

Arkansas Tech University

2019 Combined Annual Security Report and Fire Safety Report

Ozark Campus



Arkansas Tech University

2019 COMBINED ANNUAL SECURITY REPORT & FIRE SAFETY REPORT

Introduction

In 1990, Congress enacted the Crime Awareness and Campus Security Act of 1990 (Title II of Public Law 101-542), which amended the Higher Education Act of 1965 (HEA). This act required all postsecondary institutions participating in HEA's Title IV student financial assistance programs to disclose campus crime statistics and security information. The act was amended in 1992, 1998, 2000, and 2008. The 1998 amendments renamed the law the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. It is generally referred to as the Clery Act and is in section 485(f) of the HEA.

On March 7, 2013, the Violence Against Women Reauthorization Act of 2013 (VAWA) (Public Law 113-14) was signed into law. VAWA includes amendments to the Clery Act. These changes require institutions to disclose statistics, policies, and programs related to dating violence, domestic violence, sexual assault, and stalking, among other changes.

This report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, as amended. It provides students and employees of Arkansas Tech University with information on: the University's security arrangements, policies, and procedures; programs that provide education on such topics as drug and alcohol abuse, awareness of various types of sex offenses, and the general prevention of crime; and procedures the University will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees with information that will help them make informed decisions relating to their own safety and the safety of others.

Policy for Preparing the Annual Report

The 2019 Combined Annual Security Report and Fire Safety Report is prepared by the Department of Public Safety in collaboration with the Office of Title IX, Student Conduct, and Office for Student Affairs. The report is compiled by the Clery Compliance Officer and submitted to the Arkansas Tech University Clery Committee for review. The annual disclosure of crime statistics includes statistical data from law enforcement authorities, Campus Security Authorities, and non-police campus officials. For statistical purposes, crimes reported to any of these sources are recorded in the calendar year the crime was reported. Criminal activities, if any, at off-campus student organization's (those officially recognized by the University) events are required to be monitored and reported from information collected from local police agencies. A written request for statistical information is made to all Campus Security Authorities.

This information, along with the complete 2019 Combined Annual Security Report and Fire Safety Report, can be found as a digital version at <http://www.atu.edu/securityact/> and a

printed copy can be requested from the Department of Public Safety. To request a copy of the report you can contact the Department of Public Safety at (479) 508-3359 or by email at dspicer1@atu.edu.

The 2019 Combined Annual Security Report and Fire Safety Report is distributed, via email message, to all enrolled students and employees. Prospective students are also notified of the report's availability. Hard copies of the report may also be obtained at no cost by contacting the Department of Public Safety or going to their office located at 1700 Helberg Lane, Ozark, AR 72949.

General Safety and Security Policies

The University is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and employees. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field, and are routinely tested and re-evaluated for their effectiveness.

Campus Public Safety Personnel & Relationship with Local Law Enforcement

The Department of Public Safety is responsible for campus safety at the University.

Law Enforcement Authority

Department of Public Safety officers are law enforcement officers of the State of Arkansas and are professionally trained and certified by the Arkansas Commission on Law Enforcement Standards and Training. The Department of Public Safety law enforcement authority comes from Arkansas State Statute 25-17-304 which confers upon the President of a state institution of higher education the right to create a University agency with the same powers and authority as any municipal, county, or state police agency in Arkansas. Public Safety Officers have complete police authority to apprehend and arrest anyone involved in illegal acts on campus and areas immediately adjacent to the campus. If any minor offenses involving a violation of Arkansas Tech University rules and regulations are committed by a University student, Public Safety officers may also refer the individual to the Department of Student Conduct. Student conduct information for Arkansas Tech University can be found at <http://www.atu.edu/studentconduct/>.

Law Enforcement Jurisdiction

All service drives, alleyways, parking lots, any real or personal property owned or controlled by Arkansas Tech University and which is physically located within the Ozark city limits or elsewhere, shall fall under the jurisdiction of the Department of Public Safety. Public Safety officers work closely with other federal, state, and local law enforcement agencies including the Arkansas State Police, Fifth Judicial Task Force, Ozark Police Department, and Franklin County Sheriff's Office.

The Department of Public Safety also maintains Mutual Aid Agreements, under the laws of Arkansas, with surrounding agencies. These agreements allow each department to provide assistance when necessary, for the purpose of investigating alleged criminal incidents.

The Ozark Police may notify the Department of Public Safety when a student is involved in criminal activity at a non-campus location, including those of officially recognized student organizations. All members of the campus community are encouraged to cooperate fully with police personnel for their safety and convenience of everyone.

Campus Security Authorities

The University has designated certain officials to serve as Campus Security Authorities. Reports of criminal activity can be made to these officials. They, in turn, will ensure that the crimes are reported for collection as part of the University's annual report of crime statistics. The offices to whom the University would prefer Campus Security Authorities to report crimes to are listed below.

- Department of Public Safety at (479) 508-3359
- Office of Title IX at (479) 508-3307
- Campus Security Authorities can also report crimes online at <https://www.atu.edu/psafe/crime-report-form.php>.

Reporting a Crime or Emergency

The University encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the University, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged even when the victim of a crime elects not to make a report or is unable to do so.

All crimes should be reported to the Department of Public Safety to aid in providing timely warnings or emergency notifications to the community when appropriate and for inclusion in the annual crime statistics disclosure. Call 911 in an emergency if you are the victim of or witness to a crime and need police, fire, or medical assistance. Non-emergency incident reports can be made in person at the Department of Public Safety, located at 1700 Helberg Lane, Ozark, AR 72949 or call (479) 508-3359 to speak with an officer.

Arkansas Tech University students requiring non-emergency medical care and counseling services may contact the ATU Health and Wellness Center at (479) 968-0329.

Confidential Reporting

The University will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim, or disciplining the perpetrator will know the victim's identity.

If you are uncomfortable making a criminal report to the Department of Public Safety but would like to help ensure the most accurate accounting of all criminal incidents on or around

campus or at University events occurring at non-campus property, we encourage confidential reporting. Confidential reports can also be submitted through Campus Security Authorities or by using the online report form located at <https://www.atu.edu/psafe/crime-report-form.php>. Confidential reports are counted and disclosed in the annual crime statistic survey for the institution. It is the policy of Arkansas Tech University to encourage the reporting of crimes even if the victim does not wish to file a complaint.

The University encourages its professional counselors, if and when they deem it appropriate, to inform the person they are counseling to report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics. The term “professional counselor” is defined as a fully qualified and/or licensed professional whose official responsibilities include providing mental health counseling to members of the University’s community and is functioning within the scope of his/her license or certification. This exemption does not relieve counselors of the duty to exercise reasonable care to protect a foreseeable victim from danger posed by the person being counseled. The University does not have pastoral counselors.

Security of and Access to Campus Facilities

The University is made up of a variety of facilities, primarily student residences and academic/administrative buildings. Academic/administrative buildings are open during normal business hours (8:00 AM to 5:00 PM) to faculty, staff, students, and University guests. Authorized faculty and staff are issued keys to their workplaces. After-hours access to locked academic and administrative buildings is restricted to authorized persons holding keys or electronic access cards for the facilities. After-hours access is limited to those who have authorization through their status as students, faculty, staff, or visitors in connection with classes, special events, or invitation. This access is granted through the Arkansas Tech University Card Office and/or the Department of Public Safety. All University buildings can be secured by a key and the majority of buildings have an electronic card reader. Public Safety officers conduct routine patrols of campus buildings to evaluate and monitor security related matters.

Security Considerations in the Maintenance of Facilities

The Department of Public Safety works closely with Facilities Management to ensure prompt repair of maintenance issues that pose a safety or security concern to the community. Security and fire safety considerations go into the planning and design of all campus buildings. The Department of Public Safety works closely with Facilities Management, the Office of Information Systems, the University Construction Manager, and hired architecture firms to provide input into the design of new and renovated campus facilities as it relates to physical and electronic security systems. Parking lots, sidewalks, and all major walkways are lit at night. Access to facilities is granted by issuing of keys to University personnel by Facilities Management and electronic access is granted by the Arkansas Tech University Card Office.

