative of Student Services, registrar, head of music department, plant maintenance superintendent, two faculty members appointed by the President (one of whom serves as marshal of the University), president of the senior class or senior class senator, and manager of the coliseum. **Appointed faculty members should not serve more than three successive terms. A term equals one year.**

## **106 Committee on Adjunct Support**

*Membership:* Four full-time faculty members appointed by the Faculty Senate and four adjunct instructors elected by the adjunct faculty (visiting lecturers). ~~A term equals one year.~~ **for staggered two-year terms. Members should not serve more than three successive terms. A term equals two years.**

*Function:* To provide support to adjunct faculty and to enhance the standing of such on faculty on campus. Recommendations will be presented to the Faculty Senate **and the Vice President for Academic Affairs.**

## **106 Equity and Diversity Committee**

*Membership:* Coordinator for Affirmative Action and Title IX (Chair), Deputy Title IX Coordinator (also serving athletics), Associate Dean For Student Wellness (or designee), Director of Health Services, Chief of Public Safety, Dean of Students (or designee), three students appointed by the Student Government Association, three faculty members appointed by the Vice President for Academic Affairs, and a Human Resources Representative. **Appointed faculty members should not serve more than three successive terms. A term equals one year.**

## **106 Guidance and Counseling Committee**

*Membership:* Five faculty members and two staff counselors appointed by the Vice President for Student Services; three students appointed by the Student Government Association. **Appointed members should not serve more than three successive terms. A term equals one year.**

## **107 Honors Council**

*Membership:* A director appointed by the Vice President for Academic Affairs, the Associate Vice President for Academic Affairs, the Assistant Vice President for Enrollment Management, the Director of Recruitment, one faculty member representing each of the colleges including the supernumerary voting block, **appointed by the Vice President for Academic Affairs,** and two student representatives who are elected by the students in the University Honors program. **Appointed members should not serve successive terms. A term equals three years.**

## **107 Institutional Review Board (IRB)**

*Membership:* Seven members serving three year terms on a rotating basis. One member appointed from the following colleges appointed by the Dean: Arts and Humanities, Business, Education, Engineering and Applied Sciences, and Natural and Health Sciences; one member from the supernumerary group appointed by the Dean of the Graduate College and the Dean of the

College of Professional Studies and Community Outreach; and one member appointed by the Vice President for Academic Affairs. The chair will be elected annually by the committee. **Appointed members should not serve more than two successive terms. A term equals three years.**

#### **107 Professional Development Committee**

*Membership:* Six faculty members, three appointed by the Vice President for Academic Affairs and three appointed by the Chair of the Faculty Senate, for three-year terms. **Administratively appointed members should not serve successive terms. A term equals three years.**

#### **108 Student Aid Committee**

*Membership:* Director of Student Financial Aid and six faculty or staff representatives ~~selected~~ **appointed** by the Vice President for Student Services, who also serves as an ex officio member. **Appointed members should not serve more than three successive terms. A term equals one year.**

#### **108 Student Personnel Committee**

*Membership:* Five faculty ~~selected~~ **appointed** by the Vice President for Student Services and four students selected by the Student Government Association. **Appointed members should not serve more than three successive terms. A term equals one year.**

#### **108A Institutional Biosafety Committee**

*Membership:* **A minimum of five members appointed by the Vice President for Academic Affairs to include: a) two individuals who shall not be affiliated with the institution (apart from their membership on the Institutional Biosafety Committee) and who represent the interest of the surrounding community with respect to health and protection of the environment (e.g., officials of state or local public health or environmental protection agencies, members of other local governmental bodies, or persons active in medical, occupational health, or environmental concerns in the community); b) Arkansas Tech University faculty experts representing those labs performing experiments utilizing recombinant DNA; and c) others as deemed necessary to ensure compliance with National Institutes of Health (NIH) guidelines.**

*Function:* **To provide institutional oversight and reporting in compliance with National Institutes of Health (NIH) guidelines for all funded research utilizing recombinant DNA technologies; to review recombinant or synthetic nucleic acid molecule research conducted at or sponsored by the institution for compliance with NIH guidelines and approving those research projects that are found to conform with the NIH guidelines. Meetings will occur as needed but at least annually.**

#### **108A (added to handbook 1/25/16)**

#### **Institutional Animal Care & Use Committee (IACUC)**

*Membership:* **According to the 9th Code of Federal Regulations (CFR9), it is the responsibility of the chief executive officer (CEO) of the institution to appoint all members of IACUC, and the Institutional Official (IO). The President has delegated, in writing, the authority**

to appoint IACUC members to the Associate Vice President for Academic Affairs, who serves as the Institutional Official.

At a minimum the IACUC must include a chair, a veterinarian, a practicing scientist experienced in animal research, a person whose primary concerns are in a nonscientific area, and a person who is unaffiliated with the institution except as a member of the IACUC (sometimes referred to as a public member).

*Function:* In accordance with federal law and university policy the IACUC is charged with overseeing compliance with federal regulations related to the treatment and use of animals for purposes of research or teaching.

