

# **University of Arkansas Monticello**

## **2026 COMBINED ANNUAL SECURITY REPORT & FIRE SAFETY REPORT**

### **Introduction**

This report is provided in compliance with the Jeanne Clery Campus Safety Act. It provides students and employees of University of Arkansas at Monticello ("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**

This report is prepared by the Chief of Police in cooperation with local law enforcement authorities and 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 e-mail notification is made to all enrolled students and employees that provides 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 John Kidwell, University Police, 112 Science Center Road, Monticello, AR 71655 870-460-1083. 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 & Relationship with Local Law Enforcement**

The UAM University Police is responsible for campus safety at the University.

Members of the UAM University Police department are commissioned law enforcement officers. They have the authority to make arrests and carry firearms. The department's jurisdiction covers all of the University's property and the neighborhoods surrounding the campus.

The University Police Department (UPD), has primary responsibility for campus safety. Specifically, UPD is responsible for crime prevention, law enforcement, (which includes enforcing Federal, state and local laws), parking control, emergency response, residence hall

security, policing of special events, and various other community services on campus. UPD provides a full range of campus services 24 hours a day, 365 days a year. Some of these services include investigating reports of crimes, conducting follow-ups as necessary, and filing criminal charges or referring the matter (as appropriate) to another department. University Police officers have complete police authority to apprehend and arrest anyone involved in illegal acts on-campus and areas immediately adjacent to the campus pursuant to A.C.A. 25-17-305.

While there is no written memorandum of understanding pertaining to the investigation of alleged criminal incidents between University Police and the Monticello Police Department, a verbal mutual agreement addresses the jurisdictional boundaries (restricted to the UAM campus and the city of Monticello) and the limits of law enforcement authority of University Police officers in off-campus areas. Based on this verbal mutual agreement, University Police officers have the authority to affect an arrest or execute a search warrant within the agreed jurisdictional boundaries. The mutual agreement also provides for reciprocal service to protect the community in the event of a critical incident. When a UAM student is involved in an off-campus offense, University Police officers may assist with the investigation in cooperation with local, state, or federal law enforcement. UPD and Monticello Police Department maintain a close working relationship and Monticello Police Department officers routinely work and communicate with University Police officers on any serious incidents occurring on-campus or in the immediate neighborhood and business areas surrounding campus. UAM operates no non-campus housing and there are no student organization facilities that own, lease or control permanent space (housing, offices, etc) off campus. However, many students live in the neighborhoods surrounding UAM. While the Monticello Police Department and Drew County Sheriff's Department have primary jurisdiction in all areas off-campus, University Police officers can and do respond to student-related incidents that occur in close proximity to campus. University Police officers have direct radio communications with the city police, fire department, and ambulance services to facilitate rapid response in any emergency situation. In addition, the UPD requests specified crime statistics reported to local police agencies that occurred on or near campus and on University controlled or affiliated property be reported for inclusion in the University's Annual Security Report (ASR).

## **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.

- CSA at The Clery Act definition of a Campus Security Authority (CSA) includes all UAM personnel beyond University Police officers that have a significant responsibility for student and campus activities. CSA's, as defined by the Clery Act, have an obligation to assist victims by reporting allegations of Clery Act-defined crimes that they conclude are made in good faith. These crime allegations should be reported as soon as practicable to University Police or to the local police. The intent of including non-law enforcement personnel as CSAs is to acknowledge that many individuals and students in particular are hesitant about reporting crimes to the police, but may be more inclined to report incidents to other campus-affiliated individuals. In

certain circumstances, crimes may be reported confidentially to CSAs for inclusion in the annual security report.

- All University Employees at 870-460-1083

## **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.

- All crimes occurring on or near University property should be reported immediately to the Campus Police Department. The number to contact is 870-460-1000. A dispatcher is available 24/7.
- If a crime is in progress or there is some other situation posing imminent danger, local law enforcement can be reached by dialing 911.
- Students, staff, and visitors should also report situations to one of the campus security authorities identified above. Once reported, the individual may also be encouraged to report the situation to the appropriate police agency. If requested, a University staff member will assist in making the report to police.
- Anonymous incident reports can also be made by texting using the EyeWitness App. Text to 67283 with the keyword UAMTIP and a space at the beginning of the message. Everything after the space will be sent to University Police as your tip. It is recommended that you save the number 67283 as a contact in your phone for easy access.