Educational Programs Related to Security Awareness and Prevention of Criminal Activity

The University seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees

about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others, and to inform them about the prevention of crimes. Programs offered at the Russellville campus are open to Ozark campus members as well.

The safety awareness programs and crime prevention programs are based upon the dual concepts of eliminating or minimizing criminal opportunities whenever possible and encouraging students and employees to be responsible for their own security and the security of others. The Department of Public Safety in cooperation with other University organizations and departments, is responsible for presenting security awareness and crime prevention programs to the campus community annually and more often depending on the program type.

The Department of Public Safety conducts the following security awareness programs for students:

Program Name	Purpose	Date or Time of Year	Target Audience
Residence Life Training	Trained on emergency procedures	January and August	Student Employees of Residence Life
CRASE	Active shooter response	January 30 & 31 September 10 & 11	Students, Faculty, and Staff
Emergency Preparedness Expo	CPR course, CRASE, and emergency preparedness	September 19	Students, Faculty, and Staff
CERT	Campus Emergency Response Team	3 rd Wednesday of each month	Students
New Employee Orientation	Emergency preparedness and Clery compliance	Quarterly	New staff and faculty

The Department of Public Safety, in conjunction with campus partners, conducts the following crime prevention and awareness programs:

Program Name	Purpose	Date or Time of year	Target Audience
Jerry Cares Campaign	Website with resources for hazing, alcohol, drug abuse, sexual misconduct, and dangerous situations	www.atu.edu/jerrycares is available year round	Students, faculty, staff, and visitors

Healthapalooza	Provide information on Health and Wellness Center services and safety resources; raise awareness of these services	September 19, 2018	Students
QPR Training	Teaches appropriate steps to take when someone is having suicidal ideations	September 12, 2018	Students, faculty, and staff
Out of the Darkness	Suicide prevention walk to raise awareness for mental health and suicide	April 28, 2018	Students, faculty, and staff
New Student Orientation	All incoming freshmen, transfer, and graduate students received information on mental health and suicide prevention services in compliance with Arkansas Act 1007	August 20 and 21, 2018	Students
Walk a Mile in her Shoes	Program designed to raise awareness for sexual assault, rape, dating violence, domestic violence and the prevention of these incidents	March 5, 2018	Students
Emergency Preparedness Expo	Expo with training sessions on CPR/AED, emergency response, active shooter response, and safety topics	September 19, 2018	Students
National Collegiate Alcohol Awareness Day	Teaches students about alcohol, responsible use of alcohol, and related information	October 24, 2018	Students
Residence Life Programs	Residence Hall programs on preventing risky behaviors to contribute to a safe and secure environment	Annual programs	Students

Personal Safety Tips

The Department of Public Safety's safety and security measures are designed to address every area of campus life, but a safe environment also depends on the awareness and cooperation of individual community members. Here are some common-sense steps you can take for personal safety and loss prevention:

- Remember to call 9-1-1 in case of an emergency.
- Report all crimes and/or suspicious activities to the Department of Public Safety.
- Notify Public Safety or a University employee of any individual who appears not to have legitimate business on campus or whose actions arouse suspicion or concern.
- Remain alert, pay attention to your surroundings, and avoid listening to musical devices such as an iPod that make it more difficult to be taken by surprise.
- When traversing the campus at night, stay within well-lit walkways. Do not take shortcuts through wooded areas.
- Never prop doors open, even for a short time.
- Park in well-lit areas, keep car doors and windows locked, and check the inside of your vehicle and cargo area before entering it.
- Avoid using stairs in remote sections of a building.
- Avoid working or studying alone in a building at night.
- Do not leave laptops, mobile phones, backpacks, or other personal items unattended for any length of time.
- Do not leave books, jewelry, purses, wallets, cell phones, textbooks, backpacks or other valuables unattended.
- Keep the doors and windows to your residence locked, even if you will be gone only a short time.
- Keep your bike locked in a rack or storage facility when not using it.
- Carry only the credit cards and cash you need for the day, and do not conduct ATM transactions alone, especially at night.
- Carry a small flashlight and whistle with you.
- Keep your keys in your possession. Never place them under mats or in other obvious hiding places.
- If your purse or wallet is snatched, do not fight back. Give it up rather than risk personal injury, and report the incident to Public Safety immediately.
- Do not put an ID tag with your name, address, or license number on your key chain. If lost, the key chain could lead to theft.
- Do not put personal information on social networking sites.
- Do not accept drinks from strangers or leave drinks unattended.
- Protect personal property such as cell phones, iPads, laptop computers, and other valuable belongings by marking them with an identification number. Record all serial numbers and brand names.

Monitoring Off Campus Locations of Recognized Student Organizations

The University does not have any officially Recognized Student Organizations with off campus locations and therefore does not monitor or record criminal conduct occurring at such locations.

Disclosure of the Outcome of a Crime of Violence or Non-Forcible Sex Offense

Upon written request, the University will disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the University against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because under the Violence Against Women Act both the accused and accuser in these cases are given the results without the need to make a written request.

Drug and Alcohol Abuse Prevention Program

The University has a drug and alcohol abuse prevention program and conducts a biennial review of this program to evaluate its effectiveness. For more information, see below.

- Student alcohol/drug policy: <https://www.atu.edu/studenthandbook>
- Employee alcohol/drug policy: https://www.atu.edu/hr/docs/staffhandbook_1.21.16.pdf
- Alcohol/drug information webpage: <https://www.atu.edu/jerrycares/>
- Annual Notification of Alcohol and Other Drugs: <https://www.atu.edu/jerrycares/docs/aod.pdf>
- The University's Biennial Review Report can be located in the Health and Wellness Department and a copy obtained by contacting the department. The department can be contacted at (479) 968-0329.

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

The institution's annual Drug-Free and Communities Act notification includes the items listed below:

1. Standards of conduct that clearly prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by employees and students on its property or as part of its activities;
2. A description of applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;
3. A description of health risks associated with the use of illicit drugs and the abuse of alcohol;
4. A description of available drug or alcohol counseling, treatment, or rehabilitation or re-entry programs;
5. A clear statement of the disciplinary sanctions that the University will impose on employees and students and the consistency of the enforcement of sanctions.

Disciplinary sanctions may include, but are not limited to, a warning, written reprimand, suspension (with or without pay), dismissal, expulsion, and/or mandatory participation and successful completion of a drug abuse assistance or rehabilitation program approved by an appropriate health or law enforcement agency.

6. The Department of Public Safety has primary responsibility for the enforcement of state underage drinking laws as well as the enforcement of federal and state drug laws.

Arkansas Tech University is committed to the maintenance of a drug and alcohol free work place and to a standard of conduct for employees and students that discourages the unlawful or unauthorized use, possession, storage, manufacture, distribution, or sale of alcoholic beverages and any illicit drugs or drug paraphernalia in University buildings, any public campus area, in University housing units, in University vehicles, or at any University affiliated events held on or off-campus, which are sponsored by students, employees, and their respective campus organizations (including all fraternities and sororities). For Arkansas Tech University employees, compliance with this policy is a term and condition of employment. For Arkansas Tech University students and student organizations, compliance with this policy is a term and condition of continued enrollment/organizational registration.

