



# **STUDENT HANDBOOK 2021-2022**

## Table of Contents

Introduction .....	6
Mission Statement .....	6
General Education Philosophy .....	6
Accreditation and Program Approvals .....	7
Non-Discrimination Policy .....	7
Getting Started .....	8
New Student Orientation .....	8
UACCB Bookstore .....	8
Identification Numbers and ID Cards .....	8
Vehicle Registration/Parking .....	9
Academic Advising .....	10
Career Pathways .....	11
Counseling Services .....	11
Career Services .....	11
JAG .....	12
Student Development .....	12
Disability Services .....	12
Service Animals on Campus .....	16
Testing Services .....	17
TRIO Student Support Services .....	18
Tutoring and Library Services .....	18
Student Success Center .....	18
Writing Lab .....	19
Row Johns Library .....	19
Financial Aid .....	19
Eligibility for Federal Financial Aid Programs .....	20
Federal Financial Aid Programs .....	20
How to Apply for Federal Financial Aid Programs .....	21

Other Federal Financial Assistance Programs .....	21
State Funded Financial Aid Assistance.....	22
Revisions in Financial Aid .....	22
Return of Title IV Funds (R2T4).....	22
Satisfactory Academic Progress Policy .....	23
Health and Safety.....	25
Campus Health Care .....	25
Housing .....	25
Insurance .....	25
Campus Security .....	25
Skating (inline, skateboards) Policy .....	26
Campus Tobacco Policy .....	26
Technology.....	28
Campus Computer Labs.....	28
Use of Technology Resources .....	28
Campus Communications .....	32
Solicitors.....	32
Free Speech Area .....	32
Telephone Calls and Messages for Students .....	32
Bulletin boards, posters, notices, and other materials .....	32
Student Activities and Organizations .....	33
Formation of Student Organizations .....	33
Constitution .....	34
Purpose of Organization .....	34
Membership and Officer Eligibility Requirements and Records .....	35
Change or Withdrawal of Student Organization .....	35
Student Organization Advisors .....	36
Student Organizations Funds and Fundraising (Solicitation).....	36
Student Organization Directory.....	37

Student Rules and Rights .....	39
Student Right to Know.....	39
Student Conduct .....	39
Student Conduct Code.....	39
UACCB General Regulations .....	40
Reporting Violations .....	41
Good Samaritan Provision .....	42
Discipline Procedures .....	42
Interim Suspension .....	44
Judicial Subcommittee of the Student Affairs Committee Hearing .....	44
Role of the College Advisor in Disciplinary Hearings .....	46
Failure to Appear .....	47
UACCB Title IX Policy for Complaints of Sexual Assault And Other Forms of Sexual Harassment.....	47
Notice of Nondiscrimination Under Title IX.....	47
Jurisdiction and Scope .....	47
Reporting .....	48
Amnesty .....	48
Filing Report with Local Law Enforcement .....	49
Preserving Evidence.....	49
Employees’ Duty to Report to Title IX Coordinator .....	49
Off-Campus Conduct.....	49
Confidentiality.....	50
Availability of Counseling and Advocacy .....	50
Education and Awareness Programs .....	50
Grievance Procedure .....	50
Basic Requirements .....	50
Initial Report/Intake Process .....	51
Formal Complaint Process .....	52
Comprehensive Investigation .....	55

Determination Hearing .....	56
Appeals .....	60
Time Periods .....	61
Retaliation Prohibited .....	61
False Reports .....	61
External Reporting Agencies .....	62
Effective Date .....	62
Retention of Records .....	62
Definitions .....	62
Family Educational Rights and Privacy Act Policy .....	65
Challenge of Contents of Educational Records .....	66
Awareness and Prevention Programs .....	68
Drug and Alcohol Abuse Regulations .....	68
Penalties for Drug and Alcohol Abuse in Motor Vehicles .....	69
Penalties for Possession of Illegal Drugs and Substances .....	69

## Introduction

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.

### 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. 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:

1. Improve communication skills, which include listening, speaking, writing, and reading.
2. Increase proficiency with computation skills including understanding and applying mathematical concepts and reasoning as well as analyzing and using numerical data.
3. Increase proficiency in critical thinking and problem-solving skills such as creative thinking, analysis, synthesis, evaluation, and decision making.
4. Develop technological and information management skills, including the

- collection, analysis and organization of material from varied sources.
5. Develop professional work habits, ethics, and interpersonal skills.

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 Arts, Associate of Science and Associate of Applied Science degrees by the Arkansas Higher Education Coordinating Board 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 (1123 South University #800, Little Rock, AR 72204) approves the RN Associate Degree Program, and the Accreditation Commission for Education in Nursing, Inc. (3343 Peachtree Road, NE, Suite 850, Atlanta, GA 30326, (404) 975-5000 or [www.acenursing.org](http://www.acenursing.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 Commission on Accreditation of Allied Health Education Programs (25400 US Highway 19 N., Suite 158, Clearwater, FL 33763). 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 Cosmetology programs are licensed by the Arkansas Department of Health, Cosmetology Section.

### **Non-Discrimination Policy**

It is the policy of the University of Arkansas Community College at Batesville to prohibit discrimination of its students, faculty, and staff and to make every effort to eliminate discrimination within the UACCB community. UACCB should be a place of work and study for students, faculty, and staff, which is free of all forms of discrimination, sexual intimidation and exploitation.

UACCB is committed to providing equal opportunity for all students and applicants for admission and for all employees and applicants for employment regardless of race, color, age, gender, pregnancy, religion, national origin, marital or parental status, disability, veteran status or sexual orientation. In addition, discrimination in employment on the basis of genetic information is prohibited.

Anyone with questions regarding this policy may contact the Title IX Coordinator, the Personnel Officer, or the Vice Chancellor for Student Affairs by calling 870-612- 2000 or in writing to University of Arkansas Community College at Batesville, P.O. Box 3350, Batesville, Arkansas, 72503-3350.

# Getting Started

## New Student Orientation

All students enrolling at UACCB for the first-time, enrolled in six or more credit hours will be required to attend New Student Orientation. Re-admitted students who have not attended UACCB within the last five years must attend orientation. The following students are excluded from mandatory orientation:

- Concurrent and Dually Enrolled High School Students
- Lyon College/UACCB Tuition Exchange Credit Students (TEC)
- Students who have obtained 24 or more transferrable credit hours
- Visiting Students (students enrolled full-time at another institution and taking two or more classes at UACCB)
- Students accepted into specialized programs in which orientation is included

Student Orientation will consist of faculty/staff led sessions on various topics designed to help the students succeed. Students will have the opportunity to meet with faculty in charge of their area of study in either a one-on-one setting or a roundtable setting to discuss the program. If students do not attend the no-cost, in-person orientation session, they will be required to complete a one-credit hour course and will be charged tuition and fees. The one-credit hour, online course cannot be dropped unless the student is completely withdrawing from the institution.

- Students who participate in the in-person orientation will not be required to take the one-hour, online course.
- Groups and sessions will be led by faculty and staff. All faculty and staff are expected to participate.
- At least two orientation sessions will be held each fall semester and one session each spring semester.
- Students beginning coursework in the summer semester will be required to attend an orientation session before the fall semester.
- Online-only students (students taking only online classes) may petition the Coordinator of Orientation for an exemption to orientation.
- Students that arrive after the first session has started will be required to attend another orientation date or enroll in the online orientation class.
- Any student from an aforementioned category excluded from orientation or a student currently enrolled may choose to attend orientation.

## UACCB Bookstore

Located in Independence Hall, the Bookstore stocks all required textbooks for UACCB courses, as well as, a variety of supplies, UACCB apparel and miscellaneous items. Most textbooks are available to rent. The Bookstore is open Monday through Friday, Student ID and class schedule are required.

## 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, email address, 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 Admissions Office 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 because of damage or name change. For a name change, students must provide confirmation that proper paperwork has been completed in the Registrar's Office. Only current students may receive replacement ID cards. Lost or stolen Student ID Cards can be replaced at the Admissions Office. 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 or stolen card.** Please pay for your replacement ID card at the cashier's window in MCB and bring the receipt to the Admissions Office.

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.

### **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 in the Admissions Office 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 area 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 sticker on driver's side of rear windshield.
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. 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 Student Affairs.
11. Vehicle incidents or accidents should be reported immediately to the Vice Chancellor for Student Affairs, located in MCB 203.