## **Confidential Reporting**

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

Pursuant to the University's sexual misconduct policy, when an employee who is not a confidential resource becomes aware of alleged misconduct under that policy (including, but not limited to, dating violence, domestic violence, sexual assault, and stalking), the employee is responsible for reporting that information, including the status of the parties if known, to the Title IX Coordinator. A victim of other types of crimes (e.g., aggravated assault, burglary, etc.) who does not want to pursue action within the University disciplinary system or the criminal justice system is nevertheless encouraged to make a confidential report to a campus security authority. Upon the victim's request, a report of the details of the incident can be filed with the University without revealing the victim's identity. Such a confidential report complies with the victim's wishes, but still helps the University take appropriate steps to ensure the future safety of the victim and others. With such information, the University can keep an accurate record of the number of incidents involving members of the campus community, determine where a pattern of crime may be developing and alert the community

as to any potential danger. These confidential reports are counted and disclosed in the annual crime statistics for the University.

Confidential reporting is available if you witness or are the victim of a crime and do not want to pursue action within the University System or the criminal justice system. With your permission, the Chief of University Police or a designee of University Police can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the University can keep an accurate record of the number of incidents involving students, employees and visitors; determine whether there is a pattern of crime with regard to a particular location, method, or assailant; and when necessary alert the campus community to potential danger. Confidential reports made to University Police or CSAs are counted and disclosed in the annual crime statistic survey for the institution. It is the policy of the University to encourage the reporting of crimes even if the victim does not wish to file a complaint. All faculty and staff are informed of the policy at Professional Development meetings each year. If a crime is reported to the CSA and the victim chooses not to report it to the police, then the faculty or staff member is required to complete a Crime Incident Report Form, on which the victim's name is not required. This form is available online and upon request can be printed at the University Police Department or Dean of Students Office. Any information received will be reported to University Police for crime reporting notifications, campus crime statistics reporting, and campus education programs. The Chief of University Police is responsible for the collection, reporting, and disseminating of annual crime statistics from the local police agencies and CSAs for inclusion in the annual crime report. A crime is reported when it is brought to the attention of a CSA or local law enforcement by (regardless of that person's affiliation with the campus): 1) a witness; 2) a victim; 3) a third party; and 4) the offender. The institution will disclose crimes regardless of whether the crimes have been investigated by University Police or local police, and regardless of whether a finding of guilt or responsibility has been assigned. On occasion, an agency will receive a complaint that is determined through investigation to be false or baseless. If the investigation shows that no offense occurred nor was attempted, the reported offense can be classified as "unfounded". Only sworn law enforcement may classify a reported offense as "unfounded."

The University encourages its professional counselors, if and when they deem it appropriate, to inform the person they are counseling to 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**

UAM has on-campus security 24 hours a day 7 days a week. University facilities are open and accessible during normal business hours and into the evening hours for night classes. The buildings are accessible to members of the community and visitors. Tours may be scheduled through the Office of Admissions. Visitor parking is allowed in designated areas or by temporary permit only. To obtain parking permission, please call University Police at 870-460-1083. Academic facilities close and are locked at either 4:30 p.m. or after the last class scheduled in the facility. Service buildings (i.e., library, university center) are open during posted hours.

Some facilities have varied hours at different times of the year. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility.

Emergencies may necessitate changes or alterations to any posted schedules. University Police conduct daily security patrols of the inside of buildings as well as the exterior areas, including residential halls, to verify that all facilities on campus are secured.

Residence halls are secured 24 hours a day. Every effort is made to ensure that all residence halls are free from uninvited guests. University Housing uses camera and video surveillance in the public areas of the residence halls and apartment buildings to identify parties responsible for damages, vandalism, and any other violation of the Student Code of Conduct. Visitation hours for Bankston Hall, Horsfall Hall, and Royer Hall are from 12:00PM to 12:00AM Sunday through Thursday; 12:00PM to 3:00AM on Friday and Saturday. For added security, a Resident Assistant is on duty in each of the residence halls during visitation hours and all visitors must check in at the desk. Visitation hours for Maxwell Hall and University Apartments have 24 hour visitation, however, this policy requires a resident to inform the Resident Director if he/she plans to have a guest for longer than 48 hours. Over extended breaks, the doors of residence halls will be secured around the clock, and will be equipped with a lock separate from the regular key issued to resident students.