## 122 (updated in handbook 12/9/15)

### **OFFICE HOURS AND ACADEMIC ADVISING (effective January 2016)**

Each faculty member is expected to schedule adequate and regular office hours (i.e. minimum of ten hours per week) for consultation with students and colleagues. **six office hours per week reserved specifically for consultation with students.** The total and spacing of these office hours should be planned to permit adequate student contact. ~~This schedule should be posted and adhered to.~~ Faculty members who expect to be away from the campus during scheduled office hours should notify their Department Head and should post a notice showing the approximate time of return. Ordinarily, the Department Head should be apprised of where the faculty member could be reached. **Office hours may be allocated proportionally to the type of classes being taught. For example, a faculty member with six credit hours of face-to-face classroom instruction and six credit hours of online instruction should be expected to schedule three in-office hours per week. Office hours should be included in the course syllabus and posted on the office door of the faculty member.**

## 124 eTech

eTech is a campus-wide initiative to enhance and support the delivery of online courses. eTech facilitates faculty development by emphasizing pedagogical foundations and technology integration in the design and delivery of quality, engaging courses. eTech can be accessed at <http://etech.atu.edu>. ~~An instructor resource page <http://www.atu.edu/etech/resources-teaching.php>, offers resources to assist with online teaching. For non technical issues, contact your department head concerning policies.~~

## 129 FACULTY LIBRARY PRIVILEGES

~~Regular circulating books are loaned to faculty for indefinite periods during the college year. However, all loans to faculty expire at the end of the Spring semester each year. Books which are declared lost by the faculty are cleared at this time. The faculty are requested to return volumes promptly when they have finished using them. Faculty members will be charged no overdue fines. However, families of faculty members are subject to all regulations which apply to students, including overdue fines.~~

~~Reference books, reserves, and periodicals may be loaned to the faculty on an individual need basis with the approval of a librarian. Ordinarily, the loan period is overnight or up to three days. Interlibrary loans are requested for faculty members at no additional charge. However, any surcharges passed on by lending libraries are the responsibility of the borrowing faculty member.~~

~~Should a title charged to a faculty member be needed by someone else, a recall notice requesting its return will be sent. These requests should be honored promptly.~~

~~All Tech library materials that are found on campus, in classroom or elsewhere, should be returned to the library. Also, when terminating employment, homes and offices should be checked for library materials.~~

~~Faculty should know and understand the policies for the circulation on library materials. The library may enlist the aid of Deans and administration in recovering needed materials.~~

~~Any inquiry about library policy should be directed to the library director. Recommendations for policy changes should be submitted either to the director or to a member of the Library, Instructional Materials and Equipment Committee.~~

Faculty members enjoy generous circulation privileges for all circulating library materials. New faculty members must activate their library account in person at the Circulation desk to check-out materials or use interlibrary loan services. For the most current version of circulation policies and responsibilities, or to search the library catalog for materials, please see the library website: <http://library.atu.edu>

It is the responsibility of each faculty member to know and understand the policies for the circulation on library materials.

Should a title charged to a faculty member be needed by someone else, the library will send a recall notice requesting the return of the item. Because these materials may be essential to a student's or another faculty member's academic success, these requests should be honored promptly. The library may enlist the aid of Deans and administration in recovering needed materials.

While fines and fees are not currently charged to faculty members, upon termination of employment at Arkansas Tech University, any outstanding materials must be returned. Otherwise, the costs of replacing those materials will be deducted from the employee's final paycheck.

Interlibrary loans are requested for faculty members at no additional charge. However, any surcharges passed on by lending libraries are the responsibility of the borrowing faculty member.

Inquiries about library policy should be directed to the library director. Recommendations for policy changes should be submitted to the director, your departmental library liaison, or to a member of the Library, Instructional Materials and Equipment Committee.

~~All purchases are made by the Purchasing Department. Prior planning must be exercised to submit requisitions in time to allow for obtaining quotations, making awards, and obtaining delivery. In case of an emergency, contact the Purchasing Department for instructions.~~

~~Office supplies may be drawn from the Bookstore upon approval of the Department Head.~~

## **PROCUREMENT PROCEDURES**

All purchases are made by Procurement Services. Prior planning must be exercised to submit requisitions in time to allow for obtaining quotes, awards, reporting and obtaining delivery. In case of an emergency, contact Procurement Services for instructions.

Procurement and Risk Management Services operate under the State of Arkansas Procurement Law and Rules set forth by the Office of State Procurement.

Only the Purchasing Department has the authority to issue purchase orders. Requisitions are “requests” for commodities or services, and do NOT constitute a legal order. Orders placed by an individual without a purchase order are the financial responsibility of that individual.

For more information please visit the Procurement and Risk Management Services website at [www.atu.edu/purchasing](http://www.atu.edu/purchasing)

### **133 CONTRACT AND AGREEMENTS**

Any contract or agreement MUST be reviewed by Procurement and by Legal Counsel before it is executed.

Only individuals with contractual authority for the University may sign these documents.

#### Russellville Campus:

President

VP for Administration & Finance

Director of Procurement and Risk Management Services

#### Ozark Campus:

Chancellor at Ozark Campus

Chief Fiscal Officer at Ozark Campus

No one else can legally bind the University and guarantee payment.