

2016 CAMPUS

SECURITY & FIRE SAFETY REPORT



ARKANSAS TECH
UNIVERSITY

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WELCOME MESSAGE

On behalf of the Department of Public Safety (DPS), please let me be the first to extend a welcome to Arkansas Tech University. The safety and well-being of our students, staff, faculty, and visitors are our top priority. This report contains important information about the role of DPS at Tech and provides safety resources for our community along with statistics about crime at Tech. As you will see, the crime statistics demonstrate that Tech is an extremely safe campus. I believe our safe environment is a result of the cooperation of all students, faculty, and staff with DPS. This partnership is vital to our overall community policing philosophy.

DPS is available 24 hours each day and seven days a week. The DPS staff is here to help. A primary goal of the department is to develop and maintain strong, lasting partnerships with our community. The DPS staff is committed to providing the highest level of professional law enforcement and public safety services possible to our community. Officers provide crime prevention programs, general information, and act as valuable resources for all community members.

Safety is a shared responsibility, and we rely on each member of our community to participate by reporting suspicious activities and by using common sense when carrying out daily routines. As an important reminder, never prop open outside building doors, do lock your bike at all times, do lock your room door in your residence hall, and do call us when you need help.

Your feedback will assist us in ensuring that this level of service is consistently attained. Your comments and suggestions are always welcome. Please feel free to contact me or any member of my team if we can be of service to you. You may contact us at (479) 968-0222 or through our website at <http://www.atu.edu/psafe/>.

Joshua McMillian
Chief, Director of Public Safety
Arkansas Tech University



THE 2016 ANNUAL SECURITY AND FIRE SAFETY REPORT

Policy for Reporting the Annual Disclosure of Crime Statistics

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, more commonly known as the Clery Act, requires institutions of higher education to distribute to all current and prospective students and employees two types of information: (1) Descriptions of policies related to campus security, and (2) Statistics concerning specific types of crimes. Amendments were enacted in 1998 and renamed Title II, but are now known as the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.” The amendments require the disclosure of crimes that are reported to police and to campus officials other than police.

The 2016 *Annual Security and Fire Safety Report* includes statistics for the previous three years (2013, 2014, and 2015) concerning reported crimes/fires that occurred: (1) on-campus; (2) in certain off-campus buildings or property owned or controlled by Arkansas Tech University; and (3) on public property within, or immediately adjacent to and accessible from, the campus. The report also includes institutional policies concerning campus security, such as policies addressing domestic violence, dating violence, sexual assault, stalking, and other matters. In accordance with the Clery Act, the Arkansas Tech University Russellville Campus (ATU Russellville) and Arkansas Tech University Ozark Campus (ATU Ozark) are each defined as a separate campus. As a result, the 2016 *Annual Security and Fire Safety Report* separately contains information for both campuses (Russellville and Ozark), including: 1) crime statistics chart for each campus; and 2) any policy statements at ATU Ozark that are different from those of the main campus.

The 2016 *Annual Security and Fire Safety Report* is prepared and distributed by the Arkansas Tech University Department of Public Safety. The report is prepared by the collaborative effort of the Arkansas Tech University Clery Act Committee. Members of the Clery Committee include representatives from the Department of Public Safety, Dean of Students Office, Residence Life Office, and the Office of the Vice President for Student Services. This committee regularly meets to review all reported incidents and crimes to determine if they meet the definition for inclusion into the annual report. The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the University community and are obtained from the following sources: the Arkansas Tech University Department of Public Safety, the Russellville Police Department, the Pope County Sheriff’s Office, the Ozark Police Department, the Franklin County Sheriff’s Department, the Arkansas State Police, 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 organizations (those officially recognized by the University) events are required to be monitored and reported from information collected from local police agencies, as required under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. A written request for statistical information is made to all Campus Security Authorities (as defined by Federal law) which includes, but is not limited to, all University deans, directors, and department heads, the Russellville Police Department, the Pope County Sheriff’s Office, the Ozark Police Department, the Franklin County Sheriff’s Department and the Arkansas State Police.

This information, along with the Student Right to Know 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 DPS at (479) 968-0222. In addition, DPS notifies the University community via email message of the availability of this report and how it can be obtained.

Separate Campus

All policy statements in this report are for all campuses unless otherwise specified.

THE DEPARTMENT OF PUBLIC SAFETY

The Arkansas Tech University Department of Public Safety (DPS) is committed to providing quality service and protection to students, faculty, staff, and visitors to Arkansas Tech University.

Law Enforcement Authority

DPS 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. DPS 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. DPS officers have complete police authority to apprehend and arrest anyone involved in illegal acts on campus and areas immediately adjacent to the campus. If minor offenses involving University rules and regulations are committed by a University student, DPS officers may also refer the individual to Student Services.

DPS is a service-oriented agency employing the philosophy of community policing within its jurisdiction. This philosophy is based upon the concept that police officers and the campus community as a whole can work together in creative ways to solve problems related to crime prevention. The primary focus of community policing is to foster positive interactions between the police, students, faculty, and staff. DPS maintains and promotes respect for the individual rights and dignity of all persons and is dedicated to excellence in all of the services that are offered on a year-round basis.

DPS officers are trained to respond to the needs of students, faculty, staff, and visitors. DPS officers patrol the campus by vehicle, foot, and bicycle. DPS is the primary law enforcement agency for Arkansas Tech University and is responsible for the investigation of alleged criminal offenses. DPS personnel continually work with other municipal, county, state, and federal law enforcement agencies within the state of Arkansas, and occasionally with others outside the state as well. DPS maintains a close working relationship with agencies throughout Pope County and neighboring Yell County. The prosecutions of all felony criminal cases are conducted at the Fifth Judicial District Court of Arkansas. The prosecutions of all misdemeanor criminal offenses and traffic offenses are conducted at the Russellville District Court or Ozark District Court, depending where the offense occurred.

DPS also maintains a Memorandum of Understanding/Mutual Aid Agreement, under the laws of Arkansas, with the Russellville Police Department (RPD) and surrounding agencies. This agreement allows each department to provide assistance including investigators to the other when necessary, for the purpose of investigating alleged criminal incidents. RPD will typically notify DPS to respond with them or they will notify DPS after they have responded to inform DPS of the situation. However, RPD does this out of courtesy and is not “required” to notify or involve DPS when they respond to a call involving private property.

DPS works closely with other federal, state, and local law enforcement agencies including the Russellville Police Department, Pope County Sheriff’s Office, Arkansas State Police, Fifth Judicial Task Force, Ozark Police Department, Franklin County Sheriff’s Office, and other agencies. All members of the campus community are encouraged to cooperate fully with police personnel for their safety and convenience of everyone.

Law Enforcement Jurisdiction

All service drives, alleyways, parking lots, and real or personal property owned or controlled by Arkansas Tech University and which is physically located within the Russellville city limits or elsewhere, shall fall under the jurisdiction of DPS.

REPORTING OF CRIMINAL ACTIVITY AND OTHER EMERGENCIES AND CRIMES

Students, faculty, visitors, and community members are strongly encouraged to report incidents of criminal conduct, suspicious behavior, or emergencies to the Department of Public Safety at 479-968-0222 for non-emergencies or **911 for emergencies**. Reports may be made in person at the Department of Public Safety office located at 1508 North Boulder Avenue or you may use the Emergency Call Stations located strategically throughout the campus. All crimes should be reported to DPS to aid in providing timely warnings or emergency notifications to the community when appropriate and for inclusion in the annual crime statistics disclosure. Crimes should be accurately and promptly reported to the Department of Public Safety or the appropriate police agency when the victim of a crime is unable to or elects not to make such a report.

Upon receipt of a call or other notification of a crime, a Public Safety Officer will be dispatched to handle the call. The officer will investigate each reported incident and prepare an initial report. Follow-up investigation will also be conducted by the Department of Public Safety. The initial and follow-up police reports will be prepared for use by University authorities, city, county, or federal prosecutors, and other law enforcement agencies. Members of the community are reminded that it is important to report incidents promptly so that an investigation can be conducted promptly and evidence preserved. Offenses committed by students, faculty members, staff members, or visitors may be referred for criminal prosecution. Students, faculty members, and staff members also may be adjudicated by the University through student or employee disciplinary proceedings which may impose sanctions up to and including expulsion of students and/or termination of employment.

Monitoring and Recoding of Criminal Activity by Students at Non-Campus locations of Recognized Student Organizations

Arkansas Tech University does not have officially recognized student organizations that own or control housing facilities outside of the ATU core campus. If Russellville Police Department (RPD) is called by a citizen to respond to a location involving an officially recognized student organization, RPD will typically notify DPS to respond with them or they will notify DPS after they have responded to inform DPS of the situation. However, RPD does this out of courtesy and is not “required” to notify or involve DPS when they respond to a call involving private property.

Confidential Reporting of Crimes

Confidential reporting is available if you witness or are the victim of a crime and do not want to pursue action within the University system or the criminal justice system. With your permission, the Director of Public Safety or a designee of the ATU DPS can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, employees, and visitors; determine whether there is a pattern of crime with regard to a particular location, method, or assailant; and when necessary alert the campus community to potential danger. Confidential reports are counted and disclosed in the Annual Security and Fire Safety Report for the institution. It is the policy of the University to encourage the reporting of crimes even if the victim does not wish to file a complaint. Confidential reports can also be submitted through an online report form located at <http://www.atu.edu/psafe/report-crimestats.php>. The purpose of a confidential report is to maintain anonymity; yet it allows DPS to take steps to ensure your future safety and that of others. The Department of Public Safety encourages all licensed mental health professionals and pastoral counselors to encourage persons they are counseling to report crimes on a voluntary, confidential basis by contacting DPS, if or when a health or safety risk that may threaten the campus has been reported. The institution will disclose crimes regardless of whether the crimes have been investigated by ATU DPS or local police, and regardless of whether a finding of guilt or responsibility has been assigned. On occasion, an agency will receive a complaint that is determined through investigation to be false or baseless. If the investigation shows that no offense occurred nor was attempted, i.e. it was false or baseless, the reported offense can be classified as “unfounded”. Only sworn law enforcement may classify a reported offense as “unfounded.”

Timely Warnings

In the event a crime is reported or a situation arises, within the Clery Geography (On Campus, Public Property, and Non-Campus property), that, in the judgment of the Chief of Public Safety and in consultation with the Vice President of Student Services and University Relations and Dean of Students when time permits, constitutes a serious or continuing threat, a campus wide “timely warning” notice will be issued. Timely warning notices are typically written by the Chief of Public Safety and distributed by the Director of University Relations. 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.

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 ATU 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
- ▶ Other crimes as determined necessary

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

- ▶ Arkansas Tech University email system
- ▶ Flyers posted on bulletin boards, exterior doors in academic buildings, residence halls, outdoor boards and administrative buildings
- ▶ Campus meetings and/or announcements
- ▶ Educational outreach
- ▶ Posted on one or more campus websites:
 - ▶ ATU Department of Public Safety website: <http://www.atu.edu/psafe/>
 - ▶ ATU Emergency Alert Page: <http://www.atu.edu/emergency/>

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), and 3) information that will assist individuals in



protecting themselves (what action to take or not take). The name(s) of alleged victim(s) will be withheld as confidential from all timely warnings.

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

Daily Crime Log

Consistent with the Clery Act requirements, the Department of Public Safety maintains a daily crime log that records, listed by the date the incident was reported, all crimes and other serious incidents that occur:

- ▶ On campus
- ▶ In a non-campus building on property owned or operated by the University or its students "in a reasonably contiguous geographic area"
- ▶ On public property within, adjacent to, or immediately accessible from the campus
- ▶ Within the department's patrol jurisdiction

The daily crime log is available for public inspection at the Department of Public Safety located at 1508 North Boulder Avenue on the Arkansas Tech University campus.

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

DPS posts incidents in the daily crime log within two business days of receiving a report of an incident, and, in accordance with the Clery Act requirements, may temporarily withhold information from the daily crime log in cases where there is clear and convincing evidence that the release of information would: 1) jeopardize an ongoing investigation; 2) jeopardize the safety of an individual; 3) cause a suspect to flee or evade detection; or, 4) result in the destruction of evidence.

