



— 2025 —

Annual Security and Fire Safety Report

in compliance with the
Jeanne Clery Disclosure of Campus Security Policy
and Campus Crime Statistics Act

University of Arkansas – Fort Smith

Statistics for 2022, 2023, and 2024

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Introduction

This report is provided in compliance with the Jeanne Clery Campus Safety Act. It provides students and employees of University of Arkansas - Fort Smith ("University") with information on the University's security arrangements, policies and procedures; programs that provide education on such things as drug and alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime generally; and procedures the University will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees with information that will help them make informed decisions relating to their own safety and the safety of others.

Policy for Preparing the Annual Report

The University Police Department prepares this report in cooperation with local law enforcement authorities. It includes information provided by them as well as by the University's campus security authorities and various other elements of the University. Each year, an email notification is sent to all enrolled students and employees, providing the website link to access this report. Prospective students and employees are also notified of the report's availability. Hard copies of the report may also be obtained at no cost by contacting the University Police Department at 1114 N 52nd St, Fort Smith, AR 72903, or by calling 479-788-7140. The University is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field and are constantly tested and re-evaluated for their effectiveness.

General Safety and Security Policies

Campus Security Personnel and Relationship with Local Law Enforcement

The University Police Department is responsible for campus safety at the university.

The UAFS Police Department (UPD) is the law enforcement agency with primary jurisdiction over properties owned, controlled, or leased by the university. All UPD officers are trained law enforcement professionals and certified by the Arkansas Commission on Law Enforcement Standards and Training.

All police officers are armed and have full arrest powers. Each officer is required to meet the same physical and educational standards as any other police officer in the state of Arkansas. These standards are set forth by the Arkansas Commission on Law Enforcement Standards and Training. All full-time officers are required to attend an Arkansas-approved police academy within one year of their hire date. The academy consists of 16 weeks during which students are taught more than 680 hours of law enforcement curriculum. Topics of instruction include ethics, search and seizure, arrest and physical defense tactics, criminal investigation, and emergency vehicle operations.

UPD officers are tasked with preventing and investigating all criminal activities that occur on the UAFS campus. UPD is currently staffed with certified police officers, providing 24-hour coverage, 365 days a year. Though they may not always be in the office, an officer is always on duty.

All UPD officers are dedicated to a high level of excellence in the service of UAFS students, faculty, and staff. If you have any questions, suggestions, commendations, or complaints concerning a UPD officer, please e-mail

them to UPD@uafs.edu. Include in your email the nature of the encounter, when and where it occurred, and any contact information you can provide. All complaints against UAFS employees are taken extremely seriously and will be addressed appropriately.

UPD Law Enforcement Authority

Arkansas State Statute 25-17-304 confers upon the chancellor of a state institution of higher education the right to create a university agency with the same powers as any municipal, county, or state police agency in Arkansas. It must meet the state requirements for certification set out by the Arkansas Commission on Law Enforcement Standards and Training. UPD comprises full-time, sworn, state-certified law enforcement officers. UPD continually works with municipal, county, state, and federal law enforcement agencies within the state of Arkansas, as well as occasionally with those outside the state. UPD is a prevention- and service-oriented agency. Service to the campus community is a top priority.

University of Arkansas – Fort Smith Police Department Jurisdiction

In accordance with governing law and the Mutual Aid Agreement with the City of Fort Smith, the real and personal property owned or controlled by the university is subject to the jurisdiction of UPD that falls within our main campus geography. UAFS is in the city of Fort Smith, Arkansas, and Fort Smith Police Department (FSPD) officers patrol the campus daily. In addition, FSPD officers may assist UPD officers when their assistance is requested, either through a direct 911 call from the community or via radio from a member of UPD. During their travels on campus and those times when their assistance is requested, FSPD officers have full authority to make arrests for violations of law as they hold primary jurisdiction throughout the city of Fort Smith. UPD's jurisdiction does not extend to private property not owned or under the control of the university.

UPD will have concurrent jurisdiction with FSPD over any locations falling within the reporting requirements of the Clery Act.

Written Memorandum of Understanding

UAFS has a memorandum of understanding (MOU) between UPD and the Fort Smith Police Department (FSPD). This agreement outlines which law enforcement agency will have jurisdiction over specific areas and the procedures for responding to calls for assistance from each department. UPD regularly meets with leaders from other law enforcement agencies, both formally and informally, and often participates in community events together.

In instances where an incident exceeds UPD's capabilities or when an outside investigation is necessary—such as vehicle accidents involving UPD personnel or cases of deadly force used by UPD personnel—resources from these agencies are provided. This collaborative practice is common among law enforcement agencies to ensure the integrity of the investigation.

Campus Security Authorities

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

- University Police Department (UPD) – 479-788-7140; 1114 N. 52nd St., Fort Smith, AR, 72904
- Title IX – 479-788-7413; Smith-Pendergraft Campus Center 230
- Human Resources – 479-788-7084; Fullerton Administration 235
- Athletics – 479-788-7687; Stubblefield Center 147

Reporting a Crime or Emergency

The university encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the university, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged when the victim of a crime elects to, or is unable to, make such a report.

Reporting Crime and Other Emergencies on Campus

Members of the UAFS community, including students, faculty, staff, visitors, and guests, are encouraged to report all criminal activities, emergencies, suspicious behavior, or other safety-related incidents occurring within the university's Clery geography. This includes the following areas:

- On-campus property such as residence halls, buildings, and facilities.
- Designated non-campus properties and facilities.
- Public property that is adjacent to or accessible from the campus, including thoroughfares, streets, sidewalks, and parking lots.

UPD is the designated office for reporting crimes and emergencies on campus. We strongly encourage the accurate and timely reporting of all incidents, as this allows UPD to evaluate situations effectively, issue timely warning notices, and maintain an ongoing disclosure of crimes, including postings in the Daily Crime Log and documentation in our annual statistical report. UAFS also urges individuals to report incidents to UPD or the local police when the victim is unable to make such a report.

While this publication highlights UPD's role in campus safety, please note that criminal incidents that occur off campus can be reported to the Fort Smith Police Department. UAFS has also identified primary Campus Security Authorities (CSAs) or preferred recipients for crime reports, which include:

- Calling UPD at 479-788-7140 or using the on-campus extension 7140.
- Reporting in person at the UPD office, located at 1114 N. 52nd St.
- Contacting FSPD or local emergency services by dialing 911 for emergencies.
- Reporting sexual offenses and incidents of relationship violence to the university's Title IX Office.
- Utilizing emergency phones located throughout campus to contact UPD in case of a crime or emergency. These "blue light phones" are positioned at:
 - The east side of the Old Gym
 - The middle of Lot E (south of the Recreation and Wellness Center)
 - The middle of Lot F (south of Windgate Art and Design)
 - Lot A behind the Advancement Center
 - North of the Vines Building near the pedestrian tunnel

Additionally, elevators in campus buildings are equipped with emergency phones that provide a direct connection to UPD.

You can also reach UPD via email at UPD@uafs.edu.

Confidential Reporting

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

Confidential Reporting

Students can make confidential reports to professional counselors. When acting in their capacity as UAFS counselors, professional counselors do not make identifiable reports of incidents to the UPD unless specifically requested to do so by the student. UAFS encourages professional counselors to inform clients about their option to fill out a Confidential Informant (CI) form in cases of alleged assaults or other criminal matters.

This report is maintained by UPD and used solely for annual statistical purposes. It will not lead to an investigation, nor will it include any names. No personal identifiers are required on the CI form or used in compiling the statistics.

- Professional Counselor – An employee of an institution or one contracted by the institution, whose official responsibilities include providing psychological counseling to students and who operates within the scope of their license or certification.
- Pastoral Counselor – An employee of an institution or one contracted by the institution, whose official responsibilities include providing psychological counseling to students and who operates within the scope of their license or certification.

Like any community of 10,000 people, UAFS experiences accidents, injuries, crimes, and other emergencies. UAFS encourages anyone who is a victim or witness of a crime to report the incident to UPD promptly. UPD police reports are subject to public review as required by state law, with exceptions for reports involving sex crimes and juveniles. To report an incident of a confidential nature, an individual should contact a Campus Security Authority (CSA).

The university encourages its professional counselors, when they deem it appropriate, to inform the person they are counseling that they can report crimes on a voluntary, confidential basis for inclusion in the annual report of crime statistics. The university does not have pastoral counselors.

Security of and Access to Campus Facilities

Campus Facilities Security and Access

Academic and Administrative Facilities

UPD officers typically unlock the main entrances to buildings at the start of each business day. However, the custodial staff is responsible for locking the doors of academic and administrative facilities. The locking times vary from building to building and are coordinated with the appropriate vice chancellor, dean, or department head. Generally, academic buildings are open from 6:30 a.m. to 9:00 p.m. during the regular school year and from 6:30 a.m. to 5:00 p.m. during regular summer hours. Suppose activities are scheduled during times when a building is usually locked. In that case, arrangements must be made in advance with UPD through one of the officials above and the facilities coordinator located in the Smith-Pendergraft Campus Center.

There is a 24/7 lab within the Boreham Library that students can access using their UAFS credentials through the access control system. UPD regularly patrols both the interiors and exteriors of all campus facilities.

Athletic Facilities

Staff members from UAFS athletics generally unlock the entrances to athletic buildings at the beginning of each business day. However, the responsibility for locking the doors of athletic facilities rests with the custodial staff and/or UPD. Locking times vary from building to building, depending on the activities taking place in the facility. If activities are scheduled during times when an athletic facility is typically locked, advance arrangements must be made with the athletic department official responsible for that building.

Residence and Dining Halls

University Housing and Campus Dining Services are responsible for locking and unlocking the doors of residence halls and dining halls. All residence halls are secured with card access systems, allowing only authorized individuals to enter.

Apartments and Managed Properties

Sebastian Commons Apartments do not utilize card access systems. Therefore, the responsibility for locking the doors rests with each resident.

Fraternities and Sororities

The fraternities and sororities are responsible for locking and unlocking their own doors.

Security Considerations in the Maintenance of Facilities

Academic and Administrative Facilities

UAFS is committed to campus safety and security, and the university facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Exterior lighting and landscape control are a critical part of that commitment. Representatives from various departments regularly conduct security surveys to ensure that campus lighting is adequate and the landscape is maintained correctly. UPD officers conduct routine checks of lighting on campus as part of their regularly assigned patrol duties. If the lights are out or dim, officers will initiate an immediate work order, which is typically acted upon by a representative of the appropriate maintenance office within 24 hours or the next business day. We encourage community members to report any lighting deficiencies to Plant Operations at 479-788-7170. Any community member with concerns about physical security should contact the UPD at 479-788-7140.

Representatives from UPD and Plant Operations collaborate to identify and rectify inoperative locking mechanisms on a continuous basis. Community members are encouraged to promptly report any deficiency in the locking mechanism to the UPD at 479-788-7140. Maintenance staff are available to respond to calls for service regarding unsafe facility conditions or for personal safety and property protection. These conditions may also include unsafe steps or handrails, unsafe roadways on campus, and unsecured equipment. UAFS security is supplemented by a variety of technological systems including access control, security cameras, emergency phones, and fire detection, suppression, and reporting systems. UPD is often consulted on security measures for new projects, and UAFS encourages all its faculty, staff, and students to check with UPD on special events or projects to ensure property safety measures are in place.

Educational Programs Related to Security Awareness and Prevention of Criminal Activity

The university seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. These programs are discussed below.

Responsibilities of the UAFS Community for Personal Safety and Security

Members of the UAFS community are responsible for their own safety and the security of their personal property, and they are encouraged to assist others. The following precautions can help enhance personal safety:

- Report all suspicious activity to the University Police Department (UPD) immediately.
- Never take your personal safety for granted.
- Try to avoid walking alone at night; use the UPD escort service instead.
- Limit alcohol consumption and leave social functions that become too loud, crowded, or involve excessive drinking. Remember to call UPD or the Fort Smith Police Department (FSPD) for help at the first sign of trouble.
- Carry only small amounts of cash.
- Never leave valuables (such as wallets, purses, books, phones, etc.) unattended or in plain view.
- Always keep your keys with you and do not lend them to anyone.
- Secure bicycles and motorcycles. Lock car doors and close windows when leaving your vehicle.
- Always lock the door to your residence hall room, whether you are there or not. Ensure your door is locked when you go to sleep, and keep windows closed and locked when you are not at home. DO NOT PROP OPEN INTERIOR OR EXTERIOR DOORS.
- Do not leave valuables in your car, especially if they are easily noticeable.
- Engrave serial numbers or personally recognized numbers, like your driver's license number, on valuable items.
- Keep an inventory of your personal property and ensure it is adequately covered by individual insurance.

Alcohol Awareness

A review of Arkansas's alcohol-related laws, DWI detection techniques, UAFS alcohol policies, tips on staying sober, and demonstrations with Fatal Vision goggles.

Apartment Safety

An overview of tips for ensuring safety in apartments.

Domestic Violence

Information on the types of violence, preventative measures, and available services.

Drug Recognition

An annual presentation for housing staff to help them identify potential issues in residence halls.

Effects of Alcohol

A discussion on common reactions a person might exhibit while under the influence of alcohol.

Personal Safety

Strategies to prevent personal attacks and advice on actions to take if one is attacked, including safety tips for walking, driving, and traveling in various situations.

Vehicle Safety Check

An inspection of personal vehicles belonging to students, faculty, and staff before they leave for breaks

Safety on Campus

A review of tips for preventing crime and staying safe on campus.

Sexual Assault

An overview of the legal definitions of sexual assaults and tips for risk reduction.

Theft Prevention

Guidelines on how to prevent theft.

Traffic Law

A question-and-answer session that provides members of the campus community with answers about traffic laws.