Health Risks

- *Alcohol* – Can cause short term effects such as loss of concentration and judgment; slowed reflexes; disorientation leading to higher risk of accidents and problem behavior; long term effects include risk of liver and heart damage, malnutrition, cancer, and other illnesses; can be highly addictive to some persons.
- *Amphetamines* – Can cause short term effects such as rushed, careless behavior and pushing beyond your physical capacity, leading to exhaustion; tolerance increases rapidly; long term effects include physical and psychological dependence and withdrawal can result in depression and suicide; continued high doses can cause heart problems, infections, malnutrition, and death.
- *Cannabis (Marijuana)* – Can cause short term effects such as slow reflexes; increases forgetfulness; alters judgment of space and distance; aggravates pre-existing heart and/or mental health problems; long term health effects include permanent damage to lungs, reproductive organs, and brain function; can interfere with physical, psychological, and social development of young users.
- *Cocaine (Crack)* – Can cause short term effects such as impaired judgment; increased breathing, heart rate, heart palpitations; anxiety, restlessness, hostility, paranoia, confusion; long term effects may include damage to respiratory and immune systems; malnutrition, seizures, and loss of brain function; highly addictive.
- *Designer Drugs/Synthetic Cannabinoids (bath salts, K2, spice)* – Can cause short term effects such as elevated heart rate, blood pressure, and chest pain; hallucinations, seizures, violent behavior, and paranoia; may lead to lack of appetite, vomiting, and tremor; long-term use may result in kidney/liver failure; increased risk of suicide and death.
- *Hallucinogens (PCP, LSD, ecstasy, dextromethorphan)* – Can cause extreme distortions of what's seen and heard; induces sudden changes in behavior, loss of concentration, and

memory; increases risk of birth defects in user's children; overdose can cause psychosis, convulsions, coma, and death; frequent and long-term use can cause permanent loss of mental function.

- *Inhalants (nitrous oxide, amyl nitrite, butyl nitrite, chlorohydrocarbons, hydrocarbons)* – Can cause short term effects such as nausea, dizziness, fatigue, slurred speech, hallucinations or delusions; may lead to rapid and irregular heart rhythms, heart failure, and death; long-term use may result in loss of feeling, hearing, and vision; can result in permanent damage to the brain, heart, lungs, liver, and kidneys.
- *Opiates/Narcotics (heroin, morphine, opium, codeine, oxycodone, china white)* – Can cause physical and psychological dependence; overdose can cause coma, convulsions, respiratory arrest, and death; long term use leads to malnutrition, infection, and hepatitis; sharing needles is a leading cause of the spread of HIV and hepatitis; highly addictive, tolerance increases rapidly.
- *Sedatives* – Can cause reduced reaction time and confusion; overdose can cause coma, respiratory arrest, convulsions, and death; withdrawal can be dangerous; in combination with other controlled substances, can quickly cause coma and death; long term use can produce physical and psychological dependence; tolerance increases rapidly.
- *Tobacco (cigarettes, cigars, chewing tobacco)* – Smoking increases the risk for myocardial infarction (heart attack) and can cause cancer, particularly lung cancer, and cancers of the larynx and mouth; can cause diseases of the respiratory tract such as COPD and emphysema as well as diseases of the cardiovascular system; nicotine is highly addictive.

To find out more about these commonly abused agents and other substances of abuse not listed above go to: <http://www.justice.gov/dea/druginfo/ftp3.shtml>.

Substance Abuse Local Treatment Facilities		
Turning Point at Saint Mary's	1808 West Main Street Russellville, AR 72801	(479) 967-0701
Quapaw House	2600 East Parkway Drive, Suite C Russellville, AR 72802	(479) 967-4673 www.quapawhouseinc.com
ARVAC Inc. Freedom House	400 Lake Front Drive Russellville, AR 72801	(479) 968-7068 http://www.arvacinc.org/
The Hope Center	1706 East 2nd Street Russellville, AR 72801	(479) 968-1635 www.hopecenterofpopecounty.com

Teen Challenge – Women’s Ministries	PO Box 10443 Russellville, AR 72811	(866) 567-7101 http://www.atcwm.org/
Restored Life Services of Arkansas	127 East 3rd Street Russellville, AR 72801	(479) 219-4100 www.restoredlifeservices.com
Alcoholics Anonymous		(479) 967-3620

Policies, Procedures, and Programs Related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking

Consistent with applicable laws, the University prohibits dating violence, domestic violence, sexual assault, and stalking. The University’s policy used to address complaints of this nature, as well as the procedures for filing, investigating, and resolving complaints, may be found at:

- Sexual Misconduct Policy: https://www.atu.edu/titleix/sexual_misconduct.php

The following sections of this report discuss the University’s educational programs to promote the awareness of dating violence, domestic violence, sexual assault, and stalking; provides information concerning procedures students and employees should follow and the services available in the event they do become a victim of one of these offenses; and, advises students and employees of the disciplinary procedures that will be followed after an allegation that one of these offenses has occurred.

Primary Prevention and Awareness Program:

The University conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees. The PPAP advises campus community members that the University prohibits the offenses of dating violence, domestic violence, sexual assault, and stalking. They are also informed of the topics discussed below, including relevant definitions, risk reduction, and bystander intervention.

Crime Definitions:

Crime Type (Arkansas Code)	Definitions
Dating Violence	The institution has determined, based on good-faith research, that Arkansas law does not define the term dating violence.
Domestic Violence	The institution has determined, based on good-faith research, that Arkansas law does not define the term domestic violence. However, Arkansas does have various degrees of “domestic battering” that are defined in a manner that could be classified as “dating violence” and “domestic

Crime Type (Arkansas Code)	Definitions
	<p>violence.” These domestic battering crimes are found at Ark. Code § 5-26-303 to 305 and generally involve a perpetrator causing some degree of physical injury to a family or household member. In this regard, Ark. Code § 5-26-302 uses the following definitions:</p> <ul style="list-style-type: none"> • "Dating relationship" means a romantic or intimate social relationship between two (2) individuals that is determined by examining the following factors: (i) The length of the relationship; (ii) The type of the relationship; and (iii) The frequency of interaction between the two (2) individuals involved in the relationship. "Dating relationship" does not include a casual relationship or ordinary fraternization between two (2) individuals in a business or social context. • "Family or household member" means: (A) A spouse; (B) A former spouse; (C) A parent; (D) A child, including any minor residing in the household; (E) Persons related by blood within the fourth degree of consanguinity....; (F) Persons who presently or in the past have resided or cohabited together; (G) Persons who have or have had a child in common; or (H) Persons who are presently or in the past have been in a dating relationship together.
Stalking	<p>Under Arkansas law, there are various degrees of stalking found at Ark. Code § 5-71-229. Generally, stalking involves a perpetrator knowingly engaging in a course of conduct that would place a reasonable person in the victim’s position under emotional distress and in fear for his or her safety or a third person’s safety. As used in this statute, the following definitions apply:</p> <ul style="list-style-type: none"> • "Course of conduct" means a pattern of conduct composed of two (2) or more acts, separated by at least thirty-six (36) hours, but occurring within one (1) year, including without limitation an act in which the actor directly, indirectly, or through a third party by any action, method, device, or means follows, monitors, observes, places under surveillance, threatens, or communicates to or about a person or interferes with a person's property. "Course of conduct" does not include constitutionally protected activity. If the defendant claims that he or she was engaged in a constitutionally protected activity, the court shall determine the validity of that claim as a matter of law and, if found valid, shall exclude that activity from evidence; • "Emotional distress" means significant mental suffering or distress. "Emotional distress" does not require that the victim sought or received medical or other professional treatment or counseling.

