

# Table of Contents

- Student Handbook..... 3
  - Student and Academic Support Services ..... 3
  - Financial Aid ..... 6
  - Identification Numbers and ID Cards ..... 10
  - Vehicle Registration/Parking ..... 11
  - Campus Security ..... 12
  - Student Activities and Organizations ..... 12
  - Student Conduct ..... 15
    - Discrimination, Harassment, Retaliation and Sexual Misconduct.... 20
    - Use of Technology Resources ..... 32
  - Family Educational Rights and Privacy Act Policy ..... 35
    - Awareness and Prevention Programs ..... 38
- Index..... 41

# Mission Statement

The University of Arkansas Community College at Batesville provides quality educational opportunities within a supportive learning environment. We promote success through community partnerships, responsive programs, and an enduring commitment to improvement.

## Values

At UACCB we value...

Unity through collaboration

Achievement in educational goals

Commitment to excellence

Contribution to community

Balance in learning and life

## Vision

UACCB will be recognized for excellence in education, leadership, service, and innovation in response to education, economic and social needs.

## General Education Philosophy

The term “general education” at UACCB refers to providing opportunities for students to acquire a body of knowledge and skills held to be relevant to living and working in a diverse society in the twenty-first century. The college has established a required core of general education courses in both its associate degree and technical certificate programs. UACCB also offers general education courses designed to meet the legislative requirements of the State Minimum Core for Associate of Arts and Associate of Science programs.

The general education curriculum is the primary avenue through which students improve their ability to think, reason, compute, communicate, and adapt to change. The entire UACCB faculty and staff are committed to reinforcing, enhancing, and supporting the knowledge and skills acquired through this body of courses and are further committed to introducing general skills and knowledge not necessarily covered in depth in other classes.

The UACCB general education curriculum will provide each student the opportunity to accomplish the following:

- improve communication skills, which include listening, speaking, writing, and reading
- increase proficiency in applying mathematical concepts
- acquire a basic knowledge of scientific concepts and principles
- develop basic computer skills
- increase proficiency in problem solving through creative and critical thinking
- acquire knowledge of the historical, social, and cultural behavior of humankind
- increase the effective use of the library and other information resources
- develop work habits, work ethics, and interpersonal skills that contribute to and promote team problem solving
- develop skills to enhance life-long learning

The General Education Program for Associate of Applied Science students is designed to be completed in the first three semesters of full-time attendance. The requirements in English and mathematics are to be met before 30 hours of technical course work are completed.

## Accreditation and Program Approvals

UACCB is accredited by The Higher Learning Commission and a member of the North Central Association (30 North LaSalle St., Suite 2400, Chicago, IL 60602-2504 (800) 621-7440). UACCB is authorized to offer the Associate of Applied Science and the Associate of Arts and Associate of Science degrees by the AHECB and NCA. As a state-supported, two-year institution, UACCB is recognized by the Arkansas Department of Higher Education, the Arkansas Department of Career Education, and the Arkansas State Approving Agency for Veterans’ Training for financial aid purposes. The Arkansas State Board of Nursing (University Tower Bldg., 1123 South University, Suite 800, Little Rock, AR 72204-1619) and the Accreditation Commission for Education in Nursing, Inc. (3343 Peachtree Road, NE, Suite 850, Atlanta, GA 30326, (404) 975-5000 or www.nlnac.org) accredits the RN, Associate Degree Program. The Practical Nursing program is approved by the Arkansas State Board of Nursing. The Emergency Medical Technician programs and the Emergency Medical Services Paramedic are approved by the Arkansas Department of Health, Division of Emergency Medical Services. The EMT – Paramedic program is accredited by the Committee on Accreditation of Educational Programs for the EMS Professions. The Certified Nursing Assistant program is approved by the Arkansas Department of Human Services, Office of Long-Term Care. The Adult Education program is approved by the Arkansas Department of Career Education. The Aviation Maintenance program is approved by the Federal Aviation Administration.

# Student Handbook

The University of Arkansas Community College at Batesville endeavors to provide a variety of quality support services that enhance the learning process. This handbook is designed as a supplement to the college catalog. Should this document or the catalog fail to provide the information you need, please contact the appropriate department for assistance.

The procedures and guidelines stated herein are subject to change.

## Non-Discrimination Policy

UACCB is committed to the elimination of all discrimination based on race, color, national origin, religion, sex, age, or handicap. The College seeks to comply with all federal, state, and local statutes, regulations, and orders, including those that promote equal protection and equal opportunities for students, employees, and applicants.

Anyone with questions regarding this policy may contact the Director of Student Development, the Personnel Officer, or the Vice Chancellor for Enrollment Management and Student Services by calling 870-612-2000 or in writing to the University of Arkansas College at Batesville, P. O. Box 3350, Batesville, Arkansas 72503-3350.

## Student and Academic Support Services

### Academic Advising

Students will be advised by a professional advisor in the Advising Center. Participants of Career Pathways and/or TRiO Student Support Services will be advised by an advisor in that program. Students must meet with their assigned academic advisor prior to registration each semester.

### Advising Mission Statement:

At UACCB, academic advising is a teaching and learning experience in which the advisor and student work together toward the development and completion of the student's academic goals.

### Student Learning Outcomes:

- develop an educational plan based on assessment of abilities, interests and values
- use campus and community resources as needed to meet educational and life goals
- assume responsibility for meeting academic program requirements
- comfortably self-register for classes, create a degree plan, check campus email and use WebAdvisor regularly

### New Student Orientation

UACCB provides new student orientation for entering students. New student orientation allows students to meet other new students, learn about UACCB policies and procedures, and tour the campus. It is mandatory for all entering students to attend New Student Orientation. Failure to attend will result in being enrolled and having to pay for an orientation class.

All students enrolling in six (6) or more credit hours as a first time UACCB student or a re-admitted student who has not attended UACCB within the last five years will be required to attend a mandatory orientation session.

The following students are excluded from mandatory orientation:

- concurrent high school students
- Lyon College/UACCB College Opportunity Program students (COP)
- students who have obtained 45 or more transferrable hours
- visiting students (students enrolled full-time at another institution and taking two or more classes at UACCB)

If students do not attend orientation, they will be required to complete a one-hour, five-week, pass/fail course. This course cannot be dropped unless the student is completely withdrawing from the institution. Questions may be addressed to the Coordinator of Orientation located in the Academic Advising Center.

### Career Pathways

Arkansas Career Pathways initiative (CPI) provides funding that enables UACCB to offer assistance such as career counseling, job search training, academic advising and tutoring to eligible individuals so that they may earn an educational credential for immediate entry into a high demand occupation. In addition, the Pathways program may be able to help eligible persons overcome financial barriers to obtaining training and education. The Career Pathways office is located in the Main Classroom Building – Suite 236.

Basic Eligibility Requirements Include:

To participate in the UACCB CPI program, an individual must be an adult caretaker or parent of a child under the age of 21 **AND**

- must be receiving Transitional Employment Assistance (TEA) now or have received TEA in the past OR
- must be receiving (SNAP) food stamps, Medicaid, or AR Kids OR

- must have annual family income below 250% of federal poverty level (approximately \$49,475 annually for a family of three)

### **Career & Disability Services**

The Career & Disability Services Office provides career development and disability support. Policies for the general office as well as each particular service area are listed below:

#### **General Office**

1. All services are provided free of cost as part of the student's tuition and fees.
2. Individuals who miss scheduled appointments may be required to reschedule for an alternative date and/or time.
3. In accordance with HIPAA regulations, re-release of protected health information will not be permitted and all documents received from outside agencies will be stamped with "No Re-Release". Additionally, all UACCB documents will be stamped with "copy" prior to release to any outside agency.
4. Requests for records from outside agencies must be submitted in writing and bear the signature of the student in question.
5. No individuals will have access to student records without express written consent from the student included in said student's file prior to disclosure.

#### **Career Development**

1. Eligible candidates for career development services include prospective and current UACCB students as well as graduates.
2. Only Equal Opportunity Employers will be permitted to post job announcements and actively recruit UACCB students.
3. Assistance with job shadow opportunities may be provided through this office; however, scheduling is the responsibility of the student.

#### **Career Corner**

Students and Alumni: By using UACCB's Career Corner system, you consent to the storage of your resume and certain profile data on servers provided by the NACE Link Network – owned and operated by the National Association of Colleges and Employers (NACE). Certain data you provide as part of your Career Corner profile may also be used in aggregate reports for internal institutional purposes at the University of Arkansas Community College at Batesville. By uploading your resume to Career Corner, and granting permission for prospective employers to view it (within your privacy settings), you consent to the release of your resume and certain employment related information of a personal and professional nature.

As a user of Career Corner, you agree to:

- maintain current, accurate, and truthful information with regard to your user profile, professional qualifications, educational background, and job-related documents stored within Career Corner
- protect and maintain your username and password
- use Career Corner within the standards of the policies regarding computer use at the University of Arkansas Community College at Batesville

Failure to comply with the above terms of use may result in the suspension or termination of your Career Corner account.

The Career & Disability Services Office at the University of Arkansas Community College at Batesville will use our best efforts to verify that only bona fide employers, including third-party recruiters who do not charge fees to applicants, are granted access to Career Corner to list vacancies and search resumes. However, it is possible that an employer account could be misused or abused by inconsiderate persons; therefore care should be taken when listing certain personal information in your resume.

#### **Confidentiality**

Both the UACCB Career & Disability Services Office and NACE are committed to maintaining the confidentiality of all information stored within Career Corner and will not sell, transmit, or disclose in any capacity this information to any other organization.

#### **Disability Support**

1. Eligible candidates who provide appropriate documentation for disability support services include current UACCB students and those individuals taking college placement tests administered by UACCB personnel.

2. Appropriate documentation to support the existence of a disability may include an IEP from a secondary school, a 504 Plan from a secondary school, a comprehensive vocational rehabilitation agency evaluation, a psychological evaluation, or a medical evaluation with appropriate supporting documentation.
3. Students requesting accommodations that require time to arrange should register with the Career & Disability Services office **a minimum of ten business days prior to the start of each semester** to ensure accommodations are available by the first day of classes. Examples of this include, but are not limited to, extra time on exams and RFB&D audio players. Some accommodations, such as sign language interpreters and texts in alternate formats, may take more than ten days to arrange.
4. Students eligible for assistive technology equipment must complete the appropriate check-out form upon receipt of the item and return the item at the conclusion of each semester. Failure to do so may result in a "hold" being placed on the student's account which may affect future registration and access to grades and transcripts.
5. Instructors will provide student accommodations only after they have received a current Faculty Accommodation Letter from the student.
6. Students may be asked to show identification (student ID or driver's license) before taking an exam.
7. Personal belongings (cell phones, purses, book bags, etc.) are not permitted in private testing areas and students are encouraged to leave these items at home or in their vehicles.
8. Accommodated tests will be given on the same date and time as they are given in class unless approval is provided by the instructor to do otherwise.
9. Should cheating occur, the test will be confiscated and the incident reported immediately to the instructor.

### **Testing / Disability Services Compliance**

For assistance in testing services, disability compliance, and other services listed, call 870-612-2013, or visit the Office of Student Development, located in the Main Classroom Building, room 233A.

### **ADA Grievance Procedures**

The University of Arkansas Community College at Batesville (UACCB) has adopted an internal grievance procedure to allow for prompt and equitable resolution of complaints alleging any action prohibited by Title II of the Americans with Disabilities Act. Title II states, in part, that "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation, be denied the benefits for, or be subjected to discrimination in programs or activities sponsored by a public entity."

**Individuals who wish to resolve a complaint informally may contact the Career and Disability Services Coordinator before filing a formal grievance. The person should first discuss his/her complaint with the person responsible for the action, interpretation, or application of the regulations leading to the problem.**

Formal grievances should be addressed to: Director of Student Development, University of Arkansas Community College at Batesville, P.O. Box 3350, Batesville, AR 72503, who has been designated to coordinate ADA compliance.

1. The grievance must be in writing and include the complainant's name and address, and briefly describe the alleged violation of the regulations.
2. A grievance must be filed within 30 days of the event or action giving rise to the student's grievance(s).
3. Upon receipt of the grievance, the Director of Student Development will conduct an investigation, as may be appropriate. The investigation will be informal, but thorough, allowing all parties an opportunity to submit evidence related to the complaint.
4. A written description regarding the validity of the claim and a description of the resolution shall be issued by the Director of Student Development and a copy mailed to the complainant no later than thirty calendar days after the claim is filed.
5. The ADA Coordinator shall maintain the files and records of UACCB relating to the complaints filed.
6. The complainant may request a reconsideration of the case (an appeal) in instances where he or she is dissatisfied with the resolution. The request for consideration should be filed with the Vice Chancellor for Enrollment Management and Student Services within ten working days of receiving the resolution.
7. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies, such as the filing of an ADA complaint with the U.S. Department of Education, Office for Civil Rights (OCR) (Dallas regional office).

### **Testing Services**

- ASSET and COMPASS placement testing
- CLEP testing
- LPN and RN entrance testing
- Arkansas Assessment of General Education (AAGE/CAAP) testing
- make-up exams
- developmental course exit exams

### **Other Services**

- official contact for students receiving Trade Adjustment Assistance (TAA) funding

### **TRiO Student Support Services**

Student Support Services (SSS) is a part of the federally grant funded TRiO program, which is designed to prepare disadvantaged students for successful entry into, retention in, and completion of post-secondary education. SSS provides participants with free one-on-one tutoring, academic advisement, transfer counseling, transfer trips, financial aid counseling, informational workshops, cultural experience opportunities, limited grant aid opportunities, and much more. SSS is located in the Main Classroom Building, room 230.

To be eligible to participate in SSS, students must be a U.S. Citizen, a student at UACCB, and demonstrate an academic need for services. Enrollment in a transferable program is preferred but not required. In addition, students must meet at least one of the following eligibility criteria:

- first-generation college student (neither parent has a four-year college degree), or
- low-income according to federal income guidelines, or
- have a learning or physical disability documented with the UACCB Career & Counseling Center

SSS serves only 140 students per academic year. Students interested in participating in the SSS program must complete an application process. For more information, contact 870-612-2173.