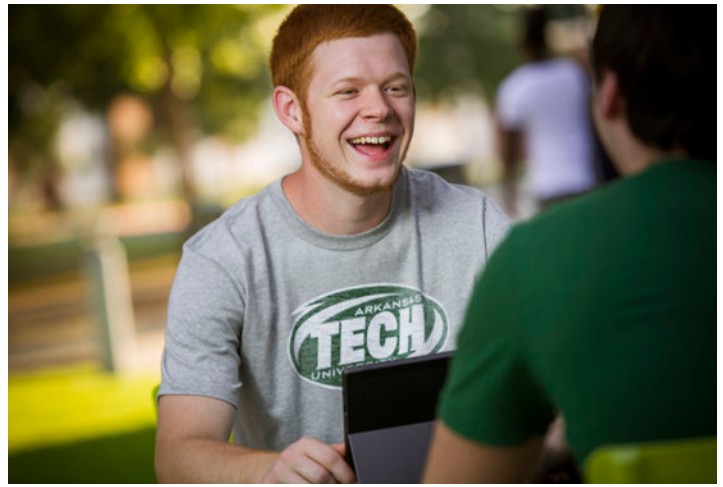
EMERGENCY NOTIFICATION AND PROCEDURES

Emergency Notifications

The University is committed to the safety and well-being of its faculty, staff, students, and visitors to the campus. In the event of a significant emergency or dangerous situation involving the immediate threat to the health or safety of persons on the campus, the University will immediately, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification to the community using the Campus Emergency and Outreach Notification (CEON) system and other media outlets to advise of the situation, unless issuing a notification would, in the professional judgment of responsible authorities otherwise compromise the efforts to assist victims or contain, respond to, or otherwise mitigate the emergency. Emergency messages will be sent out via text messaging, email, phone calls, desktop notification, digital signage, ALERTUS notification system for large gathering areas, and RSS feed on the University website at www.atu.edu.

If it is determined there is an emergency or dangerous situation posing an immediate threat to the health and safety of some or all members of Arkansas Tech University, the Department of Public Safety will immediately collaborate





with the Office of the Vice President for Student Services and University Relations to determine the immediate course of action. DPS has the responsibility to respond to, mitigate, investigate, document, and summon the necessary resources needed for any situation that may cause an emergency or dangerous situation to the University community. The Department of Public Safety works with the City of Russellville, Pope County Sheriff's Office, and Office of Emergency Management to determine if there is a critical incident or emergency occurring in the city that poses a significant threat to the University community. Upon the confirmation of a significant emergency or dangerous situation that poses an immediate threat to the health or safety of students or staff occurring on the campus, a notification will be made without delay to the University community.

Outreach messages will be utilized in less urgent, but still important, situations. These outreach messages may include winter weather closings. In order to receive these important communications, members of the Arkansas Tech community must register for Campus Emergency and Outreach Notification (CEON). Information on how to register is located at this website, <https://support.atu.edu/ics/support/KBList.asp?folderID=59>.

In conjunction with other emergency agencies, the University conducts emergency response drills and exercises each year, such as table top exercises, field exercises, and tests of the emergency notification systems on campus. The bi-annual test of the emergency notification system, which are announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution. Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced.

The University publicizes a summary of the emergency response and evacuation procedures via email at least once each year in conjunction with a test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act. The University emergency response and evacuation procedures can also be located at www.atu.edu/emergency.

If the Chief of the Department of Public Safety, or designee, in conjunction with other University administrators, local first responders and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the University community, the Department of Public Safety, Dean of Students, and University Relations will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the University community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. The Department of Public Safety in conjunction with the Vice President of Student Services and University Relations, Dean of Students, or their respective designee will determine which segment or segments of the population will receive a notification.

All of the University alert systems can be activated simultaneously through Blackboard Connect. Blackboard Connect allows the Chief of Public Safety, Vice President of Student Services and University Relations, Dean of Students, and University Relations, or their respective designees to send a message utilizing all the alert systems.

The following are methods of communications that may be utilized by Arkansas Tech University in the event of an emergency. These are made available to the University community and their usage will be dependent upon the particular set of circumstances present during the incident. Not every communication tool will be used in every situation and the Department of Public Safety and Office of the Vice President for Student Services and University Relations will collaborate on which systems will be utilized dependent on the situation.

CEON (Campus Emergency and Outreach Notification System):

CEON is the Arkansas Tech Campus Emergency and Outreach Notification System powered by Blackboard Connect. The system provides emergency notifications to notify the campus in an efficient and timely manner during a campus security event. There is an outreach function that will provide information on things such as inclement weather and special campus notifications in a way convenient to you. In addition to the base system, there is also a Blackboard Course Management System function that allows notifications from your courses if you choose. CEON allows messages to be sent by email, text messaging, phone, Twitter, Facebook, desktop notifications, ALERTUS boxes, and website.

CEON contains pre-scripted messages for emergency situations. The pre-scripted messages can also be edited for a customizable message. The Department of Public Safety, in collaboration with the Office of the Vice President for Student Services and other necessary officials, will determine if a pre-scripted message or a custom message will be sent to the University community on a case by case basis. If an immediate threat against the University is determined, the Department of Public Safety can issue an emergency notification without delay or consultation with University officials. The emergency alert system is tested every Fall and Spring semester. Both tests offer students, faculty, and staff the opportunity to verify enrollment in CEON by receipt of a text, email, and phone call. University officials also verify the ALERTUS boxes, desktop notifications, and website are activated by the CEON system.

The CEON system can be activated by a group of designated users to ensure an emergency message can be sent any time or day of the week. This group of users can send a message by using a computer desktop, laptop, or directly from their cell phone.

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 Arkansas Tech University. Instructions or protective steps may also be given through email. Arkansas Tech University 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 <http://www.atu.edu/emergency> is where information on response to emergency situations may be found. All University officials, faculty, staff, visitors, and students are directed to this site in an emergency and are encouraged to review the material before an event occurs. 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 all 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 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, including neighbors, parents, and other interested parties. The larger community can also access emergency information via the ATU homepage 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.

Follow Up Information

Follow-up information will be distributed using some or all of the identified communication systems (except fire alarms.) The Chief of Public Safety, Vice President of Student Services and University Relations, Dean of Students, and University Relations, or their respective designees will determine the content and notification method for follow-up information to be disseminated.

Responsible Parties for Emergency Notifications

All emergency notifications sent using CEON, ALERTUS, website, email, and local media are authorized by the Vice President of Student Services and University Relations. In the event an emergency notification has to be sent immediately the Chief of Public Safety has the authority to notify the campus community without prior approval. All emergency notification messages are created by the Chief of Public Safety or Director of University Relations for distribution to the campus community.

CAMPUS FACILITIES SECURITY AND ACCESS

Arkansas Tech University is committed to the safety and security of all visitors, students, faculty, and staff present on our campus. The University provides the following services to ensure a safe and secure learning environment.

Security and Access to Campus Facilities including Residence Halls

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 to ensure prompt repair of maintenance issues that pose a safety or security concern to the community. Access to facilities is open during normal business hours to faculty, staff, students, and University guests, after hours access is limited to those who have authorization through their status as students, faculty, staff, or visitors in connection with special events or invitation. All University buildings can be secured by a key or electronic access card. Students are given keys or electronic access to their residence hall, and authorized faculty and staff are issued keys to their workplaces. After-hours access to locked academic buildings is restricted to authorized persons holding keys or electronic access cards for the facilities. Residence halls are for the use and enjoyment of the residents of the building. Exterior doors remain locked 24 hours a day. Interior hallway doors are to be locked at all times. Access to the individual rooms is limited to the residents and authorized University employees who must follow procedures established to protect the safety of the residents. Public Safety Officers and Residence Life staff monitor security in the residential facilities and encourage building residents to report suspicious or unusual activity.

Security of Campus

Public Safety Officers conduct routine patrols of campus buildings to evaluate and monitor security related matters.

Security Considerations in the Maintenance of Campus Facilities

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 to ensure prompt repair of maintenance issues that pose a safety or security concern to the community.

Parking lots, sidewalks, and all major walkways are lit at night. Monthly inspections of lighting are made by police officers and Facilities Management staff. Anyone can report an outage by calling Facilities Management at (479) 968-0261.

EMERGENCY RESPONSE AND EVACUATION

Emergency Response

The University maintains an Emergency Operations Plan that outlines responsibilities of campus departments and administrators during emergencies. This plan outlines incident priorities, campus organization, and specific responsibilities of particular departments or positions.

University departments are responsible for developing emergency response and continuity of operations plans for their areas and staff. Campus emergency management staff provides resources and guidance for the development of these plans. Current University plans may be found at the Department of Public Safety. Assistance with department level planning is available through the Department of Public Safety as well.

Emergency Call Stations

Emergency call stations are located throughout the University, which are easily distinguished in daylight by their red color and at night by their blue lights. The call stations have an emergency button located on the faceplate of the station that provide instant communication with emergency services. Once the button is pressed it immediately connects to Pope County 911 Communications Center to notify emergency services.

Emergency Procedure Guide

A copy of the Arkansas Tech University Emergency Procedure Guide is located in every residence hall room, academic classroom, and office on campus. It serves as an informational guide on how to respond in an emergency and contains important emergency contact numbers. The information contained in the guide is also available on the DPS website at <http://www.atu.edu/emergency/index.php>. The guide informs the University community how to respond in the following events:

- | | | |
|--|---------------------------|----------------------------|
| ▶ Active Shooter | ▶ Earthquake | ▶ Severe Weather |
| ▶ Bomb Threat | ▶ Fire | ▶ Tornado |
| ▶ Chemical or Hazardous Material Spill | ▶ Medical Emergency | ▶ Reporting Emergencies |
| ▶ Disturbance | ▶ Mental Health Emergency | ▶ Inclement Weather Policy |

All new faculty and incoming students are informed of the emergency procedure guide and a professional development series on the guide is provided to all faculty and staff.



Emergency Evacuation Procedures

Students living in the residence halls at Arkansas Tech University, participate in bi-annual evacuation procedures and drills, which are held at the beginning of each academic semester. These evacuation and emergency/fire drills are designed to inform students of emergency exits and emergency planning for the residence halls. Residence Life is responsible for the coordination of these drills. Residents of the halls will be notified of the drills by housing staff. The University also participates in a table top exercise each year and a full scale scenario. 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.

Shelter-in-Place Procedures

► What does it mean to “Shelter-in-Place”

If an incident occurs and the building or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in. With a few adjustments, this location can be made even safer and more comfortable until it is safe to go outside.

► Basic “Shelter-in-Place” Guidance

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, ATU ID, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police, fire department or other first responders are on scene, follow their directions.

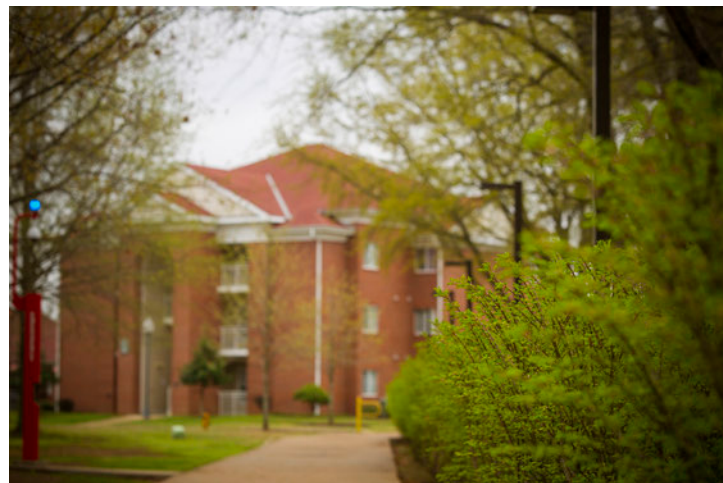
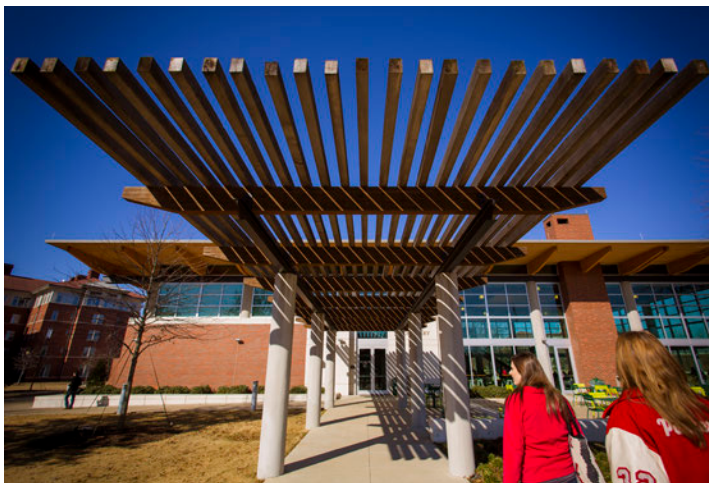
► How You Will Know to “Shelter-in-Place”

A shelter-in-place notification will come from the CEON notification system. Alerts either by text messaging or outdoor notification messages will be the primary means of disseminating the notification; however, other means of communication may also be employed.