Crime Type (Arkansas Code)	Definitions
Sexual Assault	<ul style="list-style-type: none"> • Sexual assault in the first degree (Ark. Code § 5-14-124): A person commits sexual assault in the first degree if the person engages in sexual intercourse or deviate sexual activity with a minor who is not the actor's spouse and the actor is a mandated reporter under Arkansas state law (including officials at institutions of higher education) and is in a position of trust or authority over the victim and uses the position of trust or authority to engage in sexual intercourse or deviate sexual activity. • Sexual assault in the second degree (Ark. Code § 5-14-125): A person commits sexual assault in the second degree if the person: <ul style="list-style-type: none"> ▪ Engages in sexual contact with another person by forcible compulsion. ▪ Engages in sexual contact with another person who is incapable of consent because he or she is: (A) Physically helpless; (B) Mentally defective; or (C) Mentally incapacitated. ▪ Being eighteen (18) years of age or older, engages in sexual contact with another person who is: (A) Less than fourteen (14) years of age; and (B) Not the person's spouse. ▪ Engages in sexual contact with a minor and the actor is a mandated reporter under Arkansas state law (including officials at institutions of higher education) and is in a position of trust or authority over the minor. • Sexual assault in the third degree (Ark. Code § 5-14-126): A person commits sexual assault in the third degree if the person engages in sexual intercourse or deviate sexual activity with another person who is not the actor's spouse and the actor is a mandated reporter under Arkansas state law (including officials at institutions of higher education) or a member of the clergy and is in a position of trust or authority over the victim and uses the position of trust or authority to engage in sexual intercourse or deviate sexual activity. • Sexual assault in the fourth degree (Ark. Code § 5-14-127): A person commits sexual assault in the fourth degree if the person, being twenty (20) years of age or older: (A) Engages in sexual intercourse or deviate sexual activity with another person who is: (i) Less than sixteen (16) years of age; and (ii) Not the person's spouse; or (B) Engages in sexual contact with another person who is: (i) Less than sixteen (16) years of age; and (ii) Not the person's spouse.

Crime Type (Arkansas Code)	Definitions
Rape, Fondling, Incest, Statutory Rape	<p>For purposes of the Clery Act, the term “sexual assault” includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Arkansas law are as follows:</p> <ul style="list-style-type: none"> • Rape (Ark. Code § 5-14-103): A person commits rape if he or she engages in sexual intercourse or deviate sexual activity with another person: <ul style="list-style-type: none"> ▪ By forcible compulsion. ▪ Who is incapable of consent because he or she is: (A) Physically helpless; (B) Mentally defective; or (C) Mentally incapacitated. ▪ Who is less than fourteen (14) years of age. ▪ Who is a minor and the actor is the victim’s: (i) Guardian; (ii) Uncle, aunt, grandparent, step-grandparent, or grandparent by adoption; (iii) Brother or sister of the whole or half blood or by adoption; or (iv) Nephew, niece, or first cousin. • Fondling: The institution has determined, based on good-faith research, that Arkansas law does not define the term fondling. • Incest (Ark. Code § 5-26-202): A person commits incest if the person, being sixteen (16) years of age or older, purports to marry, has sexual intercourse with, or engages in deviate sexual activity with another person sixteen (16) years of age or older whom the actor knows to be: (1) An ancestor or a descendant; (2) A stepchild or adopted child; (3) A brother or sister of the whole or half blood; (4) An uncle, aunt, nephew, or niece; or (5) A stepgrandchild or adopted grandchild. • Statutory Rape: The institution has determined, based on good-faith research, that Arkansas law does not define the term statutory rape.
Other “sexual assault” crimes	<p>Other crimes under Arkansas law that may be classified as a “sexual assault” include the following:</p> <ul style="list-style-type: none"> • Sexual indecency with a child (Ark. Code § 5-14-110): A person commits sexual indecency with a child if: <ul style="list-style-type: none"> ▪ Being eighteen (18) years of age or older, the person solicits another person who is less than fifteen (15) years of age or who is represented to be less than fifteen (15) years of age to engage in: (A) Sexual intercourse; (B) Deviate sexual activity; or (C) Sexual contact;

Crime Type (Arkansas Code)	Definitions
	<ul style="list-style-type: none"> ▪ With the purpose to arouse or gratify a sexual desire of himself or herself or a sexual desire of another person, the person purposely exposes his or her sex organs to another person who is less than fifteen (15) years of age. ▪ Being eighteen (18) years of age or older, the person causes or coerces another person who is less than fourteen (14) years of age to expose his or her sex organs or the breast of a female with the purpose to arouse or gratify a sexual desire of the actor or another person.
Consent (as it relates to sexual activity)	The institution has determined, based on good-faith research, that Arkansas law does not define the term consent (as it relates to sexual activity).

University Definition of Consent

The University uses the following definition of consent in its Sexual Misconduct Policy for the purpose of determining whether sexual violence (including sexual assault) has occurred:

“Consent” is informed, freely and actively given and mutually understandable words or actions that indicate a willingness to participate in a mutually agreed-upon sexual activity. Consent is mutually understandable when a reasonable person would consider the words or actions of the parties to have manifested a mutually understandable agreement between them to engage in certain conduct with each other. Consent cannot be gained by ignoring or acting in spite of the objections of another. Consent can be withdrawn at any time. Coercion, force, or threat of either invalidates consent.

Consent cannot be inferred from:

1. Silence, passivity, or lack of resistance alone;
2. A current or previous dating or sexual relationship alone (or the existence of such a relationship with anyone else);
3. Attire;
4. The buying of dinner or the spending of money on a date; or
5. Consent previously given (i.e. consenting to one sexual act does not imply consent to another sexual act.)

Consent is not effective if it is obtained through the use of physical force, violence, duress, intimidation, coercion, or the threat, expressed or implied, of bodily injury. Whether a party used intimidation or coercion to obtain consent will be determined by reference to the

perception of a reasonable person found in the same or similar circumstances. Consent may never be given by:

1. A person in Arkansas under the age of 14.
2. A mentally disabled person, if their disability was reasonably knowable to a sexual partner who is not mentally disabled.
3. Persons who are incapacitated (whether as a result of drugs, alcohol, or otherwise), unconscious, asleep, or otherwise physically helpless or mentally or physically unable to make informed, rational judgments. The use of alcohol or drugs does not excuse conduct that constitutes sexual misconduct under the Sexual Misconduct Policy.

Risk Reduction

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 his or her 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 a 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 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.

Love Shouldn't Hurt

If you or someone you know are experiencing relationship or sexual violence, help is available through campus and community resources listed below.

Some red flags of abuse include:

- Controlling behavior
- Excessive or threatening contact through text messages, telephone calls, or other forms of communication
- Obsessive jealousy
- Physical violence such as hitting, slapping, punching, kicking, etc.
- Put downs and name-calling
- Sexual pressure
- Isolating their partner from friends and/or family
- Threatening to leave or take their own life

Some warning signs someone is being abused include:

- Making excuses for a partner's bad behavior
- Making excuses for injuries
- Fear of a dating partner
- Isolation from friends and/or family
- Skipping out on class, work, or social gatherings for no clear reason
- Noticeable changes in eating or sleeping patterns
- Alcohol and/or other drug abuse
- Loss of self-confidence
- Constantly checking in with their partner
- Depression and/or anxiety
- Drastic personality changes

Bystander Intervention

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. ATU promotes a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. You may not always know what to do even if you want to help. Below is a list of some ways to be an active bystander. In addition to reporting incidents to appropriate authorities, below are some ways in which individuals can take safe and positive steps to prevent harm and intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking against another person.

- If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

Further information regarding bystander intervention may be found at www.atu.edu/jerrycares/bystander.php

Other Information Covered by the PPAP

The PPAP also provides information on possible sanctions and protective measures that may be imposed following a determination that an offense of dating violence, domestic violence, sexual assault, or stalking has occurred, an explanation of the disciplinary procedures that will be followed when one of these offenses is alleged, the rights of the parties in such a proceeding, available resources, and other pertinent information. Much of this information is set forth in the upcoming sections of this report.

Ongoing Prevention and Awareness Campaign:

The University also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. This campaign covers the same material as provided in the PPAP, but is intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault, and stalking.