These are examples of the crime prevention programs offered by UPD. If you are interested in a program that is not listed, please contact the UPD's Crime Prevention Unit at 479-788-7140 to discuss potential programming opportunities. Programs can be developed to fit specific needs. All crime prevention programs are available upon request, and the UPD schedules some during appropriate times throughout the school year. All programs encourage students, faculty, and staff to work with the police and take responsibility for their personal safety and the safety of others.

Monitoring Off-Campus Locations of Recognized Student Organizations

The university monitors and records, through local police agencies, any criminal activity in which students have engaged at off-campus locations of officially recognized student organizations, including those with off-campus housing facilities.

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

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

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

Alcohol/Drug Policy

The university is committed to creating and maintaining an environment that is free of alcohol abuse. The university prohibits the possession, use, and sale of alcoholic beverages on campus or as part of any university activity, unless done so in accordance with applicable University policies and the state's underage drinking laws.

The university also enforces federal and state laws regarding drugs. **The possession, sale, manufacture or distribution of illegal drugs is prohibited on campus or as any part of the university's activities. Violators of the university's policies or federal and state laws regarding illicit drugs will be subject to disciplinary action and may also face criminal prosecution.**

Federal Drug Laws (updated 07-18-2025)

Denial of Federal Benefits (21 U.S.C. § 862)

A federal drug conviction may result in the loss of federal benefits, including loans, grants, scholarships, contracts, and licenses, although the Department of Education has said it will no longer disqualify students from Title IV aid for a federal or state conviction for possession or sale of a controlled substance.

Forfeiture of Personal Property and Real Estate (21 U.S.C. § 853)

Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued and property seized at the time an individual is arrested on charges that may result in forfeiture.

Federal Drug Trafficking Penalties (21 U.S.C. § 841)

Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe. Federally-defined schedules of controlled substances are published at 21 U.S.C. § 812.

In the case of a controlled substance in schedule I or schedule II, GHB (or, “liquid ecstasy”), or flunitrazepam (or, “rohypnol”), a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university (21 U.S.C. § 860) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

Federal Drug Possession Penalties (21 U.S.C. § 844)

Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

For the most recent and complete Federal Trafficking Penalties information, visit the website of the [U.S. Drug Enforcement Administration](#).

Drug and Alcohol State Laws

Possession of Marijuana

Recreational use of marijuana and possession of marijuana is illegal in Arkansas. Ark. Code Ann. §§ 5-64-215(a) (1) (classifying marijuana as a Schedule VI substance), 5-64-419(b)(5) (outlining penalties for possession of a Schedule VI substance). The penalty for these offenses depends on the amount in possession. Possession of less than four ounces of marijuana is a Class A misdemeanor, carrying a penalty of up to \$2,500 in fines and imprisonment for up to one year. §§ 5-64-419(b)(5)(A), 5-4-401, 5-4-201. Penalties increase with additional

amounts of marijuana. For instance, possession of four ounces or more but less than ten pounds is a Class D felony, which is punishable by a fine of up to \$10,000 and imprisonment for up to 6 years. *Id.* Additionally, the unlawful distribution of fourteen grams or less of a Schedule VI controlled substance, such as marijuana, is generally a Class A misdemeanor. § 5-64-438(b)(1)(A).

Arkansas allows medical marijuana for qualifying medical conditions and has a regulated system of cannabis cultivation and distribution. Ark. Const. of 1878, amends. §§ 1-26 (2016). A qualifying patient with a registry identification card may legally possess not more than 2.5 ounces of usable marijuana. Ark. Const. of 1878, amend. § 3 (2016).

Controlled Substances

It is illegal to possess a controlled substance. See generally Ark. Code Ann. § 5-64-419. Penalties vary widely based on substance, amount, and criminal history. *Id.* For Schedule I and II controlled substances (such as methamphetamine, heroin, and cocaine), possession of the smallest listed amount (less than two grams) is a Class D felony. § 5-64-419(b)(1)–(2). Possession of less than two grams of a Schedule III controlled substance is generally a Class A misdemeanor, and possession of less than twenty-eight grams of a Schedule IV or V controlled substance is also generally a Class A misdemeanor. § 5-64-419(b)(3)–(4). Possession of fentanyl is a Class C felony. § 5-64-421(a)(2).

It is illegal to deliver or distribute controlled substances. See generally Ark. Code Ann. §§ 5-64-420 to 5-64-440. Penalties vary based on the type of substance and increase for larger amounts distributed. *Id.* Delivery of methamphetamine, heroin, or cocaine (1) in the amount of less than two grams is a Class C felony (punishable by three to ten years imprisonment); (2) in the amount of more than two grams but less than ten grams is a Class B felony (punishable by five to twenty years imprisonment); and (3) in the amount of ten grams but less than two hundred grams is a Class Y felony (punishable by ten years to life imprisonment). §§ 5-64-422(b), 5-4-401(a)(1), 5-4-401(a)(3)–(4). Delivery of less than two grams of a Schedule I or Schedule II controlled substance that is not methamphetamine, fentanyl, heroin, or cocaine is a Class C felony, with increased penalties for larger amounts. § 5-64-426. Delivery of a Schedule III substance less than twenty-eight grams is a Class C felony. §§ 5-64-430(b), 5-4-401(a)(2). A person who delivers less than two hundred grams of a Schedule IV or Schedule V controlled substance is guilty of a Class D felony. § 5-64-434. Delivery of fentanyl is a Class Y felony. § 5-64-421(c)(2). Delivery to minors entails enhanced penalties. § 5-64-406.

Arkansas also has enhanced penalties for certain controlled substance crimes (possession of a controlled substance in violation of Ark. Code Ann. § 5-64-419 punishable by a Class C felony or greater, and possession with the purpose to deliver, delivery, manufacture, or trafficking of a controlled substance in violation of §§ 5-64-420 to 5-64-440) that occur within one thousand feet of the real property of a city or state park, elementary or secondary school, college or university, church, or many other locations. § 5-64-411. Possession of drug paraphernalia is also illegal, and the penalties for a violation vary depending on the purpose of the paraphernalia and the substance it is used for. § 5-64-443.

Alcohol and Minors

It is illegal for any person under the age of 21 to purchase or to have in his/her possession any intoxicating liquor, wine, or beer. Ark. Code Ann. § 3-3-203. Violation by a person aged 18 or older results in a fine of \$100–\$500, surrender of the person's driver's license, and possible "writing of themes or essays on intoxicating liquors, wine, or beer" or placement on probation.

§ 3-3-203. It is unlawful for any person (except for the person's family or for use in any religious ceremony or rite in any established church or religion) to knowingly give, procure, or otherwise furnish any alcoholic beverage to any person under 21 years of age. § 3-3-202. A first offense constitutes a Class A misdemeanor. *Id.*

It is illegal to be under the influence of alcohol or a controlled substance to the extent that: the person is likely to endanger themselves or another person or property; or the person unreasonably annoys a person in his or her vicinity. Ark. Code Ann. § 5-71-212(a). This is known as public intoxication and is a Class C misdemeanor

punishable by up to 30 days imprisonment and a fine of up to \$500. *Id.*; §§ 5-4-201, 5-4-401. If a person has been convicted of public intoxication two or more times within five years of the date of the current offense, they are guilty of an unclassified misdemeanor, punishable by up to 30 days imprisonment, a fine of up to \$500, probation not to exceed one year, and mandatory enrollment in an alcohol abuse or dependency treatment or counseling program. § 5-71-212(b). Drinking in public is also a Class C misdemeanor punishable by up to 30 days imprisonment and a fine of up to \$500. §§ 5-71-212(c)–(d); 5-4-201, 5-4-401.

Driving Under the Influence (DUI)

It is illegal to “operate or to be in actual physical control” of a motor vehicle while intoxicated (by alcohol or a controlled substance) or with a blood alcohol concentration of 0.08 or more. Ark. Code Ann. § 5-65-103. For a first offense, there is a minimum imprisonment of 24 consecutive hours up to one year with a fine of \$150–\$1,000, as well as a six-month license suspension and required alcohol education program. §§ 5-65-111, 5-65-112, 5-65-115. For a second offense within ten years of the first offense, there is a minimum imprisonment of 7 days up to one year, and if this second offense occurs within five years, there is a fine of \$400–\$3,000 as well as a 24-month license suspension. *Id.* Penalties increase for subsequent offenses. *Id.* Under certain circumstances, the court may order public service instead of some or all required imprisonment. § 5-65-111.

It is illegal for an underaged person to drive a motor vehicle while under the influence of alcohol or another intoxicant or with a blood alcohol concentration of 0.02 to 0.08. Ark. Code Ann. § 5-65-303. The penalty for a first offense is a fine of \$100 to \$500, potential public service work, and a 90-day driver’s license suspension. §§ 5-65-304 - 5-65-306. It is also generally unlawful for a person to possess an open alcoholic beverage container within the driver or passenger area of a motor vehicle, although there are listed exceptions. § 5-71-218. A violation of this section is a Class C misdemeanor. *Id.*

Drug and Alcohol Abuse Prevention Program

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

- [Student Alcohol/Drug Policy](#)
- [Employee Alcohol/Drug Policy](#)
- [Alcohol/Drug Webpage](#)
- Biennial review of the university’s drug and alcohol abuse prevention program: [UAFS 2024 DFSCA](#)

2024 UAFS Alcohol/Drug Prevention Programs

- Club 129 -An event with mocktails and education on how to have fun without alcohol
- Sip and Paint- education on how to destress in healthy ways
- Sip and Slime- education on how to release stress and education on safe drinking
- Know Your Brew- education about alcohol safety
- Fins Up with Chief Ottman - education on drug awareness, active shooter, Narcan training, and emergency drills.

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

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

- [UAFS Title IX Policy](#)

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

Primary Prevention and Awareness Program

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

Crime Definitions

The following crime types are listed as defined by Arkansas Code.

Dating Violence

The institution has determined, based on good-faith research, that Arkansas law does not define the term dating violence.

Domestic Violence

The institution has determined, based on good-faith research, that Arkansas law does not define the term domestic violence (aside from as set forth below).

However, Arkansas does have various degrees of “domestic battering” that are defined in a manner that could be classified as “dating violence” and “domestic violence.” These domestic battering crimes are found at Ark. Code § 5-26-303 to 305 and generally involve a perpetrator causing some degree of physical injury to a family or household member. In this regard, Ark. Code § 5-26-302 uses the following definitions:

- “Dating relationship” means a romantic or intimate social relationship between two (2) individuals that is determined by examining the following factors: (i) The length of the relationship; (ii) The type of the relationship; and (iii) The frequency of interaction between the two (2) individuals involved in the relationship. “Dating relationship” does not include a casual relationship or ordinary fraternization between two (2) individuals in a business or social context.
- “Family or household member” means: (A) A spouse; (B) A former spouse; (C) A parent; (D) A child, including any minor residing in the household; (E) Persons related by blood within the fourth degree of consanguinity...; (F) Persons who presently or in the past have resided or cohabited together; (G) Persons who have or have had a child in common; or (H) Persons who are presently or in the past have been in a dating relationship together.

A person commits domestic battering in the first degree (Ark. Code § 5-26-303) if:

1. With the purpose of causing serious physical injury to a family or household member, the person causes serious physical injury to a family or household member by means of a deadly weapon;

2. With the purpose of seriously and permanently disfiguring a family or household member or of destroying, amputating, or permanently disabling a member or organ of a family or household member's body, the person causes such an injury to a family or household member;
3. The person causes serious physical injury to a family or household member under circumstances manifesting extreme indifference to the value of human life;
4. The person knowingly causes serious physical injury to a family or household member he or she knows to be sixty (60) years of age or older or twelve (12) years of age or younger;
5. The person:
 - A. Commits any act of domestic battering as defined in § 5-26-304 or § 5-26-305; and
 - B. For conduct that occurred within the ten (10) years preceding the commission of the current offense, the person has on two (2) previous occasions been convicted of any act of battery against a family or household member or aggravated assault on a family or household member, as defined by the laws of this state or by the equivalent laws of any other state or foreign jurisdiction;
6. With the purpose of causing physical injury to a family or household member, the person causes physical injury to a family or household member by means of a firearm; or
7. The person knowingly causes serious physical injury to a family or household member who is four (4) years of age or younger under circumstances manifesting extreme indifference to the value of human life.

“Aggravated assault on a family member or household member,” as defined in § 5-26-306, means: A person commits aggravated assault on a family or household member if, under circumstances manifesting extreme indifference to the value of human life, the person purposely: (1) engages in conduct that creates a substantial danger of death or serious physical injury to a family or household member; (2) displays a firearm in a manner that creates a substantial danger of death or serious physical injury to a family or household member; or (3) impedes or prevents the respiration of a family or household member or the circulation of a family or household member's blood by applying pressure on the chest throat, or neck or by blocking the nose or mouth of the family or household member.

A person commits domestic battering in the second degree (Ark. Code § 5-26-304) if:

1. With the purpose of causing physical injury to a family or household member, the person causes serious physical injury to a family or household member;
2. With the purpose of causing physical injury to a family or household member, the person causes physical injury to a family or household member by means of a deadly weapon;
3. The person recklessly causes serious physical injury to a family or household member:
 - A. By means of a deadly weapon; or
 - B. Who is four (4) years of age or younger; or
4. The person knowingly causes physical injury to a family or household member he or she knows to be sixty (60) years of age or older or twelve (12) years of age or younger.

A person commits domestic battering in the third degree (Ark. Code § 5-26-305) if:

1. With the purpose of causing physical injury to a family or household member, the person causes physical injury to a family or household member;
2. The person recklessly causes physical injury to a family or household member;
3. The person negligently causes physical injury to a family or household member by means of a deadly weapon; or
4. The person purposely causes stupor, unconsciousness, or physical or mental impairment or injury to a family or household member by administering to the family or household member, without the family or household member's consent, any drug or other substance.