### **Tutoring Services**

The Student Success Center is located in the Main Classroom Building, room 216. The phone number is 870-612-2041. The Director of the Student Success Center, professional tutor and qualified peer tutors are available to assist students.

1. Free Tutoring – The Student Success Center offers free tutoring to all UACCB students. Appointments or referrals are not necessary to receive tutoring. Tutoring is provided for subjects that are offered by UACCB.
2. Study Guides and Tapes – VHS tapes and DVD's which parallel the study of Beginning Algebra, Intermediate Algebra and College Algebra are available for check-out by students. Guides and hand-outs which provide help for note taking, time management, improving listening skills, and overcoming test anxiety are also available.
3. Study Groups – For upper level courses, study groups are sometimes formed to provide student to student interaction outside of the classroom setting.

The Student Success Center hours of operation are:

- Fall and Spring Semester – 7:30 a.m. to 6:00 p.m. Monday through Thursday, 8:00 a.m. to 5:00 p.m. on Friday, and 9:00 a.m. to Noon on Saturday
- Summer – 8:00 a.m. to 5:00 p.m. Monday through Friday

## **Financial Aid**

### **General Information**

The financial aid program at the University of Arkansas Community College at Batesville is designed for qualified degree seeking, unconditionally admitted students who may need financial assistance to continue their college education. Students may receive scholarships, grants, loans, employment opportunities, or a combination of these types of aid. UACCB participates in most federal and state financial aid programs available to students. Financial aid recipients will be emailed a copy of the Satisfactory Academic Progress Policy each semester and it is also available on the UACCB website. Federal aid is available for students seeking an associate degree, a technical certificate or approved certificates of proficiency.

## **Eligibility for Federal Financial Aid Programs**

### **GENERAL REQUIREMENTS**

A student is eligible to apply for financial assistance through Title IV programs (Federal Pell Grant, Federal Supplemental Education Opportunity Grant, Federal Stafford Loan, Federal Plus Loan, or Federal College Work Study) if the following criteria are met:

1. The applicant completes the Free Application for Federal Student Aid (FAFSA). *Students must complete the FAFSA each year.*
2. The applicant is a U.S. citizen or an eligible non-citizen.
3. The applicant is an unconditionally admitted student enrolled at UACCB.
4. The application is seeking an associate degree, a technical certificate or approved certificates of proficiency.
5. The applicant maintains Satisfactory Academic Progress (SAP).
6. The applicant is not in default on a Guaranteed Student Loan (GSL) and/or does not owe a repayment to a Title IV program at any institution.

## Federal Financial Aid Programs

The Free Application for Federal Student Aid (FAFSA) must be processed to determine eligibility for the following federal financial aid programs:

### FEDERAL PELL GRANT

A Federal Pell Grant is awarded to help undergraduate students pay for their education after high school. In compliance with the Federal Pell Grant Program, an undergraduate is one who has not earned a bachelor's or professional degree. This grant program provides a "foundation" of financial aid for many students to which aid from other federal sources may be added. Unlike loans, grants do not have to be repaid. The amount awarded will depend on the Expected Family Contribution (EFC), on the cost of education, enrollment status, and whether or not attendance is for a full academic year or less.

### FEDERAL SUPPLEMENTAL EDUCATION OPPORTUNITY GRANT (FSEOG)

The FSEOG is a grant intended to supplement other aid received. These grants are federally funded with each school receiving a fixed amount each year. Therefore, funds are awarded to a limited number of undergraduate students with exceptional financial need. FSEOG awards do not have to be repaid and usually range from \$200 to \$400 per academic year depending on the availability of funds.

### FEDERAL STAFFORD LOAN

The Federal Stafford Loan is available through the William D. Ford Direct Loan Program to help students pay for their college education. There are two types of Stafford loans, **subsidized** and **unsubsidized**. Eligibility for subsidized loans is based on financial need as determined by federal guidelines. The federal government pays the interest for subsidized loans while the student is enrolled at least half time and during the six-month grace period after the student ceases attendance on at least a half-time basis. With an unsubsidized loan, the student is responsible for all interest that accrues while attending school and during the six-month grace period. A student may choose to pay only the interest portion while in school, which would keep the loan balance at principal. If a student chooses to defer such payments, the interest will be capitalized, resulting in an increase in both total debt and the amount of monthly payments. Loan repayment begins six months after the student graduates or ceases to be enrolled at least half-time. All borrowers must complete Online Entrance Counseling and a Master Promissory Note prior to the first loan disbursement. All borrowers must also complete Online Exit Counseling upon graduation or termination of enrollment. All federal loan funds must be repaid according to the terms specified in the master promissory note.

### FEDERAL PARENT PLUS LOAN

Federal parent plus loans enable parents of dependent students to borrow a variable rate, low-interest loan for each daughter or son who is enrolled at least half-time. Parents must pass a credit check with the US Department of Education to be eligible. Parents may borrow up to their student's total cost of attendance less other financial aid received. The total cost of attendance is determined by the Office of Financial Aid based on an average cost for tuition, books, room and board, travel, and miscellaneous expenses for the academic year. Generally, repayment begins within 60 days after the final loan disbursement is made to the borrower.

### FEDERAL WORK STUDY

The federal work study program provides jobs for students who qualify and who need an income supplement to help pay for college expenses. Student employment falls into two categories: Federal Work Study, which is determined on the basis of financial need; and Institutional Work Study, which is determined by the degree of work skills possessed and availability of jobs. Earnings will be at least the current federal minimum wage. The total amount that a student earns will depend on the number of hours that the student works each week. Most students work between 10 and 20 hours per week and are paid every two weeks. Types of employment include secretarial, clerical, custodial, library, tutoring, maintenance and some off-campus community service jobs.

## How to Apply for Federal Financial Aid Programs

Students must complete and submit a *Free Application for Federal Student Aid* (FAFSA) each year to apply for federal student financial aid and to apply for most state and college aid. This application is used to determine eligibility for Financial Aid Programs. Certain types of aid are awarded as funds permit on a first-come, first-served basis to those demonstrating need. All participants are encouraged to apply as early as possible. Applying online with *FAFSA on the Web* is faster and easier than using a paper FAFSA. To apply for financial aid, complete the FAFSA online at [www.fafsa.ed.gov](http://www.fafsa.ed.gov) or obtain a paper application by calling 1-800-4-FED-AID and mail in the application. If a student chooses to fill out the FAFSA online, UACCB will receive the results within 3 business days. If a student chooses to mail in the application, UACCB will receive the results within 4 to 7 weeks. The Title IV institutional code for UACCB is 014042.

## Other Federal Financial Assistance Programs

### TRiO/STUDENT SUPPORT SERVICES

Student Support Services (SSS) is a part of the federally grant funded TRiO program. Participants of the program who complete contract requirements and demonstrate academic progress are eligible to apply for SSS grant aid which is distributed annually in the spring semester. Contact the Director of SSS for additional information.

### VETERANS' AFFAIRS

Military service veterans and the sons, daughters, husbands, wives, widows, or widowers of deceased or 100% disabled veterans may be eligible to receive benefits from Veterans' Affairs. For more information call the Department of Veterans' Affairs at 888-442-4551 or go online at [www.gibill.va.gov](http://www.gibill.va.gov). UACCB's Veterans' Affairs representative is located in the Office of Student Information/Registrar.

### WORKFORCE INVESTMENT ACT (WIA)

The University of Arkansas Community College at Batesville works with the Northcentral Arkansas Development Council (NADC) in placing students in programs. This program can assist students with expenses associated with attending UACCB. For more information contact NADC at 870-612-8163.

## State Funded Financial Aid Assistance

The Arkansas Department of Higher Education administers financial aid programs that are available to eligible students in the state of Arkansas. These programs include the following:

- Arkansas Academic Challenge Scholarship
- Arkansas Health Education Grant Program
- Career Pathways (UACCB Main Campus Building, Room 236)
- Governor's Scholars Program
- Law Enforcement Officers Dependents Scholarship
- Minority Teacher Scholarship
- Minority Masters Fellows Program
- Military Dependents Scholarship (formerly MIA/KIA)
- Opportunities Grant Program
- Second Effort Scholarship
- Teacher Opportunity Program (TOP)
- Workforce Improvement Grant
- Student Undergraduate Research Fellowship (SURF) Program

For applications and information on these programs contact the Arkansas Department of Higher Education at 800-54-STUDY or go online at [www.adhe.edu](http://www.adhe.edu).

## Revisions in Financial Aid

Financial aid recipients may experience changes, cancellation or revisions in their financial aid packages due to any of the following reasons:

- additional outside aid becomes available
- a change in the family's financial circumstances
- a change occurs in the student's enrollment status
- failure to meet Satisfactory Academic Progress Policy
- financial aid administrator becomes aware of conflicting information

It is the student's responsibility to notify the Financial Aid Office of changes that may affect the student's eligibility.

## Return of Title IV Funds (R2T4)

Students who withdraw or are administratively withdrawn from school prior to the 60% completion point of any semester will require a R2T4 calculation to determine how much of their financial aid was earned and how much should be paid back to the school and/or federal government. The withdrawal date is the date that the Registrar's office receives the official withdrawal form. For a student who did not provide notification of his or her withdrawal to the institution, the date that the institution becomes aware that the student ceased attendance should be used as the withdrawal date. If the student ceases attendance without providing official notification to the institution of his or her withdrawal, the mid-point of the payment period or the last date of recorded attendance is used as the withdrawal date. Only students who have withdrawn from all classes are subject to the return of Title IV funds formula.



The amount that is returned is calculated using the percentage of aid earned by calculating the percentage of the period that the student completed based on the withdrawal date. The amount of aid a student received is considered in the calculation to determine how much was actually earned. If unearned funds are to be returned, the amount that the student or the school must return is calculated.

For a student who provides notification to the institution of his or her withdrawal, R2T4 is determined by the student's withdrawal date or the date of notification of withdrawal, whichever is later. For a student who did not provide notification of his or her withdrawal to the institution, the date that the institution becomes aware that the student ceased attendance is used as the withdrawal date.

Students who unofficially withdraw are identified as having all failing grades (F) on their semester grade report. If students who unofficially withdraw are able to provide documentation proving their attendance in any class after the mid-point of the semester, the financial aid office will then re-calculate R2T4 funds based on the modified date as the withdrawal date.

R2T4 funds will be returned using the following priority:

- Unsubsidized Federal Stafford loans
- Subsidized Federal Stafford loans
- Federal PLUS loans
- Federal Pell Grants for which a return of funds is required
- Federal Supplemental Educational Opportunity Grants

## **Satisfactory Academic Progress Policy**

All students enrolled at UACCB who receive any Title IV aid should meet the following Satisfactory Academic Progress (SAP) requirements. Students' academic progress will go through a review at the conclusion of each semester of each school year and/or during the application process. Transfer work will be evaluated in the same manner as credit hours received at UACCB.

1. Students must be admitted and enrolled in an associate degree or eligible certificate granting program.
2. Each semester students must also complete a minimum of 67% of cumulative attempted hours. Completed credits include grades of A, B, C, D and P (Pass). For example, the maximum time frame for a 60 credit hour program is 90 hours. 60 divided by 90 is 67%. If a student earns 67% of the credits attempted in each term the student should complete the program within the maximum time frame. If the student takes 12 credit hours in the fall and earns 12 credit hours, the student has earned 100% of credits attempted. In the spring, the student enrolls in 18 credit hours and earns 15 credit hours. He has earned 27 out of 30 attempted hours. 27 divided by 30 is a pace of 90%.
3. Withdrawal from the College and/or receiving a 0.00 G.P.A. for a semester are viewed as unsatisfactory progress and those students will be placed on financial aid suspension. Students who withdraw from classes or drop classes will have those courses counted as attempted credits, but not completed credits. (The completion of remedial courses is considered in the 67% attempted/completion standard above.)
4. Incomplete course work will be evaluated as failing grades until the course has been satisfactorily completed or an explanation accepted by the Financial Aid Director. Incomplete courses are considered as attempted credit and are evaluated as incomplete coursework for satisfactory academic progress. Incomplete courses are not considered as part of a student's GPA, but will be considered as part of the overall timeframe to complete a program of study. The grade "I" should only be assigned when a student has not completed a significant component of a course (i.e. an exam, paper or project) and the student has a valid rationale for this failure. A student receiving an "I" must meet with his/her instructor and contractually make arrangements to complete the course requirements no later than the end of the next regular semester (fall or spring). The student should maintain a copy of this contract for reference. The instructor, division chair and the Director of Student Information/Registrar will also keep copies of the contract.
5. Faculty members will submit the grade by the end of the next regular semester following the one in which the "I" designation was received. The College will change the "I" designation to a grade of "F" if a grade is not assigned within the specified time period. A student may petition for an extension not to exceed one year because of extenuating circumstances. A written request by the student should be submitted to and approved by the Vice Chancellor for Academics. Students may not re-register to take a course for which an "I" designation has been received until the grade designation has been changed.
6. Students must achieve a cumulative 2.0 GPA at the end of each semester to maintain satisfactory academic progress.
7. If a student changes his/her program of study while attending UACCB, he/she should notify the Financial Aid Office. All credits under all programs of study will be included in the calculation of attempted, earned, and maximum timeframe credits, as well as the cumulative GPA calculation. If a student continues to take classes toward a second degree, after completing all required coursework for a first degree, the student may continue to receive financial aid as long as he meets the 150% timeframe and GPA requirements for the second degree. Students pursuing a second undergraduate degree or certification will need to submit a

degree plan approved by their academic advisor indicating the required courses. If approved by the financial aid office, a new maximum time frame will be established for that pursuit.