PPAP and OPAC Programming Methods:

Educational Programming and Training for Sexual Misconduct

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

Arkansas Tech University requires educational programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking. These educational programs include primary prevention and ongoing awareness programs for all incoming students and new employees which shall include:

- The statement that the University prohibits domestic violence, dating violence, sexual assault, and stalking;
- The jurisdictional definitions of domestic violence, dating violence, sexual assault, and stalking as well as the definition of “consent” in reference to sexual activity;
- 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;
- Information on risk reduction and how to recognize warning signs of abusive behavior and how to avoid potential attacks;
- Ongoing prevention and awareness campaigns for students and faculty on all of the items above; and

Information regarding:

- Procedures victims should follow if a crime of domestic violence, dating violence, sexual assault, or stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault or Stalking Occurs” in this document)
- How the University will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” in this document);
- Existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the University and in the community (as described in “Assistance for Victims: Rights and Options” in this document); and
- Options for interim measures, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” in this document);
- Procedures for institutional disciplinary action in cases where there is a finding of dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” in this document);

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 are also provided. For more detailed information, please visit the Jerry Cares website at <http://www.atu.edu/jerrycares/>.

Training for all personnel conducting investigations and administering student conduct policies is conducted annually.

PAPP and OPAC Programs:

Program Name	Purpose	Date or Time of Year	Target Audience
Jerry Cares Campaign	Website with resources for hazing, alcohol, drug abuse, sexual misconduct, and dangerous situations	www.atu.edu/jerrycares is available year round	Students, faculty, staff, and visitors
Healthapalooza	Provide information on Health and Wellness Center services and safety resources; raise awareness of these services	September 19, 2018	Students
Campus Safety Walk	Identify areas of concern and hazards on campus	November 5, 2018	Students, faculty, and staff
Out of the Darkness Walk	Suicide prevention walk to raise awareness for mental health and suicide	April 28, 2018	Students, faculty, and staff
Self Defense Course	Self-defense course teaching how to defend against sexual assault and other crimes	October 21, 2018 and March 12, 2018	Students
Walk a Mile in Her Shoes	Program designed to raise awareness for sexual assault, rape, dating violence, domestic violence and the prevention of these incidents	March 5, 2018	Students
Title IX Training	Title IX presentation on reporting sexual misconduct	January 3, 2018 April 4, 2018 August 7, 2018 October 3, 2018	Faculty and Staff
Sexual Assault Prevention Online Course	Online course to raise awareness of sexual misconduct	Offered throughout the year	Students, faculty, and staff

Specific presentations on Title IX:

Program Name	Purpose	Date or Time of Year	Target Audience
Division of Student Affairs Graduate Assistant Training	Training of Graduate Assistants on Title IX	July 10, 2018	Graduate Students
New Employee Orientation	Training of New Employees on Title IX	July 12, 2018 October 3, 2018	Employees
New Faculty Orientation	Training of New Faculty on Title IX	August 13, 2018	Employees
Resident Assistant Training	Training of Resident Assistants on Title IX	August 14, 2018	Student employees
All-Athlete Student Meeting	Presentation to Student Athletes on Title IX	August 28, 2018	Students
Department of Public Safety Supervisor Training	Training of Public Safety Supervisors on processes for Title IX	October 1, 2018	Officers
Facilities Management Staff Training	Training of employees on Title IX	October 16, 2018 October 17, 2018	Employees
Title IX Process Advisor Training	Training of Process Advisors and their role in Title IX	December 13, 2018	Employess
Know Your IX for PSY 4003	Classroom Presentation on Title IX	August 29, 2018	Students
Special Guest Speaker-Laura Abbott, Victims' Rights Advocate	Campus Wide presentation on victims' rights and Title IX	October 3, 2018	Students and employees

Know Your IX for CSP 6053	Classroom presentation on Title IX	October 17, 2018	Students
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Procedures to follow if you are a victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking:

After an incident of sexual assault, dating violence, or domestic violence, the victim should follow these steps:

1. Contact your local law enforcement immediately by dialing 911 if the victim is in immediate danger.
2. If assistance from law enforcement is not wanted, consider immediate professional support to assist you. Professional support can be obtained by calling the Title IX coordinator's office at (479) 508-3359 or the Health and Wellness Center at (479) 968-0329 for campus students.
3. Seek medical attention as soon as possible.
 - a. Medical assistance can be obtained at, Mercy Hospital 7301 Rogers Avenue, Fort Smith, AR 72901, phone number (479) 314-6000.
 - b. Mercy Hospital in Fort Smith is 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.
 - c. If you have experienced a sexual assault, try not to:
 - i. Shower or bathe
 - ii. Go to the bathroom
 - iii. Wash your hands or face
 - iv. Wash clothing, sheets, or other surfaces where the assault occurred
 - v. Brush your teeth
 - d. **Remember:** You have up to 72 hours after the assault to have potential evidence collected. Just because you have evidence collected does not mean that you are required to pursue criminal charges or a Title IX complaint. Preservation of evidence does, however, keep the option open for you while you make your decision.
4. Contact the Title IX Coordinator if you need assistance with University-related concerns, such as no-contact orders or other protective measures. The Department of Public Safety will also assist in any needed advocacy for students who wish to obtain protective or restraining orders with local authorities. The University is able to offer reasonable academic accommodations, changes to living arrangements, transportation accommodations, escorts, no contact orders, counseling services access, and other supports and resources as needed by a victim.

Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported (contact the Title IX Coordinator or refer to the other resources listed in this report).
2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order.
3. The victim's options regarding notification to law enforcement, which are: (a) the option to notify either on-campus or local police; (b) the option to be assisted by Campus Security Authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.
4. Where applicable, the rights of victims and the University responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

Preservation of Evidence and Forensic Examinations

Victims of physical assault are advised to not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence. Don't bathe or wash, or otherwise clean the environment in which the assault occurred. You can obtain a forensic examination at Mercy Hospital 7301 Rogers Avenue, Fort Smith, AR 72901.

Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.

Victims are also advised to retain evidence in electronic formats (e.g., text messages, emails, photos, social media posts, screenshots, etc.). Such evidence is valuable in all situations, and it may be the only type of evidence available in instances of stalking.

Law Enforcement and How to Make a Police Report

The University strongly encourages all members of its community to report violations of the Sexual Misconduct Policy to law enforcement (including on campus law enforcement and/or local police). It is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement. However, the University Counseling Center and Title IX Coordinator will assist any victim with notifying law enforcement if the victim so desires. How to file a complaint with law enforcement:

- Department of Public Safety, 1700 Helberg Lane, Ozark, AR 72949
- Ozark Police Department, 2914 West Commercial Street, Ozark, AR (479) 667-2233

To make a police report, a victim should contact the local police agency listed above either by phone or in-person. The victim should provide as much information as possible, including name, address, and when and what occurred, to the best of the victim's ability.

Information about Legal Protection Orders

Arkansas Tech University complies with Arkansas law in recognizing orders of protection. Any person who obtains an order of protection from Arkansas should provide a copy to the Department of Public Safety and the Title IX Coordinator. A complainant may then meet with the Department of Public Safety and University administrators to develop a safety plan, which

is a plan for the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location, or allowing a student to complete assignments from home, etc. The University may issue a no contact order if deemed appropriate or at the request of the victim or accused. If it receives a report that a no contact order has been violated, the University will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order.

The University cannot apply for a legal order of protection, no contact order, or restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services in conjunction with an official police report. Protection orders may be available through the Fifth Judicial District Court of Arkansas. The complainant is required to apply directly for these services and/or protection orders at the following locations.