Additionally, Arkansas' Domestic Violence Shelter Act (Ark. Code §9-6-112) defines "domestic violence" as: (A) Physical harm, bodily harm causing injury, or an assault against a person caused by: (i) A family or household member; or (ii) Another person with whom a person is in a dating relationship; (B) Mental or emotional harm to a person caused by: (i) A family or household member; or (ii) Another person with whom a person is in a dating relationship; or (C) Sexual abuse against a person by another person.

Stalking

Under Arkansas law, there are various degrees of stalking found at Ark. Code § 5-71-229. A person commits stalking in the third degree if he or she knowingly commits an act that would place a reasonable person in the victim's position under emotional distress and in fear for his or her safety or a third person's safety. A person commits stalking in the second degree if he or she knowingly engages in a course of conduct that harasses another person and makes a terroristic threat with the purpose of: (A) Placing that person in imminent fear of death or serious bodily injury; (B) Placing that person in imminent fear of the death or serious bodily injury of his or her family or household member; (C) Placing that person in imminent fear of unwanted sexual intercourse, a deviate sexual activity, or other sexual contact; or (D) Placing that person in imminent fear of unwanted sexual intercourse, a deviate sexual activity, or other sexual contact against his or her family or household member. As used in this statute, the following definitions apply:

- (1)(A) "Course of conduct" means a pattern of conduct composed of two (2) or more acts, separated by at least thirty-six (36) hours, but occurring within one (1) year, including without limitation an act in which the actor directly, indirectly, or through a third party by any action, method, device, or means follows, monitors, observes, places under surveillance, threatens, or communicates to or about a person or interferes with a person's property. (B) "Course of conduct" includes without limitation sending mail or electronic communication to a person via electronic mail, text messages, or any other type of electronic message sent using the internet, websites, or social media platforms. (C)(i) "Course of conduct" does not include constitutionally protected activity. (ii) If the defendant claims that he or she was engaged in a constitutionally protected activity, the court shall determine the validity of that claim as a matter of law and, if found valid, shall exclude that activity from evidence.
- "Emotional distress" means significant mental suffering or distress. "Emotional distress" does not require that the victim sought or received medical or other professional treatment or counseling.

Sexual Assault

- Sexual assault in the first degree (Ark. Code § 5-14-124): A person commits sexual assault in the first degree if the person engages in sexual intercourse or deviate sexual activity with a minor who is not the actor's spouse and the actor is a mandated reporter under Arkansas state law (including officials at institutions of higher education) and is in a position of trust or authority over the victim and uses the position of trust or authority to engage in sexual intercourse or deviate sexual activity.
- Sexual assault in the second degree (Ark. Code § 5-14-125): A person commits sexual assault in the second degree if the person:
 - o Engages in sexual contact with another person by forcible compulsion.
 - o Engages in sexual contact with another person who is incapable of consent because he or she is: (A) Physically helpless; (B) Mentally defective; or (C) Mentally incapacitated.
 - o Being eighteen (18) years of age or older, engages in sexual contact with another person who is less than fourteen (14) years of age.
 - o Engages in sexual contact with a minor and the actor is a mandated reporter under Arkansas state law (including officials at institutions of higher education) and is in a position of trust or authority over the minor.

- Sexual assault in the third degree (Ark. Code § 5-14-126): A person commits sexual assault in the third degree if the person engages in sexual intercourse or deviate sexual activity with another person who is not the actor's spouse and the actor is a mandated reporter under Arkansas state law (including officials at institutions of higher education) or a member of the clergy and is in a position of trust or authority over the victim and uses the position of trust or authority to engage in sexual intercourse or deviate sexual activity; or being a minor, engages in sexual intercourse or deviate sexual activity with another person who is less than fourteen (14) years of age.
- Sexual assault in the fourth degree (Ark. Code § 5-14-127): A person commits sexual assault in the fourth degree if the person, being twenty (20) years of age or older: (A) Engages in sexual intercourse or deviate sexual activity with another person who is: (i) Less than sixteen (16) years of age; and (ii) Not the person's spouse; or (B) Engages in sexual contact with another person who is: (i) Less than sixteen (16) years of age; and (ii) Not the person's spouse.

Rape, Fondling, Incest, Statutory Rape

For purposes of the Clery Act, the term “sexual assault” includes the offenses of rape, fondling, incest, and statutory rape. These definitions under Arkansas law are as follows:

- Rape (Ark. Code § 5-14-103): A person commits rape if he or she engages in sexual intercourse or deviate sexual activity with another person:
 - o By forcible compulsion.
 - o Who is incapable of consent because he or she is: (A) Physically helpless; (B) Mentally defective; or (C) Mentally incapacitated.
 - o Who is less than fourteen (14) years of age.
 - o Who is a minor and the actor is the victim's: (i) Guardian; (ii) Uncle, aunt, grandparent, step-grandparent, or grandparent by adoption; (iii) Brother or sister of the whole or half blood or by adoption; or (iv) Nephew, niece, or first cousin.
- Capital rape (Ark. Code § 5-14-114): A person commits capital rape if:
 - o He or she engages in sexual intercourse or deviate sexual activity with another person who is thirteen (13) years of age or younger and causes or threatens to cause serious physical injury to that person;
 - o Acting alone or with one (1) or more other persons:
 - A. The person commits or attempts to commit: The person commits or attempts to commit: (i) Terrorism, § 5-54-205; (ii) Kidnapping, § 5-11-102; (iii) Vehicular piracy, § 5-11-105; (iv) Robbery, § 5-12-102; (v) Aggravated robbery, § 5-12-103; (vi) Residential burglary, § 5-39-201(a); (vii) Commercial burglary, § 5-39-201(b); (viii) Aggravated residential burglary, § 5-39-204; (ix) A felony violation of the Uniform Controlled Substances Act, §§ 5-64-101 — 5-64-508, involving an actual delivery of a controlled substance; (x) First degree escape, § 5-54-110; (xi) Trafficking of persons, § 5-18-103; (xii) Engaging children in sexually explicit conduct for use in visual or print medium, § 5-27-303; or (xiii) Transportation of minors for prohibited sexual conduct, § 5-27-305; and
 - B. During the course of or in furtherance of the offense under subdivision (a)(2) (A) of this section, the person engages in sexual intercourse or deviate sexual activity with another person who is thirteen (13) years of age or younger;
 - C. While using or threatening to use a deadly weapon, he or she engages in sexual intercourse or deviate sexual activity with another person who is thirteen (13) years of age or younger; or
 - D. He or she engages in sexual intercourse or deviate sexual activity with another

person who is thirteen (13) years of age or younger after previously having been convicted of rape under § 5-14-103(a)(3) or capital rape under this section.

- Fondling: The institution has determined, based on good-faith research, that Arkansas law does not define the term fondling.
- Incest (Ark. Code § 5-26-202): A person commits incest if the person, being sixteen (16) years of age or older, purports to marry, has sexual intercourse with, or engages in deviate sexual activity with another person sixteen (16) years of age or older whom the actor knows to be: (1) An ancestor or a descendant; (2) A stepchild or adopted child; (3) A brother or sister of the whole or half blood; (4) An uncle, aunt, nephew, or niece; or (5) A stepgrandchild or adopted grandchild.
- Statutory Rape: The institution has determined, based on good-faith research, that Arkansas law does not define the term statutory rape. However, Arkansas prosecutes sexual assault in the fourth degree in instances where an individual being 20 years of age or older engages in sexual contact, sexual intercourse, or deviate sexual activity with another person who is less than 16 years of age and not the person's spouse (Ark. Code § 5-14-127).

Other "Sexual Assault" Crimes

Other crimes under Arkansas law that may be classified as a "sexual assault" include the following:

- Sexual indecency with a child (Ark. Code § 5-14-110): A person commits sexual indecency with a child if:
 - o Being eighteen (18) years of age or older, the person solicits another person who is less than fifteen (15) years of age or who is represented to be less than fifteen (15) years of age to engage in: (A) Sexual intercourse; (B) Deviate sexual activity; or (C) Sexual contact;
 - o With the purpose to arouse or gratify a sexual desire of himself or herself or a sexual desire of another person, the person purposely exposes his or her sex organs to another person who is less than fifteen (15) years of age.
 - o Being eighteen (18) years of age or older, the person causes or coerces another person who is less than fourteen (14) years of age to expose his or her sex organs or the breast of a female with the purpose to arouse or gratify a sexual desire of the actor or another person; or
 - o Being eighteen (18) years of age or older, the person, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, enters into or remains in a public changing facility that is assigned to persons of the opposite sex while knowing a minor of the opposite sex is present in the public changing facility. This section does not apply to a person entering into or remaining in a public changing facility: (i) with a minor under seven (7) years of age if the person is a minor's parent, guardian, or family member, or is otherwise authorized to care for the minor; (ii) for maintenance or inspection purposes if the person is authorized to conduct maintenance or inspection of the public changing facility; (iii) to render medical assistance; (iv) to accompany a person needing assistance when the actor is the parent, guardian, or family member, or is otherwise authorized to care for the person needing assistance; (v) to provide assistance in using the public changing facility; (vi) if the public changing facility has been temporarily designated for use by persons of the same sex as the person entering into or remaining in the public changing facility; or (vii) who is a certified law enforcement or corrections officer accompanying a person of the opposite sex in his or her custody.

As used in this section, (1) "Sex" means a person's immutable biological sex as objectively determined by anatomy and genetics existing at the time of birth.

Consent (as it relates to sexual activity)

The institution has determined, based on good-faith research, that Arkansas law does not define the term consent (as it relates to sexual activity).

University Definition of Consent

Consent is explicit, knowing, and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Words or actions can give consent if those words or actions create mutually understandable, explicit 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, drugs, or being asleep or unconscious. This policy also covers incapacity due to mental disability, involuntary physical restraint, or 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 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 the 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 form of sexual activity. In addition, previous relationships or prior consent cannot imply consent to future sexual acts.

Risk Reduction

If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:

- Make your limits known before going too far.
- You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor “NO” clearly and loudly.
- Try to remove yourself from the physical presence of a sexual aggressor. Be as direct as possible about wanting to leave the environment.
- Grab someone nearby and ask them for help.
- Be responsible about your alcohol and/or drug use. Alcohol and drugs can lower your sexual inhibitions and may make you vulnerable to someone who views an intoxicated/high person as a sexual opportunity.

- Attend large parties with friends you trust. Watch out for your friends and ask them to watch out for you.
- Be aware of someone trying to slip you an incapacitating “rape drug” like Rohypnol or GHB.

If you find yourself in the position of being the initiator of sexual behavior, these suggestions may help you to reduce your risk of being accused of sexual assault or another sexual crime:

- Remember that you owe sexual respect to the other person.
- Don’t make assumptions about the other person’s consent or about how far they are willing to go.
- Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.
- If your partner expresses a withdrawal of consent, stop immediately.
- Clearly communicate your sexual intentions so that the other person has a chance to tell you their intentions clearly.
- Consider “mixed messages” a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.
- Don’t take advantage of someone who is really drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, don’t be afraid to step in if you see someone else trying to take advantage of a nearly incapacitated person.
- Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.

It is also essential to be aware of the warning signs of an abusive person. Some examples include: past abuse; threats of violence or abuse; breaking objects; using force during an argument; jealousy; controlling behavior; quick involvement; unrealistic expectations; isolation; blaming others for problems; hypersensitivity; cruelty to animals or children; “playful” use of force during sex; Jekyll-and-Hyde personality.

Bystander Intervention

In addition to reporting incidents to appropriate authorities, below are some ways in which individuals can take safe and positive steps to prevent harm and intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking against another person.

- Look out for those around you.
- Realize that it is essential to intervene to help others.
- Treat everyone respectfully. Do not be hostile or an antagonist.
- Be confident when intervening.
- Recruit help from others if necessary.
- Be honest and direct.
- Keep yourself safe.
- If things get out of hand, don’t hesitate to contact the police.

Other Information Covered by the PPAP

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

Ongoing Prevention and Awareness Campaign

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

PPAP and PAC Programming Methods

UAFS) regularly hosts educational programs aimed at preventing domestic violence, dating violence, sexual assault, and stalking. Some of these programs are led by Lion's Roar, a peer-educator organization focused on behavioral issues. Notable initiatives include the Night Walk and UAFS Cares, which is a collaborative effort involving UPD, Academic Affairs, and Student Affairs. Additionally, UPD offers Rape Aggression Defense (RAD) training throughout the year, contingent upon instructor availability. Throughout the year, various awareness and intervention programs are also provided.

The Title IX Office, Student Affairs, and several other campus organizations sponsor these programs. The Prevention Programming and Awareness Programs (PPAP) and Outreach Programs and Campaigns (OPAC) employ a range of strategies and target specific audiences across the University. Methods include presentations, online training modules, distributing written materials, periodic email communications, and engaging guest speakers. Below is a summary of this programming:

- New students receive education on preventing dating violence, domestic violence, sexual assault, and stalking through a presentation conducted by the Office of Student Services and the University Police Department during orientation. All new employees are required to complete an online training module on these topics upon hire and must retake this training annually.
- As part of its ongoing initiative, UAFS employs various strategies, such as in-person presentations by sexual assault organizations and email blasts containing necessary information. The University also makes announcements through the student portal. While educational programming occurs year-round, it is particularly emphasized during nationally recognized observances such as Sexual Assault Awareness Month and Domestic Violence Awareness Month.

The Title IX Office, Student Affairs, and several other groups sponsor these programs.