## **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
- work with the advisor to register for classes and create a degree plan
- check campus email and use Self Service regularly

For more information, please contact the Advising Center at (870) 612-2160 or visit the Advising Center in the UACCB Main Classroom Building (MCB) Room 229.

## Career Pathways

The UACCB Career Pathways Initiative (CPI) is a grant-funded program that assists eligible parents who want to improve their employment opportunities through education and/or training. The following are examples of some services CPI may offer participants to help overcome financial and academic barriers to a high-demand occupation.

- |                                 |                                |
|---------------------------------|--------------------------------|
| -Gas vouchers                   | -Tuition assistance            |
| -Career and academic advising   | -Business etiquette training   |
| -Textbook loans or scholarships | -Employment skills enhancement |
| -Educational Supplies           | -Childcare vouchers            |

To participate in the UACCB CPI Program, an individual (regardless of gender or marital status) must meet income guidelines, be a parent or legal guardian of a child\* under the age of 21, AND ONE (1) OF THE FOLLOWING:

- receive SNAP (food stamps), Medicaid, or AR Kids
- receive Transitional Employment Assistance (TEA)\*\*
- have an annual family income below 250% of federal poverty level

*\*The child must live in the home with the parent or guardian who is applying for assistance.*

*\*\*Persons currently receiving TEA assistance will receive expedited enrollment if all eligibility requirements are met.*

For more information, please contact CPI at (870) 612-2060 or visit CPI in the UACCB Main Classroom Building (MCB) Room 236.

## Counseling Services

Counseling Services are available FREE to all students at UACCB. The counseling office will be open Monday-Friday 8:00 am-5:00 pm. If you are suffering with mental health issues like stress, anxiety, depression, please contact Maggie Beshears, LPC. This service can provide other mental health resources. The office number is 870-612-2035, email is [maggie.beshears@uaccb.edu](mailto:maggie.beshears@uaccb.edu). This is a non-crisis line. For immediate assistance, please go to the nearest emergency room, contact 9-1-1, or call the National Suicide Prevention Hotline at 1 (800) 273-8255.

The counseling policies and procedures can be viewed on the UACCB website.

## Career Services

UACCB provides a variety of career services to all students. Services are provided at no cost to the student and are available upon request. Assistance is available in the following areas:

- Career and educational major exploration and research
- Career advising to include creating a resume, job interview preparation, and conducting a job search

- Hosting career fairs, employer workshops, and career learning events
- Hosting a [website for job postings and work study position postings](#)

Please email [careerservices@uaccb.edu](mailto:careerservices@uaccb.edu) for additional information or to schedule an appointment.

## **JAG**

Jobs for Arkansas' Graduates (JAG) is a state-based national non-profit organization dedicated to supporting young people of great promise. The (JAG) Early College Success program connects JAG high school students, students exiting foster care, homeless students, students with disabilities, or students with low-income to postsecondary education and career training. The UACCB JAG Early College Success program is committed to keeping students engaged through college and helping them successfully transition to rewarding and productive careers. This is accomplished through a blend of trauma-informed care with employer engagement and a learning community. The mission of the UACCB JAG Early College Success program is to remove the academic, economic, or personal barriers to postsecondary enrollment and retention. The UACCB JAG Early College Success program strives to help students understand the steps needed to reach educational, career, and life goals by providing information about resources available to help them succeed and encouraging students to take personal responsibility for achieving their goals. In this advising relationship, the student and coach partner to explore interests, skills, and abilities to help the student succeed both in school and on the job, leading to a productive and rewarding career.

To be eligible to participate in UACCB's JAG Early College Success program, students must meet the following criteria:

- Between the ages of 14 and 22, and
- Previously enrolled in a high school JAG program, or
- Are or have been, in foster care, or homeless, or
- Have achieved a GED or alternative education diploma, and
- Are TANF eligible or economically disadvantaged

JAG serves only 30 students a year. For more information, please contact the JAG College Career Coach at (870) 612-2156 or visit the JAG office in the UACCB Main Classroom Building (MCB) Room 233B.

## **Student Development**

Student Development provides assistance with testing services, disability services, ADA compliance and other services listed here.

### **Disability Services**

Disability Services assists in providing equal access for qualified students with disabilities to all curricular and co-curricular opportunities offered by the institution. Specifically, Disability Services works diligently to:

- Ensure that qualified individuals with disabilities receive reasonable and appropriate accommodations so as to have equal access to all institutional programs and services regardless of the type and extent of the disability in compliance with section 504 of the Rehabilitation Act of 1973, as amended; the Americans with Disabilities Act (ADA) of 1990; and the ADA Amendments Act (ADAAA) of 2008
- Inform the campus community of the availability of equipment and technology helpful to those with disabilities
- Define and describe the procedures for obtaining services and accommodations
- Advocate for equal access, accommodations, and respect for students with disabilities within the campus community

Students must meet with the Testing & Disability Services Specialist before accommodations can be arranged. If accommodations are necessary, a Letter of Accommodation will be prepared by the Testing & Disability Services Specialist for students to give their instructors. We encourage students to contact the Testing & Disability Services Specialist as soon as possible each semester to discuss such matters in confidence.

- All services are provided free of cost as part of the student's tuition.
- Students who wish to receive accommodations should request services EACH semester and provide a new Letter of Accommodation to instructors.
- Records are protected by FERPA.
- Requests for records from outside agencies must be submitted in writing and bear the signature of the student in question.
- All requests for records may be subject to a one week waiting period to allow for processing.
- Individuals needing testing accommodations should complete the accommodation request process before taking their college placement test at UACCB.
- Students requesting accommodations that require time to arrange should register with the Testing & 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, texts in alternate formats and audio players. Some accommodations, such as sign language interpreters, may need more than ten days to arrange.
- Students eligible for assistive technology equipment must complete the appropriate checkout 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" or charge being placed on the student's account which may affect future registration and access to grades and transcripts.
- Instructors will provide student accommodations only after they have received a current Faculty Accommodation Letter from the student.
- Students may be asked to show identification (student ID or driver's license) before taking an accommodated exam in the Testing Center.
- Personal belongings (cell phones, purses, book bags, etc.) are not permitted in testing areas. We have lockers you can use.
- 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.
- Should cheating occur, the test will be confiscated and the incident reported immediately to the instructor.

## **Accommodation Request Process**

### **When to Begin the Process**

- Students with disabilities should begin the accommodation process as early as possible. Arranging accommodations can require time so students should register with the Testing and 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 accommodations that take significant time include, but are not limited to, texts in alternate formats and procuring additional technology. Some accommodations, such as sign language interpreters, may need more than ten days to arrange.
- Students may request services at any point during the semester; however, accommodations cannot be used until students have completed the interactive accommodation process with the Testing & Disability Services Specialist, or his or her designee, and accommodations are not retroactive.

### **How to Receive Accommodations and Services**

1. Student meets with the Testing & Disability Services Specialist, or his or her designee, to self-identify and discuss accommodation needs and documentation that might be required (call or e-mail for appointment).
2. Student provides necessary documentation, if needed, of a disability and/or health condition to the Testing & Disability Services Specialist, or his or her designee.
3. Based on the information received in the meeting and the supporting documentation provided the Testing & Disability Services Specialist, or his or her designee, determines appropriate accommodations and completes Faculty Accommodation Letters (FALs).
4. The student meets with the Testing & Disability Services Specialist, or his or her designee, to discuss the FAL and to receive copies of the FAL to give to faculty members.
5. The student delivers the FAL to their faculty members and meets to discuss accommodation needs.
6. Faculty member signs and returns FAL to Testing & Disability Services Specialist, or his or her designee.
7. The student keeps the Testing & Disability Services Specialist, or his or her designee, up-to-date and discusses any request to change or update accommodations; if necessary, new FALs can be issued.

NOTE: A student must request new Faculty Accommodation Letters from the Testing & Disability Services Specialist, or his or her designee, every semester.

## **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 Testing and Disability Services Specialist 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 for students.

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 investigate, 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 (or picked up in person) 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 of Student Affairs 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).

**If you have questions regarding the disability grievance process please contact:**

Director of Student Development at 870-612-2013 or the Testing & Disability Services Specialist at 870-612-2056

### **Recording of Lectures**

Students that are allowed to record lectures as part of the accommodation process should be aware of the requirements that accompany this accommodation.

