

UNIVERSITY OF ARKANSAS
RICH MOUNTAIN



2019

**Jeanne Clery Disclosure of Campus
Security Policy and Campus Crime
Statistics**

(Statistics for 2016, 2017 & 2018)

**Prepared by the Department of Student Affairs
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Introduction

On November 8, 1990, President Bush signed the “Student Right to Know and Campus Security Act of 1990.” The Act applies to every institution of higher education that receives federal financial aid. Title II of the Act was called the “Campus Crime Awareness and Campus Security Act of 1990.” It requires institutions of higher education to distribute to all current students and employees, and applicants for enrollment or employment, two types of information: (1) description of policies related to campus security, and (2) statistics concerning specific types of crimes. Amendments enacted in 1998 renamed Title II, and it is now known as the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.” The amendments require the disclosure of crimes that are reported to police and campus official other than police, along with a breakdown of locations of criminal activity to be specified as on-campus, non-campus, residence hall or public property.

Campus Security Policies

The safety and security of UA Rich Mountain students is a major concern of the staff and administration. To help students become more security conscious and to assume more responsibility for their own safety both on and off campus, a special safety information section has been established in the Johnson Learning Commons, Abernathy Bldg., and Maddox Bldg., compliments of SSS and SGA. This section contains pamphlets on how to stay safe, drug and alcohol abuse, sexual harassment, sexual assault, and other topics pertaining to the students’ well-being. UA Rich Mountain provides training and education on Emergency Notification at the beginning of each semester to all faculty and staff. In addition, Emergency Notification

procedures are covered to all new students during the College Student Success course required for all new students.

Daily Crime Log

The UA Rich Mountain Campus Security Office maintains a log of all alleged crimes and incidents reported to the Campus Security Office. The log is available for viewing upon request at the UA Rich Mountain Security Office located Spencer Hall during regular business hours.

Staff Assistance

UA Rich Mountain staff and administrators are always available to assist students to notify authorities if the need arises.

Campus Security

UA Rich Mountain buildings are opened by maintenance personnel each morning prior to the first scheduled class and are locked at the end of the last scheduled class each evening Monday through Friday. In the case of off schedule activities, the building being used will be unlocked prior to the start of the activity and locked when the activity is finished. The exterior of the campus, including student parking, is well lit and provides excellent visibility of the campus from all buildings. Due to the size and design of the UA Rich Mountain campus, a law enforcement officer from the Polk County Sheriff's Office is housed on-campus at the Mena campus while campus is open for day and evening classes as well as scheduled events. UA Rich Mountain has off site placements for each county. In addition, UA Rich Mountain works closely with the Scott County and Montgomery County Sheriff's department to maintain a physical presence at the site locations in Waldron and Mt. Ida, Arkansas. The maintenance personnel keep

a watchful eye on the campus exterior as well as inside the buildings. A close relationship is maintained with the Polk County Sheriff's Office.

<http://www.uarichmountain.edu/university-police>

Sexual Harassment Policy

Harassment on the basis of sex is illegal and a violation of Title VII of the Civil Rights Act of 1964, as amended. This policy defines sexual harassment and establishes a procedure whereby alleged sexually harassed faculty, staff, and students may lodge a complaint immediately and confidentially. UA Rich Mountain is committed to the maintenance of a working and academic environment free from all forms of sexual harassment. Sexual harassment is a violation of college policy as well as state and federal law and is neither permitted nor condoned. It is also a violation of UA Rich Mountain's policy against sexual harassment for any employee or student to attempt in any way to retaliate against a person who makes a claim of sexual harassment. Any individual found to have violated the college's policy against sexual harassment will be subject to appropriate disciplinary action including, but not limited to, reprimand, suspension, termination, or expulsion. Any disciplinary action taken will depend upon the severity of the offense. Definition Sexual harassment is defined as unwelcome sexual advance, request for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to, or toleration of, such conduct on or off campus is made a term or condition of instruction, employment, or participation in college activities.
- Submission to, or rejection of, such conduct by an individual is used as a basis for evaluation in making employment or academic decisions affecting the individual.

- Such conduct has the purpose or effect of unreasonable interfering with an individual's academic or employment performance or creating an intimidating, hostile, or offensive college environment.

Procedures

Students or employees who believe that they have been sexually harassed should first seek an informal resolution of this problem as outlined below. If that is not effective, such individuals then should pursue formal resolution of their complaint. All complaints must be made within (30) days of the occurrence of the alleged harassment.