8. If a student repeats courses, all of the attempted credits for each attempt will be considered as part of the calculation for attempted and earned credits. Only the most recent attempt of the course will be considered as earned credit, providing the student completes the course. Repeated courses will not be considered as part of the student's GPA for the purposes of satisfactory academic progress evaluation. For a student who is eligible for financial aid, only the first two attempts of a course will be funded.
9. Remedial courses taken while receiving financial aid are considered as attempted credit hours and are evaluated as part of the calculation for PACE. Additionally, remedial courses are considered credit courses and will be evaluated as part of the student's GPA.
10. If a student does not make satisfactory academic progress he/she will be placed on Financial Aid Warning. The student may continue to receive Title IV aid for the following semester. No appeal is necessary.
11. At the end of the Warning semester if the student makes satisfactory progress, the Warning status is removed. If the student does not make satisfactory progress, the student will be placed on financial aid suspension.
12. The student may submit a written appeal of financial aid suspension to the UACCB Financial Aid Office if extenuating circumstances exist. Examples of extenuating circumstances may include death of a relative or student injury/illness. The appeal must include why the student failed to make satisfactory progress and what has changed that will allow the student to make satisfactory progress at the next evaluation. The appeal may be approved with one of the following status definitions:
  - a. Probation: With this status the student would be eligible for Title IV aid for one additional semester only. If the student does make satisfactory progress at the end of the Probation semester, his status will be updated to Satisfactory. If the student does not make satisfactory academic progress, the student's financial aid will be placed in a Terminated status with no further avenue for appeal.
  - b. Academic Plan: With this status an individualized academic plan would be developed for the student that will allow the student to make satisfactory academic progress standards by a specific point in time. Examples of academic plan requirements may include, but are not limited to, regularly scheduled meetings with an academic advisor, minimum number of visits to the Student Success Center and financial literacy workshops. At the conclusion of the Academic Plan, if the student does make satisfactory progress, his status will be updated to Satisfactory. If the student is not making satisfactory academic progress the student's financial aid will be placed in a Terminated status with no further avenue for appeal.

## **UACCB Bookstore**

Located in Independence Hall, the Bookstore stocks all required textbooks for UACCB courses, as well as, a variety of supplies and miscellaneous items. The Bookstore is in operation Monday through Friday with extended hours during registration.

The Bookstore also offers students the opportunity to return books for cash during semester "Book Buy Back" events. Dates of these events are published on a semester basis.

## **Campus Health Care**

UACCB does not have an on-campus health-care clinic; therefore, it does not provide health-care service to its students, faculty, or staff. It is the policy of the College to encourage individuals with health-care needs to seek out available area agencies and/or the individual's personal physician.

## **Housing**

No housing facilities are provided by UACCB.

## **Identification Numbers and ID Cards**

**All UACCB students, faculty, and staff are required to carry their UACCB identification card whenever they are on campus.** The UACCB Student ID Card displays the student's name and ID number, color photograph, and the date of issue. The ID number is used for logging into the UACCB computing network and accessing student information online. During emergencies and other periods of heightened security, access to the campus may be limited to those UACCB students, faculty and staff in possession of a current, valid UACCB identification card. Identification cards are issued to all students during orientation and registration. Students may also obtain their student ID card in the Enrollment Center in the Main Classroom Building (MCB). A Student ID Card may occasionally require replacement. A fee is not charged if the student's current card is exchanged for a new card. For a name change or correction, documentation of the student's legal name is required (driver's license, passport, state issued ID, marriage license, etc.). Only current students may receive replacement ID cards. Lost or stolen Student ID Cards can be replaced at the Enrollment Center. The student must present some other form of positive identification (picture

ID) to replace a lost or stolen card. **There is a \$10 charge for the replacement of a lost card.** Please pay for your replacement ID card at the cashier's window in MCB and bring the receipt to the enrollment center.

The lending, selling or illegal production of identification cards is strictly prohibited. UACCB identification cards remain the property of the College and are provided for appropriate use for identification and access to services. The card is not transferable and is valid as long as the holder continues her/his affiliation with UACCB. The use of a UACCB Student ID card by anyone other than that student is prohibited and may constitute a violation of the Student Code of Conduct Code subjecting the student to disciplinary action by the College. Students are encouraged to guard their Student ID Card as they would a driver's license, credit cards, or cash.

Cards issued to employees, students, and individuals affiliated with UACCB must be returned upon separation from the College. Student ID card must be surrendered upon request of faculty or staff.

## **Insurance**

Medical and/or accident insurance is the responsibility of the student.

## **Campus Computer Labs**

UACCB currently has four computer labs located in the Main Classroom Building. Three are dedicated to classroom instruction and one is a computer-networking lab. The open computer lab, located in the Roy Row, Sr., and Imogene Row Johns Library and Academic Building, is supervised during normal hours by lab staff that are available to assist students who need computer help.

Most of the computer labs provide internet access, and all of the labs are loaded with software programs used in UACCB's curriculum. In order to use any computer on campus, students must have a current student identification card that may be obtained in the Enrollment Center located in the Main Classroom Building.

## **Roy Row, Sr., and Imogene Row Johns Library and Academic Building**

The Library which is located in the Roy Row, Sr., and Imogene Row Johns Library and Academic Building plays a vital role in the instructional program of the College. As the information center for the College, it provides the following resources: books, computer access to the Internet, computerized information research, and periodicals and audio-visual materials.

The Library is open to all UACCB students, faculty, and staff. Use of the Library and its materials is also extended to members of the community. Tours of the Library and instruction in the use of resources are given to groups on request; individual assistance is always provided. Library materials and equipment are selected to support the curriculum and to serve the instructional needs of the students and faculty. All processed materials are arranged in open stacks using the Library of Congress Classification System.

## **Vehicle Registration/Parking**

All students, faculty, and staff who operate a vehicle on the UACCB campus must display a UACCB parking tag. Tags are provided at no charge and may be obtained at the Enrollment Center located in the Main Classroom Building.

All parking on the UACCB campus is restricted to clearly marked spaces with white lines except in the gravel parking areas on the north end of the campus and east of the NAH building. Students, faculty and staff may park in any of the College's marked spaces except those clearly identified for "Disability" or "Visitor." Parking along curbs or in unmarked spaces along the roadways is prohibited. Vehicles left unattended on the campus in locations not clearly marked for parking will be considered a safety hazard and may be towed at the owner's expense and result in disciplinary action. Reasonable speeds and observance of pedestrian traffic and crosswalks must be followed.

### **Purpose of UACCB parking tag:**

- identifying you as a UACCB student, faculty member, or staff member
- assures your vehicle is recognized as being legally parked on the UACCB campus
- quick identification of vehicle and owner during an emergency

### **When to change parking tag:**

- UACCB parking tag style, color, or shape changes
- parking tag is damaged and no longer legible

### **Proper parking and traffic procedures are outlined below:**

1. Observe all stop signs, speed bumps, and pedestrian crossings.
2. Properly display current UACCB hang tag on the review mirror.
3. Do not park in zones marked with yellow paint or where prohibited by signs.
4. Do not park or block access to aisles or spaces designated as parking for disabled persons unless the proper permit is displayed on or in your vehicle.

5. Park in authorized spaces only—authorized spaces are those in paved parking lots with painted white lines on both sides of the space.
6. Do not double park (i.e. take up more than one parking space).
7. Do not exceed 10 miles per hour while on campus.
8. Be aware that traffic coming into the campus is not obligated to stop.
9. If paved parking spaces are not available, parking is allowed in the graveled parking area north of the Main Classroom Building and east of the Nursing & Allied Health Building. When parking in this area, do not block other vehicles or roadways.
10. Do not leave vehicle parked on campus overnight without permission from the Vice Chancellor for Enrollment Management and Student Services.
11. Vehicle incidents or accidents should be reported immediately to the Vice Chancellor for Enrollment Management and Student Services, located in MCB 203.

## **Campus Security**

UACCB strives to provide a safe and secure environment for students, faculty, staff, and guests. Students are encouraged to report crimes or suspicious activity to the Vice Chancellor for Enrollment Management and Student Services. Employees of the college are responsible for calling outside assistance if deemed necessary. UACCB contracts with a private security firm to provide security officers on the campus.

An important component of security on campus is student behavior. Students are expected to comply with the standards of conduct published in the *UACCB Student Handbook*, which is provided on the UACCB website and in print upon request.

The Vice Chancellor for Enrollment Management and Student Services prepares an annual crime report in compliance with the Jeanne Cleary Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on the UACCB website at [www.uaccc.edu/security.html](http://www.uaccc.edu/security.html). This report is prepared in cooperation with local law enforcement agencies, the Administrative Cabinet, and the Division of Enrollment Management/Student Services. Each entity provides updated information concerning criminal offenses, the campus Crisis Plan, incident reports, and educational efforts and programs to comply with the Act. Campus crime, arrest, and referral statistics include those reported to designated campus officials and local law enforcement agencies are included in the report.

Each year, an email notification which provides the website to access this report is sent to all enrolled students, faculty and staff. Copies of the report may also be obtained in the Office of the Vice Chancellor for Enrollment Management & Student Services.

## **Student Right to Know**

The Student Right-to-Know Act requires schools to disclose information about graduation rates to current and prospective students and the public. A school participating in any Student Financial Aid Program must disclose completion and transfer-out rates for the general student body. This information is updated annually and can be found on UACCB's website.

## **Student Activities and Organizations**

The College believes that activities outside the classroom enrich, supplement, and provide a testing ground for classroom learning. These activities offer opportunities for students to enjoy social growth and for the development of values and insights. The Division of Enrollment Management and Student Services works with students and faculty to provide activity programs appropriate to students' needs and seeks to provide an environment in which students may become self-disciplined, self-reliant, and socially sensitive individuals.

Students have the opportunity to become members of UACCB clubs and organizations. They may take part in College-sponsored activities for which they are eligible. Hobby, social, or civic clubs may be organized by students. To establish a club, see the Vice Chancellor for Enrollment Management & Student Services for more information. All student organizations must have faculty and/or staff sponsors.

## **Formation of Student Organizations**

### **Constitution**

Any group petitioning for recognition as a student organization must present a constitution, following a standard form to facilitate reference, to the Vice Chancellor for Enrollment Management and Student Services. The Constitution must contain the following information:

- name of the organization
- purpose of the organization
- membership and officer eligibility requirements
- listing of officers by title, and any special functions of officers
- statement of the terms of the officers and the time and method of election
- frequency of meetings

- statement of any membership dues (amount and frequency of payment should be stated in the by-laws) and statement that provides provisions for disposition of any funds in the event of dissolution of the organization
- provision for faculty advisors
- any other provisions relating to the purpose and function of the particular organization

It must also contain a statement of nondiscrimination prohibiting discrimination on the basis of age, color, disability, national origin, race, religion, sex, or veteran status. However, a student organization formed to foster or affirm the sincerely held religious beliefs of its members may adopt a nondiscrimination statement that is consistent with those beliefs

### **Purpose**

The statement of purpose shall be acceptable if:

- it is reasonably clear and specific as to the aims and activities of the organization
- it is in harmony with the United States constitutional form of government
- the stated aims and activities of the organization are compatible with the purpose of the College
- it is not a duplication of an existing organization
- and it complies with Federal Title IX requirements

### **Size and Continuity**

No maximum or minimum number of members shall be required for initial recognition. The group petitioning, however, and the anticipated membership as represented by the eligibility requirements, should be sufficient to give reasonable prospects of continuity for the organization and ability to carry out the purposes stated in the constitution. For the continuing recognition of an organization, a minimum of 5 members normally will be expected.

### **Membership: Eligibility and Records**

1. Voting membership in recognized student organizations shall be limited to students enrolled in at least three credit hours. Accurate membership records must be maintained and available to the faculty advisor.
2. Officers must be regularly enrolled students. To be eligible to serve as an officer in a recognized student organization a student must have a grade point average of 2.0 cumulatively, and not be on disciplinary or academic probation at the time the student petitions for office.
3. A student officer who is placed on academic or disciplinary probation during his or her term of office may be removed by the Vice Chancellor for Enrollment Management and Student Services.
4. A student officer who is not performing his or her duties may be removed from office on the recommendation of the Vice Chancellor for Enrollment Management and Student Services.
5. When an election is held in a recognized student organization the names of the new officers must be transmitted to the Office of the Vice Chancellor for Enrollment Management and Student Services within one week.
6. Only associate nonvoting memberships in a recognized student organization may be offered to UACCB faculty, professional administrative staff, and non-students.

### **Eligibility Criteria**

No campus organization may offer any type of membership to persons not meeting the eligibility requirements stated in this section.

### **Review and Approval**

One typewritten copy of the proposed constitution, together with the names of promoting students and faculty advisor(s), must be submitted to Office of the Vice Chancellor for Enrollment Management and Student Services who will seek review and approval from (1) the appropriate chartering body and (2) the Cabinet. The granting of final authorization to extend recognition will be determined by the Chancellor. During the time that its application for recognition is being considered, the group may not sponsor speakers or other activities in the name of the proposed organization.

Any change or amendment affecting the nature or purpose of the organization as originally approved must also be approved by the Vice Chancellor for Enrollment Management and Student Services, and an up-to-date copy of the constitution must be on file in the Office of the Vice Chancellor for Enrollment Management and Student Services.

Withdrawal of recognition may be initiated by the Office of the Vice Chancellor for Enrollment Management and Student Services pending a review of the actions of the organization within a reasonable period of time:

1. When election of officers, as specified in the constitution, is passed twice without any action having been reported to the Office of the Vice Chancellor for Enrollment Management and Student Services.
2. When the organization does not show a reasonable amount of activity in promoting the ends and purposes specified in its constitution as evidenced by membership meetings and other activities. (Recognized student

organizations are expected to comply when requested by the Vice Chancellor for Enrollment Management and Student Services to provide a brief report on their year's activities.)

3. When a recognized student organization fails to conduct its activities in accordance with its constitution and with the procedures and limits set forth by the College for student organizations.
4. When a recognized student organization fails to reregister with the Office of the Vice Chancellor for Enrollment Management and Student Services on a yearly basis.