The PPAP and OPAC are carried out in various ways, employing a range of strategies, and, as appropriate, targeting specific audiences throughout the University. Methods include, but are not limited to: presentations, online training modules, distribution of written materials, periodic email blasts, and guest speakers. A summary of this programming is provided below.

- New students receive education on the prevention of dating violence, domestic violence, sexual assault, and stalking through a presentation by the Office of Student Services and the Campus Security Department during orientation. All new employees are required to complete an online training module on these topics upon hire and must retake the online training annually.
- As part of its ongoing campaign, the University uses a variety of strategies, such as in-person presentations by sexual assault organizations, email blasts with pertinent information, portal announcements, etc. While programming occurs throughout the year, the University also offers educational sessions and literature in coordination with nationally recognized observances such as Sexual Assault Awareness Month and Domestic Violence Awareness Month.

Procedures to Follow if You are a Victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking

If you are a victim of dating violence, domestic violence, sexual assault, or stalking, go to a safe place and call 911 or UPD at 4790788-7140. You may also contact the university's Title IX Coordinator at 479-788-7413.

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

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

Preservation of Evidence and Forensic Examinations

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

- Crisis Intervention Center, 5603 S 14th St, Fort Smith, AR, 72901
- Mercy Hospital, 7301 Rogers Ave, Fort Smith, AR, 72903
- Baptist Health, 1001 Towson Ave, Fort Smith, AR, 72901

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

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

Security/Law Enforcement and How to Make a Police Report

- University Police Department – 479-788-7140, 1114 N. 52nd St., Fort Smith, AR, 72904
- Fort Smith Police Department – 479-709-5000, 100 S. 10th St., Fort Smith, AR, 72901
- In some instances, sexual harassment may violate both this policy and criminal law. The university's grievance process should not be seen as a replacement for legal action. We encourage individuals to report any suspected sexual misconduct promptly to campus officials and, when appropriate, to law enforcement authorities. You can do this by calling the relevant departments directly or visiting them in person.

Information About Legal Protection Orders

In Arkansas, victims may obtain an Adult Order of Protection, which provides protective relief for victims of domestic violence, stalking, or sexual assault. [Get more information about Adult Orders of Protection.](#)

A protection order may be obtained by filing a petition with the court. Courts can issue two types of orders: (1) Ex Parte Orders, which act as a temporary emergency order to protect a victim, for up to 30 days, until a court hearing, and (2) Full Orders of Protection, which may be issued for up to ten years. [Additional information about the orders can be found here.](#)

- A Petition for Order of Protection should be filed for in the Sebastian County Prosecutor's Office. To obtain an Order of Protection, call 479-783-8976 to schedule an appointment at the Prosecutor's Office, located at 901 S. B St., Suite 208, Fort Smith, Arkansas.
- [Obtaining an Order of Protection in Sebastian County](#)

Victims may contact local domestic violence and sexual assault advocates for assistance in obtaining a protection order.

- UAfS collaborates with the [Crisis Intervention Center](#) for victim advocates of domestic violence and sexual assault located at 5603 S. 14th St., Fort Smith, AR, 72901.

When a protection order is granted, it is enforceable statewide. If you have obtained a protection order and need it to be enforced in your area, please get in touch with your local police department.

The institution will also enforce any temporary restraining order or other no-contact order issued by a criminal, civil, or tribal court against the alleged perpetrator. Any student or employee who has a protection order or no-contact order should notify the Title IX Coordinator and provide a copy of the restraining order so that it can be kept on file with the institution and enforced on campus, if necessary. Upon learning of any orders, the institution will take all reasonable and legal action to implement the order.

The institution does not issue legal protection orders. However, as a matter of institutional policy, the institution may impose a no-contact order between individuals in appropriate circumstances. The institution may also issue a “no trespass warning” if information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community. A person found to violate a No Trespass Warning may be arrested and criminally charged.

[Available Victim Services](#)

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

University Resources

- Powell Student Health Clinic – 479- 448-7574, Math-Science 105
- UAfS Counseling Center – 479-788-7752, Flanders 214
- [Student Financial Aid](#) – Sometimes, a victim of a crime may feel the need to take a leave of absence from school. If a student is considering a leave of absence due to the circumstances of a complaint, they should understand that there may be financial aid implications associated with taking such a leave. This should be discussed with financial aid personnel, and the Title IX Coordinator can assist in facilitating this conversation if desired.

State/Local Resources

- Mercy Hospital – 479-314-6000
- Baptist Health – -441-4000
- Fort Smith ER – 479-974-9403
- Western Arkansas Counseling and Guidance – 479-452-6650
- Valley Behavioral Health – 479-755-2321
- Crisis Intervention Center – 479-782-1821
- Hamilton House Child Advocacy – 479-783-1002
- [Arkansas Law Help](#) – 1-888-540-2941

National Resources

- National Domestic Violence Hotline – 1-800-799-7233
- National Sexual Assault Hotline – 1-800-656-4673
- [Rape, Abuse, and Incest National Network \(RAINN\)](#)
- [U.S. Dept. of Justice Office on Violence Against Women](#)
- [National Coalition Against Domestic Violence](#)
- [National Sexual Violence Resource Center](#)

- [U.S. Citizenship and Immigration Services](#)
- [Immigration Advocates Network](#)

Accommodations and Protective Measures

The university will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available the university is obligated to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement. Requests for accommodations or protective measures should be made to the Title IX coordinator at 479-788-7413, and the Title IX coordinator is responsible for deciding what, if any, accommodations or protective measures will be implemented.

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

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

The university will maintain the confidentiality of any accommodations or protective measures provided to a victim to the extent that maintaining confidentiality does not impair the university's ability to offer them. However, there may be times when certain information must be disclosed to a third party to implement the accommodation or protective measure. The university will make such decisions considering the surrounding circumstances, and disclosures of this nature will be limited to provide only the information necessary to implement the accommodation or protective measure. In the event it is required to disclose information about a victim to provide an accommodation or protective order, the university will inform the victim of that necessity before the disclosure, including which information will be shared, with whom it will be shared, and why.

Procedures for Disciplinary Action

Allegations of domestic violence, dating violence, sexual assault, or stalking will be processed through the University's Title IX Policy, Sexual Misconduct Policy, or other relevant policy as appropriate to the allegations faculty/staff/student handbook and the related complaint resolution procedures.

The complaint resolution procedures are invoked once a report is made to one of the following individuals:

Kathryn Janz
Title IX Coordinator
Smith-Pendergraft Campus Center 230
479-788-7413
Kathryn.Janz@uafs.edu

Brittany Slamons
Deputy Title IX Coordinator for Employees,
Visitors, and Associates
Fullerton Administration 235
479-788-7084
Brittany.Slamons@uafs.edu

Lee Krehbiel, Ph.D.
Deputy Title IX Coordinator
Fullerton Administration Building 105
479-788-7310
Lee.Krehbiel@uafs.edu

Katie Beineke
Deputy Title IX Coordinator for Athletics
Stubblefield Center 147
479-788-7687
Katie.Beineke@uafs.edu

Reports may be made in person. Once a formal complaint is made, the Title IX coordinator, or other university employee as appropriate, will provide notice to the parties of the investigation, including a description of the process to be utilized, the identities of the parties, the conduct at issue, and the date and location of the alleged incident.

During the investigation, the complainant and respondent will each have an equal opportunity to describe the situation and present witnesses, including both fact witnesses and expert witnesses, as well as other supporting evidence. The investigator(s) will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information pertinent to the complaint. Before the conclusion of the investigation, both parties will be provided an opportunity to review the evidence gathered during the investigation that is directly related to the allegations raised in the formal complaint. Upon completion of the investigation, both parties will be given a copy of the investigation report.

In Title IX cases, a live hearing will be conducted to make a determination as to whether any allegations in the complaint were found to be substantiated by a preponderance of the evidence. During the hearing, each party's advisor will be permitted to ask the other party and any witnesses all relevant questions and follow-up questions, including those bearing on credibility. The decision maker(s) will issue a written determination of responsibility, a statement of any disciplinary sanctions, and whether any remedies will be provided to the complainant, and a description of the procedures and permissible grounds for appeal. The parties will be notified of this determination in writing as soon as practicable following the hearing (and ordinarily within 10 days thereafter). The university will make every reasonable effort to ensure that the investigation and resolution of a complaint occur in a timely and efficient manner.

Campus Disciplinary Procedure

If the victim of sexual harassment or sexual assault so desires and all parties involved are members of the university community, the incident can be referred to the university administration to be adjudicated. The victim must request a university administrative judicial hearing. These proceedings are totally separate from any criminal action that may be taken. The victim has the right to change academic and living arrangements, if requested and it is reasonably available.

Both the victim and the accused have the option of having others present during administrative judicial hearings. These individuals are for a support capacity only and may not represent the victim or accused. Both the victim and the accused will be notified of the outcome of any administrative hearing. In some instances, it may be appropriate for university faculty and staff members to use the university's formal grievance procedures to address grievances related to allegations of sexual harassment or sexual assault. The faculty and staff grievance procedure are described in the university's Employee Handbook. Upon request, the institution will disclose the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of any crime of violence or non-forcible sex offense to the alleged victim, or next of kin if the victim is deceased.

Campus Disciplinary Sanctions

Sanctions imposed through the University Administrative Judicial System can range from no action up to expulsion from school. Possible sanctions for violation of VAWA offenses:

- Withholding a promotion or pay increase (for regular or student employees)
- Reassigning employment (for regular or student-employees)
- Terminating employment (for regular or student-employees)
- Temporary employment suspension without pay (for regular or student-employees)
- Compensation adjustments (for regular or student-employees)
- No contact order of a specified duration
- Expulsion or permanent separation from the university (for students)

- Suspension from the university for a period of one semester to 10 semesters (fall and spring semesters with summers normally included as part of the spring semester). Re-admission may be made contingent upon completion of a course of action such as completion of a course related to the offense.
- Suspension for a specified period that allows the party offended against to have reasonable time to finish a course of studies. If the offended party graduates early or leaves the university without plans to return, the suspension may be re-visited. Re-admission may be made contingent upon completion of a course of action such as completion of a learning module related to the offense.
- Conduct probation for up to four semesters
- Disciplinary probation for up to eight (8) semesters (for students; this is one step below suspension)
- Expulsion from campus housing (resident employee or student)
- Mandated counseling
- Educational sanctions as deemed appropriate (i.e. research papers, interviews, reflections on assigned readings, audio material, or events with presentations, or required courses of learning)
- Ban of specified duration from the entire campus or a specified portion of campus

Both parties have an equal opportunity to appeal the determination by filing a written appeal with the chancellor within seven (7) days of receiving notification of the investigation's outcome. The non-appealing party will be notified of the appeal and permitted to submit a written statement in response within five (5) days. The chancellor will resolve the appeal as soon as practicable after receiving the parties' written submissions (and ordinarily within approximately 10 days) and may take any actions that he/she determines to be in the interest of a fair and just decision.

Informal Resolution

At any time after a formal written complaint is filed but before a determination regarding responsibility is made, the university 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. Before commencing the informal resolution process, the Title IX coordinator or designee must provide the parties with 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 before 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.

Rights of the Parties in an Institutional Proceeding

During the process described in the previous section, both the accuser and the individual accused of the offense are entitled to:

1. A prompt, fair, and impartial process from the initial investigation to the result.
 - A prompt, fair, and impartial process is:
 - Completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.

- Conducted in a manner that:
 - Is consistent with the institution's policies and transparent to the accuser and the accused.
 - Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
 - Provides timely access to the accuser, the accused and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.
- Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking, and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

- Such training addresses topics such as the definition of sexual harassment; the scope of the university's education programs and activities; how to conduct investigations, hearings, and appeals and informal resolutions (as applicable); relevant evidence and how it should be used during a proceeding; proper techniques for questioning witnesses; basic procedural rules for conducting a proceeding; and avoiding actual and perceived conflicts of interest.
 - Understanding the Investigative Report Template for Investigations of Title IX Sexual Harassment
 - Collecting and Understanding Specialized Evidence
 - Effective Interviewing of Parties and Witnesses
 - No Contact Orders, Emergency Removals, and Interim Suspensions
 - Title IX Final Rule Basics
 - Neurobiology of Sexual Assault Trauma
 - Privacy Confidentiality & Privilege in Disclosures of Sexual and Interpersonal Violence
 - Relevance and Decorum in a Title IX Hearing
 - Cross Examination in a Title IX Hearing

3. The same opportunities to have others present during any institutional disciplinary proceeding, including the chance to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor. Still, it may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.

4. Have the outcome determined using the preponderance of the evidence standard.

5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, "result" means "any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters" and must include the rationale for reaching the result and any sanctions imposed.

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

Sanctions imposed through the University Administrative Judicial System can range from no action to expulsion from school. Possible sanctions for violation of VAWA offenses:

- Withholding a promotion or pay increase (for regular or student employees)
- Reassigning employment (for regular or student-employees)

- Terminating employment (for regular or student-employees)
- Temporary employment suspension without pay (for regular or student-employees)
- Compensation adjustments (for regular or student-employees)
- No contact order of a specified duration
- Expulsion or permanent separation from the university (for students)
- Suspension from the university for a period of one semester to 10 semesters (fall and spring semesters with summers normally included as part of the spring semester). Re-admission may be made contingent upon completion of a course of action such as completion of a course related to the offense.
- Suspension for a specified period that allows the party offended against to have reasonable time to finish a course of studies. If the offended party graduates early or leaves the university without plans to return, the suspension may be revisited. Re-admission may be made contingent upon completion of a course of action such as completion of a learning module related to the offense.
- Conduct probation for up to four semesters
- Disciplinary probation for up to eight (8) semesters (for students, this is one step below suspension)
- Expulsion from campus housing (resident employee or student)
- Mandated counseling
- Educational sanctions as deemed appropriate (i.e., research papers, interviews, reflections on assigned readings, audio material, or events with presentations, or required courses of learning)
- Ban of specified duration from the entire campus or a selected portion of the campus

Additionally, the university can provide the victim with a range of protective measures. They include forbidding the accused from entering the victim's residence hall and communicating with the victim, as well as other institutional no-contact orders, security escorts, modifications to academic requirements or class schedules, and changes in working situations.