► How to “Shelter-in-Place”

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Follow these steps unless instructed otherwise by emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of an emergency. If you are outdoors, proceed into the closest University building quickly, or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
 - a. An interior room
 - b. Above ground level
 - c. Without windows or with the least number of windows. If there is a large group of people inside a building, several rooms may be necessary.
3. Shut and lock all windows (*tighter seal*) and close exterior doors.
4. Turn off air conditioners, heaters and fans.
5. Close vents to ventilation systems as you are able. (*University employees will turn off ventilation system as quickly as possible*).
6. Turn on a radio or TV, and listen for further instructions.
7. Make yourself comfortable.



Fire Drills

A fire drill is conducted at least once per semester for each Residence Life facility. All persons in the building must participate in the fire drill and evacuate the building. Residents who do not comply with this regulation are subject to disciplinary action. Students should consider any fire alarm real and evacuate the building immediately.

Tornadoes

In Arkansas, tornadoes generally occur during the months of March through September, but can occur anytime. Be alert for these danger signs: severe thunderstorms with frequent lightning, hail, roaring noise, funnel clouds, heavy rain, strong winds, and loss of electricity. A tornado watch indicates that conditions are conducive to the development of a tornado. Arkansas Tech is located in Pope County. When a tornado watch is issued, students are not required to seek shelter. If a tornado develops, the local office of the National Weather Service will issue a warning bulletin to local authorities as well as the local media (TV networks and radio stations). In the event of a tornado warning, the emergency warning system will sound. You will hear a steady siren from the central Russellville area. The warning system is tested at 12:00 PM each Wednesday. A tornado warning is issued when a tornado has been sighted or detected by radar. Residents must seek shelter immediately. You will be alerted about severe weather, even during evening and night hours. Please follow the recommended procedures listed below when seeking shelter:

- ▶ Go to the lowest possible floor
- ▶ Stay away from windows, and do not open any windows
- ▶ If possible, go to an area that is reinforced (i.e. a bathroom or shower stall)
- ▶ If time allows, get a mattress/pillow to help shelter from flying debris
- ▶ Stay in a crouched position until you have been cleared to return to your room

Nuclear One Warning

In the event of an emergency at Arkansas Nuclear One, the emergency warning system will sound. You will hear a steady siren signal from the central Russellville area. The warning system is tested at noon each Wednesday. The same siren activates during a tornado warning. Radio stations will broadcast information regarding evacuation procedures. Arkansas Tech University is located in Zone H – which evacuates to Morrilton High School. An evacuation map with additional information is available in the Office of Student Services in the Doc Bryan Student Services Center.

CRIME PREVENTION AND SECURITY AWARENESS PROGRAMS

Security Awareness Programming

Periodically throughout the year, the Department of Public Safety, in collaboration with other University organizations and departments, present at new student orientations, transfer orientation, new hire orientations, and other events on campus. The crime prevention and safety awareness programs at Arkansas Tech University is 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. During the 2014-2015 academic year, the Department of Public Safety offered approximately 38 crime prevention and security awareness programs. Listed below are a sampling of programs and services offered by the Department of Public Safety.

The Department of Public Safety conducts orientation sessions for new students, new employees, resident directors, and resident advisors on safety and emergency procedures and alcohol and drug awareness. Throughout the year, public safety representatives are available to speak to interested groups of students, faculty, and staff on such topics as sexual assault, dating safety, theft prevention,

personal security, victim services, and alcohol and drug awareness. In addition to presentations by the Department of Public Safety, the Health and Wellness Center, and the Office of the Dean of Students, these entities also distribute various publications that address these problems and maintain a website resource located at www.atu.edu/jerrycares/. To schedule a presentation or receive publications for distribution contact the Department of Public Safety.

CRIME PREVENTION SERVICES

Tech Safety Transport

Upon request, DPS student cadets, who are trained and monitored by the Department of Public Safety, will accompany individual students and members of the faculty and staff between academic or residence buildings and parking lots between 7:00 PM and 1:00 AM. Cadets carry photo IDs at all times. They also carry flashlights, wear DPS clothing, and maintain communication with a dispatcher via two-way radio. To request a transport, call 479-968-0222. For transportation service when classes are not in session or at other times of the day, call 479-968-0222.

Lost and Found

DPS is responsible for securing and possessing all property recovered on campus and turned into a DPS official. Call 479-968-0222 if you think something was turned into the University lost and found.

Public Safety Cadets

The Public Safety Cadet Program was established in the fall of 2012 to provide enhanced security to the University. Cadets staff the Tech Safety Transport, perform security patrols, and supplement officers at special events. Cadets are part-time student employees who perform their duties under supervision of the Department of Public Safety. For information, call 479-968-0222.

Operation ID

Public Safety can help students engrave unique identifiers on personal items kept on campus, such as bikes, computers, radios, and stereo systems. This nationally recognized identification procedure has been shown to facilitate the recovery of stolen items. DPS also suggests keeping a record of serial numbers and unique identifiers, and taking photos of valuable items kept on campus to aid in identification and recovery.

Bicycle Registration

Bicycles kept on campus must be registered with the Department of Public Safety and given a unique identifying number. In the event that a bike is lost or stolen, this has shown to help facilitate the recovery and identification of property. Bicycles can be registered at the Department of Public Safety between the hours of 8:00 AM and 5:00 PM Monday-Friday.

Equalizer – Women's Self Defense Program

Public Safety offers the SSGT Equalizer Program training to University-affiliated women at convenient times throughout the year. This 16-hour training includes discussion on victim awareness and risk reduction. In addition, it provides realistic and dynamic hands-on training using practical techniques of self-defense. The training allows women to think about and practice self-defense options in a safe atmosphere. Equalizer program completion gives participants free refresher training throughout the United States wherever the course is offered. The instructors, who are Public Safety officers, are committed to this confidence-building program. They have completed a 32-hour instructor course, maintain close contact with other area instructors, and read regional publications. The instructors for the Equalizer program are also certified defensive tactics instructors for the Department of Public Safety and attend bi-annual continuing education courses.

Other Services

- ▶ Vehicle unlocks for vehicles located on campus
- ▶ Jump starts for vehicles located on campus

Crime Prevention Presentations

A Public Safety Officer will conduct safety seminars and orientation sessions for new students, new employees, resident directors, and resident assistants on safety procedures and alcohol and drug awareness. Throughout the year, Public Safety and other safety representatives are available to speak to interested groups of students, faculty, and staff on the following topics.

- ▶ **Alcohol Awareness:** Review of Arkansas alcohol-related laws, DWI detection techniques, Arkansas Tech University alcohol policies, tips on staying sober and demonstrations with Fatal Vision goggles.
- ▶ **Apartment Safety:** Review of tips on apartment safety.
- ▶ **Domestic Violence:** Review of types of violence, what can be done, and services that are available.
- ▶ **Drug Recognition:** Presented annually to housing staff to increase awareness of illegal drugs and assist in the identification of illegal items.
- ▶ **Effects of Alcohol:** Review of common reactions a person might exhibit while under the influence of alcohol.

- ▶ **Operation ID:** Review of the importance of engraving property and instructions for proper marking. Engraving assistance is provided continuously throughout the year.
- ▶ **Personal Safety:** Review of how to prevent personal attacks and what you can do if you are attacked, including safety tips for walking, driving, traveling, and a variety of other situations.
- ▶ **Safety on Campus:** Review of tips on how to prevent crime and stay safe on campus.
- ▶ **Sexual Assault:** Review of the legal definitions of sexual assault and tips on risk reduction.
- ▶ **Theft Prevention:** Review of tips on preventing thefts.
- ▶ **Traffic Law:** A question and answer driven presentation that allows members of the campus community to get answers to their questions about traffic laws.

These are examples of crime prevention programs offered by DPS. All crime prevention programs are available upon request, and some are scheduled by DPS during appropriate times in the school year. All programs given by DPS encourage students, faculty, and staff to work with the police and to be responsible for their own security and the security of others.

OTHER EDUCATION PROGRAMMING AND SAFETY AWARENESS

In addition to programs offered by the Department of Public Safety other areas offer programs throughout the year to raise awareness for suicide prevention, sexual assault, dating violence, harassment, and hazing prevention. The following is a sampling of departments and programs they offer on campus:

Jerry Cares Campaign

The Jerry Cares website found at www.atu.edu/jerrycares/ is a resource to ensure that we have a safe and supportive learning and working environment, free from sexual misconduct, hazing, alcohol and drug abuse, and any other negative behaviors that are counterproductive to the environment needed for us all to feel valued and respected. The Jerry Cares campaign equips students, faculty, and staff with tools, training, and resources necessary to play a role in preventing and interrupting dangerous incidents from impacting the University community.

Health and Wellness Center

Arkansas Tech University Counseling Services, located in the Health and Wellness Center, Dean Hall 126, provides a wide range of free and confidential counseling, consultation, and outreach services to the University community. Counselors do not make crime reports but may inform their clients of the opportunity to make voluntary, confidential reports to other authorities. They co-sponsor the "Out of the Darkness Walk" which raises awareness for suicide prevention.

Red Flag Campaign

The Red Flag Campaign is a peer education program utilizing presentations, interactive campus exhibits, outreach initiatives, and awareness events. This week-long event culminates in a campus wide march to raise awareness of relationship violence, sexual assault, and rape.

Health and Wellness Fair

Interactive exhibits and "walk-about" are created that actively engage students in health promoting behaviors and raise their awareness about sexual assault, rape, and alcohol. The Health and Wellness Fair also allows community partners to exhibit community resources. DPS takes this opportunity to remind students that alcohol is the number one date rape drug used to perpetrate drug-facilitated rape.

Residence Life Programs

Throughout the year all residence life staff facilitate programs in the residence halls. These programs offer a wide range of topics which include preventing risky behaviors to contributing to a safe and secure University environment. These programs are organized by the residence life staff and offered every semester in each residence hall.

Personal Safety Tips

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:

- ▶ Do not leave laptops, mobile phones, backpacks, or other personal items unattended for any length of time.
- ▶ Remember to call 9-1-1 in case of an emergency.
- ▶ Know the non-emergency phone number of Public Safety: 479-968-0222. Program it into your cell phone.
- ▶ 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 to 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-lighted areas, and check the inside of your vehicle before entering it.
- ▶ Although the campuses are considered safe, students and staff are encouraged to walk in pairs or groups after dark. Students may request a safety transport by calling Public Safety at 479-968-0222.
- ▶ Avoid using stairs in remote sections of a building.
- ▶ Avoid working or studying alone in a building at night.
- ▶ Keep car doors and windows locked. Check front and back seats and the cargo area before entering.
- ▶ 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 the 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.
- ▶ Report all crimes and/or suspicious activities to the Department of Public Safety.
- ▶ Protect personal property such as cell phones, iPads, laptop computers, and other valuable belongings by marking them with an identification number. Do record all serial numbers and brand names.
- ▶ Lock residence hall room doors and car doors at all times.
- ▶ Do not leave books, jewelry, purses, wallets, cell phones, textbooks, backpacks or other valuables unattended.



MISSING STUDENT PROCEDURES

In accordance with § 485(j) of the Higher Education Act, 20 U.S.C. § 1092(j), Arkansas Tech University has developed an investigation and notification policy regarding students who reside in on-campus housing and have been reported as missing. If members of the University community believe that a student has been missing for 24 hours, it is critical that they report that information to the Department of Public Safety by calling (479) 968-0222.