Following the review, the final decision to continue recognition, impose censure, place on temporary probation with conditional recommendations, or place on temporary or permanent suspension of recognition will be made by the Vice Chancellor for Enrollment Management and Student Services, subject to appeal to the Chancellor of the College.

Any organization suspended through inactivity may be reactivated by application to Vice Chancellor for Enrollment Management and Student Services for activities by a group reaffirming its existing constitution and showing reasonable prospects of organizational continuity. Recognition shall be withdrawn from any organization maintaining inactive status for two years.

### **Advisors**

An advisor is the faculty or staff member(s) selected by an organization to officially advise the group. At least one advisor should attend all organizational meetings and activities occurring on campus. All student organizations must have one or more qualified advisors. When the membership exceeds 25, organizations are urged to obtain an additional advisor.

Any full-time faculty or staff member at UACCB may serve as an advisor to a student organization. The Vice Chancellor for Enrollment Management and Student Services should be notified of any change in advisors.

A faculty or staff member who meets the qualifications for an advisor and who agrees to the request of a student organization to serve as its advisor should encourage that organization in its purposes and activity within the limits of College policy. Advisors should be familiar with:

- the policy and other College regulations pertaining to student organizations
- the constitution and purposes of the student organization they are advising
- the activities and projects of their organization

Speakers and special programs sponsored by student organizations must be made known to the advisor and be in accordance with standards set forth by UACCB.

### **Student Organizations Funds**

All registered student organizations are required to keep all organization funds in a UACCB agency account maintained by the College.

### **Fund-Raising (Solicitation) Policy**

In order to protect the privacy of individual students as well as to maintain harmony and good will within the UACCB service area, the following policy for solicitation has been adopted:

Organizations desiring to sell or solicit on or off campus must obtain permission from the Director of Development. Student organizations may be permitted to hold fund-raising events on campus under the following conditions:

1. Student organizations may hold fund-raising activities (solicitations) that are reasonable and appropriate given the organization's purpose. Fund-raising activities (solicitations) shall be defined as (1) requesting donations, without products or services being rendered or (2) activities which raise funds through the sale of merchandise or services for the benefit of the recognized organization, for the educational purposes of UACCB or for the selected philanthropic project of the organization. Off-campus solicitations are not to occur more than three times per semester with a maximum of six per year for each requesting organization.
2. The president (or designee) of a student organization will submit a request for each fund-raising event to the Director of Development at least one week prior to the requested date(s) of the fund-raising. The Director of Development will review the request for eligibility (recognized student organization; number of previous events held during the academic year) and appropriateness (for benefit of the student organization rather than the benefit of an outside vendor; consistency with purpose of the organization). Outside firms, businesses, or agents are forbidden to solicit on campus whether it is through a regular employee of the company or a student representative, except where a written contract exists with the College.
3. Promotional materials, posters, signs, etc. should be in compliance with the established policies stated in the UACCB Student Handbook. These policies, among other things, prohibit posting of signage on building surfaces. Clean up would also include removal of posting materials, posters, signs, etc. Signs, banners, posters, promotional material etc. posted by the organizations should not directly or indirectly promote commercial enterprises not having existing contracts with the College.
4. The sale of food items may be restricted by the Vice Chancellor for Finance & Administration and must have prior approval. The sale or distribution of alcoholic items is prohibited.

5. All events are subject to general College policies contained in the Student Handbook. Failure to comply with College policies may preclude an organization from having additional fund-raising events.

## **Student Organization Directory**

### **ASSOCIATION OF STUDENT NURSES (ASN)**

ASN is a campus organization of students enrolled in Nursing and Allied Health courses and programs. ASN promotes the development of leadership skills, fosters networking with other Nursing and Allied Health students, helps students prepare for licensure, promotes academic excellence, and develops professionalism.

### **BAPTIST COLLEGIATE MINISTRY**

The Baptist Collegiate Ministry at UACCB has an open membership for any student enrolled in the College. Meetings and activities encourage student fellowship and help students develop leadership skills.

### **CKI**

CKI is a service organization through which college students can find a means of responsible student actions in their communities and a more active involvement in the life of their campus. Circle K is sponsored by the Batesville Kiwanis Club and is open to all students.

### **CREATIVE WRITING CLUB**

The Creative Writing Club allows people to express their creative writing abilities in a comfortable peer setting, to actively work on creative writing skills, and to produce an annual periodical publication of members' works. Students and alumni who have passed Composition English I with a C or better are eligible for membership.

### **MULTICULTURAL STUDENT ASSOCIATION**

The Multicultural Student Association fosters and educates the campus community regarding the culture of historically underrepresented students. The MSA encourages scholarship and the development of leadership skills. Membership is open to all students with an interest in and appreciation for diverse cultures.

### **PHI THETA KAPPA**

Phi Theta Kappa recognizes and encourages excellence. The primary goals are to promote leadership and service among students. This is a primary honor society for two-year students.

### **RENAISSANCE CLUB**

The purpose of The Renaissance Club is to enrich and educate the community and students in the North Central Arkansas area, provide entertainment and educational activities via historical reenactments, demonstrations, workshops, and to maintain a family-friendly atmosphere at all times.

### **STUDENT GOVERNMENT ASSOCIATION**

The Student Government Association at UACCB is established in an effort to effectively represent the interests and the opinions of the Student Body on matters that affect our lives, to promote projects beneficial to the Student Body, and to serve as an official voice of the Student Body on matters of policy and implementation.

The faculty and staff at UACCB encourage students to participate in student organizations. If you have questions concerning student activities, events or organizations, contact the office of the Vice Chancellor for Enrollment Management and Student Services.

## **Student Rules and Rights**

### **Student Conduct**

Students at UACCB are expected to conduct themselves as responsible individuals. By applying for admission, UACCB students and/or prospective students agree to abide by all College policies, procedures, and rules of conduct. The College maintains jurisdiction over students during their period of enrollment on all matters related to the College. Official representatives of UACCB reserve the right to take disciplinary action against students who have violated the student conduct code or College regulations.

The section on "UACCB General Regulations" below enumerates UACCB's specific policies, the violation of which may subject an individual to disciplinary action.

### **Student Conduct Code**

Disciplinary measures shall be applied to any student misconduct that adversely affects the learning community's pursuit of educational objectives, which are defined as:

- the safety, health and welfare of all members of the learning community
- the opportunity of all members of the learning community to pursue educational goals
- the maintenance of a learning environment conducive to intellectual and educational development

- the protection of college property

### **UACCB General Regulations**

The College believes that it is unnecessary to design regulations to cover in detail all matters of student conduct. However, some of the more serious offenses, regardless of whether they occur on or off campus, which are subject to disciplinary action or restricting action, are:

1. Plagiarism or cheating; forgery, alteration, destruction or misuse of College records, documents, or identification; knowingly furnishing written or verbal false information to the College; or other similar forms of dishonesty in College-related affairs.
2. Participating in, including aiding and abetting in, the obstruction or disruption of teaching or administrative procedures or other College activities either in or out of the classroom.
3. Misuse of computer equipment, programs, labs, or procedures.
4. Unauthorized entry into a building, classroom, office; unauthorized use or possession of public or private property or property belonging to a member of the College community or campus visitor; unauthorized possession or use of building keys or equipment.
5. Public intoxication or the use, possession, sale, or distribution of alcoholic beverages; the College may notify parents or guardians of students under the age of 21 who are found to be in violation of this policy.
6. Use, possession, sale, or distribution of narcotics, marijuana, barbiturates, or "pep pills," except as prescribed by a registered medical doctor; use of inhalants or possessing products with the intention of using them as inhalants; the College may notify parents or guardians of students under the age of 21 who are found to be in violation of this policy.
7. Use or possession on College-owned property or buildings of firearms, weapons, explosives, fireworks, air guns, paint ball guns, war souvenirs, tear gas, or pyrotechnic devices.
8. Depositing or discarding trash or litter on campus in other than appropriate trash and waste containers. No person shall throw or discard paper, bottles, cans, or any substance deemed as litter inside buildings or on campus property including all streets, walks, lawns, etc.
9. Causing any type of false alarm, disaster, fire, threat of bomb, or deliberate misuse of fire equipment. (For the protection and welfare of the students of UACCB, any student who shall give, or cause to be given, any type of false alarm of fire and/or threat of a bomb, or who shall deliberately misuse firefighting equipment, shall, upon being found guilty, be subject to action by the College resulting in possible suspension. Any nonstudent involved in the above offense will be referred to the civil authorities.)
10. Harassing another person; addressing harassing language, slanderous and/or libelous language, or fighting words to a person; following a person in or about a public place or places (e.g., stalking).
11. Assaulting another person; attempting or threatening to strike, kick, or otherwise subject another person to unconsented physical contact.
12. Making obscene utterances, gestures, or displays; or engaging in a course of conduct or repeatedly committing acts that are disorderly.
13. Theft of or damage which is done individually or as a member of a group to property belonging to the College or belonging to a member of the College community, campus visitor, or to public or private property adjacent to the campus.
14. Failure to meet the financial obligations specified by the College in a legal manner; if a student is unable to meet his or her obligations for a good reason, the student is responsible for calling on the department or individual concerned and attempting to arrange for an extension.
15. Violation of College, municipal, or state regulations governing the use of motor vehicles on College-owned or controlled property.
16. Gambling on College property.
17. Failure to comply with the written or oral directions of the faculty or staff, and/or other authorized College personnel. (A student is expected, upon request, to surrender proper identification.)
18. Blocking the entrances or exits of any campus buildings, or obstructing the free flow of pedestrian or vehicular traffic on College premises or at College sponsored events.
19. Use of skateboards, inline and roller skates on College premises during the published, prohibited hours.
20. Failure to ensure the proper accepted conduct of guests. (A guest is defined as any person who is present at the invitation of a student or any person who is received by a student, or any invited or uninvited non-student who is accompanied by a student.)
21. Participation in hazing or a hazing activity as an individual or as a member of a group.
22. Signing up for internet, phone, or messaging service and charging it to the College.
23. Charging goods or services to the College with appropriate approval.
24. Failure to maintain a current mailing address with the Registrar's Office.
25. Bringing an animal on the College premises, except for service animals, without appropriate approval.
26. Violation of the College tobacco-free policy.



27. Violation of local, state, or federal law which adversely affects the student's suitability as a member of the College community, or when it appears that the presence of the student on campus would interfere with the normal educational functions or would endanger the student or threaten to endanger a member of the College community or College property.

### **Reporting Violations**

Students, faculty, and staff should report an alleged incident of misconduct to the Vice Chancellor for Enrollment Management and Student Services.

### **Good Samaritan Provision**

The health and safety of UACCB College's students is of the highest priority. At times, students may need immediate medical or other professional assistance. However, students may be reluctant to get help because of concerns that their own behavior may be a violation of the student conduct code. To minimize any hesitation students or student organizations may have in obtaining help due to these concerns, the College has enacted the following "Good Samaritan" provision. Although policy violations cannot be overlooked, the College will consider the positive impact of reporting an incident when determining the appropriate response for policy violations. In such cases, any possible negative consequences for the reporter of the problem should be evaluated against the possible negative consequences for the student who needed assistance. At a minimum, students or student organizations should make an anonymous report that would put the student in need in touch with professional helpers. Examples where this policy would apply include:

1. A student is reluctant to call an ambulance when a friend becomes unconscious following excessive consumption of alcohol because the reporting student is under the age of 21 and was also consuming alcohol.
2. A student is reluctant to report that he/she has been sexually assaulted because he/she had been consuming alcohol and is under the age of 21. It is in the best interests of this community that as many victims as possible choose to report to College officials. To encourage reporting incidents of sexual misconduct, UACCB pursues a procedure of offering victims of sexual misconduct limited immunity from being charged for policy violations related to the sexual misconduct incident. Thus, although the College may not impose disciplinary charges, the College may mandate educational options (such as alcohol and other drug assessments and attendance to alcohol education programs) in such cases.

### **Discipline Procedures**

The disciplinary procedures of UACCB, as all activities on a College campus, are designed to be a part of the educational process and normally cover a wide spectrum of disciplinary measures ranging from counseling to dismissal.

**UACCB recognizes the basic rights of the individual, and provides guarantees to the students, which grow out of the fundamental conception of fairness implicit in procedural due process.**

In order to protect the educational process of the College and at the same time to protect the rights of all students, the College has authority to develop and enforce regulations and to impose disciplinary penalties on students found responsible for offenses or violations of rules and regulations. The process for enforcement of College rules and regulations for student conduct shall conform to the procedures stated below. However, motor vehicle regulations and procedures under which the College applies to collect monies continue in force, and adjudication of questions arising under them need not comply with the following procedures when controversies are amenable to these procedures.

The Vice Chancellor for Enrollment Management and Student Services is charged with the responsibility of initiating student disciplinary procedures and meeting with the student. In the process of meeting and counseling with the student, which may sometimes comprise two or more interview appointments, a determination of responsibility will be made, or the Vice Chancellor may schedule a hearing before the Judicial Subcommittee of the Student Affairs Committee in the event of severe violations.

All charges and possible disciplinary actions shall be presented to the accused student in written form sent or delivered to the address listed in the registrar's records. This shall constitute full and adequate notice. However, the College reserves the right to use other reasonable means to notify students. This includes, but is not limited to, the use of the College e-mail system. The failure of a student to provide an address change or forwarding address, or the refusal or inability to accept the mailed notice, shall not constitute good cause for failure to comply with the notification.

The student will be informed by written notice of the finding of responsibility and sanction, if any. Except when a hearing already has been requested by the Vice Chancellor, the notice shall offer the student the choice of accepting the sanction or requesting an appeal hearing before the Judicial Subcommittee of the Student Affairs Committee. The student's request for appeal shall be made in writing and delivered to the Vice Chancellor for Enrollment Management and Student Services on or before the date specified in the notice. If no written notice of appeal is received within the time specified, the finding and sanction shall be final.