The officers also perform vehicle patrols of parking lots and surrounding areas.

Students and employees are asked to be alert and to not circumvent practices and procedures that are meant to preserve their safety and that of others.

- Do not prop doors open or allow strangers into campus buildings that have been secured.
- Do not lend keys or access cards to non-students and do not leave them unattended.
- Do not give access codes to anyone who does not belong to the campus community.

Keys to the offices, laboratories, and classrooms on campus will be issued to employees only as needed and after receiving the proper authorization. Each department supervisor is responsible for assuring his/her area is secured and locked.

Employee and student identification cards may be used to verify the identity of persons suspected to be in campus facilities without permission.

## **Video Surveillance**

Numerous video surveillance cameras are located in common areas throughout the UAM campus. These include cameras at entryways and parking lots of many residence halls and other student complexes. The cameras are monitored and recorded digitally to help enhance safety for students, faculty, and staff while on our campus. The system is set up in common areas across the campus and has both indoor/outdoor cameras that are often vandal proof and infrared. The system is battery backed up and continues surveillance even if a campus wide power loss occurs.

The University gives consideration to a reasonable expectation of privacy at every camera location on campus. Typically cameras are installed in pedestrian thoroughways, building egresses, parking lots, and facilities. Cameras are only installed where an individual's expectation of privacy is generally limited.

## **Emergency Blue Light Phones**

Emergency Blue Light Phones are located throughout the UAM campus. The Blue Light Phones provide assistance, and protective and safety services to the campus community on a 24/7/365 basis. When used, the telephones are immediately connected to University Police. The phones are equipped with a speakerphone and blue light. The phones are to be used by faculty, staff, students, or visitors experiencing any problems and in need of assistance. The University maintains a proactive stance for campus safety.

## **Safe Walk**

Safe Walk is a campus service for anyone who feels unsafe walking alone on campus at night. Safe Walk escorts are provided by University Police free of charge and are available to all members of the University community. Simply call University Police at 870-460-1000 and a University Police officer will meet and escort you to the desired campus location.

## **Protection of Minors on Campus**

The University of Arkansas at Monticello is committed to a safe and secure environment for all its faculty, staff, students, and visitors, including minor-aged children who participate in programs that may be connected with the University.

Further, The Child Maltreatment Act 12-12-501 and Act 6-61-133 requires mandated reporting by University employees or volunteers. Mandated reporting includes programs, camps, or activities that involve minor-aged children that University units operate, host, or permit third parties to use University facilities. This law also prohibits any person from requiring prior permission, or prohibiting a person from, making a report of suspected child maltreatment. A person, acting in good faith, who makes a report of suspected maltreatment, is immune to civil or criminal liability for making the report. The University prohibits retaliation against any person who makes a good faith report of child maltreatment.

The University makes training available regarding child maltreatment and mandated reporters.

The free web-based training for mandated reporters of child abuse is available at: <https://ar.mandatedreporter.org/UserAuth/Login!loginPage.action>. All summer programs, camps, or activities that involve minor-age children provide child maltreatment training to employees, volunteers, and students who interact with minors and assure that persons involved in the conduct of camps/institutes have undergone criminal background checks (including registered sex offender checks). Units that operate facilities or locations that are frequented by minors and where inappropriate interactions could occur determine whether

additional measures are needed. Failure to report suspected child maltreatment by a mandated reporter may have civil and/or criminal consequences.

The following steps will be taken if any University employee or volunteer reasonably suspects or observes child maltreatment.

1. Immediately report the suspected child maltreatment to University Police at 870-460-1000 (emergency number) or 870-460-1083. University Police will coordinate with local and state official law enforcement and will notify appropriate University personnel.
2. Immediately report the suspected maltreatment to the Child Abuse Hotline (1-800-482-5964). The hotline is manned 24/7 by a team of operators.