- Lectures that are recorded as part of an accommodation may not be shared with other people without the consent of the lecturer; this includes, but is not limited to letting another student listen to the lecture, putting the lecture online, giving another student a copy of the lecture, etc.
- Permission to allow the recording is not a transfer of any copyrights in the recording. The recording may not be reproduced or uploaded to publicly accessible web environments.
- Recordings, course materials, and lecture notes may not be exchanged or distributed for commercial purposes, for compensation, or for any other purpose other than individual study.
- Students may be required to sign a form for each faculty member agreeing to use the recordings in a proper and legal manner.

### **Academic Materials in Alternative Formats**

Alternative formats of texts and classroom materials may be an accommodation for students with disabilities. If alternative texts are required students should be aware of the following.

- Students must purchase their own textbooks and provide proof of purchase before receiving the alternative texts requested.
- If students change their schedule after requesting alternative texts they will be required to inform the Testing & Disability Services Specialist.
- Requests for alternative textbooks will be processed in the order they are received by the Testing & Disability Services Specialist.
- Notification to students that items are ready for pick up is made by phone and/or email by the Testing & Disability Services Specialist.
- If assistive technology is needed to use alternative formats, you will need to sign an assistive technology loan agreement.

If alternative formats of classroom materials (handouts, worksheets, etc.) are needed the student should let the faculty member know, unless already stated on the faculty accommodation letter. The faculty member will either make them available or contact the Testing & Disability Services Specialist to discuss their options.

### **Service Animals on Campus**

UACCB intends to provide the broadest possible access to service animals in all of its public areas. UACCB is also committed to ensuring that individuals with disabilities requiring the use of a service animal can fully participate in classes, services, and activities on the UACCB campus.

### **Definitions**

The Department of Justice defines service animals as “dogs that are individually trained to do work or perform tasks for people with disabilities.” The work or tasks must be directly related to the individual’s disability such as guiding a person with impaired vision, alerting a person who is Deaf, deaf, or hard of hearing, pulling a wheelchair, alerting or protecting a person having a seizure, or reminding a person with a mental illness to take a prescribed medication. (Miniature horses *may* be considered a service animal as defined by the U.S. Department of Justice, Civil Rights Division.)

Dogs that are not trained to perform tasks that mitigate the effects of a disability, including dogs that are used purely for emotion support, comfort, therapeutic benefit, or companionship, are not service animals under the ADA.

### **Inquiries Regarding Service Animals**

When it is not obvious what service an animal provides, only limited inquiries are allowed. Staff may ask two questions: *1) Is the dog a service animal required because of a disability? 2) What work or task has the dog been trained to perform?*

Staff cannot ask about the person’s disability, require medical documentation, require a special identification or training documentation, or ask that the dog demonstrate a task.

### **Responsibilities of the Handler**

Service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal’s work or the individual’s disability prevents using these devices. If



this is the case, the individual must maintain control of the animal through voice, signal, or other effective controls. The handler of the service animal is also responsible for:

- Ensuring the animal is clean and in good health including being up-to-date on all immunizations and vaccinations required of service animals by laws and/or current city ordinances.
- Properly disposing of the animal's waste, or if unable to properly dispose of the animal's waste without assistance, coordinating with college staff for the proper disposal of waste
- Any harm or damage that the animal causes to persons or property

### **Exclusions of Service Animals**

A person with a disability may be asked to remove a service animal from the premises if the dog is out of control and the handler does not take effective action to control the dog or the dog is not housebroken; if the animal's behavior, such as barking, is disruptive to the other participants within the facility; or if the animal poses a direct threat to the health and safety of others. The person may choose to attend and participate in activities without the service animal.

### **Testing Services**

The Testing Center is located in the Main Classroom Building (MCB), Room 224 and the phone number is 870-612-2110. The following are the primary tests done in the Testing Center:

- ~~Accuplacer~~ ACCUPLACER placement testing
  - CLEP testing; ~~"in-house"~~ UACCB created test outs (see the catalog for a list of specific exams)
  - Career Readiness Certifications (CRC)
  - LPN and RN entrance testing
  - Make-up exams, online proctored midterms and final exams
  - GED
1. Students will be asked to show a photo identification before taking an exam. We accept: Driver's license, military ID with photo, passport with photo, work or school ID with current photo, national ID with photo, or tribal card with photo.
  2. If you don't have one of the above, the State Revenue Office may provide a state ID.  
Contact: State Revenue Office  
1207 E. Main Street  
Batesville, AR 72501  
870-793-7441
  3. 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.
  4. Should cheating occur, the test will be confiscated and the incident reported immediately to the instructor.

### **Student Development – Other Services**

- The Director of Student Development is the official contact for students receiving Trade Adjustment Act Assistance (TAA) funding. Please call 870-612-2013 for more information.

- If you need Training Verification forms from the Department of Workforce Services completed to verify that you are enrolled at UACCB, either go to the Registrar in Independence Hall Room 100 or contact the Director of Student Development, in the Main Classroom Building, room 232.

## 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, online tutoring academic advisement, transfer counseling, transfer trips, financial aid counseling, informational workshops, cultural experience opportunities, summer scholarship opportunities, mentoring and much more. TRIO SSS is located in the Main Classroom Building, Room 230.

**Mission Statement:** The TRIO Student Support Services Program (SSS) at UACCB empowers first-generation college students, low-income students, and students with disabilities to explore and engage with their educational and personal goals. It offers comprehensive academic and personal support designed to assist with persistence to graduation and career preparation.

To be eligible to participate in TRIO 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 UACCB Disability Services

TRIO SSS serves only 144 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 and Library Services

### Student Success Center

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. Student Success Center is a free tutoring program offered to all UACCB students. Students should sign-in and out while using the Student Success Center services. Appointments or referrals are not necessary to receive tutoring.

1. **Free Tutoring** – The main service provided is tutoring on the individual level. Individual tutoring is provided in courses ranging from developmental to advance. Assistance is even available for on-line classes. Tutoring is also offered remotely by accessing Student Success Center through Microsoft Teams app.

2. **Printed Materials** – The Student Success Center provides students with pamphlets and printout on self-esteem, learning styles, test anxiety, and various other self-help aids. Handouts are also available for math, grammar, writing, chemistry, economics, and science.
3. **Anatomy Models** – Anatomy and Physiology, Biology, and nursing program students have found the Student Success Center human anatomical models to be helpful in their studies. There is a human torso complete with the heart, lungs, liver, kidneys, and reproductive system. A brain, heart, ear, nerve synapse, eyeball, and skeletal system are available to observe in the Student Success Center. Microscopes are available upon request complete with various slides.

Fall and Spring hours of operation are:

7:30 a.m. to 6:00 p.m. Monday through Thursday,

8:00 a.m. to 5:00 p.m. on Friday

Weekend hours are announced each semester

Summer hours of operation are:

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

### **Writing Lab**

The UACCB Writing Lab is open to all UACCB students who need a little extra help with their writing assignments. The Writing Lab is located in the Row Johns Library Building (RJB) in the back right-hand corner. The lab is staffed at designated hours by Ms. Ashley Walker. She can help students with sentence structure, punctuation, organization, research papers, source citation and other writing issues. No appointment is necessary; however, Ms. Walker does have designated hours. The Writing Lab hours for the semester are available in the library.

### **Row Johns Library**

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.

## **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 mailed a copy of the Satisfactory Academic Progress Policy each year and it is also available on the UACCB website. Federal aid is available for students seeking an associate degree or a technical certificate.

## **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 or a technical certificate.
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 \$400 to \$600 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 child 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 twice a month. 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.studentaid.gov](http://www.studentaid.gov). The federal school code for UACCB is 014042.

### **Other Federal Financial Assistance Programs**

#### **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 Academic Advising Office.

## **WORKFORCE INNOVATION OPPORTUNITY ACT (WIOA)**

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 870-793-5233.

## **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:

- Arkansas Academic Challenge Scholarship
- Arkansas Health Education Grant Program
- Arkansas Workforce Challenge
- AR Future Grant
- Career Pathways (UACCB Main Campus Building, Room 236, 870-612-2112)
- Governor's Scholars Program
- Law Enforcement Officers Dependents Scholarship
- Military Dependents Scholarship (formerly MIA/KIA)
- Minority Teacher Scholarship
- Single Parent Scholarship

For applications and information on these programs contact the Arkansas Department of Higher Education at [www.scholarships.adhe.edu](http://www.scholarships.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 rational 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 process 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 makes 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 makes 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.

## **Health and Safety**

### **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 healthcare needs to seek out available area agencies and/or the individual's personal physician.

### **Housing**

No housing facilities are provided by UACCB.