The disciplinary actions the College may take include, but are not limited to, the following:

1. **Expulsion:** separation of the student from the College; the student is not eligible for readmission to the College.
2. **Dismissal:** separation of the student from the College for an indefinite period of time.
3. **Suspension:** separation of the student from the College for a definite period of time.
4. **Disciplinary probation:** official warning that the student's conduct is 1) in violation of the rules, regulations, and policies stated in UACCB publications, official correspondence, or announcements; or 2) in violation of Arkansas or federal criminal statutes. Disciplinary probation will be imposed for varying periods of time when a student enrolls following a period of disciplinary suspension, dismissal, or expulsion. Disciplinary probation can be imposed for varying periods of time and can include the following:
  - a. ineligibility to hold office in the College
  - b. ineligibility to represent the College in any official function
  - c. ineligibility to continue to receive a College-sponsored scholarship, grant, and/or work
  - d. placing an informational notice in the student's permanent file
  - e. continued enrollment depends upon the maintenance of satisfactory conduct throughout the period of probation
5. **Letter of enrollment block:** a letter stating that the student may not reenter UACCB without prior approval through the Vice Chancellor for Enrollment Management and Student Services if enrollment has been blocked for a previous disciplinary problem.
6. **Letter of reprimand:** a written admonition of a student for actions unbecoming to the College community.
7. **Work hours:** hours that a student may be required to work in a specified area of service to the College.
8. **Restrictions:** the withdrawal of specified privileges for a definite period of time.
9. **Restitution:** a payment for financial injury in cases involving theft, personal injury, destruction of property, or deception. The assessed costs to be paid may be in addition to other disciplinary sanctions.
10. **Monetary fines:** a fine assessed by the College which is placed on the sanctioned student's account.
11. **Educational sanctions:** All consequences of the student judicial process are intended to be educational. In this context, however, the term "educational sanctions" specifically describes those tasks, assignments, or experiences that a student is obligated to complete as a result of the Judicial Subcommittee of the Student Affairs Committee or staff's decision. Educational sanctions may be imposed in combination with or as a condition of any other disciplinary sanction. Educational sanctions may, for example, require the student to prepare letters of apology, to research an issue related to the offense, to attend a workshop, lecture or meeting, or to attend counseling.

### Interim Suspension

In certain circumstances, the Vice Chancellor for Enrollment Management and Student Services may impose a College suspension prior to the hearing before a judicial body. The interim suspension shall become immediately effective without prior notice.

Interim suspension may be imposed only:

- to ensure the safety and wellbeing of members of the College community or preservation of College property
- to ensure the student's own physical or emotional safety and well-being
- or if student poses a definite threat of disruption of or interference with the normal operations of the College

During the interim suspension, students shall be denied access to the campus (including classes) and/or all other College activities or privileges for which the student might otherwise be eligible, as the Vice Chancellor for Enrollment Management and Student Services may determine to be appropriate.

### Judicial Subcommittee of the Student Affairs Committee Hearing

The circumstance, which results in a hearing before the Judicial Subcommittee of the Student Affairs Committee, is the referral by the Vice Chancellor for Enrollment Management & Student Services of a situation involving disciplinary action or upon the request of the student involved.

Points involved in such hearings are classified as:

1. Issues of fact. (Did a certain incident occur? Was the student involved in the incident?)
2. Issues related to the nature or character of the incident. (Was it an accidental, careless, or intentional action? Was it spontaneous, or premeditated? Were there justifiable reasons or extenuating circumstances?)
3. Issues of degree or extent. (Was it minor, moderate, or major?)
4. Issues of jurisdiction. (Does the administration have jurisdiction over the incident and the persons involved?)

The purpose of the hearing is to allow the committee to judge whether a violation of regulations of student conduct has occurred and to recommend the appropriate action to be taken. The hearing procedure is an effort by the

College to provide students with institutional due process and to provide an atmosphere in which students can both learn and practice rules and procedures of responsible social conduct.

When a hearing is requested, the Vice Chancellor for Enrollment Management and Student Services shall make arrangements for the hearing and shall notify the student of the time, date, and place of the hearing. Unless the student requests otherwise, the hearing will be closed except to participants. The student shall notify the Vice Chancellor for Enrollment Management and Student Services in advance of the hearing if the student desires the hearing to be public.

At the hearing, the student is entitled to be present with a College advisor of his/her choice to testify on his or her own behalf, to present witnesses, to ask questions of witnesses who appear, and to examine all evidence presented to the Committee. Attorneys are not permitted to be present or participate in the student discipline process unless the student is also facing criminal prosecution regarding the incident for which the hearing is being held.

A tape recording shall be made of the hearing and shall be kept by the Vice Chancellor for Enrollment Management and Student Services for one year. The chairperson of the Judicial Subcommittee of the Student Affairs Committee shall preside over the hearing and shall rule on the admissibility of evidence, which may include hearsay, and on all other questions regarding the conduct of the hearing.

The appropriate hearing procedure is for the Vice Chancellor for Enrollment Management and Student Services or the Vice Chancellor's designee to present a narration of the facts in the situation and specify any action they have recommended. The student then specifies the precise point at issue (the issue of fact, character, extent, or jurisdiction which occasions this hearing).

After the point at issue is specified, the student services staff presents its position. Staff may present whatever relevant evidence, testimony, explanation, or argument it feels appropriate. After presentation of the student services' position, the student may present whatever relevant evidence, testimony, explanation, or argument the student feels appropriate.

Members of the Judicial Subcommittee of the Student Affairs Committee may ask questions to clarify issues at whatever point they feel necessary; however, such questions should not interrupt a speaker during the presentation unless the questions are essential. All participants may ask questions after the initial presentations are made.

After all relevant matters have been placed before the Committee; it shall deliberate in closed session and render a decision. In the decision, the committee may:

- affirm the original finding and sanction
- affirm the original finding, but lessen the sanction
- affirm the original finding and increase the sanction
- reverse the original finding

The chairperson of the committee shall forward to the Vice Chancellor for Enrollment Management and Student Services a written report of the decision. The Vice Chancellor for Enrollment Management and Student Services will report the decision of the hearing committee in a letter to the student and inform him or her of the right to appeal to the Chancellor on or before a specified date. If no written notice of appeal is received within the time specified and the Chancellor does not choose to review the proceedings, the action proposed shall be imposed and the disposition shall be considered final.

An ad hoc hearing board may be established by the Chancellor whenever the Judicial Subcommittee of the Student Affairs Committee is not constituted, is unable to obtain a quorum, or is otherwise unable to hear a case. An ad hoc hearing board shall be composed of three members.

Appeal of the decision of the Judicial Subcommittee of the Student Affairs Committee may be made to the Chancellor by filing a Request for Appeal for with the Vice Chancellor for Enrollment Management and Student Services. The Request for Appeal shall be accompanied by a memorandum stating the grounds for believing the decision to be erroneous or unfair. An appeal of a disciplinary decision may be made only on justifiable grounds, including irregularity in proceedings, punishment inconsistent with the nature of the offenses, additional pertinent evidence not available for the original hearing, or a question of fact. The Chancellor may deny a request for an appeal if the student fails to show sufficient grounds for an appeal.

The Vice Chancellor for Enrollment Management and Student Services shall notify all parties in the case of the date, time, and place of appeal. The appeal proceedings will be confined to a reception of additional evidence to be offered and of other objections upon which the appeal is based. Following these presentations, the appeal hearing will close and the Chancellor will review the previous proceedings along with the additional evidence or objections. The Chancellor will then determine whether the disciplinary rights have been properly observed. In the decision, the Chancellor may:

1. Affirm the decision of the Judicial Subcommittee of the Student Affairs Committee, which shall be effective as of the date specified by the committee.
2. Affirm the decision of the Judicial Subcommittee of the Student Affairs Committee and reduce the sanction, which shall be effective as of the date specified by the Judicial Subcommittee of the Student Affairs Committee.
3. Affirm the decision of the Judicial Subcommittee of the Student Affairs Committee and increase the sanction, which shall be effective as of the date specified by the Judicial Subcommittee of the Student Affairs Committee.

4. Reverse the decision against the student.
5. Reverse the decision against the student and order a new hearing by the Judicial Subcommittee of the Student Affairs Committee.

The Vice Chancellor for Enrollment Management and Student Services will notify the student and proceed appropriately.

#### **Role of the College Advisor in Disciplinary Hearings**

Service as a College advisor on behalf of a student appearing before the Student-Faculty Judicial Subcommittee of the Student Affairs Committee does not imply the presumption of either guilt or innocence of the student by the faculty member serving in such capacity. Such service merely recognizes the right of the student to have present with him during a period of potential emotional stress and mental anguish a person not under such pressures who may give him counsel or encouragement on matters either substantive or procedural and who may assist in the student's defense if requested by the student. The College advisor bears no responsibility for assuming the initiative in the student's defense.

When a faculty member serves as an advisor for a student appearing before the Student-Faculty Judicial Subcommittee of the Student Affairs Committee, no advance notice to the committee is necessary. However, both the student and the College advisor are welcome to discuss the committee procedures with the Vice Chancellor for Enrollment Management and Student Services in advance of the hearing. Only the student, his College faculty advisor, and the student's witnesses are permitted to make presentations to the Student-Faculty Judicial Subcommittee of the Student Affairs Committee.

#### **Failure to Appear**

If a student notified to appear before College administration, staff or the Judicial Subcommittee of the Student Affairs Committee fails to comply, and staff or the chairperson of the Judicial Subcommittee of the Student Affairs Committee, as the case may be, reasonably believes the failure to be inexcusable; the staff member or Judicial Subcommittee of the Student Affairs Committee will make a decision on the basis of information which is available, and shall impose the sanction considered appropriate. When it appears necessary to avoid undue hardship or to avoid injustice, the Vice Chancellor for Enrollment Management and Student Services may extend the time to enable a student to respond to an accusation or prepare a defense.

## **UACCB Policy for Discrimination, Harassment, Retaliation and Sexual Misconduct Complaints**

### **POLICY STATEMENT**

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

### **JURISDICTION**

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

This Policy shall not be construed or applied to restrict academic freedom at UACCB, nor shall it be construed to restrict constitutionally protected expression. Consistent with state and federal law, reasonable accommodation will be provided to persons with disabilities.

All Complaints or any concerns about conduct that may violate this Policy should be submitted to the Title IX Coordinator:

**Anne Austin, Vice Chancellor for Research, Planning & Assessment**  
**University of Arkansas at Batesville**  
**Independence Hall 100 A**  
**PO Box 3350, Batesville, AR 72503**  
**870-612-2058 (ext. 1332)**  
[anne.austin@uaccb.edu](mailto:anne.austin@uaccb.edu)

A complaint may also be submitted to the Title IX Deputies:

Mary Robertson, Interim (for students)  
Vice Chancellor for Enrollment and Student Services  
MCB 201  
PO Box 3350  
Batesville, AR 72503  
870-612-2014 (ext. 1214)  
[mary.robertson@uaccb.edu](mailto:mary.robertson@uaccb.edu)

Alexa Smith (for employees)  
Human Resources  
MCB 206  
PO Box 3350  
Batesville, AR 72503  
870-612-2165 (ext. 1905)  
[asmith@uaccb.edu](mailto:asmith@uaccb.edu)

### **Filing Report with Local Law Enforcement**

In some instances, sexual misconduct may constitute both a violation of UACCB Policy and criminal activity. The UACCB grievance process is not a substitute for instituting legal action. **UACCB encourages individuals to report alleged sexual misconduct promptly to campus officials AND to law enforcement authorities, where appropriate.** Individuals may file a report directly with local law enforcement agencies by dialing 911. Individuals may also contact any of the following for assistance in filing a report with local law enforcement:

**UACCB Campus Security**  
**MCB 233 C**  
**307-2421 (ext. 4357)**

**Independence County Sheriff's Department**  
**1750 Myers Street**  
**870-793-8838**

### **Preserving Evidence**

It is important that evidence of sexual assault be preserved, because it may be needed for prosecuting the criminal case. Victims and others should not alter the scene of the attack. The victim should not change clothes, bathe or shower, drink or eat anything, or brush her/his teeth before reporting the assault. Any items worn by the victim during the assault, but are not currently being worn, and any materials encountered during the assault (i.e., bed sheets, blankets, etc.) should be placed in a plastic bag and brought along with the victim to a local hospital emergency department that has kits to collect and preserve evidence of rape and sexual assault.

### **Student and Visitor Responsibility to Report**

Students and visitors to UACCB are strongly encouraged to report allegations of discrimination, harassment, retaliation and sexual misconduct to the Title IX Coordinator and/or deputies. A report should be made as soon as possible after the incident in order to facilitate an effective response. The longer a report is delayed, the more difficult it will be for UACCB to investigate. Reports may be made by the person experiencing the misconduct or by a third party, such as a witness or someone who is told of the misconduct.

### **Mandatory Employee Reporting**

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

### **Off-Campus Conduct**

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

### **CONFIDENTIALITY**

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

Except as compelled by law or in the interest of fairness, just resolution or health and safety considerations, disclosure of information contained in Complaints, their substance, procedures and the results of investigations will

be limited to the immediate parties, witnesses and other appropriate officials. Limited disclosure may also be necessary to conduct a full and impartial investigation.

### **Availability of Counseling and Advocacy**

Counseling and other mental health services for victims of sexual assault are available in the community. A current list of these services with contact information is available on myUACCB.

### **Education and Awareness Programs**

UACCB's Title IX Coordinator, in conjunction with other campus offices, are 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 throughout the academic year in student orientation and organizations, academic classes, employee training and professional development, and in other settings that are likely to reach people throughout the campus community. Campus-wide education and awareness activities are also conducted during Sexual Assault Prevention and Awareness Month in January.