- **Franklin County Prosecuting Attorney:**
118 South 2nd Street, Ozark, AR 72949
Phone: (479) 667-0544
Fax: (479) 967-1086
Services Provided: Victim Assistance, Orders of Protection
- **Ozark City Attorney:**
111 East Walnut Street, Paris, AR 72853
Phone: (479) 963-3996
Fax: (479) 963-2209
Services Provided: Restraining Orders, Warrants

Available Victim Services:

Victims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to them, both within the University and in the surrounding community. Those services include:

University Resources (On Campus Assistance):

On Campus	Type of Services Available	Service Provider	Contact Information
Counseling and Mental Health Office Hours: 8 a.m. to 5 p.m.	Counseling services and crisis response	www.atu.edu/studentwellness	(479) 968-0329; After hours contact 911
Title IX Office	Investigates allegations and provides information and resources	https://www.atu.edu/titleix/	(479) 508-3307
Health and Wellness Center Office Hours: 8 a.m. to 5 p.m.	Concerns including exams, testing, preventative medications	www.atu.edu/studentwellness	(479) 968-0329
Student Conduct	Conduct proceedings	www.atu.edu/studentconduct	(479) 508-3310
Academic Advising	Academic needs	www.atu.edu/advising	(479) 667-2117
Public Safety	Safety needs or making a police report	www.atu.edu/psafe	(479) 508-3359

Student Accounts	Student financial needs	www.atu.edu/studentaccounts	(479) 667-2117
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State/Local Resources (Off-campus assistance):

Off Campus	Type of Services Available	Service Provider	Contact Information
Counseling Associates	Mental health and counseling services	Counseling Associates	(479) 968-1298
Mercy Hospital	Health services	Mercy Hospital	(479) 667-4138
County Prosecutor	Victim advocacy and legal services	Franklin County Prosecutor's Office	(479) 667-0544
Choices Pregnancy Center	Pregnancy and STD testing	Choices Pregnancy Center	(479) 967-2255
Ozark Rape Crisis Center	Sexual assault resource center	Ozark Rape Crises Center	(479) 754-6869
River Valley Shelter	Women's shelter	River Valley Shelter	(479) 968-3310
Department of Homeland Security	Visa / Immigration assistance	Federal Government	1-800-375-5283

National Resources:

- National Domestic Violence Hotline: 1-800-799-7233
- National Sexual Assault Hotline: 1-800-656-4673
- Rape, Abuse, and Incest National Network (RAINN):
<https://www.rainn.org/>
- US Department of Justice Office on Violence Against Women:
<https://www.justice.gov/ovw>
- National Coalition Against Domestic Violence:
<http://www.ncadv.org/>
- National Sexual Violence Resource Center:
<http://www.nsvrc.org/>
- U.S. Citizenship and Immigration Services:
<https://www.uscis.gov/>
- Immigration Advocates Network:
<https://www.immigrationadvocates.org/>

Accommodations and Protective Measures:

The University will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available the University is obligated to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement.

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:

- Issuing no-contact orders to prevent any contact between the Complainant, the Respondent, witnesses and/or third parties;
- Providing the Complainant an escort to ensure that he or she can move safely between classes, work, and/or activities;
- 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;
- Arranging to dissolve a campus housing contract and offering a pro-rated refund;
- Changing work arrangements;
- Rescheduling class work, assignments, and examinations without penalty;
- Arranging for the Complainant to take an incomplete in a class;

- Moving the Complainant or the Respondent from one class section to another without penalty;
- Permitting a temporary withdrawal from the University;
- Providing alternative course completion options without penalty;
- Providing counseling services;
- Suspension of Respondent's social privileges;
- Taking disciplinary action against the Respondent before resolution of the Complaint;
- Providing academic support services such as tutoring.

The complainant will receive written notification of the availability of the interim measures whether or not the complainant chooses to report the incident to the Department of Public Safety or local law enforcement.

When determining the reasonableness of such a request, the University may consider, among other factors, the following:

- The specific need expressed by the complainant;
- The age of the students involved;
- The severity or pervasiveness of the allegations;
- Any continuing effects on the complainant;
- Whether the complainant and alleged perpetrator share the same class or job location;
- Whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders);

The University will maintain as confidential any accommodations or protective measures provided to complainant to the extent that maintaining confidentiality would not impair the University's ability to provide them. However, there may be times when certain information must be disclosed to a third party in order to implement the accommodation or protective measure. Such decisions will be made by the University in light of the surrounding circumstances, and disclosures of this nature will be limited so that only the information necessary to implement the accommodation or protective measure is provided. In the event it is necessary to disclose information about a complainant in order to provide an accommodation or protective order, the University will inform the victim of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared and why.

Procedures for Disciplinary Action:

Title IX Investigators will be responsible for conducting the prompt, fair, and impartial investigation of complaints filed with the University. These procedures apply to all students, faculty, and staff of the University.

Filing a Complaint:

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, and do not wish to file a criminal report you should report the incident promptly to the Title IX Coordinator by calling, writing, or coming into the office to report in person. All reports of domestic violence, dating violence, sexual assault, and stalking made to Public Safety will

automatically be referred to the Title IX Coordinator for investigation regardless if the complainant chooses to pursue criminal charges.

How to file a report with the University:

Office of Title IX: Business hours: 8:00 a.m. to 5:00 p.m., Monday through Friday.

- Amy Pennington, AVP/Dean of Students and Title IX Coordinator, (479) 968-0407, apennington@atu.edu, Doc Bryan Student Services Center, Suite 233, 1605 Coliseum Drive Russellville, AR 72801
- Mitzi Reano, HR and Deputy Title IX, (479) 508-3307, mreano@atu.edu, Technology and Academic Support Building Room 154, Ozark, AR 72949
- Reports may be submitted online through the following url: <https://www.atu.edu/affaction/docs/titleixcomplaintformrevised.pdf>

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:

- The seriousness of the alleged Sexual Misconduct;
- The Complainant's and/or alleged victim's age;
- Whether there have been other complaints of Sexual Misconduct against the Respondent;
- 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;
- 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. 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.

Investigation:

Upon receipt of the complaint, the Title IX Investigator will promptly begin his or her investigation, taking steps such as:

- 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;
- Visiting, inspecting, and taking photographs at relevant sites; and
- 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).

The Title IX Coordinator or Deputy Title IX Coordinator will meet with the Complainant and Respondent in every case. The Complainant will be informed of the following information during their meeting.

- Provide the Complainant a copy of the Sexual Misconduct Policy;
- Provide the Complainant with a Sexual Misconduct Complaint Form. 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;
- Explain avenues for formal resolution and informal resolution (mediation) of the complaint;
- Explain the steps involved in a Sexual Misconduct investigation;
- Discuss confidentiality standards and concerns with the Complainant;
- Determine whether the Complainant wishes to pursue a resolution (formal or informal) through the University, or no resolution of any kind;
- Refer the Complainant to the Counseling Center or other resources, as appropriate; and
- 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 Respondent will receive the following from the Title IX Coordinator or Deputy Title IX Coordinator during their initial meeting:

- Provide Respondent with a copy of the complaint;
- Provide Respondent with a copy of the Sexual Misconduct Policies and Procedures;
- Explain the University's procedures for formal resolution and informal resolution (mediation) of the Complaint;
- Explain the steps involved in a Sexual Misconduct investigation;
- Discuss confidentiality standards and concerns with the Respondent;
- Discuss non-Retaliation requirements with the Respondent;
- 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);
- Refer the Respondent to the Counseling Center or other resources, as appropriate; and
- 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.

Informal Resolution

At any time prior to the date of his or her designated hearing, the Respondent may elect to acknowledge his or her actions and take responsibility for the alleged Sexual Misconduct. In such a situation, the Title IX Coordinator will propose sanction(s). If the victim and the Respondent agree to such proposed sanction(s), then the complaint will be resolved without a hearing and without any further rights of appeal by any party. If either the victim or the Respondent objects to such proposed sanction(s), then the Sexual Misconduct Hearing Board will convene for the exclusive purpose of determining a sanction, which determination may be subject to appeal.

Formal Resolution

In the case of formal resolution, the Sexual Misconduct Hearing Board will conduct a hearing in which it will question the Complainant, the alleged victim (if not the Complainant), the Respondent, and any witnesses or other third parties whose testimony the Hearing Panel deems relevant. The Sexual Misconduct Board will determine whether there has been a violation of the Sexual Misconduct Policy, and if there has been, will determine the sanction to be imposed on the Respondent. The Respondent may appeal the decision of the Hearing Board within seven (7) business days from the date of the Final Outcome Letter. Students should appeal to Mr. Richard Harris, Chief Student Officer, located in the Student Services Conference Center, (479) 667-2117, rharris@atu.edu. Employees should appeal to the appropriate Vice President or Athletic Director. Faculty Handbook shall govern the appeal procedures for a faculty member receiving any decision other than dismissal.