### **Insurance**

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

### **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 Finance and Administration. 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 Finance and Administration 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.uaccb.edu/security.html](http://www.uaccb.edu/security.html). This report is prepared in cooperation with local law enforcement agencies, the Administrative Cabinet, and the Office of the Vice Chancellor for Finance and Administration. 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 Finance and Administration.

### **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 a.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.

### **Campus Tobacco 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. For additional information, refer to the UACCB Policy 235.1.

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. 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.

# Technology

## 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.

## 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 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 Student Affairs (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 verbal warning
- b. **Second offense:** Individual is served a warning ticket, and computer usage

is suspended for one week.

- c. **Third offense:** Individual is served a 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.

## **Campus Communications**

### **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.

### **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 Affairs 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.**

### **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.

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

- selected campus bulletin boards



- placed on tables

### **Posting of Notices**

Posting of notices and bulletins must conform to College standards to prevent damage to campus facilities and for safety purposes. These standards may be adjusted as needed; permission is required by the Chancellor or the Vice Chancellor for Student Affairs.

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.
6. All signs and material must be removed from the campus immediately following the event or within two weeks for non-event type signs.
7. Chalking on sidewalks is permitted. Organizations are responsible for removing the chalking the day following the event.

### **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 Student Affairs. 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.

## **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 Student Affairs 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. The Bandit Burrow Student Center located in the Annex Building Rooms 404-406 provides students a place to gather socially, participate in activities such as ping-pong, foosball, chess or watch television. All student conduct rules apply within the Bandit Burrow and all activities are recorded for safety purposes.

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 Student Affairs for more information. All student organizations must have faculty and/or staff sponsors.

### **Formation of Student Organizations**

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 Student Affairs. 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 Student Affairs 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.

### **Constitution**

The Constitution must contain the following information:

- name of the organization
- purpose of the organization (see clarity points below)
- membership and officer eligibility requirements (see clarity points below)
- 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
- 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.
- In some instances, an organization's governing document will be known as "by-laws" instead of a "constitution" based on existing language.

### **Purpose of Organization**

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 five members normally will be expected.

### **Membership and Officer Eligibility Requirements and Records**

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

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 Student Affairs.
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 Student Affairs.
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 Student Affairs 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.

### **Change or Withdrawal of Student 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 Student Affairs, and an up-to-date copy of the constitution must be on file in the Office of the Vice Chancellor for Student Affairs.

Withdrawal of recognition may be initiated by the Office of the Vice Chancellor for Student Affairs 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 Student Affairs.
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 Student Affairs 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 Student Affairs 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 Student Affairs, subject to appeal to the Chancellor of the College.

Any organization suspended through inactivity may be reactivated by application to Vice Chancellor for Student Affairs 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.

### **Student Organization 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 Student Affairs 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 and Fundraising (Solicitation)**

All registered student organizations are required to keep all organization funds in a UACCB agency account maintained by the College. All funds raised must be deposited into a student organization account which must be set up through the UACCB Business Office. Student organizations have one business day following a fundraising activity to deposit the funds raised into the agency account.

Each registered student organization is allotted \$500 per academic year. Organizations must submit a UACCB Student Organization Activity Expense Approval Request form to either the Vice Chancellor for Student Affairs or the Assistant to the Vice Chancellor for Student Affairs two weeks prior to the proposed event date. If approved, the expense will be taken from the student activities account. If this is a club fundraising activity, the Student Organization Fund-Raising Request Form associated with UACCB On- and Off-Campus Solicitation Procedure 240.0 should be used.

Student organizations who have expended all \$500 allotted for the academic year can request additional funds, up to \$500, through the Vice Chancellor for Student Affairs office in conjunction with either the SGA president or treasurer if funding is available.

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 fundraising events on campus under the following conditions:

1. Student organizations may hold fundraising 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 once per year for each requesting organization.
2. A Student Organization Fundraising Request Form must be completed (this includes receiving all of the appropriate signatures) prior to any fundraising activity being held. This form can be found with UACCB Operating Procedure 240.0 On and Off-Campus Solicitation. 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).
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 fundraising events.

### **Student Organization Directory**

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 Student Affairs. The list below consists of student organizations that currently have an active membership, or a previous active membership.

### **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.

### **CIRCLE K INTERNATIONAL**

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.

### **COSMETOLOGY STUDENT ORGANIZATION**

The purpose and function of this organization shall be to raise funds and educate the public, participate in local charities and provide a means of student engagement for cosmetology students in college activities.

### **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.

### **eSPORTS AND MORE**

The eSports and more allows students to play video games at the competitive level and attend tournaments as well as unite students of similar interests. This includes: video games, trading card games, tabletop games such as Dungeons & Dragons, and anime. This is a free social organization so students and former students can freely express themselves. Students are to come when their studies are finished.

### **FFA ALUMNI**

The purpose of UACCB FFA Alumni is to support and promote the FFA, FFA activities and agricultural education on local, state and national levels; to provide engagement opportunities to former FFA members and supporters of FFA and agricultural education; to promote greater knowledge of the agricultural industry and support education in agriculture; to cooperate with the local FFA chapter, in addition to the state and national FFA associations; to promote and maintain an appreciation of the American free enterprise system, and to promote the personal development aspect of FFA.

### **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.

### **NON-TRADITIONAL STUDENT ORGANIZATION**

The purpose and function of this organization shall be to identify the needs of the non-traditional students and to provide a means by which these needs are addressed.

### **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.

### **UACCB CHORAL SINGERS**

The purpose of this organization is to provide a forum for students and selected community members to share their vocal talents with their peers and community in a professional venue. Students who have taken Choral Singing I or II and have completed the course(s) with a grade of “C” or better shall remain members of the UACCB Choral Singers.

## **Student Rules and Rights**

### **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 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.

### **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**

This section enumerates UACCB's specific policies, the violation of which may subject an individual to disciplinary action. 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 illegal drugs or controlled substances, 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 without 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.
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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 plagiarism to the Vice

Chancellor for Academics. All other issues of misconduct should be reported to the Vice Chancellor for Student Affairs.

### **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 Student Affairs 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 Student Affairs 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 Student

- Affairs 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 Student Affairs 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 Student Affairs 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 Student Affairs 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 Student Affairs 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 Student Affairs 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 Student Affairs 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 Student Affairs 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 Student Affairs a written report of the decision. The Vice Chancellor for Student Affairs 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 Student Affairs. 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 Student Affairs 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 Student Affairs 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/her during a period of potential emotional stress and mental anguish a person not under such pressures who may give him/her 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 Student Affairs in advance of the hearing. Only the student, his/her 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 Student Affairs may extend the time to enable a student to respond to an accusation or prepare a defense.

## **UACCB Title IX Policy for Complaints of Sexual Assault And Other Forms of Sexual Harassment**

### **Notice of Nondiscrimination Under Title IX**

The University of Arkansas Community College at Batesville does not discriminate on the basis of sex in the education programs and activities that it operates and is prohibited from doing so by Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.*, and the U.S. Department of Education's implementing regulations, 34 CFR Part 106. The College's nondiscrimination policy extends to admission, employment, and other programs and activities. Inquiries regarding the application of Title IX and 34 C.F.R. Part 106 may be sent to the College's Title IX Coordinator, the U.S. Department of Education Assistant Secretary for Civil Rights, or both.

### **Jurisdiction and Scope**

Sexual harassment as defined in this policy (including sexual assault) is a form of sex discrimination and is prohibited. Title IX requires the College to promptly and reasonably respond to sexual harassment in the College's education programs and activities, provided that the harassment was perpetrated against a person in the United States. At the time that a formal complaint is filed, the complainant must be participating in (or attempting to participate in) an

education program or activity of the College. An education program or activity includes locations, events, or circumstances over which the College exercised substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution.

This policy applies to allegations and complaints of sexual harassment as defined herein. All other complaints of discrimination or misconduct that do not fall within the jurisdiction of Title IX may be made through other campus procedures.

This policy shall not be construed or applied to restrict academic freedom at the College. Further, it shall not be construed to restrict any rights protected under the First Amendment, the Due Process Clause, or any other constitutional provisions. This policy also does not limit an employee's rights under Title VII of the Civil Rights Act.