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

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

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

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

### **COMPLAINT/GRIEVANCE PROCEDURE**

These procedures are intended to apply to all grievances involving discrimination, harassment, retaliation and sexual misconduct as described in this Policy, including but not limited to those brought by a student against an employee and/or fellow student, employee against fellow employee and/or student, and third party against employee and/or student. A flow chart of these procedures is provided to assist in comprehension, but is not intended to replace any detail provided within the Policy. The Policy represents the controlling authority.

All other grievances by students, employees or third parties shall be addressed through other grievance procedures as indicated below:

- Academic Appeals Policy
- ADA Grievance Procedure
- Student Discipline Procedure

UACCB benefits from formal and informal procedures that encourage prompt resolution of Complaints and concerns raised by members of the UACCB community.

### **INFORMAL COMPLAINT PROCESS**

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

## **FORMAL COMPLAINT PROCESS**

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

### **Investigation**

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

The Title IX Coordinator or his/her designee will apprise the Vice Chancellor for the appropriate division or department of the Complaint, or if the Complaint is against a student, the Vice Chancellor for Enrollment Management and Student Services.

The Title IX Coordinator or his/her designee, who will have been properly trained, will:

1. Identify the correct policies allegedly violated.
2. Conduct an immediate initial investigation to determine if there is reasonable cause to charge the Respondent(s).
3. Meet with the Complainant to finalize the Complaint.
4. Prepare the notice of charges on the basis of initial investigation.
5. Develop a strategic investigation plan which may include a witness list, an evidence list, an intended timeframe, and an order of interviews for all witnesses, including the Respondent.
6. Conduct a thorough, reliable and impartial investigation during which witnesses may or may not be given notice prior to the interview.
7. Complete the investigation promptly, and without unreasonable deviation from the intended timeline.
8. Make a written finding on the case, based on a preponderance of the evidence, which indicates that it is more likely than not that a Policy violation has or has not occurred, and identifies appropriate remedies and/or sanctions, if any.
9. Prepare a complete report on the investigation and findings.

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

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

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

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

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

If another individual is designated to investigate the matter, the Title IX Coordinator will share the investigator's name and contact information with the alleged victim and the Respondent and will forward the Complaint to the investigator. Within three (3) days of such appointment, the investigator, the alleged victim or the Respondent may identify to the Title IX Coordinator in writing any real or perceived conflicts of interest posed by assigning such

investigator to the matter. The Title IX Coordinator will carefully consider such statements and will assign a different individual as investigator if it is determined that a material conflict of interest exists.

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

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

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

#### **Initial Meeting with Complainant and/or Alleged Victim**

As soon as is practicable, the Title IX Coordinator will contact the Complainant and the alleged victim (if not the Complainant) to schedule an initial meeting to, as applicable:

1. Provide a copy of this Policy.
2. Provide a copy of the Discrimination, Harassment and Sexual Misconduct Complaint Form on which the Complainant may, if he or she agrees to disclose the information, provide details regarding the allegation, including the name of the accused individual and the date, location and general nature of the alleged violation of Policy (the Complaint Form may be completed by Complainant or dictated to the Title IX Coordinator, who will confirm the accuracy of his or her documentation with the Complainant).
3. Explain avenues for resolution.
4. Explain the steps involved in an investigation under this Policy.
5. Discuss confidentiality standards and concerns.
6. Determine whether the Complainant or the alleged victim (if not the Complainant) wish to pursue a resolution through UACCB or no resolution of any kind.
7. Refer to law enforcement, counseling, medical, academic or other resources, as appropriate.
8. Discuss, as appropriate, possible interim measures that can be provided during the pendency of the investigative and resolution processes.

#### **Interim Measures**

Unless circumstances dictate otherwise, the Title IX Coordinator will promptly issue a "No Contact" order to all parties upon notice of any sexual assault Complaint. In all cases, UACCB may implement any necessary interim measures, deemed appropriate and reasonably available, regardless of whether a Complaint has been filed (with either campus administrators or law enforcement agencies) or whether an investigation has commenced (by either campus administrators or law enforcement agencies). Interim measures may include, but are not limited to:

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



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

#### **Initial Meeting with Respondent**

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

1. Provide sufficient written information, consistent with privacy laws and any request for confidentiality, to allow Respondent to address the allegation (e.g., the name of the Complainant/alleged victim, the date, location, nature of the alleged violation of Policy, etc.).
2. Provide a copy of this Policy.
3. Explain UACCB's procedures for resolution of the Complaint.
4. Explain the steps involved in an investigation under this Policy.
5. Discuss confidentiality standards and concerns.
6. Discuss non-retaliation requirements.
7. Inform of any interim measures already determined and being provided to the Complainant and/or the alleged victim that would directly affect the Respondent (e.g., changing his or her class schedule, etc.).
8. Refer to law enforcement, counseling, medical, academic or other resources, as appropriate.
9. Discuss, as appropriate, possible interim measures that can be provided to the Respondent during the pendency of the investigative and resolution processes.

#### **Investigative Report**

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

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

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

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

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

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

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

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

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

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

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

All faculty and staff members of UACCB are at-will employees who may be terminated at any time, with or without cause. With regard to such faculty and staff, nothing in this Policy shall create an expectation of continued employment with UACCB or be construed to prevent or delay UACCB from taking any disciplinary action deemed appropriate (including suspension and immediate termination of employment) for any violation of state law, federal law or UACCB policy.

#### **APPEAL INVOLVING A STUDENT**

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

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

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

The parties may challenge the participation of any member of the Hearing Panel by submitting a written objection to the Chancellor or his/her designee within three (3) days of receipt of the notice of the composition of the Hearing

Panel. Any objection must state the specific reason(s) for the objection. The Chancellor or his/her designee will evaluate the objection and determine whether to alter the composition of the Hearing Panel. Failure to submit a timely and proper objection will constitute a waiver of any right of objection to the composition of the Hearing Panel. Any changes in the composition of the Hearing Panel will be provided in writing to both parties prior to the date of the hearing.

#### **Submission of Written Materials**

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

#### **Notice of the Hearings**

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

#### **Failure to Appear**

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

#### **Support Persons**

Both the alleged victim and the Respondent may be accompanied by one support person to assist them during the hearing process. This support person can be anyone, including an attorney, but the support person may not take part in the hearing. The support person may not address the Hearing Panel, present evidence, make objections or statements, ask questions of any party or witness or otherwise participate in the hearing, beyond privately communicating with the party that he/she is supporting. The Chair must be notified five (5) business days in advance of the hearing if a party will be accompanied by a support person. The Chair may disallow the attendance of any support person if he/she is also a witness or if, in the discretion of the Chair, such person's presence would be disruptive or obstructive to the hearing or otherwise warrant removal. All support persons must agree to keep any and all information presented in the hearing confidential in order to attend. Absent accommodation for disability, the parties may not be accompanied by any other individual during the hearing process except as set forth in this Policy. UACCB officials may seek advice from the University of Arkansas System's Office of General Counsel on questions of law and procedure at any time during the process.

#### **Evidentiary Matters**

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

#### **Prior Sexual Conduct**

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

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

## **Hearing Procedure**

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

## **Decision of the Hearing Panel**

Following the conclusion of the hearing, the Hearing Panel will confer and by majority vote determine whether the evidence (including the information provided in and by the Investigative Report, the parties' written statements, if any, the evidence presented at the hearings, and the testimony of the parties and witnesses) establishes that it is more likely than not that the Respondent committed a violation of this Policy. In other words, the standard of proof will be the preponderance of the evidence. If the Hearing Panel determines that more likely than not the Respondent committed a violation of this Policy, the Hearing Panel will recommend sanctions and give consideration to whether a given sanction will (a) bring an end to the violation in question, (b) reasonably prevent a recurrence of a similar violation, and (c) remedy the effects of the violation. The Hearing Panel will forward its recommendations regarding sanctions to the Chancellor or his/her designee, who will make the final determination regarding all sanctions.

Sanctions for a finding of responsibility will depend upon the nature and gravity of the misconduct, any record of prior discipline for a violation of this Policy, or both. Sanctions may include, without limitation, expulsion or suspension from UACCB, disciplinary probation, mandated counseling, and/or educational sanctions deemed appropriate by the Hearing Panel.

Ordinarily, sanctions will not be imposed until the resolution of any timely appeal under this Policy. However, if it is deemed necessary to protect the welfare of the victim or the UACCB community, the Hearing Panel may recommend and the Chancellor or his/her designee may determine that any sanctions be imposed immediately and continue in effect until such time as the appeal process is exhausted.

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

The Title IX Coordinator will also take steps to prevent any harassment of or retaliation against the Complainant, the victim (if not the Complainant), or third parties, such as informing them about how to report subsequent problems, following up with them to ensure that there are no subsequent problems, providing training for the campus community, and providing counseling for the Respondent. The Title IX Coordinator will also take steps to prevent the harassment of or retaliation against the Respondent.

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

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

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

## **Confidentiality and Disclosure**

In order to comply with FERPA and Title IX and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, the hearing process is not open to the general public. Accordingly, documents prepared in anticipation of the hearings (including the Complaint, the Investigative Report, the notices of hearing, and the pre-hearing submissions referenced above) and documents, testimony, or other information introduced at the hearings may not be disclosed outside of the hearing proceedings, except as may be required or authorized by law.

### **Time Periods**

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

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

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

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

### **Acknowledgement of Responsibility**

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

### **No Retaliation**

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

### **False Reports**

Willfully making a false report of sexual harassment is a violation of UACCB policy and is a serious offense. Any person who willfully makes or participates in making a false or frivolous report of discrimination, harassment, retaliation or sexual misconduct will be subject to disciplinary action. False reporting may also violate state criminal statutes and civil defamation laws.

### **Office of Civil Rights Complaint**

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

### **Effective Date**

UACCB reserves the right to make changes and amendments to this Policy as needed, with appropriate notice to the community. However, the Policy in force at the time that a Complaint is filed will be the Policy used throughout the investigation, hearing and any appeals that are heard.

### **Documentation**

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

## **DEFINITION OF TERMS**

1. **Complainant:** Any party who makes a Complaint against a student, employee, staff member or campus visitor.
2. **Consent:** Consent is clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.
  - a. If coercion, intimidation, threats, or physical force are used there is no consent. If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature or extent of the sexual situation, there is no consent; this includes impairment or incapacitation due to alcohol or drug consumption, or being asleep or unconscious. Incapacitation

is a state where someone cannot make rational, reasonable decisions because he or she lacks the capacity to give knowing consent. There is no consent when there is force, expressed or implied, or use of duress or deception upon the victim. Silence does not necessarily constitute consent. Past consent to sexual activities does not imply ongoing future consent. Whether an individual has taken advantage of a position of influence over an alleged victim may be a factor in determining consent.

- b. Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.
  - c. Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes overt threats, implied threats, intimidation and coercion that overcome resistance or produce consent.
  - d. Under Arkansas law, the age of consent varies with the degrees of assault, the age of the actor, and the relationship of the actor to the other party. For specific information, please refer to Arkansas statutes (e.g., Arkansas Code Annotated § 5-14-125, Sexual Assault in the Second Degree).
  - e. Sexual activity with someone known to be mentally or physically incapacitated, or based on the circumstances, or someone who could reasonably be known to be mentally or physically incapacitated, constitutes a violation of this Policy.
  - f. This Policy also covers a person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of rape drugs. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another person is a violation of this Policy. More information on these drugs can be found at <http://www.911rape.org/>.
  - g. Use of alcohol or other drugs will never function as a defense to a violation of this Policy. Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity. Previous relationships or prior consent cannot imply consent to future sexual acts.
3. **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the alleged victim. It includes any unwelcome physical violence such as hitting, pulling, shoving, kicking, biting or throwing things; and sexual assault, sexual exploitation and sexual harassment.
  4. **Discrimination (general definition):** Conduct that is based upon an individual's race, color, religion, national origin, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, pregnancy, physical or mental disability or genetic information that excludes an individual from participation, denies the individual the benefits of, treats the individual differently or otherwise adversely affects a term or condition of an individual's employment, education, living environment or participation in a University program or activity. This includes failing to provide reasonable accommodation, consistent with state and federal law, to persons with disabilities.
  5. **Discriminatory Harassment:** Detrimental action based on an individual's race, color, religion, national origin, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, pregnancy, physical or mental disability or genetic information. Harassing conduct may take various forms, including, name-calling, graphic or written statements (including the use of cell phones or the Internet), or other conduct that may be physically threatening, harmful, or humiliating. Harassment does not have to include intent to harm, be directed at a specific target or involve repeated incidents. Gender-based harassment includes sexual harassment.
  6. **Domestic Violence:** Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault between family or household members; or any sexual conduct between family or household members, whether minors or adults, that constitutes a crime under the laws of this state. Family or household members means spouses, former spouses, parents and children, persons related by blood within the fourth degree of consanguinity, any children residing in the household, persons who presently or in the past have resided or cohabited together, persons who have or have had a child in common, and persons who are presently or in the past have been in a dating relationship together. See also, Arkansas Code Annotated § 9-15-103—"Domestic Abuse".
  7. **Hostile Environment:** A hostile environment exists when there is harassing conduct based on race, color, religion, national origin, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, pregnancy, physical or mental disability or genetic information that is sufficiently serious (i.e., severe, pervasive, or persistent) and objectively offensive to deny or limit a person's ability to participate in or benefit from UACCB's programs, services, opportunities or activities; or when such conduct has the purpose or effect of unreasonably interfering with an individual's employment. Harassment that creates a hostile environment ("hostile environment harassment") violates this Policy.