Rights of the Parties in an Institutional Proceeding:

During the course of the process described in the previous section, both the complainant and the respondent are entitled to:

1. A prompt, fair, and impartial process from the initial investigation to the final result.
 - A prompt, fair, and impartial process is one that is:
 - Completed within reasonably prompt timeframes designated by the University's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the complainant and the respondent of the delay and the reason for the delay.
 - Conducted in a manner that:
 - Is consistent with the University's policies and transparent to the complainant and the respondent.

- Includes timely notice of meetings at which the complainant and the respondent, or both, may be present; and
 - Provides timely access to the complainant and the respondent and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.
 - Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
 - Such training addresses topics such as relevant evidence and how it should be used during a proceeding, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding, and avoiding actual and perceived conflicts of interest. Training for all personnel conducting investigations and administering student conduct policies is conducted annually.
 3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor, but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.
 4. Have the outcome determined using the preponderance of the evidence standard.
 5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, “result” means “any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters” and must include the rationale for reaching the result and any sanctions imposed.

Possible Sanctions or Protective Measures that the University May Impose for Dating Violence, Domestic Violence, Sexual Assault, or Stalking Offenses:

Following a final determination in the University’s disciplinary proceeding that dating violence, domestic violence, sexual assault, or stalking has been committed, the institution may impose a sanction depending on the mitigating and aggravating circumstances involved.

The following sanctions may be imposed singularly or in combination upon any student, faculty, and staff found to have violated the Student Code of Conduct:

1. Warning. A notice in writing to the student that the student has violated institutional regulations.
2. Probation. A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary

sanctions if the student is found to be violating any institutional regulation(s) during the probationary period.

3. Loss of Privileges. Suspension or denial of rights and privileges for a designated period of time, including participation in athletic or extracurricular activities.
4. Monetary Fines. A penalty imposed by the conduct body involving the collection of fees from the student.
5. Restitution. Compensation for loss, injury, damage to or misappropriation of University property. This may take the form of appropriate service and/or monetary or material replacement.
6. Educational Sanctions. The conduct body may also impose educational sanctions that promote learning and understanding.

These sanctions may be developed as necessary by a conduct body including, but not limited to:

- Sponsorship of an education program;
 - Attendance at educational programs;
 - Requirement of members to complete the TIPS for the University training program or other educational training programs;
 - Attendance in conflict management training;
 - Educational service hours;
 - Attendance in ethics workshop/training;
 - Reflective exercises.
7. Discretionary Sanctions. Work assignments, service to the University, or other related sanctions. Students who violate the alcohol/drug policies may be subject to completion of alcohol and other drug education programs.
 8. Holds. Withholding of grades, right to register for classes, official transcript, and/or degree.
 9. Denial of degree. University degree may be denied, revoked, and/or a diploma may be withdrawn.
 10. Loss of Scholarship. Scholarships awarded by the University or University-related programs may be partially or fully revoked.
 11. Housing Suspension. Separation of the student from University housing for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
 12. Housing Expulsion. Permanent separation of the student from University housing.
 13. University Suspension. Separation of the student from the University for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
 14. University Expulsion. Permanent separation of the student from the University.
 15. Revocation of Admission and/or Degree. Admission to or a degree awarded from Tech may be revoked for fraud, misrepresentation, or violations of the Student Code of Conduct committed by a student prior to graduation.

Arkansas Tech may withhold awarding a degree otherwise earned until the completion of the process set forth in this policy, including the completion of all sanctions imposed, if any.

A disciplinary sanction may become part of the student's permanent academic record. A student's permanent academic record includes any disciplinary sanction that comprises:

1. Expulsion
2. Any revocation of degree

In addition to any sanctions imposed, the University can make available to the victim a range of protective measures. They may include forbidding the accused from entering the victim's residence hall and from communicating with the victim, other institutional no-contact orders, security escorts, modifications to academic requirements or class schedules, and changes in working situations.

Publicly Available Recordkeeping:

The University will complete any publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifiable information about victims of dating violence, domestic violence, sexual assault, and stalking who make reports of such to the University to the extent permitted by law.

Victims to Receive Written Notification of Rights:

When a student or employee reports to the University that he or she has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the University will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

Sex Offender Registration Program:

In accordance with the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, Adam Walsh Child Protection and Safety Act of 2006, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the Department of Public Safety is providing a link to the Arkansas State Sex Offender Registry. All sex offenders are required to register in the state of Arkansas and to provide notice of each institution of higher education in Arkansas at which the person is employed, carries a vocation, or is a student.

Information regarding sex offenders in Arkansas is available at the following link

<https://www.ark.org/offender-search/index.php>.

In addition to the above, a list of current sex offenders pertinent to Arkansas Tech University is developed and maintained by the Department of Public Safety. In accordance with Arkansas law, relevant and necessary information will be disclosed when the information is necessary for public protection. Inquiries regarding registered sex offenders may be directed to University Marketing and Communications at (479) 968-0402. For information on how to register if you are a convicted sex offender, contact the Department of Public Safety at (479) 968-0222

Timely Warnings and Emergency Response

Timely Warnings

In the event a crime or an incident is reported that constitutes a serious or continuing threat to the University, a campus wide “timely warning” notice will be issued. Timely warnings will be distributed to students and employees in a manner that is timely, that withholds the names of victims as confidential, and that provides information to assist with potentially preventing similar occurrences. Updates to the community about any particular case resulting in a timely warning may be distributed by email, social media, and/or posted on the University website.

Information contained in each timely warning will include:

1. Information about the crime that prompted the alert (date/time/location and nature of the crime)
2. Information promoting safety (crime prevention and safety tips)
3. Information that will assist individuals in protecting themselves (what action to take or not take).

Timely warnings may be issued for the following crimes when it is determined that the incident represents a serious or continuing threat:

- Murder and non-negligent manslaughter
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger Arkansas Tech University community)
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a timely warning notice, but will be assessed on a case-by-case basis)
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount information known by the Chief of Public Safety, or designee). In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a “timely warning” notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a timely warning notice.
- Major incidents of arson
- Domestic violence, dating violence, stalking (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount information known by the Chief of Public Safety, or designee)

and the threat to the larger community)

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

Emergency Response

Students, employee, and visitors are encouraged to notify the Department of Public Safety by dialing 911 for any emergency or potentially dangerous situation.

The Department of Public Safety in collaboration with other appropriate personnel, will determine who should be notified, and will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

A Public Safety Officer will direct the issuance of emergency notifications, which will be accomplished using one or more of methods discussed later in this section, depending on the nature of the threat and the segment of the campus community being threatened.

At the direction a Public Safety Officer, or their designee, the University will notify local law enforcement of the emergency if they are not already aware of it and local media outlets in order that the larger community outside the campus will be aware of the emergency.

In the event of a reported emergency, DPS will use the following process to confirm there is a significant emergency or dangerous situation:

1. The Department of Public Safety and other appropriate agencies respond to a reported emergency, evaluate the situation, and confirm there is an immediate threat or dangerous situation threatening campus.
2. The Department of Public Safety and other appropriate response agencies assess whether the threat is area-specific or campus-wide.
3. The Department of Public Safety notifies the Chief Student Officer, or designee, and the Chancellor, or designee.
4. The Public Safety Officer, or designee, draft or select pre-scripted message.
5. ATU Alert is activated to notify the University community.
6. The Department of Public coordinates with key University personnel to provide updated information and posts updates or communicates "All Clear" as appropriate.

A public version of the University's Emergency Operation Plan can be found on the Office of Emergency Management website at www.atu.edu/emergency/planning.php. The Arkansas Tech University Emergency Operation Plan directs University personnel to respond and manage campus emergencies. Detailed information on how members of the ATU community can respond to an emergency can be found at www.atu.edu/emergency/index.php.