Informal Resolution

Employees who believe that they have been subjected to sexual harassment should report the problem promptly to their immediate supervisor or to a departmental supervisor higher up in the chain of command. Students who believe that they have been subjected to sexual harassment should report the problem promptly to the Vice Chancellor for Student Affairs. The person to whom the complaint is made shall promptly begin an impartial consideration of the complaint and make a thorough investigation. If a mutually agreeable answer or settlement has not been obtained within fourteen (14) calendar days from the date of the complaint, the complainant may initiate the formal complaint procedure. During all informal attempts to resolve a problem, to the extent practicable, efforts will be made to keep the identity of the complainant confidential.

Formal Complaint Resolution

If a problem cannot be resolved through informal attempts at conciliation and the complainant wishes to pursue the matter further, he/she must file a formal written complaint with the Vice Chancellor for Student Affairs. All formal complaints will be given a full, impartial and timely investigation. During such investigations, while every effort will be made to protect the privacy rights of all parties, confidentiality cannot be guaranteed.

Sanction

If investigation of a reported occurrence of sexual harassment reveals that the complaint is without reasonable foundation; both parties will be so informed and will also be informed that no further action is warranted. If, however, an individual is found to have violated the College's policy against sexual harassment, the investigation body will recommend disciplinary action appropriate to the severity of the offense, including, but not limited to, reprimand, suspension, reassignment of responsibilities, termination of employment, or expulsion from the college.

Sexual Assault Policy

It is the policy of UA Rich Mountain to prohibit sexual assault and to prevent sex offenses committed against students, employees, visitors to the campus, and other persons who use College facilities. Sexual assault is an extreme form of sexual harassment. Sexual harassment is prohibited by college policy and is a form of sex discrimination prohibited by Title VII of the Civil Rights Act of 1964 and by Title IX of the Education Amendments of 1972. Sexual assault is also a crime, defined by the Arkansas criminal code. Definitions Sexual assault may include any involuntary sexual act in which a person is threatened, coerced, or forced to engage in against his/her will. Sexual assault may be committed by a stranger or by an acquaintance. Acts

defined as sexual assault include rape, date rape, acquaintance rape, and gang rape, but may also include sexual touching of another person against his/her will and forcing an unwilling person to touch another person sexually. Sexual assault occurs when such acts are committed by force, threat, or intimidation, or through the use of the victim's mental or physical helplessness, of which the assailant was aware or should have been aware.

Responsibility to Report

Any student, faculty member, staff member, administrator, or visitor to the campus who has experienced or witnessed sexual assault should report the assault immediately to the city police. It may be reported to the Polk County Sheriff's Department if the assault occurred outside the city limits but within the county.

Preserving Evidence

It is important that evidence of sexual assault be preserved since it may be necessary as proof in a criminal case. Victims and others should not alter the scene of the attack. The victim should not change clothes or take a bath before calling the police. The victim should be taken to a local hospital that has kits to collect and preserve evidence of rape and sexual assault. An extra set of clothing should be taken along to the hospital. Mena Medical Center Emergency Room is equipped to handle such emergencies.

Availability of Counseling

School officials will help victims of sexual assault in obtaining counseling on campus or with referrals to local agencies who provide these services. UA Rich Mountain has established a

partnership with Healthy Connections and Western Arkansas Guidance and Counseling to provide counseling services to UA Rich Mountain students based on referral for a nominal fee.

Reference Materials

Informational booklets are provided free of charge by the Student Government Association and Student Support Services. These booklets may be found outside the Student Support Services office in the Abernathy Building and in the Maddox Building.

Disciplinary Actions

Sex offenses will be turned over to the appropriate local authorities where both the accused and the accuser will be informed of the rights guaranteed them by law. Students found guilty of sex offenses will be subject to immediate dismissal from UA Rich Mountain. Both the convicted student and the victim will be informed of the disciplinary measures taken. UA Rich Mountain will work with victims to alter academic situations to the best of its ability if the victim requests changes and requested options are reasonably available.

Missing Person

The University of Arkansas at Rich Mountain is currently in the process of establishing permanent on-campus housing beginning in the fall of 2020. Limited temporary housing for international or out-of-state students was established beginning fall 2019. If a member of the University community has reason to believe that a student is missing, he or she should immediately notify UA Rich Mountain Campus Security located in Spencer Hall or by calling 479-394-7622 ext. 1700. They will generate a missing person report and initiate an investigation, and if the person is determined to be missing, will initiate the required notifications as per Federal Law.