8. **Non-Consensual Sexual Contact:** Non-consensual sexual contact is any intentional sexual touching, however slight, with any object by a male or female upon a male or a female that is without consent and/or by force. Sexual Contact includes intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.
9. **Non-Consensual Sexual Intercourse:** Non-consensual sexual intercourse is any sexual intercourse however slight, by a male or female upon a male or a female that is without consent and/or by force. Intercourse includes vaginal penetration by a penis, object, tongue or finger; anal penetration by a penis, object, tongue, or finger; and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.
10. **Respondent:** The person(s) against whom a Complaint has been made.
11. **Retaliation:** Action taken by an accused individual or by a third party against any person because that person has opposed any practices forbidden under this Policy or because that person has filed a Complaint, testified, assisted or participated in any manner in an investigation or proceeding under this Policy. This includes action taken against a bystander who intervened to stop or attempt to stop discrimination, harassment or sexual misconduct. Retaliation includes intimidating, threatening, coercing or in any way discriminating against an individual because of the individual's Complaint or participation. Action is generally deemed retaliatory if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this Policy.
12. **Sexual Assault:** An actual or attempted sexual contact with another person without that person's consent. Sexual assault includes, but is not limited to involvement in any sexual contact when the victim is unable to consent; intentional and unwelcome touching of, or coercing, forcing, or attempting to coerce or force another to touch a person's intimate parts (defined as genital area, groin, inner thigh, buttocks, or breast); and sexual intercourse without consent, including acts commonly referred to as "rape."
13. **Sexual Exploitation:** Occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of behavior that could rise to the level of sexual exploitation include, but are not limited to:
  - invading sexual privacy
  - prostituting another person
  - non-consensual video or audio-taping of sexual activity
  - going beyond the boundaries of consent (e.g., allowing others to watch consensual sex without that party's knowledge or consent)
  - engaging in voyeurism
  - non-consensual distribution of photos, other images, or information of an individual's sexual activity, intimate body parts, or nakedness, with the intent to or having the effect of embarrassing an individual who is the subject of such images or information
  - knowingly transmitting an STI, such as HIV, to another without disclosing your STI status
  - exposing one's genitals in non-consensual circumstances or inducing another to expose his or her genitals or
  - possessing, distributing, viewing or forcing others to view illegal pornography
  - sexually-based stalking and/or bullying may also be forms of sexual exploitation
14. **Sexual Harassment:** Sexual Harassment is unwelcome, gender-based spoken, written or symbolic action or physical conduct that is sufficiently severe, persistent or pervasive that it has the effect of unreasonably interfering with, limiting or denying someone the ability to participate in or benefit from the University's educational programs. The unwelcome behavior may be based on power differentials, the creation of a hostile environment or retaliation.
  - a. For the purpose of this Policy, sexual harassment includes stalking or repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device or method that purposely or knowingly causes substantial emotional distress or reasonable fear of bodily injury or death. Sexual harassment also includes *quid pro quo* sexual harassment which exists when there are unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature and submission to or rejection of such conduct results in adverse educational or employment action.
  - b. Not all workplace or educational conduct that may be described as "harassment" affects the terms, conditions or privileges of employment or education. For example, a mere utterance of an ethnic, gender-based or racial epithet which creates offensive feelings in an employee or student would not

normally affect the terms and conditions of their employment or limits a student's ability to participate in or benefit from UACCB's educational programs or activities.

15. **Sexual Misconduct:** includes sexual assault, inducing incapacitation for sexual purposes, sexual exploitation and dating and domestic violence.
16. **Status:** A full-time employee of UACCB will be considered an "employee" for the purposes of this Policy, regardless of whether he/she is also enrolled as a student. Any student who is a part-time employee will be considered a "student" for the purposes of this Policy unless the incident under consideration occurred in connection with his/her employment.

## Telephone Calls and Messages for Students

EMERGENCY calls will be forwarded to the receptionist. The receptionist will take a message and forward the information to the appropriate student services staff that will evaluate the nature of the call and take appropriate action to attempt to locate the student. **Non-emergency calls will not be referred to students.**

## Use of Technology Resources

This document constitutes a campus-wide policy intended to allow for the proper use of all UACCB computing and network resources, effective protection of individual users, equitable access and proper management of those resources. This document should be broadly interpreted. This policy applies to UACCB network usage even in situations where it would not apply to the computer(s) in use. These guidelines are intended to supplement, not replace, all existing laws, regulations, agreements, and contracts that currently apply to computing and networking services.

Access to the UACCB network is a privilege, not a right. Access to networks and computer systems owned or operated by UACCB requires certain user responsibilities and obligations and is subject to campus policies and local, state, and federal laws. Appropriate use should always be legal and ethical. Users should reflect academic honesty, mirror community standards, and show consideration and restraint in the consumption of shared resources. Users should also demonstrate respect for intellectual property; ownership of data; system security mechanisms; and individual rights to privacy and to freedom from intimidation, harassment, and annoyance. Appropriate use of computing and networking resources includes instruction; independent study; authorized research; independent research; communications; and recognized student and campus organizations, and agencies of the college.

**Users of UACCB's information technology resources are expected to abide by the following policies:**

1. Information technology resource usage is restricted to faculty, staff, and students currently enrolled in UACCB credit and non-credit classes, and authorized public.
2. Network users will be allowed access to other networks and computers external to UACCB. Because each network or system has its own set of policies and procedures, users must abide by the policies and procedures of networks/systems both internal and external to UACCB.
3. UACCB is not responsible for information either transmitted or received by users of its computer network/system.
4. The content and maintenance of a user's electronic mailbox is the user's responsibility. As such, the user must take the following responsible action:
  - a. Check electronic mail on a regular basis and delete unwanted messages immediately.
  - b. Never assume that electronic mail messages are private; others may be able to read or access a user's mail.
5. The content and maintenance of a user's storage area is the user's responsibility. As such, the user must take the following responsible action:
  - a. Keep the number of files to a minimum.
  - b. Routinely and frequently check for viruses.
  - c. Make sure that data is stored on the local computers is copied to a specified network location so that information is backed up.
6. Users are **NOT AUTHORIZED TO:**
  - a. **Copy, rename, alter, examine or delete** the files or programs of another employee or a UACCB department without written permission. All files and programs are legal property of UACCB.
  - b. Use a computer to **interfere with individual and/or institutional rights**, including but not limited to the following:
    - I. Sending of **abusive or otherwise objectionable messages** to others.



- II. Sending of messages that are likely to result in the loss of recipient's work or systems.
- III. Any type of use that would **cause congestion of the networks** or otherwise interfere with the work of others.
- IV. Use the computer resources **for personal activities** not related to the mission of UACCB.
- V. Posting of **public service events not approved** by the appropriate Vice Chancellor.
- c. **Create, disseminate, or run a self-replicating program ("virus")**, whether destructive in nature or not.
- d. Use computers maintained by UACCB for **non-college projects** without the approval of the appropriate Vice Chancellor.
- e. **Tamper with switch settings, move, reconfigure**, or do anything that could damage files, terminals, computers, printers, or other equipment.
- f. **Collect, read, or destroy output** other than their own work without permission unless the account is designated for group work.
- g. Use the **computer account of another person without permission** unless the account is designated for group work.
- h. **Copy any copyrighted software.** Users should be aware that it is a criminal offense to copy any software that is protected by copyright.
- i. Use licensed software in a manner inconsistent with the licensing agreement.
- j. Surf, view, or download any **sexually explicit media** in the computer labs. Sexually explicit media shall not be displayed on any UACCB terminals, microcomputers, printers, or any other equipment.
- k. Access or attempt to **access a host computer**, either at UACCB or through a network, without the owner's permission.
- l. Use **log-in information** belonging to another person
- m. Use UACCB equipment for the purpose of **playing non-instructional games.**
- n. Indiscriminately **engage in talk sessions** with on-or off-campus sites.
- o. Use or download **ANY** peer-to-peer (P2P) file sharing programs on UACCB computers or UACCB "network resources."

7. Summary of Civil and Criminal Penalties for Violation of Federal Copyright Laws

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense.

For more information, please see the Web site of the U.S. Copyright Office at [www.copyright.gov](http://www.copyright.gov), especially their FAQ's at [www.copyright.gov/help/faq](http://www.copyright.gov/help/faq).

8. Harassment

No user, under any circumstances, should use UACCB's computers or networks to harass any other person. The following constitutes computer harassment: (1) Intentionally using the computer to annoy, harass, terrify, intimidate, threaten, offend, or bother another person by conveying obscene language, pictures, or other materials or threats of bodily harm to the recipient or the recipient's immediate family; (2) Intentionally using the computer to contact another person repeatedly with the intent to

annoy, harass, or bother, whether or not an actual message is communicated, and/or the purpose of legitimate communication exists, and where the recipient has expressed a desire for the communication to cease; (3) Intentionally using the computer to contact another person repeatedly regarding a matter for which one does not have a legal right to communicate, once the recipient has provided reasonable notice that he or she desires such communication to cease (such as debt collection); (4) Intentionally using the computer to disrupt or damage the academic, research, administrative, or related pursuits of another; and (5) Intentionally using the computer to invade the privacy, academic or otherwise, of another or to threaten invasion of the privacy of another.

9. System administration access

A system administrator (i.e., the person responsible for the technical operations of a particular machine) may access others' files for the maintenance of networks and computer and storage systems, such as to create backup copies of media. However, in all cases, all individuals' privileges and rights of privacy are to be preserved to the greatest extent possible.

10. Monitoring of usage, inspection of files

Users should also be aware that their use of UACCB computing resources is not completely private. While the College does not routinely monitor individual usage of its computing resources, the normal operation and maintenance of the College's computing resources require the backup and caching of data and communications, the logging of activity, the monitoring of general usage patterns, and other such activities that are necessary for maintaining network availability and performance.

The College may also specifically monitor the activity and accounts of individual users of the Institute's computing resources, including individual login sessions and communications, without notice. This monitoring may occur in the following instances:

- a. The user has voluntarily made these activities accessible to the public.
- b. It reasonably appears necessary to do so to protect the integrity, security, or functionality of the Institute or to protect the Institute from liability.
- c. There is reasonable cause to believe that the user has violated, or is violating, this policy.
- d. An account appears to be engaged in unusual or unusually excessive activity, as indicated by the monitoring of general activity and usage patterns.
- e. Upon receipt of a legally served directive of appropriate law enforcement agencies.
- f. Any such individual monitoring, other than that specified in "(1)", required by law, or necessary to respond to bona fide emergency situations, must be authorized in advance. The appropriate unit head will be informed as time and the situation will allow. In all cases, all individuals' privileges and right of privacy are to be preserved to the greatest extent possible.

11. Suspension of individual privileges

UACCB Information Services may suspend computer and network privileges of an individual for reasons relating to his/her physical or emotional safety and well-being, or for reasons relating to the safety and well-being of other members of the campus community or college property. Access will be promptly restored when safety and well-being can be reasonably assured, unless access is to remain suspended as a result of formal disciplinary action imposed by the Office of the Vice Chancellor for Enrollment Management & Student Services (for students) or the employee's department in consultation with the Office of Human Resources (for employees).

Anyone who breaches the policies and procedures of the UACCB computer usage policy will be subject to the following action (disciplinary action may also be taken through the Student Conduct Process):

- a. **First offense:** Individual is served a warning ticket.
- b. **Second offense:** Individual is served a second warning ticket, and computer usage is suspended for one week.
- c. **Third offense:** Individual is served a third and final warning ticket, and his or her account will be disabled for the remainder of the semester.

12. No foods or drinks are allowed in the computer laboratories.

13. UACCB reserves the right to close laboratories or curtail use of computing facilities if the above policies and/or procedures are violated.

## **Family Educational Rights and Privacy Act Policy**

The Family Educational Rights and Privacy Act (FERPA) of 1974 assures confidentiality of educational records containing information directly related to the institution's students. A student at UACCB has the following rights with regard to his or her educational records:

1. To inspect and review all educational records pertaining to him or her.
2. To request the amendment of his or her educational records to ensure that they are not inaccurate, misleading, or otherwise in violation of his or her privacy or other rights.
3. To refuse consent to disclose directory information by informing the Director of Student Information/Registrar in writing within ten days of the first scheduled class of each academic session that he or she does not want that information disclosed. Directory information at UACCB is defined as name; address; telephone number; email address, photograph; major field of study; dates of attendance; degrees received; scholarships, honors and awards received; and participation in officially recognized activities.
4. To consent to disclosure of personally identifiable information contained in his or her educational records, except to the extent that FERPA authorizes disclosure without consent.
5. **To file a complaint with the U.S. Department of Education concerning an alleged failure by the College to comply with FERPA requirements.**
6. To obtain a copy of the college's FERPA policy. The policy is available upon request from the Director of Student Information/Registrar and in the Row Johns Library. The student is responsible for a copying fee.

Students who wish to review their educational records must present a written request to the Director of Student Information/Registrar, listing the item(s) to be reviewed. The item(s) requested shall be made available for review no later than 45 calendar days following receipt of the written request. Students following the above procedure have the right to copy their records when failure to provide a copy of the records would effectively prevent the student from inspecting and reviewing the record as determined by the reasonable discretion of the College. The College may refuse to copy an academic record if a "hold" has been placed for non-payment of financial obligations; copies shall be made at the student's expense (\$.25 per page). Students have no right to review or inspect the following records:

1. Financial information submitted by their parents or legal guardians.
2. Confidential letters and/or recommendations placed in the student's file prior to January 1, 1975, if such documents were intended to be confidential and are used only for the purpose(s) for which they were specifically intended.
3. Confidential letters and/or recommendations placed in the student's file prior to January 1, 1975, associated with admissions, employment, or job placement, or receipt of an honor or honorary recognition if the student has voluntarily waived his/her right to inspect the confidential letters and/or recommendations in writing.
4. Educational records containing information about more than one student, in which case the College will permit access only to that part of the record pertaining to the inquiring student.

## **Challenge of Contents of Educational Records**

Any student who believes that his/her educational records contain information that is inaccurate, misleading, or otherwise in violation of his/her privacy or other rights, or who believes that his/her records have been maintained or processed in violation of his/her privacy or other rights, may notify the Director of Student Information/Registrar in writing, clearly identifying the portion of the record to be changed and specifying why the student believes the record is inaccurate or misleading.