Publicly Available Recordkeeping

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

Victims to Receive Written Notification of Rights

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

Sex Offender Registration Program

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed, enrolled, or carrying on a vocation. The state is then required to notify the University of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting the University Police Department at 479-788-7140. State registry of sex offender information may be accessed [via the online registry](#).

Timely Warnings and Emergency Response

Timely Warnings

To provide timely notice to the UAFS community in the event of a criminal situation that, in the judgment of the chief of police or their designee, may pose a serious or continuing threat to members of the campus community, a campus safety alert (timely warning notice, Lions Alert) will be issued. Examples of such situations may include a sexual assault or a series of motor vehicle thefts in the area that merit a warning because they present a continuing threat to the campus community. Warnings will be communicated to students and employees via one or more of the methods discussed later in this section. Updates to the warnings will be provided as appropriate.

Anyone with information warranting a timely warning should immediately report the circumstances to:

- University Police Department, 479-788-7140
- Department of Health and Safety, 479-788-7182
- Vice Chancellor of Finance and Administration, 479-788-7385
- Strategic Communications, 479-788-7132

The university has communicated with local law enforcement, requesting that they notify the university if they receive reports or information that warrant a timely warning.

Emergency Response

The university has an emergency action plan in place to ensure a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus that poses an immediate threat to the health or safety of members of the campus community. UAFS has long recognized the need to be prepared for critical incidents. Under the guidance of the university's Emergency Response Team, the university is taking all necessary steps to prepare for, prevent, respond to, and recover from emergencies. In conjunction with local first responders, the university is well prepared to respond to a full range of critical incidents. Such situations include, but are not limited to, tornadoes, bomb threats, chemical spills, disease outbreaks, fires, and active shooters. The university has communicated with local police, requesting their cooperation in informing the university about situations reported to them that may warrant an emergency response.

Upon confirmation of an emergency or dangerous situation, the UPD chief of police, coordinator of health and safety, and the vice chancellor of finance and administration, and/or a designee of each, are responsible for consulting on a case-by-case basis when information in the form of an alert is disseminated.

Campus safety alerts are typically issued for the following Clery crimes:

- Murder/Non-Negligent Manslaughter
- Aggravated Assault (Cases involving assaults among known parties, such as two roommates fighting which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger UAFS community.)
- Robbery Involving Force or Violence (Cases including pickpocketing and purse snatching will typically not result in the issuance of a timely warning notice, but will be assessed on a case-by-case basis.)
- Sexual Assault (Such incidents will be considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by the chief of police or their designee. Cases involving sexual assault are often reported long after the incident occurred; thus, there is no ability to distribute a timely warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a campus safety alert.)
- Major Incidents of Arson
- Other Clery Crimes as Determined Necessary by the Chief of Police or Their Designee

Students, staff, and visitors are encouraged to notify the University Police Department at 479-788-7140 of any emergency or potentially dangerous situations.

The chief of police or their designee will access available sources of information from campus administrative staff and local authorities to confirm the existence of the danger. It will be responsible for initiating the institution's response and for marshaling the appropriate local emergency response authorities for assistance. Depending on the nature of the emergency, other university departments may be involved in the confirmation process.

Once the emergency is confirmed, based on its nature, UPD will consult with other appropriate university officials to determine the appropriate segment or segments of the University community to be notified. They are responsible for consulting on a case-by-case basis when information in the form of an alert is disseminated.

Campus safety alerts will be distributed in a timely manner as soon as pertinent information is available, withholding the names of victims as confidential, and with the goal of aiding in the prevention of similar crimes or occurrences. UAFS safety alerts will typically include the nature of the crime, the date/time of occurrence, and suggestions to assist with prevention and personal safety.

Campus safety alerts are primarily distributed by mass email or text to all students, faculty, and staff on campus as soon as pertinent information is available. Campus safety alerts are generally written and distributed to the campus community by the chief of police or their designee. Should the chief of police or their designee be directly impacted and involved in incident response or otherwise unavailable, a member from Marketing and Communications could write and send the alert.

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

At the direction of the university chief of police, they will notify local law enforcement of the emergency if they are not already aware of it and regional media outlets in order that the larger community outside the campus will be aware of the emergency.

Methods for Issuing Timely Warnings and Emergency Notifications

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

Method	Sign-Up Instructions
Text Message	Such notifications usually will be made by using the university's Lions Alert notification system. UAFS students, faculty, and staff are automatically enrolled in the emergency notification system. Students can select how they receive the messages by clicking on "Lions Alert" in My.UAFS under the "Campus Safety" tab. Faculty and staff members can change their alert settings by logging into Lions Alert as well.
Email	Such notifications usually will be made by using the university's Lions Alert notification system. UAFS students, faculty, and staff are automatically enrolled in the emergency notification system. Students can select how they receive the messages by clicking on "Lions Alert" in My.UAFS under the "Campus Safety" tab. Faculty and staff members can change their alert settings by logging into Lions Alert as well.
Phone Call	Such notifications usually will be made by using the university's Lions Alert notification system. UAFS students, faculty, and staff are automatically enrolled in the emergency notification system. Students can select how they receive the messages by clicking on "Lions Alert" in My.UAFS under the "Campus Safety" tab. Faculty and staff members can change their alert settings by logging into Lions Alert as well.

Testing and Documentation

The university tests its emergency response and evacuation procedures at least once a year. The tests may be announced or unannounced. Also, at various times the Emergency Management Team will meet to train and test and evaluate the university's emergency response plan.

Evacuation Scope

The scope of an evacuation may include a single building, a group of buildings, and/or a large geographical area. The scope could extend beyond the institution's borders, and/or the university may be affected by an evacuation initiated by local authorities. Size and scope considerations must be included in the overall decision-making process.

Building Evacuation

- All building occupants are required to evacuate when the fire alarm sounds or upon the order of an authorized university official, such as a UPD officer.
- If time permits, stabilize lab procedures, turn off stoves and ovens, and unplug or disable any device that could make a dangerous situation worse.
- Move to the closest exit and proceed down the exit stairwell in a safe and orderly manner. Take personal belongings with you. Do NOT use elevators.
- Remain at least 300 feet outside of the building and await further instructions. Keep roadways open and beware of approaching emergency vehicles. Notify emergency responders of anyone trapped, especially anyone with a physical disability.

Large-Scale Campus Evacuation

- If evacuation of part or all the campus is necessary, monitor text message/voice alert system, email, and the university's website for additional information.
- Those in need of transportation will be directed to areas to await transport to an off-campus site location.

General Evacuation Procedures

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately, proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify UPD by dialing 479-788-7140 or on-campus extension 7140 or by dialing 911 for outside emergency responders.

- Remain calm.
- Do NOT use elevators. Use the stairs.
- Assist the physically impaired. If they are unable to exit without using an elevator, secure a safe location near a stairwell and immediately inform UPD or the responding fire department of the individual's location.
- Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
- Make sure all personnel are out of the building.
- Do not re-enter the building.

Shelter-in-Place Procedures

University authorities may instruct campus community members to shelter in place if a condition exists that is potentially life-threatening and poses an immediate threat to the health and personal safety of the campus community. Immediate threats would include, but are not limited to, active shooter incidents, mass acts of violence, tornadoes, terrorist attacks, or hazardous materials incidents. Thus, to shelter in place means to make a shelter of the building that you are in. With a few adjustments, this location could be made even safer and more comfortable until it is safe to go outside. Community members should remain in a shelter-in-place status until the all-clear is communicated by emergency response personnel via an emergency rapid communications system(s).

Basic Shelter-in-Place Guidance

If an incident occurs and the building you are in is not damaged, stay inside an interior room until you are told it is safe to exit. If your building is damaged, take your personal belongings (purse, wallet, access card, etc) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, quickly seek shelter at the nearest university building. If police or fire department personnel are present, follow their instructions.

How Will You Know to Shelter in Place?

A shelter-in-place notification may come from several sources, including UPD, residential assistants/directors, other university employees, local law enforcement or outside emergency services, or other authorities utilizing the university's emergency communications tools.

How to Shelter in Place

No matter where you are, the basic steps of shelter in place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel.

- If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed quickly to the closest building or follow the instructions of emergency personnel on the scene.
- Locate a room to shelter inside. This should be an interior room above ground level without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.
- Shut and lock all windows (tighter seal) and close exterior doors.
- Turn off air conditioners, heaters, and fans.
- Close vents to ventilation systems as you are able. UAFS staff will turn off the ventilation as quickly as possible.
- Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list in to UPD so they know where you are sheltering. If only students are present, one of the students should call in the list.
- Turn on a radio or TV and listen for further instructions.
- Make yourself comfortable.

For off-campus emergencies, UPD officials often receive emergency information from the FSPD 911 Center regarding incidents in Fort Smith that could imminently impact the safety of the UAFS community. When appropriate, UPD notifies the campus community of off-campus threats that could also represent a threat to the health or safety of students or employees.

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

Stop Campus Hazing Policy and Programming

At the University of Arkansas - Fort Smith, all students, faculty, staff, alumni, and volunteers should understand that hazing is not only unacceptable and a violation of the university's rules and policies but is also against the law.

University of Arkansas - Fort Smith's Hazing Policy

"Hazing" means:

- a. A willful act on or off the property of the university by one student, alumnus, or volunteer or employee of a fraternal organization if the volunteer or employee is acting on behalf of, or in the name of, the fraternal organization, acting alone, or acting with others when the conduct is directed against any other student and done for the purpose of intimidating the student attacked by threatening him or her with social or other ostracism or of submitting such student to ignominy, shame, or disgrace among his or her fellow students, and acts calculated to produce such results;
- b. The playing of abusive or truculent tricks on or off the property of the university by one student, alumnus, or volunteer or employee of a fraternal organization if the volunteer or employee is acting on behalf of, or in the name of, the fraternal organization, acting alone, or acting with others, upon another student to frighten or scare him or her;
- c. A willful act on or off the property of the university by one student, alumnus, or volunteer or employee of a fraternal organization if the volunteer or employee is acting on behalf of, or in the name of, the fraternal organization, acting alone, or acting with others which is directed against any other student done for the purpose of humbling the pride, stifling the ambition, or impairing the courage of the student attacked or to discourage him or her from remaining in that school, college, university, or other educational institution, or reasonably to cause him or her to leave the institution rather than submit to such acts; or
- d. A willful act on or off the property of the university by one student, alumnus, or volunteer or employee of a fraternal organization if the volunteer or employee is acting on behalf of, or in the name of, the fraternal organization, acting alone, or acting with others in striking, beating, bruising, or maiming; or seriously offering, threatening, or attempting to strike, beat, bruise, or maim; or to do or seriously offer, threaten, or attempt to do physical violence to any student of any such educational institution; or any assault upon any such student made for the purpose of committing any of the acts, or producing any of the results, to such student as defined in this section
- e. The term "hazing"
- f. Does not include customary athletic events or similar contests or competitions; and
- g. Is limited to those actions taken and situations created in connection with initiation into or affiliation with an organization, extracurricular activity, or sports program.

Complaints or concerns of hazing should be reported to the Dean of Students Office at 479-788-7310 or deanofstudents@uafs.edu or UPD at 479-788-7140 or upd@uafs.edu.

Student Code Rights and Responsibilities in Misconduct Proceedings

1. Equal Treatment. The university shall treat the complainant and respondent equitably.
2. Notice. A party whose participation is invited or expected shall receive written notice of the date, time, location, participants, and purpose of all meetings, investigative interviews, or hearings with sufficient time for the party to prepare to participate.
3. Access to Administrative File
 - a. The university shall maintain an Administrative File of all disciplinary proceedings.²³

- b. The parties may have reasonable continuing access to the Administrative File²⁴ and the ability to review all documents and evidence in the Administrative File by contacting the student conduct administrator to schedule a reasonable date and time for the inspection.
 - c. Individual portions of the Administrative File shall be redacted if confidentiality of the evidence is required by law.²⁵
- 4. Presumption of Innocence. Respondents are presumed innocent. They shall not be deemed guilty of a violation of the Code until (1) a student or student organization acknowledges the responsibility of a violation of the Code or (2) the conclusion of all disciplinary proceedings during which an institution has established every element of an alleged violation by the student or student organization.²⁶
- 5. Notice of allegations. The respondent shall be afforded sufficient notice of the allegations to enable a meaningful response. The specific notice requirements are described in Section 11.
- 6. Consideration of Evidence. The university shall make good-faith efforts to include relevant evidence and exclude evidence that is neither relevant nor probative.²⁷ The university will not, however, follow formal rules of evidence or other rules of court.²⁸ An objective evaluation of the evidence must include both inculpatory and exculpatory evidence, and credibility determinations must not be based on a person's status as a complainant, respondent, or witness. However, all evidence (including relevant evidence) of the following types will be excluded, and evidence seeking that evidence will be disallowed as impermissible (i.e., not accessed, considered, disclosed, or otherwise used):
 - a. Evidence that is protected under a privilege as recognized by federal or state law, unless the person holding such a privilege has waived the privilege voluntarily in a manner permitted in Arkansas;
 - b. The university's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party, unless the university obtains the party's voluntary, written consent for use in the university's disciplinary proceedings;
 - c. Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's previous sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is offered to prove consent with evidence concerning specific incidents of the complainant's prior sexual conduct with the respondent. The fact of prior consensual sexual conduct between the complainant and respondent does not demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude a determination that sex-based harassment occurred.
- 7. Right to Appeal. A party may appeal an adverse decision regarding a finding of responsibility to the vice chancellor for Student Affairs or designee²⁹, and the decision on appeal shall serve as the final institutional decision on the matter.³⁰
- 8. Standard and Burden of Proof. The burden is on the university and the parties to investigate and gather sufficient evidence to determine whether a violation occurred. The decision-maker shall not find the respondent responsible unless the preponderance of the evidence establishes each element of the offense. The decision-maker shall evaluate relevant evidence for its persuasiveness. If the decision-maker is not persuaded under the foregoing standard by the evidence that a violation occurred, regardless of the quantity of the evidence, the decision-maker should not determine that a violation occurred.
- 9. Obligation to Provide Truthful Information. Parties and witnesses shall, to the best of their abilities, provide truthful and accurate information in their written submissions and during investigatory interviews and Hearings.
- 10. No Retaliation. A party shall not be subjected to retaliation because he or she exercised the party's rights under the Code.