### **Reporting**

All complaints or reports about sex discrimination (including sexual harassment) should be submitted to the Title IX Coordinator:

Dr. Anne Austin, Title IX Coordinator  
UACCB Independence Hall 100H  
(870) 612-2058  
[anne.austin@uaccb.edu](mailto:anne.austin@uaccb.edu)

Zach Perrine, Deputy Title IX Coordinator  
UACCB Main Classroom Building 201  
(870) 612-2014  
[zach.perrine@uaccb.edu](mailto:zach.perrine@uaccb.edu)

Julie Johnson, Deputy Title IX Coordinator  
UACCB Annex 408C  
(870) 612-2165  
[julie.johnson@uaccb.edu](mailto:julie.johnson@uaccb.edu)

The mailing address for UACCB is: PO Box 3350, Batesville, AR 72503.

In addition, the U.S. Department of Education, Office of Civil Rights, may be contacted by phone at 800-421-3481 or by email at [ocr@ed.gov](mailto:ocr@ed.gov).

Any person may report sex discrimination, including sexual harassment (whether or not the person is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed above, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

### **Amnesty**

The College encourages reporting of incidents of prohibited conduct and seeks to remove any barriers to reporting. The College recognizes that an individual who has been drinking or using drugs at the time of an incident may be hesitant to make a report because of potential consequences for their own conduct. Individuals who report prohibited conduct or participate as witnesses will not be subject to disciplinary sanctions for personal consumption of alcohol and/or other substances.

The College may initiate an educational discussion with individuals about their alcohol and/or drug use or may direct these individuals to services such as counseling for alcohol and/or



drug use. Amnesty will not be extended for any violations of College policy other than alcohol/drug use. The use of alcohol, drugs, and/or legally prescribed medication does not justify or excuse behavior that constitutes prohibited conduct under this policy.

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

In some instances, sexual harassment may constitute both a violation of this policy and criminal activity. The College's grievance process is not a substitute for instituting legal action. **The College 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 233C  
(870) 307-2421

**Batesville Police Department**  
51 Industrial Dr, Batesville  
(870) 569-8111 or Dispatch (870) 698-2436

**Independence County Sheriff**  
1750 Myers Ave, Batesville  
(870) 793-8838

### **Preserving Evidence**

It is important that evidence of sexual assault be preserved, because it may be needed for prosecuting a criminal case. Victims and others should not alter the scene of an attack. The victim should not change clothes, bathe or shower, drink or eat anything, or brush his or her 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 paper bag and brought along with the victim to a local hospital emergency department that has kits to collect and preserve evidence of sexual assault.

### **Employees' Duty to Report to Title IX Coordinator**

In order to enable the College to respond effectively and to proactively stop instances of sexual harassment, employees must, within 24 hours of receiving information regarding a potential violation of this policy, report information to the Title IX Coordinator. Any employee who fails to promptly report a matter to the Title IX Coordinator may be subjected to disciplinary action for failing to do so. There are two categories of employees who are exempt from this requirement: (1) licensed health-care professionals and other employees who are statutorily prohibited from reporting such information and (2) persons designated by the campus as victim advocates.

### **Off-Campus Conduct**

Conduct that occurs off campus that is the subject of a formal complaint or report will be evaluated to determine whether the matter falls within the College's jurisdiction under Title IX or should be referred to a different department or official within the College.

## **Confidentiality**

Except as compelled by law or as required to conduct a full and fair grievance proceeding in response to a formal complaint, the College will treat the information obtained or produced as part of the Title IX procedures as confidential. The College will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. § 1232g, or FERPA regulations, 34 CFR Part 99, or as required by law, or to carry out the purposes of 34 CFR Part 106, including the conduct of any investigation, hearing, or judicial proceedings arising thereunder.

## **Availability of Counseling and Advocacy**

Counseling and other mental health services for victims of sexual assault are available in the community. Community mental health agencies and counselors and psychotherapists in private practice in the area can provide individual and group therapy. Domestic Violence and Rape Crisis Programs may assist with making referrals for individual counseling and support groups and in identifying non-counseling community resources that may be of additional help and serve as a victim advocate upon request. A list of Community Services is available from TRIO and Career Pathways on campus and on the Disability Services page of the college website.

## **Education and Awareness Programs**

The College's Title IX Coordinator is responsible for planning and coordinating campus education and awareness programs about all forms of sexual harassment. Programs are presented regularly throughout the academic year in New Student Orientation, student 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 Week.

## **Grievance Procedure**

These procedures apply to all grievances regarding conduct that may constitute sexual harassment as defined in this policy (including sexual assault) and that falls within the College's Title IX jurisdiction. All other grievances by students, employees, or third parties shall be addressed through other procedures. The College's Title IX grievance process includes formal and informal procedures that encourage prompt resolution of complaints. In most cases, the complainant's submission of a formal, written complaint to the Title IX Coordinator will initiate the formal grievance process. However, the Title IX Coordinator may also submit a formal complaint under the circumstances described below. The College will respond promptly to all formal complaints of sexual harassment.

## **Basic Requirements**

The College's grievance process shall adhere to the following principles:

- All relevant evidence—including both inculpatory and exculpatory evidence—will be evaluated.

- Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.
- The Title IX Coordinator, investigator, hearing officers, decision-makers on appeal, persons involved with the informal resolution, and any other persons that play a significant role in the Title IX grievance process shall not have a conflict of interest or bias for or against complainants or respondents generally or for or against an individual complainant or respondent.
- The respondent is presumed to not be responsible for the alleged conduct until a determination of responsibility is made at the conclusion of the grievance process.
- The time frames for concluding the grievance process shall be reasonably prompt, as set forth in more detail in the procedures below.
- The grievance process may be temporarily delayed, and limited extensions of time frames may be granted, for good cause. In such instances, written notice to the complainant and the respondent of the delay or extension and the reasons for the action will be provided. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurring law enforcement activity; or the need for language assistance or accommodations of disabilities.
- Questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege will not be required, allowed, relied upon, or otherwise used. The College shall not consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in the capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the College obtains that person's voluntary, written consent to do so for a grievance under this section.
- No party shall be restricted from discussing the allegations under investigation or to gather and present relevant evidence.
- A party whose participation in a hearing, investigative interview, or other meeting shall be provided with a written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

## **Initial Report/Intake Process**

***Initial Meeting with Complainant:*** Promptly upon receiving a report of conduct that could potentially be a violation of Title IX, the Title IX Coordinator (or designee) will contact the complainant to schedule an initial meeting to, as applicable:

- Provide a copy of this policy
- Explain the process for filing a formal complaint and provide a copy of the Sexual Harassment 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
- Explain avenues for resolution, including informal and formal
- Explain the steps involved in an investigation and hearing under this policy
- Discuss confidentiality standards and concerns

- Refer to law enforcement, counseling, medical, academic or other resources, as appropriate
- Discuss, as appropriate, possible supportive measures, which are available with or without the filing of a formal complaint

If the complainant requests that no further action be taken and/or that no formal complaint be pursued, the Title IX Coordinator (and/or his or her designee) will inform the complainant that retaliation is prohibited and that honoring the complainant's request may limit the College's ability to fully respond to the incident. In the event the complainant stands firm on his or her request that no further action be taken, the Title IX Coordinator will evaluate whether to file a complaint under the criteria set forth below.

## **Formal Complaint Process**

***Form and Filing of Complaint:*** The filing of a formal, written complaint initiates the formal grievance process and is available to any person who is participating in (or attempting to participate in) a College educational program or activity. The Title IX Coordinator (or an investigator designated by the Title IX Coordinator) will investigate the allegations in the formal complaint. Formal complaints can be filed in several ways. The complainant may utilize the form provided or may submit the complainant's own document that contains the complainant's signature (either physical or digital) and is filed with the College's Title IX Office by U.S. mail, in person, or by email. The formal complaint should set forth the allegations and request that the Title IX Office investigate the matter.

***Filing by Title IX Coordinator:*** The Title IX Coordinator may initiate the grievance process, even where the complainant declines to file a formal complaint, if the Coordinator determines that the particular circumstances require the College to formally respond to and address the allegations. Circumstances to be considered include, among others, a pattern of alleged misconduct by a respondent and whether the complaint has alleged use of violence, weapons, or other similar conduct. The Title IX Coordinator will also consider the complainant's wishes with respect to supportive measures and desired response by the College. Where a report is made anonymously and the Title IX Coordinator files the complaint, both the complainant and respondent will receive notice of the allegations with written details and identities of the parties if known.

***Consolidation of Formal Complaints:*** The Title IX Coordinator may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

***Dismissal of Complaint Prior to Resolution:*** A formal complaint must be dismissed by the Title IX Coordinator if the alleged conduct (1) does not constitute sexual harassment, as defined in this policy, even if proved; (2) did not occur in the College's education program or activity; or (3) did not occur against a person in the United States. In addition, a complaint may be dismissed if, at any time during the investigation or hearing, a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled or employed by the recipient; or

specific circumstances prevent the gathering of evidence sufficient to reach a determination as to the formal complaint or any allegations therein.