In the event a student under 18 years of age and not emancipated, ATU will notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student. For all missing students, ATU will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

Any report to a University official indicating that a student who resides in on-campus housing is missing shall be referred immediately to the Department of Public Safety, Office of the Dean of Students, and Residence Life, if applicable, and an investigation shall be conducted. If the investigation determines that the student is missing, the following persons shall be notified within twenty-four hours of the determination:

1. A confidential contact person designated by the student. All residents of on-campus housing are required to fill out a Confidential Contact Form prior to being allowed to reside in on-campus housing. This confidential contact person is specific for a case of a missing student and does not have to be the same as an emergency contact. The information shall be considered confidential and is only to be accessed by University officials for official purposes and law enforcement and that it may not be disclosed outside of a missing person investigation.
2. An emergency contact person designated by the student. This emergency contact information includes medical information for use by emergency responders in the event of a medical situation. The information shall be considered confidential and is only to be accessed by University officials for official purposes. In the event a confidential contact person was unable to be contacted the University may contact the emergency contact person. This will be decided on a case by case basis.
3. The student's custodial parent(s) or legal guardian(s), if a student is under 18 and not an emancipated minor, and any other designated contact person.
4. Local law enforcement authorities with jurisdiction in the area that the student went missing, regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor.

The Department of Public Safety will work with other law enforcement agencies, if necessary, once a student is determined to be missing. University officials may elect to notify additional persons determined to be appropriate consistent with the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

Students are encouraged to share pertinent information with family and friends when leaving campus or taking trips. Sharing this information will enable University staff, as well as family and friends, to contact you if the need arises. In addition, students are encouraged to periodically update their emergency contact information with the Residence Life Office.

During the fall semester of each academic year, the Office of Residence Life will notify all students residing in on-campus housing of this policy.

ALCOHOL AND OTHER DRUGS PREVENTION PROGRAM AND POLICY

Drug-Free Schools and Communities Act Amendments of 1989

In accordance with the Drug-Free Schools and Communities Act Amendments of 1989, the institution has developed and implemented a program to prevent the unlawful possession, use, sale, or distribution of illicit drugs and alcohol by students and employees. The institution's annual Drug-Free Schools and Communities Act notification includes the items listed below. A complete description of these topics, as provided in the University's annual notification to students and employees, is available online at: <http://www.atu.edu/cscenter/aod.php>.

DPS has primary responsibility for the enforcement of State underage drinking laws as well as the enforcement of Federal and State drug laws.

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.

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.

LEGAL SANCTIONS

Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

1st conviction: Up to 1 year imprisonment, and a fine of at least \$1,000 but not more than \$100,000 or both. After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years, and a fine of at least \$2,500 but not more than \$250,000 or both. After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years, and a fine of at least \$5,000 but not more than \$250,000 or both. Special sentencing provisions for possession of crack cocaine are a mandatory 5 to 20 years in prison and a fine of up to \$250,000; both if (a) 1st conviction and the amount of crack possessed exceeds 5 grams, (b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams (c) 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram. Personal and real property used to possess or to facilitate possession of a controlled substance may be forfeited if that offense is punishable by more than 1 year imprisonment. Vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance may also be forfeited. Additional sanctions include civil fines of up to \$10,000; denial of federal benefits, such as student loans, grants, contracts, and professional commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses; and ineligibility to receive or purchase a firearm. Other sanctions vested within the authorities of individual federal agencies are revocation of certain federal licenses and benefits such as pilot licenses and public housing.

STATE OF ARKANSAS SANCTIONS AND PENALTIES

Arkansas Alcohol-Related Laws:

This information includes some of the alcohol related laws in the State of Arkansas. This is not an all-inclusive list, and the laws listed below have been abbreviated. Note that the penalties listed are the minimum and maximums according to law, and subsequent offenses (especially with the DWI and DUI laws) can include substantially harsher penalties. If you need more information on any of these, or other, laws, please contact the Department of Public Safety.

► **Unknowningly Furnishing or Selling Alcohol to Minor**

3-3-201(a): The sale, giving away, or other disposition of intoxicating liquor to a minor is declared to be a misdemeanor.

Penalties

- 1st offense: Fine - \$200 to \$500
- 2nd or subsequent offense: Jail Time - No less than 1 year; Fine - \$500 to \$1000

► **Knowingly Furnishing or Selling Alcohol to Minor**

3-3-202(a)(1): It shall be unlawful for any person knowingly ... furnish any alcoholic beverage to any person under 21 years of age.

Penalties

- 1st offense: Misdemeanor; Jail Time - No more than 10 days; Fine - No more than \$500
- 2nd or subsequent offense: Felony; Jail Time - 1 to 5 years; Fine - No more than \$500

► **Minor in Possession of Alcohol**

3-3-203(a)(1): It shall be unlawful for any person under the age of 21 years to purchase or have in possession any intoxicating liquor, wine, or beer. (b) It shall also be unlawful for any adult to purchase on behalf of a person under the age of 21 years any intoxicating liquor, wine, or beer.

Penalties

- 1st offense: Misdemeanor; Fine - \$100 to \$500; Theme or essay on liquors, wine, or beer; Probation
- 2nd or subsequent offense: Same as 1st offense

► **Public Intoxication and Drinking in Public**

5-71-212(a) A person commits the offense of public intoxication if he appears in a public place manifestly under the influence of alcohol or a controlled substance to the degree and under circumstances such that he is likely to endanger himself or other persons or property, (b) or that he unreasonably annoys persons in his vicinity. (c) A person commits the offense of drinking in public if that person consumes any alcoholic beverages in any public place, on any highway or street, or upon any passenger coach...or in or upon any vehicle commonly used for the transportation of passengers, or...other public place other than a place of business licensed to sell alcoholic beverages for consumption on the premises.

Penalties

- 1st offense: Class C Misdemeanor; Jail Time - No more than 30 days; Fine - No more than \$100
- 2nd or subsequent offense: Same as 1st offense

► **Driving While Intoxicated**

5-65-103(a): It is unlawful...for any person who is intoxicated to operate or be in actual physical control of a motor vehicle. (b) It is unlawful for any person to operate or be in actual physical control of a motor vehicle if there was 0.08% or more by weight of alcohol in the person's blood as determined by a chemical test...

Penalties for 1st Offense (Penalties increase for 2nd and subsequent offenses)

- License seized upon arrest
- License suspended - 120 days (alcohol), 6 months (drugs)
- Jail Time - 24 hours to 1 year, or public service
- Fine - \$150 to \$1000
- Alcohol Treatment or Education Program
- Use of ignition interlock device
- No plea bargaining nor probation



► **Driving Under the Influence**

5-65-303(a): It is unlawful for any underage person to operate a motor vehicle while under the influence of an alcoholic beverage or similar intoxicant. (b) It is unlawful for any underage person to operate a motor vehicle if there was 0.02% but less than 0.08% by weight of alcohol in the person's blood as determined by a chemical test.

Penalties for 1st Offense (Penalties increase for 2nd and subsequent offenses)

- License seized upon arrest
- License suspended - 90 to 120 days
- Fine - \$100 to \$500
- Public Service
- Alcohol and Driving Education Program
- No plea bargaining nor probation

► **Violation of Implied Consent Law**

5-65-202(a) and 5-65-309(a): Any person who operates a motor vehicle ... shall be deemed to have given consent ... to a chemical test .. of his or her blood, breath, or urine for the purpose of determining the alcohol or controlled substance content of his or her blood ...

Penalties for 1st Offense (These penalties are for DWI or DUI if also charged with VIOL)

- License seized upon arrest
- License suspended - 180 days for DWI, 90 to 180 days for DUI

State of Arkansas sanctions for illegal drugs:

See the charts below for detailed information.

Schedule 1 Drugs:

Class of Drug: Schedule 1		
Narcotic	Heroin	
Hallucinogen	LSD, Peyote, Psilocybin, Psilocyn, Ecstasy	
Depressants	GHB	
Stimulants	"Bath Salts"	

Possession	Less than 2 grams	Class D Felony
	2-28 grams	Class C Felony
	28-200 grams	Class B Felony

Intent to Deliver	Less than 2 grams	Class C Felony
	2-28 grams; 80 to 160 dosage units	Class B Felony
	28-200 grams; 160 to 200 units	Class A Felony

Delivery	Less than 2 grams	Class C Felony
	2-28 grams; 80 to 160 dosage units	Class B Felony
	28-200 grams; 160 to 200 units	Class A Felony

Manufacture	Less than 2 grams	Class C Felony
	2-28 grams; 80 to 160 dosage units	Class B Felony
	28-200 grams; 160 to 200 units	Class A Felony

Trafficking	Less than 2 grams	Class Y Felony
	2-28 grams	
	200 grams OR MORE	

Possession of a Counterfeit Substance	Any	Class D Felony
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Delivery of Manufacturing of a Counterfeit Substance	Any	Class C Felony
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Schedule 2(a) Drugs:

Class of Drug: Schedule 2(a)		
Narcotic	Codeine, Hydrocodone, Oxycodone, Hydro-morphine, Meperidine, Morphine, Opium	
Hallucinogen		
Depressants	Amobarbital, Seconbarbital, Pentobarbital, Phencyclidine	
Stimulants	Amphetamine, Methylphenidate	

Possession	Less than 2 grams	Class D Felony
	2-28 grams	Class C Felony
	28-200 grams	Class B Felony

Intent to Deliver	Less than 2 grams	Class C Felony
	2-28 grams; 80 to 160 dosage units	Class B Felony
	28-200 grams; 160 to 200 units	Class A Felony

Delivery	Less than 2 grams	Class C Felony
	2-28 grams; 80 to 160 dosage units	Class B Felony
	28-200 grams; 160 to 200 units	Class A Felony

Manufacture	Less than 2 grams	Class C Felony
	2-28 grams; 80 to 160 dosage units	Class B Felony
	28-200 grams; 160 to 200 units	Class A Felony

Trafficking	Less than 2 grams	Class Y Felony
	2-28 grams	
	200 grams OR MORE	

Possession of a Counterfeit Substance	Any	Class D Felony
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Delivery of Manufacturing of a Counterfeit Substance	Any	Class C Felony
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Schedule 2(b) Drugs:

Class of Drug: Schedule 2(b)		
Narcotic	Cocaine	
Hallucinogen		
Depressants	Methamphetamine	
Stimulants		
Possession	>2 grams	Class D Felony
	2 to 10 grams	Class C Felony
	10 to 200 grams	Class B Felony
Intent to Deliver	Less than 2 grams	Class C Felony
	2 to 10 grams	Class B Felony
	10 to 200 grams	Class A Felony
Delivery	Less than 2 grams	Class C Felony
	2 to 10 grams	Class B Felony
	10 to 200 grams	Class Y Felony
Manufacture Methamphetamine	Less than 2 grams	Class C Felony
	More than 2 grams	Class Y Felony
Manufacture Cocaine	Less than 2 grams	Class C Felony
	2 to 10 grams	Class B Felony
	10 to 200 grams	Class Y Felony
Trafficking	200 grams or more	Class Y Felony
Possession of a Counterfeit Substance	Any	Class D Felony
Delivery or Manufacturing of a Counterfeit Substance	Any	Class C Felony

Schedule 3 Drugs:

Class of Drug: Schedule 3	
Narcotic	Acetaminophen and Codeine, APC and Codeine, Aspirin and Codeine, Paregoric
Hallucinogen	Dronabil (Marinol)
Depressants	Ketamine
Stimulants	Phendimetrazine

Possession	2 to 28 grams	Class D Felony
	28 to 200 grams	Class C Felony
	200 to 400 grams	Class B Felony

Intent to Deliver	Less than 28 grams; 40 to 80 units	Class C Felony
	28 to 200 grams; 80 to 160 units	Class B Felony
	200 to 400 grams; < 160 units	Class A Felony

Delivery	> 28 grams	Class C Felony
	28 to 200 grams	Class B Felony
	200 to 400 grams	Class A Felony

Manufacture	> 28 grams	Class C Felony
	28 to 200 grams	Class B Felony
	200 to 400 grams	Class A Felony

Trafficking	400 grams or more	Class Y Felony
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Possession of a Counterfeit Substance	Any	Class D Felony
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Delivery of Manufacturing of a Counterfeit Substance	Any	Class D Felony
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Schedule 4 Drugs:

Class of Drug: Schedule 4		
Narcotic	Darvon, Pondimin	
Hallucinogen		
Depressants	Xanax, Barbitol, Clonopin, Diazepam, Rohypnol, Luminal, Halicon, Ambien, Talwin, Soma, Stadol, Nubain	
Stimulants	Modafinil, Subutramine	
Possession	28 to 200 grams	Class D Felony
	200 to 400 grams	Class C Felony
	400 to 800 grams	Class B Felony
Intent to Deliver	> 200 grams; 40 to 80 units	Class D Felony
	200 to 400 grams; 80 to 160 units	Class C Felony
	400 to 800 grams; 160 to 800 units	Class B Felony
Delivery	> 200 grams	Class D Felony
	200 to 400 grams	Class C Felony
	400 to 800 grams	Class B Felony
Manufacture	> 200 grams	Class D Felony
	200 to 400 grams	Class C Felony
	400 to 800 grams	Class B Felony
Trafficking	800 grams or more	Class Y Felony
Possession of a Counterfeit Substance	Any	Class D Felony