- Emergency: 911
- Non-Emergency: 394-7622 ext. 1700
- Website: <http://www.uarichmountain.edu/university-police>

Drug and Alcohol Abuse Prevention Program

The policy of UA Rich Mountain regarding drugs and alcohol clearly establishes that use, possession, or sale of drugs and/or alcohol on campus premises or at any function funded by or associated with UA Rich Mountain will not be tolerated. UA Rich Mountain has implemented the following drug prevention steps:

- All entering freshman will be given substance abuse materials during orientation.
- A substance abuse informational section will be maintained in the Student Support Services office inside the Johnson Learning Commons and in the Student Union in the Maddox building.
- UA Rich Mountain has established a partnership with Healthy Connections and Western Arkansas Guidance and Counseling to provide counseling services to UA-Rich Mountain students based on referral for a nominal fee. Referrals are made to provide substance abuse counseling when necessary.
- Instructors will incorporate substance abuse material into their classes when appropriate.
See also the Federal Student Aid page for additional information on drug convictions and

the possible impact on federal student aid. Students must pledge to remain drug-free or risk losing Arkansas Department of Higher Education funding such as the Arkansas Academic Scholarship. <https://studentaid.ed.gov/sa/eligibility/criminal-convictions>

- Interested parties will find the institution's Drug-Free Workplace Policy in the staff handbook.

Drug-Free Workplace Statement

It is unlawful for employees of UA Rich Mountain to manufacture, distribute, dispense, possess, or use a controlled substance on the premises of the institution. Any employee must notify the Chancellor in writing of any criminal drug statute conviction for a violation occurring on the premises no later than five (5) calendar days after such conviction. Within thirty (30) calendar days of receiving notice with respect to any employee who is so convicted, the institution will take appropriate personnel action against such an employee, up to and including termination. To maintain a drug-free workplace, UA Rich Mountain will provide its employees with an ongoing, drug-free awareness program consisting of providing current information about the dangers of drug abuse in the workplace; any changes in the UA Rich Mountain drug-free policy, available drug counseling, rehabilitation, and employee assistance programs; and penalties that may be imposed upon employees for drug abuse violations occurring in the workplace. Information will be distributed to employees by the Student Affairs office and copies of such material will be retained in that office for employee use.

Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Arrest-Liquor Law Violation	0	0	0	0	0	0	0	0	0
Arrest-Drug Abuse Violation	0	0	0	0	0	0	0	0	0
Arrest-Weapon Violation	0	0	0	0	0	0	0	0	0
Disciplinary Referral-Liquor Law Violation	0	0	0	0	0	0	0	0	0
Disciplinary Referral-Drug Abuse Violation	0	0	0	0	0	0	0	0	0
Disciplinary Referral-Weapon Violation	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

On-Campus -Includes all academic, administrative and athletic buildings on the main campus and all outdoor common areas on UA Rich Mountain property.

Non-Campus -Includes all UA Rich Mountain buildings not on the main campus.

Public Property -Streets and associated sidewalks through and around campus.

Definitions of Reportable Crimes

Criminal Homicide

- **Murder and non-negligent manslaughter:** The willful (non-negligent) killing of one human being by another.
- **Negligent manslaughter:** The killing of another person through gross negligence

Sex Offenses

- **Forcible rape:** The carnal knowledge of a person, forcibly and/or against that person's will; or to forcibly or against the person's will, where the victim is incapable of giving consent because of his or her temporary or permanent mental or physical incapacity (or because of his or her youth.)
- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental capacity.
- **Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Robbery

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

Aggravated Assault

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

successfully completed.)

Burglary

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

Motor Vehicle Theft

- The theft or attempted theft of a motor vehicle. (Motor vehicle theft is classified as any case where an automobile is taken by a person not having lawful access, even if the vehicle is later abandoned, including joy riding.)

Arson

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

Other Offenses

- **Liquor law violations** The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned activities.

(Drunkenness and driving under the influence are not included in this definition.)

- **Drug abuse violations** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine,

heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

- **Weapons law violations** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: the manufacture, sale, or possession of deadly weapons; the carrying of deadly weapons, concealed or openly.

Hate Crime

- A crime reported to local police agencies or to a campus security authority that manifests evidence that a victim was intentionally selected because of the perpetrators bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

Simple Assault

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

Intimidation

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

Destruction/Damage/Vandalism of property

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

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.

- 1) The existence of such a relationship shall be determined based on the reporting party's statement with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- 2) For the purpose of this definition: Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Domestic Violence

A felony or misdemeanor crime of violence committed

By a current or former spouse or intimate partner of the victim;

By a person with whom the victim shares a child in common;

By a person who is cohabitating with or has cohabitated with the victim as spouse or intimate partner;

By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or

By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to-

(1) Fear for the person's safety or the safety of others; or suffer substantial emotional distress.

(2) For the purpose of this definition-

(i) *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

(ii) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

(iii) *Reasonable person* means a reasonable person under similar circumstances and with a similar identity to the victim.