Upon dismissal of a formal complaint, for any reason, the Title IX Coordinator will send simultaneous, written notice of and reason(s) for the dismissal to the parties. The dismissal decision may be appealed pursuant to the procedure for appeals set forth in this policy. Dismissal of a complaint under this Title IX policy does not preclude a complainant from pursuing a grievance through other appropriate campus procedures.

***Notice of Formal Complaint:*** Upon receipt of the formal complaint, the Title IX Coordinator will send simultaneous notifications of the filing of the complaint to the complainant and the respondent (if known). If, in the course of an investigation, the Title IX Coordinator decides to investigate allegations about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator will provide notice of the additional allegations to the parties whose identities are known. The initial notice will contain the following:

- The allegations of the complaint that potentially constitute sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview (including the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment under this policy, and the date and location of the alleged incident, if known)
- A copy of the Title IX policy
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process
- A statement informing the parties that they have a right to have one advisor of their choice to assist them throughout the proceedings who may be (but is not required to be) an attorney
- A statement that the parties have the right to inspect and review all evidence collected during the complaint process
- A statement that any party who knowingly makes false statements or submits false information during the grievance process will be subject to disciplinary procedures

***Initial Meeting with Respondent:*** If a formal complaint is filed, the Title IX Coordinator will promptly schedule an initial meeting with the respondent after the written notice of the formal complaint is sent as described above. Prior to the initial meeting, the Title IX Coordinator shall provide a written notice of the date, time, location, participants, and purpose of the meeting, with sufficient time for the party to prepare to participate. During the initial meeting with the respondent, the Title IX Coordinator (or designee) will, as applicable:

- Provide a copy of this policy (if not previously provided)
- Explain avenues for resolution, including informal and formal
- Explain the steps involved in an investigation and hearing under this policy
- Discuss confidentiality standards and concerns
- Discuss non-retaliation requirements
- Inform of any supportive measures already determined and being provided to the complainant that would directly affect the respondent
- Refer to law enforcement, counseling, medical, academic or other resources, as appropriate
- Discuss, as appropriate, possible supportive measures that can be provided to the respondent

**Right to Advisor:** Both parties will be advised that they may be accompanied by one advisor/support person to assist them throughout the Title IX process, which can be (but is not required to be) an attorney. The advisor is not allowed to speak or otherwise actively participate during the pre-hearing interviews or meetings. It is the party's responsibility to obtain the services of an advisor, except that the College will make an advisor available to the parties during the hearing to determine responsibility upon request. A party who wants the College to provide an advisor for the determination hearing should make a request within 15 days after the party's filing or receipt of the formal complaint. The advisor's role at the hearing is further explained below.

**Emergency Removal:** If, after the Behavioral Intervention Team undertakes a safety and risk analysis, the College determines that the respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment, it may remove the respondent from the College's programs or activities. In such instances, the respondent will be provided with a written notice of the reasons for the removal. Within 5 days of receiving the notice, the respondent may challenge the decision by requesting a meeting with the Chancellor.

**Administrative leave:** Nothing in this policy precludes the College from placing a non-student employee respondent on administrative leave during the pendency of the grievance process.

**Supportive Measures:** Supportive measures, as defined in this policy, will be based on the facts and circumstances of each situation. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. They may include, but are not limited to, the following:

- Counseling
- Extensions of deadlines or other course-related adjustments
- Modifications of work or class schedules
- Campus escort services
- Mutual restrictions on contact between the parties
- Changes in working or housing locations
- Leaves of absence
- Increased security and monitoring of certain areas of the campus

The College will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures.

**Informal Resolution:** At any time after a formal written complaint is filed but prior to reaching a determination regarding responsibility, the College may facilitate a resolution without a full investigation and adjudication. The complainant and respondent must give their voluntary, written consent to the informal resolution process. The informal resolution process will not be utilized to resolve allegations that an employee sexually harassed a student.

Prior to commencing the informal resolution process, the Title IX Coordinator or designee must provide the parties a written notice that includes the following information:

- Notice of the allegations contained in the formal complaint, including dates, location(s), and identities of the parties

- Any agreed upon resolution reached at the conclusion of the informal complaint process will preclude the parties from resuming a formal complaint arising from the same allegations
- At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint
- Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared

### **Comprehensive Investigation**

If resolution of the allegations does not proceed through the informal process, the matter will proceed with a comprehensive investigation and resolution through the formal complaint processes. The Title IX Coordinator will be responsible for overseeing the prompt, equitable, and impartial investigation during the formal complaint process. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility shall rest on the College and not the parties.

**Assignment of Investigator:** If the Title IX Coordinator's designee is to conduct the investigation, the Title IX Coordinator will forward the complaint to the investigator and share the investigator's name and contact information with the complainant and the respondent.

**Conflicts of Interest and Bias:** Immediately after the identity of the person who will conduct the investigation is determined and communicated to the parties, the investigator, the complainant, or the respondent may identify to the Title IX Coordinator in writing any real or perceived conflicts of interest or bias that the person charged with conducting the investigation (including the Title IX coordinator, where applicable) may have. 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 or bias exists.

**Overview of Investigation:** Upon receipt of the formal complaint, the Title IX Coordinator/Investigator (hereinafter "Investigator") will promptly begin the investigation, which shall include but is not limited to the following:

- Conducting interviews with the complainant, the respondent, and any witnesses (including expert witnesses, where applicable) and summarizing such interviews in written form
- Visiting, inspecting, and taking photographs at relevant sites
- Where applicable, collecting and preserving relevant evidence (in cases of corresponding criminal reports, this step may be coordinated with law enforcement agencies)
- Obtaining any relevant medical records pertaining to treatment of the complainant, provided that the complainant has voluntarily authorized release of the records in writing to the investigator

**Inspection and Access to Evidence:** The parties may identify to the Investigator any evidence or witnesses they wish to be included as part of the investigation. Both parties will also have equal opportunity to inspect and review any evidence obtained during the investigation. The Investigator will complete the gathering of evidence as soon as practicable, which will ordinarily occur within approximately 30 days after the filing of the formal complaint.

After the gathering of evidence has been completed but prior to completion of the investigative report, the Investigator will provide to each party and party's advisor, if any, any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence (whether obtained from a party or other source), so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. The evidence will be provided in an electronic format or a hard copy. The parties will have 10 calendar days to submit a written response to the evidence, which will be considered by the Investigator prior to completion of the investigative report. The evidence will be made available for the parties to use at the hearing to determine responsibility.

***Investigative Report:*** The investigative report shall fairly summarize the relevant evidence and must include the following items and information that is relevant to the allegations in the formal complaint:

- The dates of the Title IX Coordinator's initial receipt of a report of alleged sexual harassment against the complainant, intake meeting, and the filing of the formal complaint
- A statement of the allegation(s), a description of the incident(s), the date(s) and time(s) (if known), and location of the alleged incident(s)
- The names of all known witnesses to the alleged incident(s)
- The dates that the complainant, respondent, and other witnesses were interviewed, along with summaries of the interviews
- Descriptions or summaries of any physical or documentary evidence that was obtained (e.g., text messages, emails, surveillance video footage, photographs)
- Any written statements of the complainant, respondent, or other witnesses
- The response of College personnel and, if applicable, College-level officials, including any supportive measures taken with respect to the complainant and respondent

The Investigator shall provide a draft of the investigative report to the Title IX Coordinator for review before the report becomes final. An electronic or hard-copy version of the final investigative report will be provided to each party (and each party's advisor) concurrently. The investigative report shall be provided as soon as practicable after the parties have submitted their written responses to the evidence (if any) and at least 10 calendar days prior to the determination hearing. The parties may provide a written response to the investigative report within 5 calendar days after receiving it.

### **Determination Hearing**

Following the conclusion and distribution of the investigative report, a hearing will be conducted to determine the outcome and resolution of the complaint. The parties and their advisors, if any, will be notified by the Hearing Officer or Title IX Coordinator of the date, time and location of the hearing, as set forth in the notice provisions below.

***Hearing Officer:*** Within 3 days of the release of the investigative report to the parties, the Chancellor or his/her designee will appoint a single Hearing Officer, who may be (but is not required to be) an outside person not permanently employed by the College. The Title IX Coordinator will provide a copy of the formal complaint and the investigative report, along with the parties' written responses to the investigative report, to the Hearing Officer.