If the Director of Student Information/Registrar is in agreement with the student, the appropriate record shall be amended and the student shall be notified in writing. If the decision of the Director of Student Information/Registrar is not in agreement with the student, the student shall be notified within thirty calendar days that the records will not be amended. The student may appeal this decision following the procedure outlined under "Student Grievance Procedure." If the student successfully

appeals the decision to amend his/her records, the file will be amended accordingly. If the appeal is unsuccessful, the student has the right to place a statement commenting on the reason for disagreeing with the decision of the College. This statement shall be included in the educational record, and shall be maintained as long as the record is maintained and shall be disclosed whenever the record(s) in question is disclosed. A student may contact the Vice Chancellor for Enrollment Management and Student Services for assistance in filing a complaint with the Family Policy and Regulations Officer, U.S. Department of Education, Washington, D.C. 20202.

## **Consent Provisions**

No person outside the College shall have access to, nor shall the College disclose, any personally identifiable information from a student's educational records without the written consent of the student. The consent must specify the records to be disclosed, the purpose(s) of the disclosure, and the party or class of parties to whom disclosure may be made. The consent must also be signed and dated by the student. A copy of the record disclosed or to be disclosed shall be provided to the student upon request.

There are, however, exceptions to the consent policy. The College reserves the right, as permitted by law, to disclose educational records without written consent to those parties enumerated in Section 99.31 of the FERPA, including the following:

1. School officials who have legitimate educational interest.
2. Officials of other educational institutions or agencies in which a student seeks enrollment.
3. Officials of other educational institutions in which a student is currently enrolled.
4. Persons or organizations providing student financial aid in order to determine the amount, eligibility, and conditions of award, and to enforce the terms of the award.
5. Accrediting organizations carrying out accreditation functions.
6. Authorized representatives for federal, state and/or local authorities for the purpose of audit and evaluation of programs.
7. Organizations conducting studies on behalf of educational agencies or institutions to develop and administer predictive tests, administer student aid programs or improve instruction.
8. Parents of dependent students under the age of 18—parents must present proof of dependent status of student by providing a copy of their current tax forms.
9. Persons in compliance with a judicial order or subpoena.
10. Appropriate persons in a health and safety emergency.
11. An alleged victim of any crime of violence.

## **Bulletin boards, posters, notices, and other materials**

Notices, pamphlets, and other materials may be printed and distributed by recognized student organizations to further the purposes stated in their constitutions, subject to the following limitations:

### **Identification and Responsibility**

All notices must carry the name(s) of the organization(s) responsible for distribution. Organizations are responsible for notices or printed materials bearing the names of individuals identified thereon as members or officers of the organizations.

### **Libelous and Scurrilous Material**

The right to distribute notices and printed materials shall not extend to libelous, scurrilous, or personally defamatory statements. Neither shall the right extend to materials encouraging and promoting violations of the public laws and the public peace, or the regulations of the College.

### **Posting of Notices**

Posting of notices and bulletins must conform to College standards to prevent damage to campus facilities and for safety purposes.

1. Advertising or announcements may not be posted or painted on the exterior of any campus buildings, structures, sidewalks, or curbs.
2. Signs may not be affixed to any glass or doorway of any building.

3. Signs may not be affixed to any painted surfaces within the buildings.
4. Signs may not be nailed or wired to trees on the campus in any manner that would damage or mar the trees.
5. Signs by registered student organizations may be posted for two weeks only. All signs and material must be removed from the campus immediately following the event or within two weeks for non-event type signs.
6. Chalking on sidewalks is permitted. Organizations are responsible for removing the chalking the day following the event.

#### **Places for Posting Notices**

- selected campus bulletin boards
- placed on tables

#### **Distribution of Printed Materials**

Distribution must not invade classrooms, interfere with classes, or be done in a manner that adds to litter on the campus. No materials may be placed on vehicles parked on College property. Organizations proposing to distribute printed materials on the campus must obtain permission from the Vice Chancellor for Enrollment Management and Student Services. The purpose of this permission, with the requirements which accompany it, is to protect the appearance and the normal operations of the campus, not to restrict the free speech of students or student groups.

#### **Skating (inline, skateboards) Policy**

1. Roller skates, inline skates, and skateboards may be used by UACCB students or staff with current IDs from 6 p.m. until 10 p.m., Monday through Friday and on weekends. Skating is prohibited during the hours of 10 p.m. and 6 p.m., Monday through Friday.
2. At all times pedestrian traffic will have the right-of way. At no time are roller skates or inline skates to be worn inside buildings on the UACCB campus.
3. Approved skating areas are sidewalks and parking lots
4. Skating is not to occur on handrails, walls, benches, and raised surfaces.
5. Any person engaging in any skating activity shall assume and shall be solely responsible for any property damage and/or any personal injury to himself or herself or to any third parties which arises out of any skating activity. This shall include, but is not limited to, any property damaged at the College.
6. Any person choosing to engage in any skating activity of any kind shall assume all risks associated with such activity.

#### **Smoking Policy**

**UACCB acknowledges and supports the findings of the surgeon general that tobacco use in any form, active and passive, is a significant health hazard.** UACCB further recognizes that environmental tobacco smoke has been classified as a Class-A carcinogen. In light of these health risks, and in support of a safe and healthy learning and working environment, UACCB has set the following 100 percent tobacco-free campus policy which was implemented on August 1, 2010. All colleges and universities in Arkansas were mandated to be smoke free by the Clean Air on Campus Act of 2009.

1. Smoking or use of other tobacco products is prohibited on all College grounds; UACCB-owned or leased properties, and campus-owned, leased or rented vehicles. This includes but is not limited to all college sidewalks, parking lots, landscaped areas and recreational areas; at lectures, conferences, meetings and social and cultural events held on school property or school grounds of UACCB. Smoking is also prohibited in the interior of all buildings located on the college property, and vehicles owned or operated by UACCB.
2. Smoking materials must be extinguished and disposed of prior to entering UACCB or exiting your vehicle. Improper disposal includes but is not limited to:
  - spitting smokeless tobacco product
  - littering (i.e., discarded cigarette butts, throwing cigarette butts out of windows)
  - anything that creates fire hazards

3. This policy applies to all faculty, staff, students, clients, contractors and visitors. The policy is in effect during and after campus hours.
4. For the purposes of this policy “*tobacco*” is to include any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means or any component, part, or accessory of tobacco products including but not limited to: any lighted or unlighted cigarette (clove, bidis, kreteks), cigar, pipe, and any other smoking/vaping product, and spit tobacco, also known as smokeless, dip, chew, snus, and snuff, in any form including, “e-cigarette”, Other Tobacco Products (OTPs), and electronic nicotine devices (ENDs).
5. The sale of tobacco products or tobacco-related merchandise (including items that display tobacco company logos) is prohibited in and on all college property and at all college-sponsored events, regardless of the vendor.
6. The free distribution or sampling of tobacco products and associated products is prohibited on all college-owned or leased property and at college-sponsored events, regardless of the venue.
7. Tobacco industry and related company sponsorship of campus events is prohibited.
8. UACCB does not accept any direct or indirect funding, gifts or anything else of value from tobacco companies.
9. Campus officials, staff or other persons representing the campus including campus organizations shall not accept money or gifts or enter into any arrangement, association or partnership with representatives of tobacco companies, including sponsorship of campus events by organizations that promote tobacco use and/or allowing them to distribute free, reduced price or fully priced tobacco products (shirts, hats, etc.) on campus.
10. All tobacco promotion, advertising, marketing and distribution are prohibited in and on UACCB campus property including college-run publications owned or operated by UACCB.
11. All students, faculty and staff share in the responsibility for adhering to and enforcing the policy. Violation of this policy is a violation of the Student Conduct Code and subjects violators to the full range of sanctions outlined in the Student Conduct section of the Student Handbook. Violations of this policy by employees will be dealt with by the supervising vice chancellor.

## **Solicitors**

Without the prior written approval of the Chancellor, or the Chancellor’s designee, no person shall solicit students, faculty, staff, or members of the public for any business or commercial purpose including, but not limited to the sale or purchase of any goods or services, in or upon any of the facilities owned, leased, operated or otherwise regularly occupied by the University of Arkansas Community College at Batesville (UACCB).

## **Free Speech Area**

The area under the flag poles located on the south side of Independence Hall is designated as the area on the UACCB campus for limited public forums. This area is available on a first-come, first-served basis to individuals or organizations for free speech purposes without registration or reservation, 24 hours a day, seven days a week. No amplification equipment may be used and no structure(s) may be erected. All other areas of campus must be reserved following the established facilities use policy.

## **Awareness and Prevention Programs**

### **Drug and Alcohol Abuse Regulations**

UACCB regulations specify that the manufacture, use, possession, or sale of illegal drugs, controlled substances and alcohol beverages on or about campus or as part of any of its activities are in violation of College policy. Serious offenses which are subject to disciplinary or restricting action are: use, possession, sale, distribution, or manufacture of alcoholic beverages, marijuana, illegal drugs or controlled substances, except as prescribed by a registered medical doctor; arrest for

violation of local, state, or federal drug law which adversely affects the student's suitability as a member of the College community, and violations of Arkansas or federal criminal statutes.

The disciplinary response by UACCB to violations of these policies may range from required enrollment in a drug and alcohol education course to expulsion from the College. Evidence of serious offenses such as manufacture, sale, or distribution will be referred to state and/or federal law enforcement authorities.

#### **Biennial Review of Policies and Programs**

UACCB conducts a biennial review of the program and policies to determine their effectiveness, implement changes to the program if they are needed, and ensures that the disciplinary sanctions are consistently enforced.

#### **Health Risks in Using Alcohol**

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, especially when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other children of becoming alcoholics.

#### **Health Risks Associated with Controlled Substances**

Many controlled substances have therapeutic value when used under controlled conditions such as when a physician prescribes a substance with certain dietary restrictions and, in many cases, hospitalization. However, when controlled substances are used outside these limits, very serious effects can result.

#### **Penalties for Drug and Alcohol Abuse in Motor Vehicles**

The State of Arkansas has specific penalties for alcohol and drug abuse in connection with the operation of a motor vehicle. Specifically, Act 836 makes it unlawful and punishable for any individual under the age of twenty-one to operate or be in actual physical control of a motor vehicle while under the influence of an alcoholic beverage or similar intoxicant.

A person who drives a motor vehicle while influenced or affected by the ingestion of alcohol, a controlled substance, or any intoxicant commits the offense of driving while intoxicated. Penalties for such an offense may include: suspension of license, probation, imprisonment, fines of no less than \$150, payment of an additional \$250 in court costs, public service work as deemed appropriate by the court, and a requirement to complete an alcohol education program as prescribed and approved by the Arkansas Highway Safety Program or an alcoholism treatment program as approved by the Office on Alcohol and Drug Abuse Prevention. A blood alcohol level of 0.05 may be considered with other competent evidence in determining guilt or innocence. A blood alcohol level of .10 or more shall give rise to a presumption of intoxication.

For individuals under the age of 21 a blood alcohol level of one-fiftieth of one percent (0.02%), but less than one-tenth of one percent (0.10%), by weight of alcohol in the person's blood, it is unlawful and punishable to operate or be in actual physical control of a motor vehicle.

**Penalties for Possession of Illegal Drugs and Substances**

There are both federal and Arkansas penalties for illegal possession of controlled substances and illegal drugs. Penalties frequently change; therefore, for updated information, check with your local law enforcement agencies.

**Drug Treatment Available**

There are groups, offices, agencies, and hospitals in the Batesville area that offer drug treatment and rehabilitation services and programs. Information about programs is available in the Office of Career & Disability Services. Additional resources can be located in the yellow pages of the telephone directory under the headings "Alcoholism Information and Treatment Centers" and "Drug Abuse and Addiction Information and Treatment."

**Sexual Assault and Abuse Awareness Program**

The Student Right to Know and Campus Security Act requires that students be provided information concerning campus sexual assault programs and the procedures which should be followed once an offense has occurred. This information is available in the UACCB Annual Security Report which can be found on the UACCB web site and in the Office of the Vice Chancellor for Enrollment Management & Student Services.

**Constitution Day**

In December 2004, Senator Robert C. Byrd offered an amendment that was passed by both the United States House of Representatives and the United States Senate in an attempt to increase constitutional knowledge. The legislation requires implementation of educational programs that relate to the United States Constitution. September 17 of each year was selected as the date for the celebration due to the fact that September 17, 1787, was the day the delegates to the Constitutional Convention met for the last time to sign the United States Constitution and to present it to the American public.

UACCB recognizes and promotes constitutional education annually as prescribed under the regulations of this legislation.



## INDEX

- Academic Advising, 3
- Accreditation and Program Approvals, 2
- Alcohol, 38
- Awareness and Prevention Programs, 38-40
- Bulletin boards, posters, notices, and other materials, 36-37
- Campus Computer Labs, 11
- Campus Security, 12
- Career & Disability Services, 4
- Career Pathways, 3
- Constitution Day, 40
- Discipline Procedures, 17-20
- Expulsion, 17-18
- Family Educational Rights and Privacy Act Policy, 35-36
- Financial Aid, 6-10
- Free Speech Area, 38
- General Education Philosophy, 2
- Harassment Policy, 20-32
- Identification Numbers and ID Cards, 10-11
- Mission Statement, 2
- New Student Orientation, 3
- Non-Discrimination Policy, 3
- Reporting Violations, 17
- Roy Row, Sr., and Imogene Row Johns Library and Academic Building, 11
- Satisfactory Academic Progress Policy, 9-10
- Sexual Harassment, 31
- Skating (inline, skateboards) Policy, 37
- Smoking Policy, 37-38
- Solicitors, 38
- Student Activities and Organizations, 12-14
- Student and Academic Support Services, 3-6
- Student Conduct Code, 15
- Student Organization Directory, 15
- Student Right to Know, 12
- Student Rules and Rights, 15-20
- Telephone Calls and Messages for Students, 32
- Testing / Disability Services, 5
- TRiO Student Support Services, 6
- Tutoring Services, 6
- UACCB Bookstore, 10
- Use of Technology Resources, 32-35
- Vehicle Registration/Parking, 11-12