Schedule 5 Drugs:

Class of Drug: Schedule 5		
Narcotic		
Hallucinogen		
Depressants		
Stimulants	Ephedrine, Pseudo-ephedrine	
Possession	28 to 200 grams	Class D Felony
	200 to 400 grams	Class C Felony
	400 to 800 grams	Class B Felony
Intent to Deliver	> 200 grams; 40 to 80 units	Class D Felony
	200 to 400 grams; 80 to 160 units	Class C Felony
	400 to 800 grams; 160 to 800 units	Class B Felony
Delivery	> 200 grams	Class D Felony
	200 to 400 grams	Class C Felony
	400 to 800 grams	Class B Felony
Manufacture	> 200 grams	Class D Felony
	200 to 400 grams	Class C Felony
	400 to 800 grams	Class B Felony
Trafficking	800 grams or more	Class Y Felony
Possession of a Counterfeit Substance	Any	Class D Felony

Schedule 6 Drugs:

Class of Drug: Schedule 6		
Narcotic	Marijuana, Tetrahydro-cannabinols, K2, Salvia	
Hallucinogen		
Depressants		
Stimulants		
Possession (<i>and 2 prior convictions</i>)	1oz to 4 oz	Class D Felony
Possession	less than 4 oz	Class A misd.
	4oz to 10lbs	Class D Felony
	10 to 25lbs	Class C Felony
	25lbs to 100lbs	Class B Felony
	100lbs to 500lbs	Class A Felony
Intent to Deliver	14 grams to 4oz	Class D Felony
	4oz to 25lbs	Class C Felony
	25 to 100lbs	Class B Felony
	100 to 500lbs	Class A Felony
Delivery	14 grams to 4 oz	Class D Felony
	4oz to 25lbs	Class C Felony
	25 to 100lbs	Class B Felony
	100 to 500lbs	Class A Felony
Manufacture	14 grams to 4 oz	Class D Felony
	4oz to 25lbs	Class C Felony
	25 to 100lbs	Class B Felony
	100lbs or more	Class A Felony
Trafficking	500lbs or more	Class Y Felony
Possession of a Counterfeit Substance	Any	Class D Felony

Drug Paraphernalia

Drug	Use	Punishment
Schedule 2(b)	Inject, ingest, inhale, or otherwise introduce into the body	Class D Felony
Schedule 2(b)	plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, and/or conceal	Class B Felony
Schedule 1, 2(a), 3, 4, 5, 6	plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, and/or conceal	Class D Felony
Schedule 1, 2(a), 2(b) 3, 4, 5, 6	Intent to Deliver or Delivery to a Minor	Class B Felony

Key	
Class D Felony:	0-6 years in prison and up to a \$10,000 fine;
Class C Felony:	3-10 years in prison and up to \$10,00 fine;
Class B Felony:	5-20 years in prison and up to a \$15,000 fine;
Class A Felony:	6-30 years in prison and up to a \$15,000 fine;
Class Y Felony:	10-40 years or life

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>.

DRUG AND ALCOHOL AWARENESS PROGRAMS

Arkansas Tech University utilizes evidenced-based strategic interventions, collaboration, innovation and the incorporation of the wellness dimensions to reduce harmful consequences of alcohol and other drug use. Drug and alcohol programming includes, but is not limited to:

- ▶ All incoming students are required to complete AlcoholEdu, an online alcohol education program.
- ▶ Providing education and awareness activities.
- ▶ Offering substance-free social, extracurricular, and public service options.
- ▶ Creating a health-promoting normative environment.
- ▶ Restricting the marketing and promotion of alcohol and other drugs.
- ▶ Limiting availability of alcohol and other drugs.
- ▶ Developing and enforcing campus policies to address high-risk and illegal alcohol and other drug use, including the tobacco free campus policy.
- ▶ Providing early intervention and referral for treatment.

Local Treatment Facilities

Turning Point at Saint Mary's
1808 W Main St.
Russellville, AR 72801
(479) 967-0701

ARVAC Inc. Freedom House
400 Lake Front Drive
Russellville, AR 72801
(479) 968-7068
<http://www.arvacinc.org/>

The Hope Center
1706 East 2nd St.
Russellville, AR 72801
(479) 968-1635

Teen Challenge – Women's Ministries
PO Box 10443
Russellville, AR 72811
(866) 567-7101
<http://www.atcwm.org/>

Counseling services are provided on campus to students by calling (479) 968-0329 or by visiting the Health and Wellness Center located

in Dean Hall room 126. These services are provided by licensed counselors, but do not include drug rehabilitation or detoxification services. Please see a counselor for more referral resources.

Disciplinary Sanctions

Students violating the University policy on alcohol or other drugs are subject to sanctions. Any complaint of a student violating University policy will be subject to the student conduct process. All charges shall be prepared in writing and directed to the Student Conduct Administrator. The Student Conduct Administrator is Amy N. Pennington, Dean of Students, Doc Bryan Suite 233, apennington@atu.edu. The Student Conduct Administrator or designee will assign the case to a conduct advisor to investigate and initiate the conduct process. A Preliminary Conference is held between the conduct advisor and alleged person(s) to informally resolve the alleged violation. If no resolution is reached then a Formal Hearing is held with the Student Services Conduct Board. Upon completion of a formal hearing the following sanctions can be imposed if the alleged person(s) are found responsible: warning, probation, loss of privileges, monetary fines, restitution, educational sanctions, discretionary sanctions, holds, denial of degree, loss of scholarship, housing suspension, housing expulsion, University suspension, University expulsion, and/or revocation of admission and/or degree. Additional information on the student conduct process can be found at www.atu.edu/studenthandbook. The University may notify parents or guardians of students under age 21 who are found to be in violation of the drug or alcohol policies as set forth in the Student Code of Conduct.

Biennial Review of Program

The Drug-Free Schools and Communities program will undergo a biennial review by the Alcohol and Other Drug Task Force. This committee makes recommendations to the Vice President for Student Services.

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT, AS AMENDED BY THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

Arkansas Tech University prohibits the offenses of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the University community. Toward that end, Arkansas Tech University issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault, and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a University official.

Arkansas Tech University's Stand on Sexual Misconduct

It is the position of Arkansas Tech University that sexual violence, sexual misconduct, discrimination, harassment, and retaliation will not be excused or tolerated. Existing criminal, civil, and disciplinary actions will be enforced. In addition, Arkansas Tech University has adopted measures to educate the campus community regarding sexual violence and instituted protocols to assist victims. Special emphasis is placed on the needs, rights, and privacy of the victim and the rights of the perpetrator. Arkansas Tech University adheres to federal, state, and local requirements for interventions, crime reporting, and privacy provisions related to sexual misconduct.

The term Sexual Misconduct is defined as any sexual act which violates the criminal laws of the State of Arkansas or laws of the United States including, but not limited to, sexual assault (non-consensual sexual contact or intercourse), domestic violence, dating violence, stalking, and sexual exploitation for the purposes of the Annual Security and Fire Safety Report.

Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault, and Stalking Occurs

After an incident of sexual assault, dating violence, or domestic violence, the victim should consider seeking medical attention as soon as possible at St. Mary's Regional Medical Center, located at 1808 W Main St, Russellville, AR 72801, phone number (479) 968-2841. In Arkansas, evidence may be collected even if you chose not to make a report to law enforcement. Victims not making a report to law enforcement are able to have an examination done at St. Mary's Regional Medical Center. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University adjudicators/investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with the Department of Public Safety or other law enforcement agency to preserve evidence in the event that the victim decides to report the incident to law enforcement or the University at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

Involvement of Law Enforcement and Campus Authorities

Although the University strongly encourages all members of its community to report violations of this 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, Title IX Coordinator, and Dean of Students will assist any victim with notifying law enforcement if the victim so desires. The Department of Public Safety may also be reached directly by calling (479)968-0222, in person at 1508 N. Boulder Ave, Russellville, AR 72801. Additional information about the Department of Public Safety may be found online at: www.atu.edu/psafe.

Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, Jennifer Fleming, (479) 498-6020, jfleming@atu.edu, Administration Bldg. #212, 1509 N. Boulder Avenue, Russellville, Arkansas 72801, by calling, writing, or coming into the office to report in person and Public Safety (if the victim so desires.) Reports of all domestic violence, dating violence, sexual assault, and stalking made to Public Safety will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

Filing a Complaint with Local Law Enforcement:

► ON CAMPUS - RUSSELLVILLE

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

► OFF CAMPUS – RUSSELLVILLE

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

► ON CAMPUS – OZARK

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

► OFF CAMPUS - OZARK

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

Filing a Complaint with the University:

Office of Affirmative Action (Title IX Assistance)

Business hours: 8:00 a.m. to 5:00 p.m., Monday through Friday.

Russellville Campus

Jennifer Fleming, Title IX Coordinator

(479) 498-6020

jfleming@atu.edu

Administration Building, Room 212

1509 N. Boulder Avenue

Russellville, Arkansas 72801

Amy Anderson, Deputy Title IX Coordinator

(479) 498-6071

aanderson41@atu.edu

Tucker Coliseum, Women's Golf Office

1604 Coliseum Drive

Russellville, Arkansas 72801

Ozark Campus

Tanya Martin, Deputy Title IX Coordinator

(479) 508-3307

tmartin31@atu.edu

Technology & Academic Support Building, Room 154

1700 Helberg Lane

Ozark, Arkansas 72949

Human Resources Office

(479) 968-0396

Browning Hall

1505 North Boulder Avenue

Russellville, AR 72801

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

A criminal investigation into the matter does not preclude the University from conducting its own investigation (nor is a criminal investigation determinative of whether Sexual Misconduct, for purposes of the Sexual Misconduct Policies and Procedures has occurred). However, the University's fact-finding aspect of the investigation may be delayed temporarily while the criminal investigators are gathering evidence. The University will promptly resume its Title IX investigation as soon as notified by the law enforcement agency that it has completed the evidence gathering process. In the event of such a delay, the University may take interim measures when necessary to protect the alleged victim and/or the University community.

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

Off Campus Conduct

Conduct that occurs off campus can be the subject of a Complaint and will be evaluated to determine if a violation of University policy has occurred. Allegations of off campus sexual misconduct are of particular concern and should be brought to the University's attention.

Anonymous Reporting

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

Mandatory Employee Reporting

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

Procedures the University Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault, and Stalking is Reported

The University has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to the Department of Public Safety or local law enforcement. Students and employees should contact the Title IX Coordinator, Jennifer Fleming, (479) 498-6020, jfleming@atu.edu, Administration Bldg. #212, 1509 N. Boulder Avenue, Russellville, Arkansas 72801 to get assistance with obtaining the accommodations if needed.