Promptly after the appointment of the Hearing Officer, the Title IX Coordinator will provide concurrent written notice to the complainant and the respondent, setting forth the name of the



individual selected to serve as the Hearing Officer. The parties may challenge the participation of any decision-maker based on bias or a conflict of interest by submitting a written objection to the Chancellor or his/her designee within 3 calendar days of receipt of the notice. 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 select a new Hearing Officer. Failure to submit a timely and proper objection will constitute a waiver of the objection. Any changes in the Hearing Officer will be provided in writing to both parties prior to the date of the hearing.

***Submission of Witnesses Lists:*** Within 5 calendar days of receipt of the notice of the Hearing Officer, both parties may provide to the Hearing Officer a list of witnesses, if any, that they propose be called to testify and a brief description of each proposed witness's connection to and/or knowledge of the issues in dispute. Absent good cause, a party cannot include a witness on the party's pre-hearing witness list unless the witness was identified during the investigation. The Hearing Officer reserves the right to call relevant witnesses who may not have been included on a party's witness list.

***Notice of the Hearing:*** Not less than 5 days but not more than 10 days after delivery of the notice of the Hearing Officer's identity, the Hearing Officer will provide a separate notice to the complainant, respondent, and any other witnesses whose testimony the Hearing Officer deems relevant, requesting such individuals to appear at the hearing to determine responsibility. The notice should set forth the date, time, and location for the individual's requested presence. The Hearing Officer shall provide, in its notice to the parties, the names of the witnesses that the Hearing Officer plans to call. The hearing shall be conducted promptly but no sooner than 10 calendar days after release of the investigative report.

***Failure to Appear:*** If any party fails to appear at the hearing if requested to do so, and such party was provided notice of the hearing as set forth above, then absent extenuating circumstances, the Hearing Officer will proceed to determine the resolution of the complaint. As explained below, if a party fails to appear, it is unlikely that the Hearing Officer will consider the non-appearing party's version of events based on another source, such as the formal complaint or a prior statement.

***Option for Virtual or Separate Presence:*** Live hearings may be conducted with either all parties present in the same geographic location or, at the College's discretion, any or all parties and witnesses may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other. Either party may request not to be in the same room as the other party. If any party makes such a request, then both parties will be required to attend the hearing from a location or room different from where the Hearing Officer is sitting. If the hearing is virtual, or there is a request for separate rooms at a physical location, the College will ensure that all participants are able to simultaneously see and hear the party or witness answering questions. Instructions will be provided for accessibility prior to the hearing date.

***Recordings:*** An audio or audio-visual recording will be created of the live hearing and will be made available for inspection and review at any party's request.

***Advisor's Role at Hearing:*** The complainant and respondent may be accompanied by an advisor during the hearing to determine responsibility. A party must identify his or her advisor (if any) at least 5 days prior to the hearing. The advisor's role at the hearing shall consist of (1) providing private advice to the party he/she is supporting and (2) questioning the opposing party

and other witnesses. The advisor can be anyone, including an attorney. A party may arrange for the party's advisor of choice to attend the hearing at the party's own expense. Alternatively, the College will select and provide an advisor to assist a party at the hearing to determine responsibility, without fee or charge, upon request. In either scenario, the advisor may only participate in the hearing to the extent allowed under this policy. A party who wants an advisor to be provided by the College should notify the Title IX Coordinator at least 15 days after the filing or receipt of the formal complaint.

***Evidentiary Matters and Procedure:*** The parties, through their advisors, shall have an equal opportunity to question the opposing party and other witnesses, including fact and expert witnesses, and present other inculpatory or exculpatory evidence. Formal rules of evidence will not be observed during the hearing. The Hearing Officer will conduct the initial questioning of witnesses prior to the questioning by an advisor. The Hearing Officer will make all determinations regarding the order of witnesses, relevancy of questions, and the evidence to be considered or excluded during the hearing and decision-making process. The Hearing Officer may, in its discretion, choose to call the Investigator for the purpose of providing an overview of the investigation and findings.

***Witness Examinations by the Parties:*** Each party's advisor is permitted to question the opposing party and the other witnesses, so long as the questions are relevant and not duplicative of the questions posed by the Hearing Officer. The questions may include challenges to credibility. No other questioning or speaking participation by an advisor will be allowed. A party may not examine a party or witness directly; rather, a party must utilize the services of an advisor for the purpose of posing questions to another party or witness. A party not represented by an advisor may, however, submit a list of proposed questions to the Hearing Officer and ask that the questions be posed to the opposing party or witness.

The Hearing Officer will make determinations regarding relevancy of questions before a party or witness answers. If a determination is made to exclude the question based on relevancy, the Hearing Officer will provide an explanation of why the question was deemed irrelevant and excluded.

The Hearing Officer may disallow the attendance of any advisor if, in the discretion of the Hearing Officer, such person's presence becomes disruptive or obstructive to the hearing or otherwise warrants removal. Advisors will not be permitted to badger or question the opposing party or any witness in an abusive or threatening manner. Absent accommodation for a disability, the parties may not be accompanied by any other individual during the hearing process except as set forth in this policy. College officials may seek advice from the College's Office of General Counsel on questions of law, policy, and procedure at any time during the process.

***Prior Sexual Conduct:*** Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

***Refusal to submit to cross examination:*** If a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that

the decision-maker(s) cannot draw an inference about the determination of responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

***Confidentiality and Disclosure.*** 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 grievance process is not open to the general public. Accordingly, documents prepared in anticipation of the hearing (including the formal complaint, investigative report, evidentiary materials, notices, and prehearing submissions), recordings of the hearing, and documents, testimony, or other information used at the hearing may not be disclosed outside of the hearing proceedings, except as may be required or authorized by law.

***Decision of the Hearing Officer and Standard of Evidence:*** Following the conclusion of the hearing, the Hearing Officer will determine whether the evidence 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. This standard applies to complaints against both students and employees. In reaching the determination, the Hearing Officer will objectively and thoroughly evaluate all relevant evidence, both inculpatory and exculpatory, and reach an independent decision, without deference to the investigative report.

***Written Determination of Responsibility:*** As soon as practicable following the hearing (and ordinarily within 10 days thereafter), the Hearing Officer shall complete a report of the decision-maker's findings. The Hearing Officer will send simultaneous notification of the decision to both parties and their advisors, where applicable, with the following information:

- Identification of the allegations potentially constituting sexual harassment under the policy
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence and the hearing held
- Findings of fact that support the determination
- Conclusions regarding the application of the College's conduct standards to the facts
- A statement and rationale for the result as to each allegation, including a determination as to responsibility using the preponderance of the evidence standard
- Any disciplinary sanctions imposed on respondent
- Whether any remedies designed to restore or preserve equal access to the College's education program or activity will be provided to the complainant (description of remedies is not included)
- Procedures and permissible bases for the parties to appeal

***Sanctions:*** If the Hearing Officer determines that more likely than not the respondent committed a violation of this policy, then the Hearing Officer will determine 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. 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. The range of potential sanctions is set forth in the definitions section of this policy.

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 College

community, the Hearing Officer may recommend to the decision-maker on appeal that any sanctions be imposed immediately and continue in effect until such time as the appeal process is exhausted.

**Remedies:** Where a determination is made that the respondent was responsible for sexual harassment, the Hearing Officer will determine any final remedies to be provided to the complainant, if any, and the Title IX Coordinator will communicate such decision to the complainant and the respondent to the extent that it affects him/her. Remedies must be provided in all instances in which a determination of responsibility for sexual harassment has been made against the respondent. Remedies must be designed to restore or preserve equal access to the College's education program or activity. Such remedies may include the same individualized services described above as "supportive measures"; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

**No Retaliation:** The Title IX Coordinator will take steps to prevent any harassment of or retaliation against the complainant, the respondent, 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, and providing training for the campus community.

## **Appeals**

**Procedure for Appeals:** Both the complainant and the respondent may appeal from (1) the Title IX Coordinator's dismissal of a formal complaint or any allegations therein or (2) the Hearing Officer's determination. The appeal should be submitted in writing to the Title IX Coordinator within 5 days of receipt of the decision. The Title IX Coordinator will forward the appeal to the Chancellor. The appeal will be decided based on the written record and without deference to the decision of the Hearing Officer.