11. Weapons. Individuals may not carry a concealed handgun into any disciplinary hearing, provided that they have been notified at least 24 hours prior to the hearing, the meeting will last no longer than nine (9) hours, and the meeting space has been marked with appropriate signage.³¹
12. No Conflicts or Bias. The student conduct administrator shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. A party may raise a concern regarding a potential conflict or bias with the vice chancellor for Student Affairs.
13. Extensions of Time. The parties may obtain reasonable extensions of time frames on a case-by-case basis for good cause with written notice to the Parties that includes the reasons for the delay.
14. Role of University Counsel. At all stages of the proceedings, a student conduct administrator, hearing officer, member of a hearing panel, or other administrators may seek advice from the university's Office of General Counsel on questions of law, policy, and procedure. An attorney from the general counsel's office may attend proceedings for the purpose of giving such advice.
15. Additional Rights in Cases Involving Non-Academic Violations with the Possibility of Expulsion or Suspension from the University
 - a. The parties shall have an equal opportunity to present relevant fact witnesses and other inculpatory and exculpatory evidence. The process shall enable the decision maker to adequately assess the credibility of the parties and witnesses to the extent credibility is both in dispute and relevant to evaluating one or more allegations.
 - b. The university shall advise a party that he or she may seek representation by an attorney. Additionally, a party has have a right to be present and advised by an attorney or non-attorney advisor during the party's investigatory interview, the hearing to determine responsibility,³² and the appeal.³³ The advisor may fully participate in the proceedings.³⁴ A party may be represented by an advisor until the conclusion of the appellate process.³⁵ The following principles also apply to advisors:
 - i. An advisor may provide discreet advice to the represented party during an investigatory interview but may not interfere with the information-gathering process.
 - ii. In cases that do not involve allegations of sex-based harassment, the university is not responsible for selecting, training, or arranging for the participation of advisors or for paying a party's advising costs.
 - iii. The hearing officer or chair of the hearing panel may disallow the attendance of a particular advisor if, in the discretion of the hearing officer or chair, such person's presence becomes disruptive or obstructive to the process. Advisors will not be permitted to question a witness in an abusive or threatening manner.
 - c. Both parties shall receive a written notification of the decision within a reasonable period of time after the hearing.
 - d. The parties shall have the right for the disciplinary proceedings to be carried out free from conflicts of interest by ensuring that there is no co-mingling of administrative or adjudicative roles.³⁷ During the disciplinary proceedings, there shall be no commingling of the roles of (1) attorney or non-attorney advisor, (2) investigator, (3) adjudicator,³⁸ and (4) appellate adjudicator. The investigator may, however, present evidence at a hearing.³⁹

²³ Ark. Code Ann. § 6-60-1404(b)(1)

²⁴ Ark Code Ann. § 6-60-1404(c)(1)(G). The statute requires "reasonable continuing access" and the "ability to review all evidence or documents in the administrative file beginning at least seven (7)

business days before a disciplinary Hearing, or sooner if otherwise specified by federal law.” Neither Title IX nor FERPA contain a provision that would limit a Student’s access to the seven-day period prior to a Hearing with regard to his or her own educational records.

²⁵ Ark. Code Ann. § 6-60-1404(c)(1)(G)

²⁶ Ark. Code Ann. § 6-60-1404(c)(1)(C);

²⁷ Ark. Code Ann. § 6-60-1403(2)(B)(i)

²⁸ Id.

²⁹ Ark. Code Ann. § 6-60-1404(c)(1)(F)(i)

³⁰ Ark. Code Ann. § 6-60-1404(c)(1)(F)(iii)

³¹ Ark. Code Ann. § 5-73-322(e)

³² Ark. Code Ann. § 6-60-1404(c)(1)(D)

³³ Ark. Code Ann. §§ 6-60-1403(1) to 60-60-1403(2); Ark. Code Ann. § 6-60-1404(c)(1)(B)

³⁴ Ark. Code Ann. § 6-60-1404(c)(1)(B)(ii)

³⁵ Ark. Code Ann. § 6-60-1404(c)(1)(B)(iii)

³⁶ Ark. Code Ann. § 6-60-1404(c)(1)(B)(iv)

³⁷ Ark. Code Ann. § 6-60-1404(c)(1)(H)(i)

³⁸ Ark. Code Ann. § 6-60-1404(c)(1)(H)(ii)

³⁹ Id.

Section 11: Procedures in Disciplinary Proceedings

1. Procedures that apply to all cases involving an alleged violation of the Code of Conduct (other than acts of Academic Dishonesty)

a. Preliminary Procedures

i. General Requirements. Upon being notified of conduct that may constitute a violation of the Code, the student conduct administrator shall:

1. Notify the parties of the procedures set forth in this Code;
2. Notify the parties of the informal resolution process under this Code if available and appropriate;
3. Offer and coordinate supportive measures under this Code, as appropriate, to restore or preserve a party’s access to the university’s education program or activity;
4. In response to a complaint, initiate the disciplinary proceedings or informal resolution process set forth in this Code.
5. In the absence of a complaint or informal resolution process, determine whether to initiate a complaint that complies with the procedures set forth in this Code if necessary to address conduct that may constitute a violation; and
6. Take other appropriate, prompt, and effective steps to ensure that the violation of this Code does not continue or recur within the university’s education program or activity, in addition to the remedies provided to an individual complainant.

ii. Written Complaint

1. A form for a written complaint is set forth in Appendix B.
2. The following persons have the right to make a complaint under this Code, requesting that the university initiate disciplinary proceedings:
 - a. A complainant;
 - b. A person who has a right to make a complaint on behalf of a complainant, such as an authorized legal representative; or
 - c. A third party participating or attempting to participate in the university’s education program or activity when the alleged violation of this Code occurred.

3. Complaints submitted orally or submitted by the student conduct administrator shall be memorialized in writing at the time of submission.
4. The complaint should be submitted as soon as practicable. Unreasonable filing delays could result in the dulling of memories and a loss of relevant evidence and witness testimony. Delays in filing shall not, however, affect the complainant's eligibility for supportive measures from the university.
5. Because the university is bound by its obligation to provide a fundamentally fair process, anonymous complaints may be filed. Still, anonymity may limit the university's ability to respond and may preclude disciplinary action.

iii. Notice of Allegations and Initial Communications to the Parties

1. Upon initiation of the procedures set forth in this Code, the university shall provide written notice to the parties whose identities are known. This notice shall include:

- a. A copy of this Code, along with the appendices (which will include Act 470 of 2023 as set forth in Appendix A);⁴⁰
- b. Sufficient information, available at the time, to allow the parties to respond to the allegations. Sufficient information includes:
 - i. The identity of the parties involved in the incident;
 - ii. The date and location of the alleged incident; and
 - iii. The conduct allegedly constituting a violation of the Code, with sufficient time for the parties to prepare a response before any initial interview;
- c. A statement that the respondent is presumed not responsible for the alleged conduct until a determination of whether a violation of the Code occurred is made at the conclusion of the disciplinary proceedings under this Code;
- d. A statement that, in cases involving allegations of conduct for which a sanction of expulsion or suspension from the university may be imposed, the parties may seek representation by an attorney. Additionally, a statement that the parties are entitled to an advisor of their choice during the disciplinary proceedings (i.e., investigatory interview, hearing, and appeal), and the advisor may be (but is not required to be) an attorney. The statement must be provided no later than 24 hours before the respondent may be questioned regarding an alleged violation.⁴¹ The statement shall further explain that in non-Title IX cases in which a sanction of expulsion or suspension from the university may be imposed, the party will be responsible for securing an advisor at the party's own expense;⁴²
- e. A statement that the party is entitled to receive access to the Administrative File;
- f. A statement that the Code prohibits knowingly making false statements or knowingly submitting false information during the grievance procedure; and
- g. A statement that retaliation is prohibited.

2. If, in the course of an investigation, the student conduct administrator decides to investigate additional allegations about the respondent's conduct toward the complainant that are not included in the original notice or that are included in a complaint that is consolidated as set forth in this Code, the student conduct administrator must provide notice of the additional allegations of the parties whose identities are known.

iv. Student Conduct Administrator's Screening and Dismissal Decision

1. After receiving a complaint, the student conduct administrator shall promptly decide two threshold issues: (1) whether the complaint should be dismissed, and (2) whether, in the student conduct administrator's discretion, the allegations could result in a sanction of expulsion or suspension from the university. The student conduct administrator's discretionary decision should be guided by factors such

- as the severity of the alleged conduct, prior offenses, the impermissible possession of weapons, and the negative impact on the campus community. The student conduct administrator shall make this initial determination within 10 business days after the complaint is filed or as soon as practicable thereafter.
2. The student conduct administrator shall dismiss a complaint if:
 - a. The student conduct administrator determines that the conduct alleged in the complaint, even if proven, would not constitute a violation of the Code; provided, however, that before dismissing the complaint under this paragraph, the student conduct administrator shall make reasonable efforts to clarify the allegations with the complainant;
 - b. The Code does not apply to the alleged facts under Section 4 (pertaining to applicability of the Code); or
 - c. The alleged conduct constitutes a protected exercise of the student's free speech rights.
 3. The student conduct administrator may dismiss a complaint if:
 - a. The university is unable to identify the respondent after taking reasonable steps to do so;
 - b. The respondent is not participating in the university's education program or activity; or
 - c. The complainant voluntarily withdraws any or all of the allegations in the complaint, and the student conduct administrator determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute a violation of the Code even if proven.
 4. If the student conduct administrator dismisses the complaint, the investigation shall end immediately. The student conduct administrator shall promptly communicate the basis for the dismissal to the parties simultaneously. If the dismissal occurs after the respondent has been notified of the allegations, then the student conduct administrator must also notify the respondent of the dismissal and the basis for the dismissal promptly following a notification to the complainant, or simultaneously if notification is in writing.
 5. The student conduct administrator shall notify all parties that a dismissal may be appealed. Each party may appeal the matter to the vice chancellor of Student Affairs or designee within five (5) business days after the student conduct administrator's dismissal decision. During the appeal of a dismissal decision:
 - a. Each party shall be notified when an appeal is filed, and the procedures shall be implemented equally for the parties;
 - b. The university shall ensure that the decision-maker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
 - c. The university shall ensure that the decision-maker for the appeal has been appropriately trained;
 - d. The university shall provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome as follows:
 - i. The appealing party's submission shall consist of a concise written statement as to why the dismissal decision should be reversed; and
 - ii. The other party may submit a concise counter-statement within five (5) business days of receiving the appealing party's submission; and
 - e. The university shall simultaneously notify the parties of the result of the appeal and the rationale for the result.
 6. Notwithstanding a decision to dismiss the complaint, the university shall provide supportive measures to the complainant and respondent as appropriate.
 7. If the student conduct administrator decides that the complaint should not be dismissed but the sanctions will not be expulsion or a suspension from the university, then the parties shall be notified

that the matter will be handled under the procedures set forth in Section 11.3.

a. Consolidation of Complaints. The student conduct administrator may consolidate complaints against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations arise out of the same facts or circumstances.

b. Informal Resolution

i. At any time prior to determining whether a violation of this Code occurred, the university may offer to a complainant and respondent an informal resolution process, unless such a process would conflict with federal, state, or local law.

1. The student conduct administrator has discretion to determine whether it is appropriate to offer an informal resolution process and may decline to offer informal resolution despite one or more of the parties' wishes.