If a report of domestic violence, dating violence, sexual assault, or stalking is reported to the University, below are the procedures that the University will follow:

Sexual Assault

1. Depending on when reported (immediate vs delayed report), University will provide complainant with access to medical care
2. University will assess immediate safety needs of complainant
3. University will assist complainant with contacting Public Safety or local police if complainant requests AND provide the complainant with contact information for Public Safety or local police department
4. University will provide complainant with referrals to on and off campus mental health providers
5. University will assess need to implement interim or long-term protective measures, if appropriate.
6. University will provide the victim with a written explanation of the victim's rights and options
7. University will provide a "No Contact Order" to accused party if deemed appropriate
8. University will provide written instructions on how to apply for an Order of Protection
9. University will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding time frames for inquiry, investigation and resolution
10. University will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is
11. University will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation

Stalking

1. University will assess immediate safety needs of complainant
2. University will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department
3. University will provide written instructions on how to apply for Order of Protection
4. University will provide information to complainant on how to preserve evidence

5. University will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate
6. University will provide the victim with a written explanation of the victim's rights and options
7. University will provide a "No Contact Order" to accused party if deemed appropriate

Dating Violence

1. University will assess immediate safety needs of complainant
2. University will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department
3. University will provide written instructions on how to apply for Order of Protection
4. University will provide information to complainant on how to preserve evidence
5. University will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate
6. University will provide the victim with a written explanation of the victim's rights and options
7. University will provide a "No Contact Order" to accused party if deemed appropriate

Domestic Violence

1. University will assess immediate safety needs of complainant
2. University will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department
3. University will provide written instructions on how to apply for Order of Protection
4. University will provide information to complainant on how to preserve evidence
5. University will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate
6. University will provide the victim with a written explanation of the victim's rights and options
7. University will provide a "No Contact Order" to accused party if deemed appropriate

Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the University will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information will include:

- ▶ the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- ▶ information about how the institution will protect the confidentiality of victims and other necessary parties;
- ▶ a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- ▶ a statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- ▶ an explanation of the procedures for institutional disciplinary action

RIGHTS OF VICTIMS AND THE INSTITUTION'S RESPONSIBILITIES FOR ORDERS OF PROTECTION, "NO CONTACT" ORDERS, RESTRAINING ORDERS, OR SIMILAR LAWFUL ORDERS ISSUED BY A CRIMINAL, CIVIL, OR TRIBAL COURT OR BY THE INSTITUTION

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 Public Safety and the Office of the Title IX Coordinator. A complainant may then meet with 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 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 University may issue a no contact order if deemed appropriate or at the request of the victim or accused. If the University 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 complainant is required to apply directly for these services and/or protection orders at the following locations.

Pope County Prosecuting Attorney

Phone: (479) 968-8600

Fax: (479) 967-1086

Victim Assistance, Orders of Protection

Russellville City Attorney

Phone: (479) 967-3186

Restraining Orders, Warrants

Accommodations and Protective Measures Available for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault, or stalking, Arkansas Tech University will provide written notification to students and employees about accommodations available to them, including academic, living, transportation, and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, University offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working, or transportation situations regardless of whether the victim chooses to report the crime to Public Safety or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, living, transportation, and/or working situations or protective measures, or wishes to receive assistance in requesting these accommodations, she or he should contact the Title IX Coordinator, Jennifer Fleming, (479) 498-6020, jfleming@atu.edu, Administration Bldg. #212, 1509 N. Boulder Avenue, Russellville, Arkansas 72801. The Title IX Coordinator will then assist in getting the victim in contact with the University offices capable of providing the necessary accommodations.

On and Off Campus Services for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault, or stalking, Arkansas Tech University will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. These resources include the following:

On Campus	Type of Services Available	Service Provider	Contact Information
Counseling and Mental Health	Counseling Services and crisis response	www.atu.edu/studentwellness	(479) 968-0329 after hours contact Public Safety at (479) 968-0222
Health and Wellness	Medical concerns including exams, testing, preventative medications	www.atu.edu/studentwellness	(479)968-0329 after hours contact Public Safety at (479) 968-0222
Dean of Students	Conduct Proceedings	www.atu.edu/studentconduct	(479) 968-0239
Academic Advising	Academic needs	www.atu.edu/advising	(479) 964-0843
Public Safety	Safety needs or making a police report	www.atu.edu/psafe	(479) 968-0222
Student Accounts	Student financial needs	www.atu.edu/studentaccounts	(479) 968-0271
Residence Life	Housing needs	www.atu.edu/reslife	(479) 968-0376

Off Campus	Type of Services Available	Service Provider	Contact Information
Counseling Associates	Mental Health and Counseling Service	Counseling Associates	(479) 968-1298
St. Mary's Hospital	Health Services	St. Mary's Hospital	(479) 968-2471
County Prosecutor	Victim Advocacy and Legal Services	Pope County Prosecutor's Office	(479) 968—8600

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

- <http://www.rainn.org> – Rape, Abuse and Incest National Network

- ▶ <http://www.ovw.usdoj.gov/sexassault.htm> - Department of Justice
- ▶ <http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

Confidentiality

Victims may request that directory information on file with the University be withheld by request. To withhold directory information contact the Registrar's office at Doc Bryan Student Services Center Suite 153, 1605 Coliseum Dr., Russellville AR 72801, Phone: (479) 968-0272, web address www.atu.edu/registrar.

Regardless of whether a victim has opted-out of allowing the University to share "directory information," personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the Annual Security and Fire Safety Report that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a timely warning notice is issued on the basis of a report of domestic violence, dating violence, sexual assault, or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

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

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

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

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

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

University Procedures for Complaints of Sexual Misconduct

The Title IX Coordinator and/or deputy Title IX Coordinator will be responsible for conducting the prompt, fair, and impartial investigation of Complaints filed with the University.

Timeline for Investigations

The University will make every reasonable effort to ensure that the investigation and resolution of a Complaint occurs in as timely and efficient a manner as possible. The University's investigation and resolution of a Complaint (not including an appeal, if applicable) will generally be completed within 60 calendar days of the receipt of the Complaint, absent extenuating circumstances. Hearings, if any, will take place after the conclusion of the investigation. If hearings have taken place, both the Complainant and the Respondent generally will receive a Final Outcome Letter within 7 calendar days of the conclusion of the hearings.

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

need for the modification.

Request Not to Pursue Complaint

A Complainant (or alleged victim, if not the Complainant) may determine after filing a Complaint that he or she does not wish to pursue resolution of the Complaint through the University. The University takes such requests seriously. However, such individuals are advised that such requests may limit the University's ability to take action in response to a Complaint. Title IX requires the University to evaluate the request(s) that a Complaint not be adjudicated in the context of the University's commitment to provide a reasonably safe and non-discriminatory environment. In order to make such an evaluation, the Title IX Coordinator may conduct a preliminary investigation into the alleged Sexual Misconduct and may weigh the request(s) against the following factors:

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

Even when the University is in receipt of a request not to pursue an investigation, Title IX requires the University to take reasonable action in response to the information known to it. 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.

Interim Measures

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

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

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

University-Initiated Protective Measures

In addition to those protective measures previously described, the Title IX Coordinator or their designee will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a University order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Arkansas Tech University.

Investigation

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

1. Conducting interviews with the Complainant, the alleged victim (if not the Complainant), the Respondent, and third-party witnesses and summarizing such interviews in written form;
2. Visiting, inspecting, and taking photographs at relevant sites; and
3. Where applicable, collecting and preserving relevant evidence (in cases of corresponding criminal complaints, this step may be coordinated with law enforcement agencies pursuant to a Memorandum of Understanding).

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

1. Provide the Complainant a copy of this Policy;
2. 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;
3. Explain avenues for formal resolution and informal resolution (mediation) of the Complaint;
4. Explain the steps involved in a Sexual Misconduct investigation;
5. Discuss confidentiality standards and concerns with the Complainant;
6. Determine whether the Complainant wishes to pursue a resolution (formal or informal) through the University, or no resolution of any kind;
7. Refer the Complainant to the Counseling Center or other resources, as appropriate; and
8. Discuss with the Complainant, as appropriate, possible interim measures that can be provided to the Complainant, at no cost, during the pendency of the investigative and resolution processes.

The University may implement such measures if requested, appropriate, and reasonably available, whether a formal Complaint has been filed (with either the Title IX Coordinator or law enforcement agencies) or whether an investigation has commenced (by either the Title IX Coordinator or law enforcement agencies). Interim measures may include, but are not limited to:

1. issuing no-contact orders to prevent any contact between the Complainant, the Respondent, witnesses and/or third parties;
2. providing the Complainant an escort to ensure that he or she can move safely between classes, work, and/or activities;
3. 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;
4. arranging to dissolve a campus housing contract and offering a pro-rated refund;
5. changing work arrangements;
6. rescheduling class work, assignments, and examinations without penalty;
7. arranging for the Complainant to take an incomplete in a class; or
8. moving the Complainant or the Respondent from one class section to another without penalty;
9. permitting a temporary withdrawal from the University;
10. providing alternative course completion options without penalty;
11. providing counseling services;
12. suspension of Respondent's social privileges;
13. taking disciplinary action against the Respondent before resolution of the Complaint;
14. providing academic support services such as tutoring.

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

The Respondent will receive the following from the Title IX investigator during their initial meeting:

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

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.

Retaliation

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

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:

- A. 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
- B. 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. This educational campaign shall also be for primary prevention and ongoing awareness. These education programs shall include primary prevention and ongoing awareness programs for all incoming students and new employees which shall include:

1. The statement that the University prohibits domestic violence, dating violence, sexual assault and stalking;
2. The jurisdictional definitions of domestic violence, dating violence, sexual assault, and stalking as well as the definition of “consent” in reference to sexual activity;
3. Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene in cases of a risk of domestic violence, dating violence, sexual assault, or stalking;
4. Information on risk reduction and how to recognize warning signs of abusive behavior and how to avoid potential attacks; and
5. Ongoing prevention and awareness campaigns for students and faculty on all of the items above
6. Information regarding:
 - a. procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this document)
 - b. how the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
 - c. 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 institution and in the community (as described in “Assistance for Victims: Rights and Options” elsewhere in this document); and
 - d. options for, 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” elsewhere in this document);
 - e. procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere 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 is 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 formal resolutions is conducted annually.

Primary Prevention and Awareness Programs

The Division of Student Services in conjunction with the Office of Affirmative Action and Title IX and other University departments is responsible for planning and coordinating campus education and awareness programs about all forms of sexual assault, including rape, acquaintance rape, domestic violence, dating violence, and other sex offenses. Programs are presented regularly throughout the academic year in residence halls, fraternities, sororities, and for other student organizations, academic classes, employee training and professional development, and in other settings that are likely to reach people throughout the campus community.

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

Name of Program	Date Held	Location Held	Which Prohibited Behavior* Covered?
Orientation	January and August 2015	Various Locations across Campus	DoV, DaV, Sexual Assault, and Stalking
Haven	January to December 2015	Online	DoV, DaV, Sexual Assault, and Stalking
Sexual Assault Awareness Month	April 2015	Across Campus	Sexual Assault, DaV, and Stalking
It's On Us National Week of Action	November 2015	Across Campus	Sexual Assault, DoV, DaV, and Stalking
New Employee Orientation	Hire Date	Human Resources	DoV, DaV, Sexual Assault, and Stalking

**DoV means Domestic Violence and DaV means Dating Violence*

Sexual Misconduct Definitions

Sexual Misconduct includes but is not limited to the following offenses: rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. The definitions for the offenses are:

- ▶ **Rape.** "Rape" is the act of sexual intercourse or penetration (anal, oral or vaginal), however slight, with any body part or any object, by a man or a woman upon a man or a woman, without Consent, including vaginal penetration by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue or finger; and oral copulation (mouth to genital contact or genital to mouth contact).
- ▶ **Acquaintance Rape.** "Acquaintance Rape" is the above defined offense of rape by a person the victim has a relationship with or is known by the victim.
- ▶ **Domestic Violence.** "Domestic Violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim by a person with whom the victim shares a child in common, by a person who is 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 State of Arkansas, or by any other person against an adult or youth victim who is protected from the person's acts under the domestic or family violence laws of the State of Arkansas.
- ▶ **Dating Violence.** "Dating Violence" means violence committed by a person:
 1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 2. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - a. The length of the relationship,
 - b. The type of relationship, and
 - c. The frequency of interaction between the persons involved in the relationship.

For the purposes of this definition:

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

Sexual Assault Definitions as defined in VAWA

- ▶ **Sexual Assault.** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, A sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."
- ▶ **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.
- ▶ **Fondling:** The touching of the private 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.

- ▶ **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- ▶ **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.
- ▶ **Stalking:** Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 1. Fear for his or her safety or the safety of others; or
 2. Suffer substantial emotional distress.
 - a. For the purposes of this definition—Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveys, threatens, or communicates to or about, a person, or interferes with a person's property.
 - b. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
 - c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault, Consent, and Stalking

It is important to note there is a difference between the "domestic" and "dating." A.C.A. §5-26-302 notes, [A] "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 causal relationship or ordinary fraternization between two (2) individuals in a business or social context;

- ▶ **Domestic Violence/Abuse:** Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault between family or household members; or any sexual conduct between family or household members, whether minors or adults, that constitutes a crime under the laws of this state.

The complete definition for domestic violence/abuse, as defined by Arkansas law, may be found at: A.C.A. §9-15-103.

- ▶ **Dating Violence:** Defined as physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault between two individuals who are in a romantic or intimate social relationship. A romantic or intimate social relationship between two individuals 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 individuals involved in the relationship. "Dating" does not include a causal relationship or ordinary fraternization between two individuals in a business or social context.