## **Security Considerations in the Maintenance of Facilities**

UAM is committed to campus safety and security, thus security considerations are used in the maintenance of campus facilities. Exterior lighting and landscape control is a critical part of the commitment. The Physical Plant maintains the University buildings and grounds, including lighting, walks, roadways, and landscaping, and conducts routine checks of lighting on campus. University Police officers regularly patrol campus and report any deficient lighting (such as dim, obstructed, or non-operational) or other unsafe facility conditions to the Physical Plant at 870-460-1018.

## **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.

The University provides information at the beginning of each academic term for students and employees regarding the University's security procedures and practices. This information is in the form of email blasts. Among other things, it advises students and employees of the importance of reporting criminal activity, to whom crimes should be reported, being responsible for their own safety and the safety of others and practices regarding timely warnings and emergency notifications.

Crime prevention programs are also presented each semester by Student Services and Residential Life. In addition, email blasts are periodically sent out to students and employees with crime prevention and other safety tips, and pamphlets and videos on crime prevention are available in the Office of Student Services and Office of Human Resources.

The Division of Student Engagement conducts regular educational programs on drug and alcohol abuse throughout each academic year. The Student Engagement Office and University Police distribute information regarding security awareness to students and personnel on procedures for reporting criminal actions, policies concerning campus security,

criminal and drug enforcement policies, crime prevention, and statistics concerning criminal activities on campus.

University Police, the Office of Student Conduct and Title IX Office provide annual educational programs such as EverFi, designed for prevention and awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking for current and incoming students, athletes, new employees, athletic staff and new employees. The education, prevention, and awareness programming includes:

1. Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual; Options include reporting to authorities such as calling 911 or campus police, preserving evidence, listen and validate the victim's concerns, distracting the person to allow the victim to leave the area, sharing your concern with the victim, referring to campus resources, and telling someone to stop.
2. Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks; Warning signs of abusive behavior include use of guilt or threats, continuous verbal pressure, rationalizing, making someone feel obligated and pressure to use alcohol. Use of alcohol could negatively impact judgment, communication and motor control.
3. When a report is filed on campus, all parties will be given, in writing, the following information
  - A statement that UAM prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;
  - The definition of domestic violence, dating violence, sexual assault, and stalking;
  - The definition of consent, in reference to sexual activity;
  - Information concerning possible sanctions or protective measures imposed following a final determination of disciplinary procedure regarding rape, acquaintance rape, domestic violence, sexual assault, or stalking;
  - Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault, or stalking incident has occurred,
  - The importance of preserving evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, stalking, or in obtaining a protection order;
  - To whom the alleged offense should be reported;
  - Options regarding law enforcement and campus authorities, including notification of the victim's option to:
    - Notify proper law enforcement authorities, including on-campus and local police
    - Be assisted in notifying law enforcement authorities if the victim so chooses
    - Decline to notify such authorities
    - Rights of victim and institution's responsibilities for order of protection, no contact orders, restraining orders, or similar lawful orders issued by criminal, civil, or tribal court or by the institution.
      - 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 the Courts;

- Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault or stalking, which include a clear statement that:
- such proceedings shall provide a prompt, fair, and impartial investigation and resolution; and
- such proceedings shall be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability
  - The accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice; and both the accuser and the accused shall be simultaneously informed, in writing, of:
- the outcomes of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking
- the institution's procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding
- any change to the results that occurs prior to the time that such results become final; and
- when such results become final.
  - Information about how the institution will protect the confidentiality of victims, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.
  - Notification of students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community;
  - Notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

During 2025, UAM offered crime prevention and security awareness programs. Topics such as personal safety, residence hall security, drug and alcohol abuse awareness, safe walk, emergency notification system, blue light phone awareness, bicycle safety, and sexual assault prevention are some examples of programs offered annually during the academic year. Each semester the Title IX Coordinator will email in writing all students and employees the Sexual Misconduct Policy which includes contact information for both on and off campus resources including counseling, police, health, mental health, legal assistance, and victim advocacy information.