2. Circumstances when the student conduct administrator may decline to allow informal resolution include, but are not limited to, when the university determines that the alleged conduct would present a risk of future harm to others.

ii. The university will not require or pressure the parties to participate in an informal resolution process. The student conduct administrator must obtain the parties' voluntary consent to the informal resolution process and must not require waiver of the right to an investigation and adjudication of a complaint as a condition of enrollment or continuing enrollment or exercise of any other right.

iii. Before initiation of an informal resolution process, the student conduct administrator must provide the parties with written notice that explains:

1. The allegations;

2. The requirements of the informal resolution process;

3. That, prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and to initiate or resume the University's grievance procedures under this Code;

4. That the Parties' agreement to a resolution at the conclusion of the informal resolution process would preclude the Parties from initiating or resuming grievance procedures arising from the same allegations;

5. The potential terms that may be requested or offered in an informal resolution agreement, where such potential terms include (but are not limited to):

a. Restrictions on contact; and

b. Restrictions on the respondent's participation in one or more of the university's programs or activities or attendance of specific events, including restrictions the university could have imposed as remedies or disciplinary sanctions had the university determined that a violation of this Code occurred;

6. Which records will be maintained and could be shared;

7. That if the university initiates or resumes the procedures under this Code, the university or a party must not access, consider, disclose, or otherwise use information, including records, obtained solely through an informal resolution process as part of the investigation or determination of the outcome of the complaint; and

8. That, when applicable, and if the university resumes the disciplinary proceedings under this Code, the informal resolution facilitator could serve as a witness for purposes other than providing information obtained solely through the informal resolution process.

iv. The facilitator for the informal resolution process must not be the same person as the

investigator or decision-maker in the university's procedures under this Code. Any person designated by the university to facilitate an informal resolution process must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant and respondent.

v. In order to encourage an open exchange of views and maximize the chances of agreement, mediation sessions may not be recorded, unless the parties agree to a different arrangement.

vi. Any informal resolution shall be in writing and shall represent the final resolution of the case, unless one of the parties fails to adhere to the terms of the agreement.

vii. If the parties do not agree to an informal resolution, the process is unsuccessful, or informal resolution is not appropriate due to the nature of the complaint, then the formal disciplinary proceedings will commence or resume.

d. Investigation

i. After the student conduct administrator provides the parties with the information described above, the student conduct administrator shall promptly meet with the complainant and respondent separately to discuss the following:

1. The allegations in the complaint, including the party's version of events, the nature and location of evidence, and the identity of witnesses;

2. Supportive measures; and

3. The party's interest in resolving the matter through informal resolution, unless the student conduct administrator determines that informal resolution would be inappropriate under the circumstances.

ii. A Party and his or her advisor are not permitted to attend interviews other than his or her own interview.

iii. In addition to meeting with the parties, the student conduct administrator shall take other investigatory steps, as necessary. Such steps may include:

1. Interviewing witnesses (including expert witnesses, if any) and summarizing such interviews in writing;

2. Visiting, inspecting, and taking photographs of relevant sites;

3. Collecting and preserving relevant evidence (potentially in coordination with law-enforcement agencies); and

4. Obtaining any relevant medical records, provided that the subject of the records has voluntarily authorized the release of the records in writing.

iv. The investigation shall ordinarily be completed within 30 calendar days after the complaint is filed or as soon as practicable thereafter.

e. Investigation by Law Enforcement: Nothing in this Code should be construed as restricting the ability of campus law enforcement to investigate a possible criminal violation.⁴³ If a law enforcement investigation has been initiated, the university will take reasonable measures to avoid undue interference with the law enforcement investigation. In most cases, the university's investigation will not be halted due to the fact that a parallel law-enforcement investigation has commenced.

2. Additional procedures in cases involving allegations that could result in a sanction of expulsion or suspension from the university.

a. Administrative File

i. At the conclusion of the investigation and at least seven (7) business days before the hearing, the student conduct administrator shall remind the parties of their right to review the administrative file to the extent allowed by law.⁴⁴

ii. The parties shall have an opportunity to respond to the evidence contained in the administrative file at a live hearing.

b. Hearing Officer or Hearing Panel

i. At least three (3) business days before the gearing date, the student conduct administrator shall select a hearing officer or hearing panel and disclose the individuals' identities to the parties.

ii. A party may challenge a hearing officer or hearing panelist for bias or any conflicts of interest with the potential to undermine the integrity of the disciplinary process. The vice chancellor for Student Affairs or a designee who is not a fact-finder in the case shall promptly resolve the challenge and designate a substitute as appropriate.

iii. Persons who serve as hearing officers or hearing panelists may not be the same individuals who investigated the alleged misconduct.

c. Hearing Procedures

i. The hearing officer or hearing panel may pose questions to the witnesses before affording the parties an opportunity to ask questions.

ii. The hearing officer or chair of the hearing panel 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 or hearing panel may, in its discretion, choose to call a student conduct administrator for the purpose of explaining the investigation and findings.

iii. The hearing officer or hearing panel must determine whether a proposed question is relevant and not otherwise impermissible prior to the question being posed, and must explain any decision to exclude a question as not relevant. If a decision-maker determines that a party's question is relevant and not otherwise impermissible, then the question must be asked except that no questions that are unclear or harassing of the party being questioned will be permitted.

iv. The hearing officer or chair of the hearing panel has the discretion to determine whether the parties may present expert witnesses as long as the determination applies equally to both parties.

v. At the hearing, the parties may:

1. Make an opening and closing statement;
2. Present relevant evidence; and
3. Cross-examine adverse witnesses.

vi. The respondent may waive the right to be present at a disciplinary proceeding by providing to the student conduct administrator a signed waiver as set forth in Appendix C. The waiver shall be signed by the respondent and the adjudicator. The student conduct administrator shall provide one copy to the respondent and place another copy in the administrative file. If the respondent waives the right to be present at a disciplinary proceeding, the respondent shall not have the right to appeal the university's initial decision.

vii. Hearings may be conducted through a live hearing with the parties physically present in the same geographic location. At the university's discretion or upon the request of either party, it will conduct the live hearing with the parties physically present in separate locations with technology enabling the decision-maker and parties to simultaneously see and hear the party or the witness while that person is speaking or communicating in another format.

viii. The university shall create an audio, audiovisual, or transcript of the hearing.

ix. The parties may pose relevant questions to witnesses under the following conditions:

1. In cases in which a party is represented by an advisor, the advisor may pose questions to the witness directly.
2. In cases in which a party is not represented by an advisor, the questions may be asked through the hearing officer or hearing panel. A party may not, however, question a witness directly. The party may tender an initial set of proposed questions prior to the hearing and propose follow-up questions, including questions challenging credibility, that a party wants asked of any party or witness.
 - x. If a party does not respond to questions related to their credibility, the decision-maker must not rely on any statement of that party that supports that party's position. The decision-maker must not draw an inference about whether misconduct occurred based solely on a party's or witness's refusal to respond to questions related to their credibility.
- d. Written Decision
 - i. As soon as practicable after the hearing, the hearing officer or chair of the hearing panel shall simultaneously distribute to the parties a written decision of the result that contains the following:
 1. A description of the alleged Code violation;
 2. Information about the policies and procedures the university used to evaluate the allegations;
 3. The decision-maker's evaluation of the relevant evidence and determination of whether a violation occurred.
 4. When the decision-maker finds that a violation occurred, any disciplinary sanctions the university will impose on the respondent, and whether remedies other than the imposition of disciplinary sanctions will be provided by the university to the complainant and, to the extent appropriate, other students identified by the university to be experiencing the effects of a violation; and
 5. The university's procedures to appeal the result of the disciplinary hearing;
 - ii. If there is a determination that a violation occurred, as appropriate, the student conduct administrator shall provide and implement remedies to a complainant or other affected person(s) and take other prompt and effective steps to ensure that a violation does not continue or recur within the university's education program or activity.
 - iii. The determination regarding responsibility becomes final either on the university providing the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Appeals

- i. A party may appeal a decision or sanction by submitting a written statement to the student conduct administrator within seven (7) calendar days⁵⁵ of receiving the hearing officer or hearing panel's written decision. An appeal form is set forth in Appendix D.
- ii. An appeal may be initiated after the deadline if the party shows that new, previously unavailable evidence came to light or that there is a compelling reason for the delay.
- iii. The appeal shall be heard by the vice chancellor for Student Affairs or designee.
- iv. The appeal shall be decided based on the record and without deference to the decision of the hearing officer or hearing panel.
- v. A party may only appeal based on one of the following grounds:
 1. A procedural irregularity that would change the determination of whether a Code violation occurred;
 2. The discovery of new evidence that would change the outcome of the matter and that was not reasonably available at the time the determination of whether a Code violation occurred or dismissal was made.
 3. A student conduct administrator had a conflict of interest or bias for or against complainants or

respondents generally or the individual complainant or respondent that would change the outcome of the matter; or

4. The sanctions are grossly disproportionate to the severity of the offense.

vi. The student conduct administrator shall promptly notify the other party of the appeal and provide a copy of the party's written statement. The other party may submit a written counter-statement within five (5) business days thereafter.

vii. The decision on appeal may uphold the decision, modify it, or remand the matter to the hearing officer or hearing panel for further factual development.

viii. The vice chancellor for Student Affairs or designee shall inform the parties of the decision in writing within five (5) business days of the last party's written submission or as soon as practicable thereafter.

ix. The parties may challenge the vice chancellor for Student Affairs' (or designee's) involvement for bias or a conflict of interest with the potential to undermine the integrity of the appellate process. The chancellor may decide any such challenge and replace the administrator with an appropriate substitute.

Certificate of Compliance

i. At the conclusion of the disciplinary proceedings, the chancellor or vice chancellor of Student Affairs shall certify, on a form similar to Appendix E, that the substantial rights of the complainant and respondent as established in Act 470 of 2023 have been followed.⁵⁶

ii. The certification shall be maintained in the Administrative File.⁵⁷

3. Disciplinary procedures in non-Title IX cases in which neither expulsion nor suspension from the university will be imposed

a. If the student conduct administrator determines, in his or her discretion at the inception of the case, that a sanction of expulsion or suspension will not be imposed in a non-Title IX case involving an alleged violation of the Code (other than an act of academic dishonesty), then the alleged violation of the Code shall be resolved through an administrative Hearing before the student conduct administrator or designee.

b. An attorney or non-attorney advisor may not participate at any stage of the disciplinary proceedings.

c. The student conduct administrator or designee shall ensure that the respondent receives:

i. Written notice of charges;

ii. An opportunity to inspect the administrative file;

iii. An opportunity to be heard at a meeting with the student conduct administrator or designee;

iv. A written decision on whether the respondent has violated the Code and sanctions that will be imposed; and

v. An opportunity to appeal to the vice chancellor for Student Affairs or designee, within five (5) business days of the decision, based on one of the following grounds:

1. A procedural irregularity that affected the outcome;

2. The discovery of new evidence that was not reasonably available when the determination of responsibility was made, that could affect the outcome;

3. The university investigator or decision-maker had a conflict of interest or bias that affected the outcome; or

4. The sanctions are grossly disproportionate to the severity of the offense.

vi. A reasonably prompt, written decision from the vice chancellor for Student Affairs or designee regarding the appeal.

- vii. An opportunity to challenge the involvement of any decision-maker due to bias or a conflict of interest.
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⁴⁵ Ark. Code Ann. § 6-60-1404(c)(1)(D)(ii)-(iv)

⁴⁶ Ark. Code Ann. § 6-60-1404(c)(1)(D)(4)(ii)

⁴⁷ Ark. Code Ann. § 6-60-1404(c)(1)(D)(4)(iii)

⁴⁸ Ark. Code Ann. § 6-60-1404(c)(1)(D)(4)(iv)

⁴⁹ Ark. Code Ann. § 6-60-1404(c)(1)(D)(1)

⁵⁰ Ark. Code Ann. § 6-60-1404(c)(1)(D)(2)

⁵¹ Ark. Code Ann. § 6-60-1404(c)(1)(D)(3)

⁵² Ark. Code Ann. § 6-60-1404(c)(1)(D)(i)(b)(4)

⁵³ Ark. Code Ann. § 6-60-1404(b)(3);)

⁵⁴ Ark. Code Ann. § 6-60-1404(c)(1)(I)(iii)(b)

⁵⁵ Ark. Code Ann. § 6-60-1404(c)(1)(F)(ii)

⁵⁶ Ark. Code Ann. § 6-60-1404(d)(1)

⁵⁷ Ark. Code Ann. § 6-60-1404(d)(2)

Section 12: Amnesty

The university offers amnesty to anyone who may be hesitant to report a serious incident because of fear that they personally may be accused of minor policy violations, such as underage drinking, at the time of the incident. Educational options may be explored, but no conduct sanctions or records will result.

Section 13: Sanctions

1. Sanctions must be reasonable and proportionate to the seriousness of the violation. The student conduct administrator must accurately advise the disciplinary body of sanctions that have been imposed for similar violations in the past in order to ensure consistency and equity across time.
2. A student's conduct history shall not impact the finding of responsibility, but it may be used as information in determining appropriate sanctions.
3. Ordinarily, sanctions will not be imposed until the resolution of an appeal. However, if it is deemed necessary to protect the welfare of the victim or the university community, the hearing officer or hearing panel 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.
4. Any sanction imposed on a respondent-including those based on a finding that sex-based harassment occurred, will take on the following forms:
 - a. Verbal warning;
 - b. Written reprimand;
 - c. Probation and/or suspension in abeyance;
 - d. Loss of privileges for a specified period of time;
 - e. Restitution through community service or fine;
 - f. Research assignments;
 - g. A requirement to receive certain training;
 - h. Community service;
 - i. Removal from campus housing, including terms for readmission;
 - j. Suspension from the university, including terms for readmission; and/or
 - k. Expulsion from the university

5. The university may withhold a respondent's degree for a reasonable amount of time to resolve any pending charges under this Code and to make sure that related sanctions are satisfied. The university may also revoke a degree if it is shown by a preponderance of the evidence that it was obtained by any form of academic dishonesty.
6. Student organizations and their officers and members, in their capacity as such, are subject to the same sanctions as other respondents if a preponderance of the evidence shows actual participation in, or actual authorization or ratification of, a violation of the Code.
 - a. In making this determination, the university shall consider whether the organization's members were acting in accord with the organization's practices and policies, or with the knowledge or approval of a substantial number of its members or leadership.
 - b. The university may impose upon a student organization any of the sanctions that apply to individuals (including a loss of privileges), suspension for a period of time, or a permanent loss of university recognition.