- ▶ **Stalking:** Defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

A "course of conduct" is two or more acts, including, but not limited to: acts in which the "stalker" directly, indirectly, or through third parties by any action, method, device, or means, follows, monitors, observes, surveys, threatens, or communicates to or about, a person, or interferes with a person's property.

"Substantial emotional distress" is significant mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling. A "reasonable person" is one under similar circumstances and with similar identities to the victim.

The complete definition for stalking, as defined by Arkansas law, may be found at: A.C.A. §5-71-229.

How to Be an Active Bystander

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.” We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. Further information regarding bystander intervention may be found at www.atu.edu/jerrycares/bystander.php. 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.

1. 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.
2. Confront people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

- ▶ Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- ▶ Try to avoid isolated areas. It is more difficult to get help if no one is around.
- ▶ Walk with purpose. Even if you don't know where you are going, act like you do.
- ▶ Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- ▶ Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- ▶ Make sure your cell phone is with you and charged and that you have cab money.
- ▶ Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- ▶ Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- ▶ When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- ▶ Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
- ▶ Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- ▶ Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- ▶ Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- ▶ If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
- ▶ If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - ▶ Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - ▶ Be true to yourself. Don't feel obligated to do anything you don't want to do. “I don't want to” is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - ▶ Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - ▶ Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
 - ▶ Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
 - ▶ If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before

doing anything you may regret later.

Disciplinary Procedures

University discipline proceedings include the right to a fair hearing for all parties (both accuser and accused) involved including the right to have witnesses, representation, and written resolutions to all parties as to the hearing outcome such as sanctions, suspensions, or expulsion from the University. This process is outlined in the Student Code of Conduct. A list of all possible sanctions can be found in Article IV, Section D of the Student Code of Conduct. A copy of the Student Code of Conduct can be found at www.atu.edu/studenthandbook. Employees also have the right to administrative hearings that may result in potential sanctions in formal discipline or termination with the University. The Employee Handbook may be obtained by contacting the Human Resources Department at (479) 968-0396.

The University's disciplinary process includes a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with the institution's policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault, and stalking complaints are completed within 60 days of the report. However, each proceeding allows for extensions of time frames for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. University officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Furthermore, each policy provides that:

1. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
2. The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
4. The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The University will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. However, the role of an advisor may only consult and advise their advisee, but not speak for the advisee at any meeting or hearing.
5. The accuser and the accused will be notified simultaneously, in writing, of the any initial, interim and final decision of any disciplinary proceeding; and
6. Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the accuser and the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

Whether or not criminal charges are filed, the University or a person may file a complaint under the following policy, depending upon the status of the accused (student or employee)

Notification to Victims of Crimes of Violence

The University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the 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.

Sex Offender Registry

The "Campus Sex Crimes Prevention Act" (section 1601 of Public Law 106-386) of 2000 was enacted on October 28, 2000, and became effective on October 28, 2002. It is a federal law that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education or working or volunteering on campus. The Act requires sex offenders already required to register in a state to provide notice, as required under state law, to each institution of higher education in that state, at which the person is employed, carries on a vocation, or is a student. The law further requires that state procedures ensure that this registration information is promptly made available to law enforcement agencies with jurisdiction where the institutions of higher education are located, and that the registration information is entered into appropriate state records or data systems. The Clery Act, as amended by the Campus Sex Crimes Prevention Act, requires an educational institution to state specify the location where information concerning registered sex offenders is maintained. Information regarding sex offenders in Arkansas is available at the following link www.acic.org under the "Online Services" tab. 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 the Office of University Relations. For information on how to register if you are a convicted sex offender, contact the Department of Public Safety.

CLERY ACT DEFINITIONS OF REPORTABLE CRIMES

ATU 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 Nonnegligent Manslaughter**

The willful (nonnegligent) 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.

A. **Fondling**—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

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

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

▶ **Domestic Violence**

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

▶ **Dating Violence**

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 the following classifications:

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, religion, disability, sexual orientation, or ethnicity/national origin.

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

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

2015 FIRE SAFETY REPORT

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

All fires shall be reported to the Department of Public Safety (479) 968-0222. **Call 911** if it is an emergency.

Residence Hall Evacuation Procedures In Case of a Fire

- ▶ If you hear the fire alarm immediately evacuate the building using the nearest available exit. Do not attempt to fight a fire unless you have been trained to do so.
- ▶ Awaken any sleeping roommate or suitemates. Prepare to evacuate by putting on shoes and coat if necessary. Feel the doorknob and the door. If they are hot, do not open the door. If they are cool, open slowly, if heat or heavy smoke rushes in, close the door immediately and remain inside.
- ▶ When leaving your room, be sure to take your key in case it is necessary to return to the room should conditions in the corridor deteriorate. Make sure to close the door tightly when evacuating.
- ▶ Resident life staff members who are present on their floors should facilitate the evacuation of their floor/section if possible. When the alarm sounds shout (*Example: there is an emergency in the building leave by the nearest exit*) and knock on doors as they make their way to the nearest exit and out the building.
- ▶ When exiting in smoky conditions keep your hand on the wall and crawl to the nearest exit. Always know more than one path out of your location and the number of doors between your room and the exit.
- ▶ DO NOT USE ELEVATORS. Elevator shafts may fill with smoke or the power may fail, leaving you trapped. Elevators have features that recall and deactivate the elevator during an alarm. Standing and waiting for an elevator wastes valuable time.
- ▶ Each resident should report to their assigned assembly area. Resident life staff should report to their assigned assembly area and make sure that students have cleared the building. Conduct a head count and do not allow re-entry into the building until directed to do so by emergency personnel.

Reporting a Fire for Inclusion in the Fire Statistics

If there is an active fire, call 911. If a member of the ATU community finds evidence of a fire that has been extinguished, and the person is not sure whether the Department of Public Safety has already responded, the community member should immediately notify DPS at (479) 968-0222 to investigate and document the incident for disclosure in the University's annual fire statistics.

Fire Drills and Evacuations

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

In the event fire alarms sound, University policy is that all occupants must evacuate from the building, closing doors as they leave. The University expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is present) as they leave. Once safely outside a building, it is appropriate to contact 911 and the Department of Public Safety. Students and/or staff are informed where to relocate to by staff if circumstance warrants at the time of the alarm. No training is provided to students or employees in firefighting or suppression activity as this is inherently dangerous and each community member's only duty is to exit safely and quickly, shutting doors along the exit path as they go to contain the spread of flames and smoke, and to activate the alarm as they exit. At no time should the closing of doors or the activation of the alarm delay the exit from the building.

Fire Prevention

The following items are prohibited in residence halls: open flames, candles and incense, candle warmers, portable space heaters, smoking, open flame decorations, barbecue grills, hot plates, toaster ovens, open coil appliances, suntan lamps, halogen lamps, motion lamps, self-balancing scooters and hoverboards.

Suggested Ways to Prevent Fire in the Residence Halls

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

Daily Fire Log

The ATU DPS maintains a daily fire log. The daily fire log is open to public inspection and available by calling the Department of Public Safety at 479-968-0222 or email at dps@atu.edu.

Fire Safety Education and Training

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

The resident assistant (RA) on duty completes rounds that include checking fire extinguishers (gauges, missing tags), and complete Work Order Requests for any issues. In addition, cleaning staff also check and submit Work Order Requests for extinguishers that need replacement. The Occupational Safety Coordinator conducts periodic inspections of exit signs, detectors, doors, and pull stations within the residence halls. Work Requests are subsequently submitted to address items that require corrective action.

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

Plans for Future Improvement

As resources become available, the institution will consider the installation of additional pull stations, heat detectors and fire extinguisher devices at all residential facilities. Currently, ATU has future plans for improvements to fire safety.

THE 2015 ARKANSAS TECH UNIVERSITY OZARK CAMPUS ANNUAL CRIME AND FIRE SAFETY REPORT

The following information is for the Arkansas Tech University Ozark Campus and policy statements in this section of the report are for the Ozark campus. The following policy statements are those that differ from Arkansas Tech University Russellville Campus and are Ozark specific. Otherwise Ozark campus follows the same policy statements as the Russellville Campus.

Ozark Campus

The Ozark Campus is more than 26 acres and includes a half-mile exercise path and disc golf course. It is located along Arkansas Highway 23 North in Ozark, Arkansas, which has a population of approximately 3,500 and is situated on the banks of the Arkansas River. The City of Ozark is surrounded to the north by the Ozark National Forest and to the south by the Ouachita National Forest. Located to the west of Ozark is the city of Fort Smith, a commercial and industrial center for western Arkansas. To Ozark's northwest are the cities of Fayetteville, Springdale, Rogers, and Bentonville, collectively known as some of the fastest growing commercial centers in the state. Russellville, home to Arkansas Tech University's main campus and an area of vigorous industrial development, is located to the southeast of Ozark on Interstate 40. Ozark Campus is the regional provider for technical and career education, offering more than 25 programs with a variety of industry specific options, as well as certificates of proficiency, technical certificates, associate degrees, and general education coursework.

There are no residence halls located on the Ozark campus. Campus is open to the public during normal business hours. After-hours access can be obtained through Student Services by calling 479-508-3357. Facilities Management maintains the landscaping and maintenance to minimize conditions that might pose a danger. Malfunctioning lights and other unsafe conditions can be reported to 479-508-3347.

For more information please visit: <http://www.atu.edu/ozark/>

Law Enforcement Jurisdiction

All service drives, alleyways, parking lots, and 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 DPS.

Reporting of Criminal Activity and Other Emergencies and Crimes

Students, faculty, visitors, and community members are strongly encouraged to report incidents of criminal conduct, suspicious behavior or emergencies to the Department of Public Safety at 479-508-3359 for non-emergencies or 911 for emergencies. Reports may be made in person at the Department of Public Safety office located at 1700 Helberg Lane. All crimes should be reported to DPS to aid in providing timely warnings or emergency notifications to the community when appropriate and for inclusion in the annual crime statistics disclosure. Crimes should be accurately and promptly reported to the Department of Public Safety or the appropriate police agency, when the victim of a crime elects to, or is unable to, make such a report.

Filing a Complaint with Local Law Enforcement:

ON CAMPUS – OZARK

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

OFF CAMPUS - OZARK

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

Filing a Complaint with the University:

Ozark Campus

Tanya Martin, Deputy Title IX Coordinator

(479) 508-3307

tmartin31@atu.edu

Technology & Academic Support Building, Room 154

1700 Helberg Lane

Ozark, Arkansas 72949

Human Resources Office

(479) 968-0396

Browning Hall

1505 North Boulder Avenue

Russellville, AR 72801

Emergency Notification Procedures

See page 7

Crime Prevention and Security Programs

See page 12

Missing Student Procedures

See page 16

Alcohol and Other Drugs Prevention Program and Policy

See page 17

Violence Against Women Reauthorization Act of 2013

See page 29

Clery Act Definitions and Reportable Crimes

See page 42 for definitions. See pages 52-54 for crime statistics.

2016 Fire Safety Report

See page 44 for fire safety information. Ozark Campus has no residence halls.