Regardless of whether the respondent is a student or employee, the appeal will be decided by the Chancellor or his/her designee. The Chancellor or designee shall make any decisions concerning appellate jurisdiction under the permissible grounds for appeal described below.

The party appealing may use the Appeal Form or the party may submit his/her own written and signed document. 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.

**Grounds for Appeal:** The appeal from the decision of the Hearing Officer must be for one of the following reasons: (1) a procedural irregularity that affected the outcome of the decision; (2) there is new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made and that could affect the outcome of the matter; or (3) the Title IX Coordinator, Investigator(s), or the Hearing Officer had a conflict of interest or bias for or against complainants or respondents in general or against an individual complainant or respondent that affected the outcome.

**Responses:** Within 5 days of receipt of the appeal, the other party may submit a written statement in response to the appeal and which supports or challenges the dismissal or determination. The response should be submitted to the Title IX Coordinator, who shall provide a copy to the decision-maker and the appealing party.

***Decision on Appeal:*** As soon as practicable after receiving the parties' written submissions (and ordinarily within approximately 10 days), the Chancellor (or designee) will issue a written decision describing the result of the appeal and the rationale for the result. The decision on appeal may uphold the decision, modify it, or remand for further factual development. The decision-maker on appeal will concurrently notify the complainant and the respondent of the decision, with a written copy provided to the Title IX Coordinator.

***Employees:*** All non-tenure track faculty and staff members of the College without term contracts 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 the College or be construed to prevent or delay the College from taking any disciplinary action deemed appropriate (including suspension and immediate termination of employment) for any violation of state law, federal law or College policy.

### **Time Periods**

The College 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.

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.

The Title IX Coordinator may also modify timelines in cases where information is not clear, judged to be incomplete, relevant parties are not available for interview, absence of an advisor, concurrent law enforcement activity, the need for language assistance or disability accommodation and/or other circumstances that may arise.

### **Retaliation Prohibited**

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, 34 C.F.R. Part 106, or this policy, or because an individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this part. Intimidation, threats, coercion, or discrimination, including changes against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sex discrimination or harassment, for the purpose of interfering with any right or privilege secured by Title IX, 34 C.F.R. Part 106, or this policy, constitutes retaliation. However, the exercise of rights protected under the First Amendment does not constitute retaliation.

### **False Reports**

Willfully making a false report of sexual harassment or submitting false information during these proceedings is a violation of College policy and is a serious offense. However, a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith. 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.

### **External Reporting Agencies**

Although complainants are encouraged to resolve their grievances related to discrimination by utilizing this Complaint/Grievance Procedure, they may have the right to file a complaint directly with the following agencies. Individuals who wish to file complaints with these external agencies should make contact as soon as possible and verify any applicable time limits and deadlines.

#### **Office of Civil Rights (OCR)**

U.S. Department of Education  
1999 Bryan St., Suite 1620  
Dallas, TX 75201-6810  
Toll Free: 1-800-421-3481  
Telephone: 214-661-9600  
Fax: 214-661-9587  
Email: [OCR.Dallas@ed.gov](mailto:OCR.Dallas@ed.gov)

#### **NSF Grantees Only**

National Science Foundation  
Office of Diversity and Inclusion  
2415 Eisenhower Ave.  
Alexandria, VA 22314  
Telephone: 703-292-8020  
Fax: 703-292-9072  
Email: [programcomplaints@nsf.gov](mailto:programcomplaints@nsf.gov)

### **Effective Date**

The College reserves the right to make changes and amendments to this Policy as needed, with appropriate notice to the campus 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.

### **Retention of Records**

For a period of at least seven years, the College will maintain the records of:

- Each sexual harassment investigation, including any determination regarding responsibility, any recordings or transcripts, disciplinary sanctions, and remedies provided to the complainant
- Any appeal and the result therefrom
- Any informal resolution and the result therefrom
- All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. These materials will be made publicly available on the College's website.
- Records of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, along with documentation of the College's bases for its conclusion that its response was not deliberately indifferent.

Documentation pertaining to terminations, expulsions or educational sanctions may be retained indefinitely.

### **Definitions**

**Complainant:** Any individual who is alleged to be the victim of conduct that could constitute sexual harassment. At the time of the filing of a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the recipient with which the formal complaint is filed. Any person may report sex discrimination, including

harassment, whether or not the person reporting is the person alleged to be the victim of discrimination or harassment.

**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, if those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity. If coercion, intimidation, threats, or physical force are used, there is no consent.

If a person is mentally or physically incapacitated so that the person cannot understand the fact, nature, or extent of the sexual situation, there is no consent. Incapacitation can be due to alcohol or drugs or being asleep or unconscious. This policy also covers incapacity due to mental disability, involuntary physical restraint, or from the taking of rape drugs. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Brundage, 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/>

Use of alcohol or other drugs will never function as a defense to a violation of this policy. An individual violates this policy if the individual initiates and engages in sexual activity with someone who is incapacitated, and (1) the individual knew the other person was incapacitated, or (2) a sober reasonable person under similar circumstances as the person initiating the sexual activity would have known the other person was incapacitated.

There is also no consent when there is force, expressed or implied, or use of duress or deception upon the victim. Whether an individual has taken advantage of a position of influence over an alleged victim may be a factor in determining consent.

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.

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.

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).

Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity. In addition, previous relationships or prior consent cannot imply consent to future sexual acts.

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

**Days:** Refers to working days, rather than calendar days, unless otherwise specified.

**Domestic Violence:** The term includes felony or misdemeanor crimes of violence committed by a current spouse or intimate partner of the victim, by a person with whom the victim shares

a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Arkansas, or by any other person against an adult or youth victim who is protected from that person's acts under the laws of Arkansas. Under the Arkansas law on domestic abuse, "family or household members" means spouses, former spouses, parents and children, persons related by blood within the fourth degree of consanguinity, in-laws, any children residing in the household, persons who presently or in the past have resided or cohabitated 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.

***Education Program or Activity:*** Includes locations, events, or circumstances over which the College exercised substantial control over both the respondent and the context in which the sexual harassment occurred, and also includes any building owned or controlled by an officially recognized student organization.

***Formal Complaint:*** A document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the recipient investigate the allegation of sexual harassment. The phrase "document filed by a complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the College) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.

***Party:*** The complainant or respondent.

***Preponderance of the Evidence:*** A standard of proof where the conclusion is based on facts that are more likely true than not.

***Respondent:*** An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

***Sanctions:*** The determination of sanctions to be imposed against a respondent who is found to have been responsible for violating this policy will depend upon the nature and gravity of the misconduct, any record of prior discipline for a violation of this Policy, or both. Sanctions against students may include, without limitation, expulsion or suspension from the College, disciplinary probation, expulsion from campus housing, mandated counseling, and/or educational sanctions. Sanctions against employees and other non-students may include, without limitation, a written reprimand, disciplinary probation, suspension, termination, demotion, reassignment, revision of job duties, reduction in pay, exclusion from campus or particular activities, and/or educational sanctions deemed appropriate.

***Sexual Assault:*** The term "sexual assault" means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. A nonforcible sex offense includes incest (*i.e.*, the nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law) and statutory rape (*i.e.*, nonforcible sexual intercourse with a person who is under the statutory age of consent). A forcible sex offense is any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent. A forcible sex offense includes:



- **Forcible rape:** the penetration, no matter how slight, of the vagina or anus with any part of the body or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Forcible sodomy:** Oral or sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against that person's will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity;
- **Sexual assault with an object:** Using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against that person's will in instances where the victim is incapable of giving consent because of his/her youth or because his/her temporary or permanent or physical incapacity.
- **Forcible fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or against that person's will in instances where the victim is incapable of giving consent because of his/her youth or because his/her temporary or permanent or physical incapacity.

**Sexual Harassment:** Sexual harassment is conduct on the basis of sex constituting one of the following:

- (1) An employee of the College conditioning the provision of an aid, benefit, or service of the institution on an individual's participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the College's educational programs or activities; or
- (3) Any of the following:
  - (A) "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v) and this policy
  - (B) "Dating violence" as defined in 34 U.S.C. 12291(a)(10) and this policy
  - (C) "Domestic violence" as defined in 34 U.S.C. 12291(a)(8) and this policy
  - (D) "Stalking" as defined in 34 U.S.C. 12291(a)(30) and this policy

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

**Supportive Measures:** Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without a fee or charge to the complainant or respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the College's educational environment or deter sexual harassment.

## 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 Student Affairs 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.

## **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 Testing & 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 Student Affairs.

### **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.