Section 14: Confidentiality

1. When conducting an informal resolution process under this Code, implementing disciplinary proceedings, or requiring the student conduct administrator to take other appropriate steps under this Code, the university must not disclose the identity of a party, witness, or other participant except in the following circumstances:
 - a. When the party, witness, or other participant has provided prior written consent to disclose their identity;
 - b. When permitted under the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, or its implementing regulations, NPRM 34 C.F.R. Part 99;
 - c. As required by law; or
 - d. To carry out the purposes of Title IX, including action taken to address conduct that may constitute sex discrimination under Title IX in the university's program or activity.
2. To protect the privacy of all parties and in accordance with FERPA, the hearing will be closed.
3. Educational records related to any aspect of discipline against a student will not be released by the university without the student's authorization. This prohibition does not apply to students in possession of their own educational records. Only exceptions authorized under will be permitted. For instance, the university may release records:
 - a. To comply with a judicial order or a lawfully issued subpoena;
 - b. To inform the complainant in a case involving allegations of a crime of violence or a non-forcible sex offense of the final results of a related disciplinary hearing;
 - c. To inform any third party, including other educational institutions, of the final results of a disciplinary proceeding related to a crime or violence or non-forcible sex offense if respondent is found responsible;
 - d. To any student's parents:
 - i. If the parent claimed the student as a dependent on their tax returns, or
 - ii. To inform the parents if the student is found responsible for an offense related to drugs or alcohol and the student is under the age of 21 at the time of the disclosure; or
 - e. To address a health or safety emergency.
4. For cases involving allegations of sex-based harassment under Title IX, the university shall keep confidential the identity of any complainant, respondent, and witness, except as permitted by FERPA, required by law, or necessary to conduct any investigation, hearing, or judicial proceeding arising under the Title IX grievance process.

5. Disclosure of final results to third parties, if permitted, shall include only the name of the responsible student, the violation committed, and any sanction imposed. The disclosure must not include the name of any other student, including a victim or witness, without the written consent of that other student.
6. The university may take reasonable steps to protect the privacy of the parties and witnesses during the pendency of disciplinary proceedings under this Code, but it will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consulting with a family member, confidential resource, or advisor; preparing for a hearing (if one is offered); or otherwise defend their interests.
7. Except as allowed by the parties' free speech rights, the parties and their advisors may not disclose information and evidence obtained solely through the process set forth in this Code without authorization.

Hazing Prevention and Awareness Program

Hazing awareness and prevention programs will be provided to students, staff, and faculty related to hazing awareness and prevention education. These programs may be offered online or in person and will be targeted to reach all members of the University community, will be research-informed, and will include primary prevention strategies. For more information on hazing awareness and prevention programs, please review the [dean of students webpage](#). Hazing awareness and prevention programs will be described in more detail and published annually in the University of Arkansas - Fort Smith's Annual Security Report.

Hazing State Laws

Summary (Code of Arkansas)

a. ... "hazing" means:

1. A willful act on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student, alumnus, or volunteer or employee of a fraternal organization if the volunteer or employee is acting on behalf of, or in the name of, the fraternal organization, acting alone, or acting with others when the conduct is directed against any other student and done for the purpose of intimidating the student attacked by threatening him or her with social or other ostracism or of submitting such student to ignominy, shame, or disgrace among his or her fellow students, and acts calculated to produce such results;
2. The playing of abusive or truculent tricks on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student, alumnus, or volunteer or employee of a fraternal organization if the volunteer or employee is acting on behalf of, or in the name of, the fraternal organization, acting alone, or acting with others, upon another student to frighten or scare him or her;
3. A willful act on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student, alumnus, or volunteer or employee of a fraternal organization if the volunteer or employee is acting on behalf of, or in the name of, the fraternal organization, acting alone, or acting with others which is directed against any other student done for the purpose of humbling the pride, stifling the ambition, or impairing the courage of the student attacked or to discourage him or her from remaining in that school, college, university, or other educational institution, or reasonably to cause him or her to leave the institution rather than submit to such acts; or

4. A willful act on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student, alumnus, or volunteer or employee of a fraternal organization if the volunteer or employee is acting on behalf of, or in the name of, the fraternal organization, acting alone, or acting with others in striking, beating, bruising, or maiming; or seriously offering, threatening, or attempting to strike, beat, bruise, or maim; or to do or seriously offer, threaten, or attempt to do physical violence to any student of any such educational institution; or any assault upon any such student made for the purpose of committing any of the acts, or producing any of the results, to such student as defined in this section.
- b. The term “hazing” as defined in this section:
 1. Does not include customary athletic events or similar contests or competitions; and
 2. Is limited to those actions taken and situations created in connection with initiation into or affiliation with an organization, extracurricular activity, or sports program. Ark. Code Ann. § 6-5-201

Arkansas statute also prohibits hazing as follows:

- a. A student, alumnus, or volunteer or employee of a fraternal organization of a school, college, university, or other educational institution in Arkansas shall not knowingly engage in hazing or encourage, aid, or assist any other student, alumnus, or volunteer or employee of a fraternal organization in hazing.
- b.
 1. A person shall not knowingly permit, encourage, aid, or assist another person in committing the offense of hazing, or knowingly acquiesce in the commission of the offense of hazing, or fail to report promptly his or her knowledge or any reasonable information within his or her knowledge of the presence and practice of hazing in this state to an appropriate administrative official of the school, college, university, or other educational institution in Arkansas.
 2. An act of omission or commission is hazing under this subsection.
- c. A violation of this section is a Class B misdemeanor.
- d. In addition to any penalty provided by this section, a student convicted of hazing shall be expelled from the school, college, university, or other educational institution that he or she is attending. Ark. Code Ann. § 6-5-202.

Missing Student Policy

Resident Student or Commuter Student Missing Person Policy

Resident assistants or resident directors who determine that a resident has been missing for longer than 24 hours shall immediately report the same to their resident director or director of housing, respectively.

If a member of the university community has reason to believe that a resident has been missing for 24 hours, they should immediately notify the University Police Department 479-788-7140, dean of students, or vice chancellor for student affairs 479-788-7310. UPD, upon notice, will generate a missing person report and initiate an investigation with the assistance of Housing and Residential Life.

All resident students receive information about this policy prior to the beginning of classes in the fall (or spring for mid-year enrollees) and have the option of registering a name and number of someone who will be contacted within 24 hours after the resident is determined to be missing. Students' contact information will be registered confidentially, and will be accessible only to authorized campus officials. Contact information will not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation. This is done in part through its inclusion in the application process.

Should the UPD or Student Affairs determine that the student is missing and has been missing for more than 24 hours, the resident's emergency contact, or the resident's parents if the resident is under the age of 18 and not legally emancipated, will be contacted, no later than 24 hours after the student is determined to be missing. The institution will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing.

UAFS Three-Year Crime Statistics

The statistical summary of crimes for this university over the past three calendar years follows:

	On Campus			On-Campus Housing			Non-Campus			Public Property		
Crime	2022	2023	2024	2022	2023	2024	2022	2023	2024	2022	2023	2024
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Rape	4	2	1	3	1	1	0	0	0	0	0	0
Fondling	3	3	1	2	2	0	0	0	0	0	0	1
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	1	0	0	0	0	0	0	0	0	0	0	0
Burglary	9	5	4	1	0	1	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	1	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Hazing	0	0	0	0	0	0	0	0	0	0	0	0
Arrest - Liquor Law Violation	0	3	6	0	0	2	0	0	0	0	3	0
Arrest - Drug Abuse Violation	0	4	1	0	0	0	0	0	0	0	2	0
Arrest - Weapon Violation	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Liquor Law Violation	29	22	21	28	22	19	0	0	0	0	0	0

	On Campus			On-Campus Housing			Non-Campus			Public Property		
Crime	2022	2023	2024	2022	2023	2024	2022	2023	2024	2022	2023	2024
Disciplinary Referral - Drug Abuse Violation	3	14	8	2	12	7	0	0	0	0	1	0
Disciplinary Referral - Weapon Violation	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	1	0	0	1	0	0	0	0	0	0	0	0
Dating Violence	1	0	1	0	0	1	0	0	0	0	0	0
Stalking	7	3	1	4	1	0	0	0	0	0	0	0

Unfounded Reports

If a Clery crime is reported as occurring in any of the UAFS Clery geography and the crime is investigated by a law enforcement authority and found to be false or baseless, the crime is unfounded. Crimes can only be classified as unfounded by sworn or commissioned law enforcement personnel only after a thorough investigation.

Hate Crime Reporting

There were no reports of hate crime incidents reported in 2022, 2023, and 2024.

Crimes Unfounded by the University

2024: 0 unfounded crimes

2023: 0 unfounded crimes

2022: 0 unfounded crimes

Statistics for Unfounded Crimes Provided by Law Enforcement Agencies

2024: 0 unfounded crimes

2023: 0 unfounded crimes

2022: 0 unfounded crimes

Data from Law Enforcement Agencies

- The data above reflects statistics provided from law enforcement agencies related to crimes that occurred on the university's Clery geography.
- The university was provided with some crime data from law enforcement agencies, for which it cannot be determined whether any of the statistics apply to or include the university's Clery geography.
- Certain law enforcement agencies did not comply with the university's request for crime statistics.

Clery Geography Definitions

Campus - any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls, and any building or property that is within or reasonably contiguous to the area identified previously that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.

Non-Campus - any building or property owned or controlled by a student organization that is officially recognized by the institution (i.e. privately owned fraternity), or any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public Property - all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus or on-campus property/facilities. UAFS crime statistics do not include crimes that occur in privately owned homes or businesses within or adjacent to the campus boundaries.

Residence Halls - any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus. This category is considered a subset of the On-Campus category.

Reasonably Contiguous - any building or property an institution owns or controls that is in a location that students consider to be, and treat as, part of the campus. UAFS considers locations within one mile of the core or main campus border to be reasonably contiguous with the campus.

Annual Fire Safety Report

Housing Facilities and Fire Safety Systems

The University maintains on-campus housing for its students. Below is a description of fire safety systems and the number of fire drills conducted during the previous calendar year.

Campus: University of Arkansas - Fort Smith, 5210 Grand Ave, Fort Smith, AR 72913

Facility	Fire Alarm Monitoring Done on Site	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Evacuation (Fire) Drills in Previous Calendar Year
Lion's Den 601 N. Waldron Rd., Fort Smith, AR 72903	X		X	X	X	X	2
Sebastian Commons 801 N. 49 th St., Fort Smith, AR 72903	X		X	X	X	X	2

Policies on Portable Appliances, Smoking, and Open Flames

The use of open flames, such as candles, and the burning of substances like incense, as well as smoking, is prohibited in campus housing. Only surge-protected extension cords are permitted. Only the following portable cooking appliances are allowed for use in campus housing: toasters, toaster ovens, air fryers, crockpots, rice cookers, and enclosed electric grills (such as George Foreman grills). Also, tampering with fire safety systems is prohibited, and any such tampering may lead to appropriate disciplinary action.

The university reserves the right to make periodic inspections of campus housing to ensure fire safety systems are operational and that the policy on prohibited items is being complied with. Prohibited items, if found, will be confiscated and donated or discarded without reimbursement.

Fire Evacuation Procedures

In the event of a fire, all residence hall buildings will be evacuated to protect the health and safety of the residents, guests, and visitors. When an alarm is sounded, one must assume there is an emergency and adhere to the following steps.

- Activate the building fire alarm if it is not already sounding. Pull a fire alarm station on the way out.
- Leave the building by using the nearest exit.
- Crawl if there is smoke. Cleaner, cooler air will be near the floor. Get low and go.
- Before opening any doors, feel the metal knob. If it is hot, do not open the door. If it is cool, brace yourself against the door and open it slightly. If heat or heavy smoke are present, close the door and stay out of the room.

- Go to the nearest exit or stairway. If the nearest exit is blocked by fire, heat, or smoke, go to another exit.
- Always use an exit stairway, not an elevator. Elevator shafts may fill with smoke or the power may fail, leaving you trapped. Stairway fire doors will keep out fire and smoke if they are closed and will protect you until you get outside. Close as many doors as possible as you leave. This helps to confine the fire. Total and immediate evacuation is safest.
- Only use a fire extinguisher if the fire is very small and you know how to do it safely. Do not delay calling emergency responders or activating the building fire alarm.
- If you cannot put out the fire, leave immediately. Make sure the fire department is called, even if you think the fire is out.
- If you get trapped, keep the doors closed. Place cloth material (wet, if possible) around and under the door to prevent smoke from entering.
- Be prepared to signal your presence from a window. Hang an object at the window (jacket, shirt) to attract the fire department's attention. If there is a phone in the room, call 911.

Fire Education and Training Programs

Fire safety education programs are held for all residents of on-campus student housing and all employees with responsibilities related to that housing at the beginning of each semester. Their purpose is to familiarize everyone with the fire safety system in each facility, train them on procedures to follow in the event of a fire, and inform them of the University's fire safety policies. The information distributed includes maps of each facility's evacuation route, as well as any fire alarms and fire suppression equipment available within the facility. Attendees are advised that participation in fire drills is mandatory. Any student with a disability is given the option of having a "buddy" assigned to assist them.

Reporting Fires

The university is required to disclose statistical data on all fires that occurred in on-campus student housing each year. When a fire alarm is pulled and/or the fire department responds to a fire, these incidents are captured. If you encounter a fire that presents an emergency situation, ensure your own safety and then please call 911.

There may also be instances when a fire is extinguished quickly, and an alarm is not pulled, or a response by the fire department was not necessary. It is important that these incidents be recorded as well. Therefore, if you are aware of such a fire, see evidence of one, or hear about one, you should contact UPD. When providing notification of a fire, give as much information as possible about the location, date, time, and cause of the fire.

Plans for Future Improvements

The university periodically reviews its fire safety protections and procedures. At this time, there are no plans for future improvements.

Fire Statistics

2024

Two (2) fires were reported at Sebastian Commons, with the source of fire being from cooking.

2023

Two (2) fires were reported at Sebastian Commons, with the source of fire being from cooking in 2023.

2022

No fires were reported in 2022.