Russellville Campus



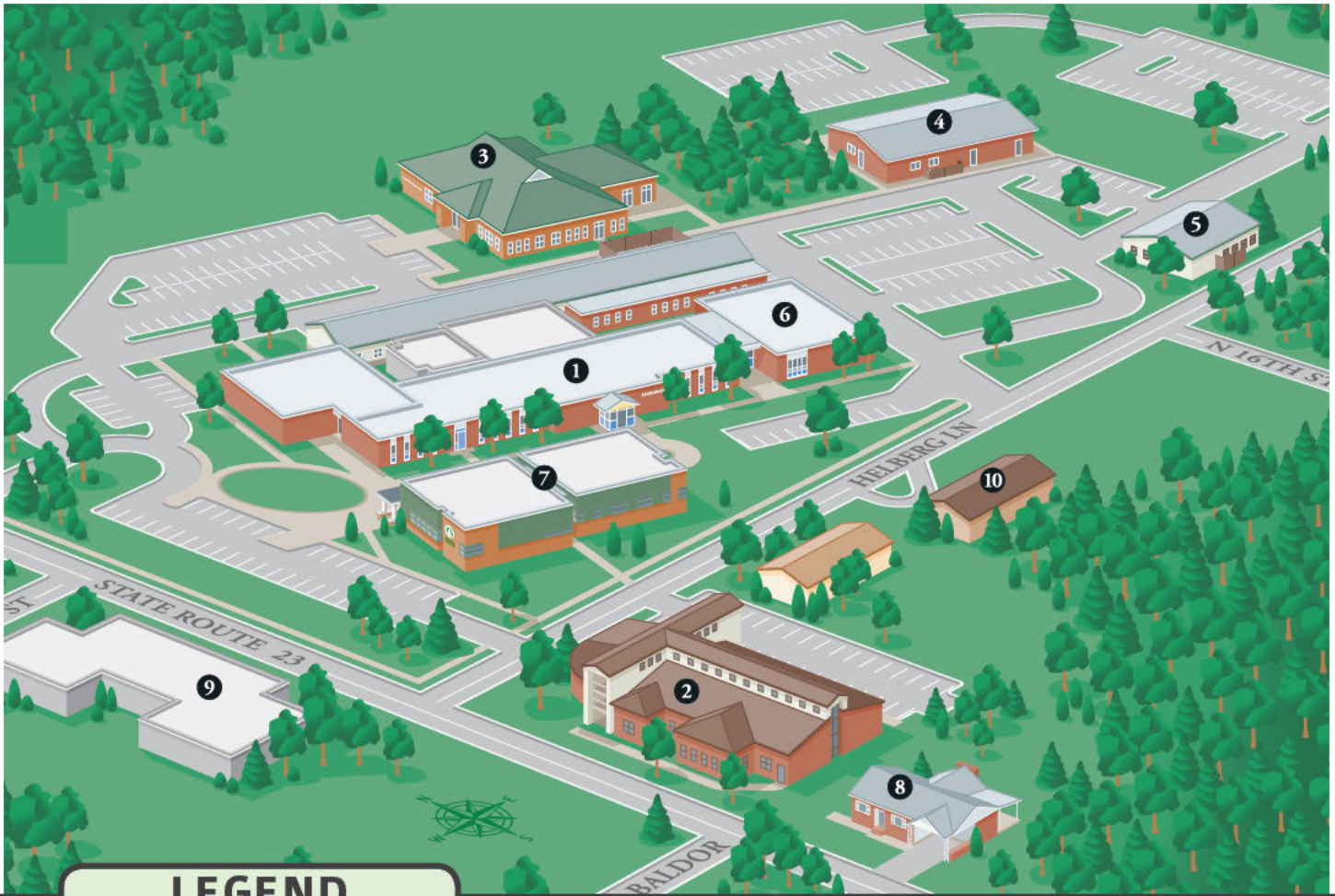
LEGEND

RED Faculty/Staff	DARK BLUE Residence Hall	ORANGE Residence Hall
GREEN Residence Hall	YELLOW Off Campus	Visitor Parking
BROWN Residence Hall	STRIPED Vista Place and South Hall	HANDICAP PARKING

Administration Building - 29
 Alumni House - 34
 Band Practice Field - 55
 Baswell Residence Hall - 43
 Baswell Techionery - 52
 Brown Hall - 54
 Brown Residence Hall - 7
 Browning Hall - 32
 Caraway Residence Hall - 33
 Chambers Cafeteria - 23
 Chartwells Athletic Complex - 39
 Corley Hall - 15
 Crabaugh Hall - 30
 Critz-Hughes Residence Hall - 6
 Dean Hall - 9
 Doc Bryan Student Services Center - 20

Energy Center - 17
 Campus Recreation Office - 42
 Hindsman Tower - 53
 Hull Physical Education Building - 31
 Jones Residence Hall - 16
 M Street Residence Hall - 54
 McEver Hall - 14
 Norman Hall - 37
 Nutt Residence Hall - 8
 Paine Residence Hall - 11
 Public Safety - 27
 Ross Pendergraft Library and Technology Center - 13
 Rothwell Hall - 22
 Roush Residence Hall - 19
 Stadium Suites Student Housing - 36

Stroupe Building - 3
 Tech Field - 1
 Techionery - 24
 Temporary Nursing Building - 41
 Thone Stadium at Buerkle Field - 35
 Tomlinson Hall - 28
 Tucker Coliseum - 21
 Tucker Residence Hall - 5
 Turner Residence Hall - 10
 University Commons Apartments - 18
 Visiting Team Dressing Facility - 38
 W.O. Young Building - 25
 Williamson Hall - 2
 Wilson Residence Hall - 4
 Witherspoon Hall - 12



LEGEND



- 1 - Technology & Academic Support (OZADM)
- 2 - Collegiate Center (OZCC)
- 3 - Allied Health (OZHB)
- 4 - Industrial Control Systems (OZELEC)
- 5 - Air Conditioning & Refrigeration (OZHVAC)
- 6 - Alvin F. Vest Student Union
- 7 - Student Services & Conference Center
- 8 - Maintenance Facility
- 9 - West Annex (OZWA)
- 10 - Maintenance Facility

Arkansas Tech University - Main Campus - Campus Security Report

	2015					2014					2013				
	On-Campus Property	Non-Campus Property	Public Property	On-Campus Residential Facility	Total	On-Campus Property	Non-Campus Property	Public Property	On-Campus Residential Facility	Year Total	On-Campus Property	Non-Campus Property	Public Property	On-Campus Residential Facility	Year Total
Murder/Non-Negligent Manslaughter	0	0	0	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	0	0	0
Rape	4	1	0	4	5	1	0	0	1	1	**	**	**	**	**
Fondling	1	0	0	1	1	0	0	0	0	0	**	**	**	**	**
Incest	0	0	0	0	0	0	0	0	0	0	**	**	**	**	**
Statutory Rape	0	0	0	0	0	0	0	0	0	0	**	**	**	**	**
Sex Offenses, Forcible	**	**	**	**	**	**	**	**	**	**	1	0	1	1	2
Sex Offenses, Non-Forcible	**	**	**	**	**	**	**	**	**	**	0	0	0	0	0
Robbery	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0
Aggravated Assault	4	0	0	2	4	10	0	1	7	10	11	0	0	1	11
Burglary	16	0	0	12	16	19	4	0	19	23	21	0	1	21	22
Motor Vehicle Theft	0	0	1	0	1	0	0	0	0	0	0	1	0	0	1
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession- Arrests	1	0	1	1	2	1	0	1	0	1	0	0	0	0	0
Illegal Weapons Possessions- Violations Referred for Disciplinary Action	0	0	2	0	2	1	0	1	0	1	0	0	0	0	0
Drug Law- Arrests	2	0	0	2	2	2	0	7	1	8	0*	0	0	0	0
Drug Law- Violations Referred for Disciplinary Action	8	0	1	8	9	13	0	2	11	13	5*	2	0	5	12
Liquor Law-Arrests	6	0	1	6	7	4	0	1	3	5	1*	0	0	1	1
Liquor Law-Violations Referred for Disciplinary Action	55	0	0	54	55	25	38	1	62	63	33*	8	0	34	42

*Statistics for "on-campus residential facilities" are combined with "on-campus" statistics and also disclosed separately in the "on-campus residential facilities" category.

*No hate crimes reported for these categories. *In 2014 and 2015 there were no unfounded crimes on ATU Main Campus.

**Statistics in 2014 for Sex Offenses changed to include the categories of rape, fondling, incest, and statutory rape. This replaced the sex offenses forcible and non-forcible categories.

Arkansas Tech University - Main Campus Campus Security Report

Hate Crimes*	2015					2014					2013				
	On-Campus Property	Non-Campus Property	Public Property	On-Campus Residential Facility	Year Total	On-Campus Property	Non-Campus Property	Public Property	On-Campus Residential Facility	Year Total	On-Campus Property	Non-Campus Property	Public Property	On-Campus Residential Facility	Year Total
Larceny	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	1	0	0	0	1	0	0	0	0	0	2	0	0	1	2
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

*Statistics for "on-campus residential facilities" are combined with "on-campus" statistics and also disclosed separately in the "on-campus residential facilities" category.

Arkansas Tech University - Ozark Campus Campus Security Report

	2015					2014					2013				
	On-Campus Property	Non-Campus Property	Public Property	On-Campus Residential Facility	Year Total	On-Campus Property	Non-Campus Property	Public Property	On-Campus Residential Facility	Year Total	On-Campus Property	Non-Campus Property	Public Property	On-Campus Residential Facility	Year Total
Murder/Non-Negligent Manslaughter	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A	0
Negligent Manslaughter	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A	0
Sex Offenses, Forcible	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A	0
Sex Offenses, Non-Forcible	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A	0
Robbery	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A	0
Aggravated Assault	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A	0
Burglary	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A	0
Motor Vehicle Theft	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A	0
Arson	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A	0
Illegal Weapons Possession- Arrests	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A	0
Illegal Weapons Possessions- Violations Referred for Disciplinary Action	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A	0
Drug Law- Arrests	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A	0
Drug Law- Violations Referred for Disciplinary Action	0	0	0	N/A	0	0	0	0	N/A	0	1	0	0	N/A	1
Liquor Law-Arrests	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A	0
Liquor Law-Violations Referred for Disciplinary Action	0	0	0	N/A	0	0	0	0	N/A	0	1	0	0	N/A	1

*Statistics for "on-campus residential facilities" are combined with "on-campus" statistics and also disclosed separately in the "on-campus residential facilities" category.

*No hate crimes reported for these categories. *In 2014 and 2015 there were no unfounded crimes on ATU Ozark Campus.

Arkansas Tech University - Ozark Campus Campus Security Report

Hate Crimes	2015					2014					2013				
	On-Campus Property	Non-Campus Property	Public Property	On-Campus Residential Facility	Year Total	On-Campus Property	Non-Campus Property	Public Property	On-Campus Residential Facility	Year Total	On-Campus Property	Non-Campus Property	Public Property	On-Campus Residential Facility	Year Total
Larceny	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A	0
Vandalism	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A	0
Intimidation	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A	0
Simple Assault	0	0	0	N/A	0	0	0	0	N/A	0	0	0	0	N/A	0

Arkansas Tech University - Main Campus Violence Against Women Act (VAWA) Statistics

	2015					2014				
	On-Campus Property	Non-Campus Property	Public Property	On-Campus Residential Facility	Year Total	On-Campus Property	Non-Campus Property	Public Property	On-Campus Residential Facility	Year Total
Domestic Violence	1	0	0	1	1	6	0	1	5	6
Dating Violence	2	0	0	1	2	1	0	0	1	1
Stalking	5	0	0	5	5	2	0	0	2	2

Arkansas Tech University - Ozark Campus Violence Against Women Act (VAWA) Statistics

	2015					2014				
	On-Campus Property	Non-Campus Property	Public Property	On-Campus Residential Facility	Year Total	On-Campus Property	Non-Campus Property	Public Property	On-Campus Residential Facility	
Domestic Violence	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0	0

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Safety Amenities

Information Dates 01/01/2015 through 12/31/2015

Residence Halls	Sprinkler System	Fire Extinguishers	Smoke Detectors	Fire Drills Per Semester
Baswell Hall	√	√	√	2
Brown Hall	√	√	√	2
Caraway Hall	√	√	√	2
Critz Hall	√	√	√	2
East Gate		√	√	2
Hughes Hall	√	√	√	2
Jones Hall		√	√	2
M Street	√	√	√	2
Nutt Hall	√	√	√	2
Paine Hall	√	√	√	2
Roush Hall		√	√	2
South Hall	√	√	√	2
Stadium Suites	√	√	√	2
Tucker Hall	√	√	√	2
Turner Hall	√	√	√	2
University Commons	√	√	√	2
Vista Place	√	√	√	2
Wilson Hall	√	√	√	2



Fire Statistics

Information Dates 01/01/2015 through 12/31/2015

Residence Halls	Total Fires	Injuries	Deaths	Property Damage
Baswell Hall	0	0	0	n/a
Brown Hall	0	0	0	n/a
Caraway Hall	0	0	0	n/a
Critz Hall	0	0	0	n/a
East Gate	0	0	0	n/a
Hughes Hall	0	0	0	n/a
Jones Hall	0	0	0	n/a
M Street	0	0	0	n/a
Nutt Hall	0	0	0	n/a
Paine Hall	0	0	0	n/a
Roush Hall	0	0	0	n/a
South Hall	0	0	0	n/a
Stadium Suites	0	0	0	n/a
Tucker Hall	0	0	0	n/a
Turner Hall	0	0	0	n/a
University Commons	0	0	0	n/a
Vista Place	0	0	0	n/a
Wilson Hall	0	0	0	n/a