Methods for Issuing Timely Warnings and Emergency Notifications

The method(s) listed below may be utilized when the University issues a timely warning or emergency notification to the campus community.

Method	Sign-Up Instructions
ATU Alert	Arkansas Tech emergency notification system powered by RAVE Mobile Safety. The system provides emergency notifications to the campus in an efficient and timely manner during a campus security event. ATU Alert allows messages to be sent by email, text messaging, phone, Twitter, Facebook, desktop notifications, ALERTUS boxes, and ATU website. ATU Alert contains pre-scripted messages for emergency situations. The pre-scripted messages can also be edited for a customizable message.
Email	The University's email system may be used as a mode of communication. The email system allows a more thorough explanation of the situation to be delivered to email addresses at ATU. Instructions or protective steps may also be given through email. ATU sends an email to every domain name with @atu.edu. All students, faculty, and staff receive an email.
Website	The University has several opportunities to utilize the web to disseminate information in an emergency. The University website has an emergency information link www.atu.edu/emergency and is a release point for emergency instructions. The emergency information page www.atu.edu/emergency is where information on response to emergency situations may be found. All University officials, faculty, staff, students, and visitors are directed to this site in an emergency and are encouraged to review the material in preparation for potential events. When an emergency notification is sent the website will display the emergency message and direct all users to the appropriate set of instructions based on the type of emergency.
ALERTUS Notification	ALERTUS is a year-round, 24 hour-a-day service delivered to various academic and administrative locations on campus. Programming to some television monitors and computer desktops connected to ALERTUS can be interrupted to display an emergency message. When an emergency message is displayed on a computer the user must acknowledge receipt of the message. This notification is installed on the instructor computers located in all computer labs.
ALERTUS Alert Beacons	Beacons are placed in large gathering spaces such as the cafeteria and sports arenas. The alert beacons can be activated to notify the University community in an emergency. These beacons emit an audible siren, flash random patterns of light, and

	display the emergency message in the beacon window. The user must acknowledge the message to silence the audible siren and verify receipt of the message.
Local News Media	The local news media may be utilized to disseminate emergency information to members of the larger community. Information is sent to local news media via press releases. The community can also access emergency information via the ATU homepage www.atu.edu and/or social media.
Campus Emergency Call-In Number	A University call-in number has been established to play a short pre-recorded announcement. The number is (479) 880-4301. The call-in number directs the caller to the www.atu.edu/emergency page and the Department of Public Safety in an emergency situation. Both areas provide information to callers about the nature and needed response in an emergency incident.

Timely Warning and Emergency Notification Follow-up Information

Follow-up information and updates will be sent after the initial campus wide emergency notification. Follow-up information will be distributed using some or all of the identified communication systems. Follow-up information can be sent by the following individuals or offices: University Marketing and Communication, University Emergency Manager, Chief of Public Safety, Chancellor, and Chief Student Officer, or their respective designees. These offices or individuals will determine the content and notification method for follow-up information to be disseminated and will be decided on a case by case basis.

Testing and Documentation

The ATU Alert system is tested every fall and spring semester. The campus community is notified of an impending test the week of, but the specific test time and date is withheld. Both tests offer students, faculty, and staff the opportunity to verify enrollment in ATU Alert by receipt of a text, email, and phone call. University officials also verify the ALERTUS boxes, desktop notifications, and website are activated by the ATU Alert system.

The University also participates in table top exercises coordinated by the Office of Emergency Management each year. These exercises are based on a wide range of emergency situations and critical incidents that may affect some or all of the University community. University officials use these exercises to determine the best course of actions and responses for the various incidents. The University is active in the Pope County Office of Emergency Management drills and exercises that are held every year and may affect the University community.

The Office of Emergency Management maintains a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the University will distribute to its students and employees information to remind them of the University's emergency response and evacuation procedures.

Emergency System Tested	Dates Test Conducted
ATU Alert System	February 7, 2018 and September 6, 2018
Tabletop Exercises	July 24, 2018

Crime Statistics

Clery Act Definitions of Reportable Crimes

Arkansas Tech University reports the crimes required by the Clery Act that occurred on or within an institution's Clery Geography that were reported to a Campus Security Authority.

Crime Definitions

The following definitions are to be used for reporting the crimes listed in the Clery Act, in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Program. The definitions for murder, rape, robbery, aggravated assault, burglary, motor vehicle theft, weapons: carrying, possessing, etc., law violations, drug abuse violations, and liquor law violations are from the "Summary Reporting System (SRS) User Manual" from the FBI's UCR Program. The definitions of fondling, incest, and statutory rape are excerpted from the "National Incident-Based Reporting System (NIBRS) User Manual" from the FBI's UCR Program. The definitions of larceny-theft (except motor vehicle theft), simple assault, intimidation, and destruction/damage/vandalism of property are from the "Hate Crime Data Collection Guidelines and Training Manual" from the FBI's UCR Program.

Crime Definitions from the Summary Reporting System (SRS) User Manual from the FBI's UCR Program

Arson

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

Criminal Homicide—Manslaughter by Negligence

The killing of another person through gross negligence.

Criminal Homicide—Murder and Non-negligent Manslaughter

The willful (non-negligent) killing of one human being by another.

Rape

The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Robbery

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

Aggravated Assault

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

Burglary

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

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)

Weapons: Carrying, Possessing, Etc.

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Drug Abuse Violations

The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Liquor Law Violations

The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Crime Definitions from the National Incident-Based Reporting System (NIBRS) User Manual from the FBI's UCR Program

Sex Offenses

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

1. Fondling—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
2. Incest—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
3. Statutory Rape—Sexual intercourse with a person who is under the statutory age of consent.

Domestic Violence

Includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is co-habiting with or has co-habited with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating Violence

Defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: 1) the length of the relationship; 2) the type of relationship; and, 3) the frequency of interaction between the persons involved in the relationship.

Stalking

Defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

Hate Crime Definitions

Arkansas Tech University Department of Public Safety is also required to report statistics for hate (bias) related crimes by the type of bias as defined below for murder/non-negligent manslaughter, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglar, motor vehicle theft, and arson, as well as the other crimes defined below (larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property).

Crime Definitions from the Hate Crime Data Collection Guidelines and Training Manual from the FBI's UCR Program

Larceny-Theft (Except Motor Vehicle Theft)

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

Simple Assault

An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Intimidation

To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Destruction/Damage/Vandalism of Property

To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Hate Crime

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

- Race bias: A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).
- Gender identity bias: A preformed negative opinion or attitude toward a group of persons based on their actual or perceived gender identity (e.g., bias against transgender or gender non-conforming individuals).
- Religion bias: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholic, Jewish, Protestant, atheist).
- Sexual orientation bias: A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation (e.g., gay, lesbian, heterosexual).
- Ethnicity bias: A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting

of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.

- National origin bias: A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
- Disability bias: A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Arkansas Tech University – Ozark Campus – Campus Security Report												
	2018				2017				2016			
	On-Campus	Non-Campus	Public Property	Total	On-Campus	Non-Campus	Public Property	Total	On-Campus	Non-Campus	Public Property	Total
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Violations – Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Violations – Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law – Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Drug Law – Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law – Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law – Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0	0	0	0

Hate crimes:

2018: No hate crimes reported.

2017: No hate crimes reported.

2016: No hate crimes reported.

Arkansas Tech University – Ozark Campus – Campus Security Report												
Violence Against Women Act (VAWA) Statistics	2018				2017				2016			
	On-Campus	Non-Campus	Public Property	Total	On-Campus	Non-Campus	Public Property	Total	On-Campus	Non-Campus	Public Property	Total
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0	0	0

Arkansas Tech University – Main Campus – Campus Security Report			
Unfounded Crimes	2018	2017	2016
Total Unfounded Crimes	0	0	0

***Data from law enforcement agencies:**

- The data above reflects statistics provided from law enforcement agencies related to crimes that occurred on the University's Clery Geography.