- Crime prevention programs are conducted in the residence halls under the direction of the Office of Residence Life. Video and PowerPoint presentations outline ways to maintain personal safety and residence hall security. A common theme of all security awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. University Police will compile campus crime statistics and these statistics will be distributed annually through campus email to all students and staff. When time is

of the essence, information about potentially dangerous situations will be released to the university community through security alerts posted throughout campus, through computer memos sent over the university's electronic mail system and/or voice mail broadcasting system.

### **Monitoring Off Campus Locations of Recognized Student Organizations**

The University does not have any officially recognized student organizations with off campus locations and therefore does not monitor or record criminal conduct occurring at such locations.

### **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 as a result 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.

## **Drug and Alcohol 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 alcohol beverage on campus or as any part of the University's activities, unless it is done so in accordance with applicable University policies, and it also enforces the state's underage drinking laws. All university policies can be found in the Student Handbook [HERE](#) and the Drug Free Schools Campus Act [HERE](#)

The University also enforces federal and state drug laws. 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 illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

The University's Policy on Drugs and Alcohol can be reviewed in the [Student Handbook](#) and the [Drug Free Schools Campus Act](#).

### **Federal Drug Laws (updated 08.3.2026)**

**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 at <https://www.campusdrugprevention.gov/content/drug-scheduling-and-penalties>.

## **Drug and Alcohol State Laws**

| Category                | Summary (Arkansas Statutes)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| Possession of Marijuana | <p>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. <i>Id.</i> 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).</p> <p>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).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| Controlled Substances   | <p>It is illegal to possess a controlled substance. <i>See generally</i> Ark. Code Ann. § 5-64-419. Penalties vary widely based on substance, amount, and criminal history. <i>Id.</i> 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).</p> <p>It is illegal to deliver or distribute controlled substances. <i>See generally</i> Ark. Code Ann. §§ 5-64-420 to 5-64-440. Penalties vary based on the type of substance and increase for larger amounts distributed. <i>Id.</i> 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.</p> |

| Category                          | Summary (Arkansas Statutes)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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|                                   | <p>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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Alcohol and Minors                | <p>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. <i>Id.</i></p> <p>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. <i>Id.</i>; §§ 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.</p> |
| Driving Under the Influence (DUI) | <p>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. <i>Id.</i> Penalties increase for subsequent offenses. <i>Id.</i> Under certain circumstances, the court may order public service instead of some or all required imprisonment. § 5-65-111.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

| Category | Summary (Arkansas Statutes)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | 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. <i>Id.</i> |

## Drug and Alcohol Abuse Prevention Program

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

- Student alcohol/drug policy: <https://www.uamont.edu/students.html>
- Employee alcohol/drug policy: <https://www.uamont.edu/Fin-Admin/human-resources.html>
- Alcohol/drug webpage: <https://www.uamont.edu/life/pdfs/dfsca-annual-notification.pdf>
- Biennial review of the University's drug and alcohol abuse prevention program: <https://www.uamont.edu/life/student-resources/students-right-to-know.html> Include description of biennial review

| AOD – Primary Prevention and Awareness Programs          |             |                    |                                |                           |
|----------------------------------------------------------|-------------|--------------------|--------------------------------|---------------------------|
| Name of Program                                          | Month Held  | Location Held      | Prohibited Behavior* Addressed | Employees and/or Students |
| National Alcohol Screening Day – Student Health Services | April 2024  | Campus-Wide Online | ALC                            | Students & Employees      |
| Consent Workshop                                         |             | In Person, UC      |                                |                           |
|                                                          |             | Clock Tower        |                                | Students                  |
|                                                          | March 2024  |                    | ALC                            |                           |
| U CAN                                                    |             |                    |                                | Students                  |
|                                                          | August 2024 |                    | ALC                            |                           |
| U CAN: Reduce Opioid Overdose Deaths                     |             |                    | OTH                            | Students                  |

|                                 |                |        |         |          |
|---------------------------------|----------------|--------|---------|----------|
| Pick Your Poison<br>AOD Program | September 2024 | UC     |         | Students |
|                                 | October 2024   |        | ALC,AOD |          |
|                                 |                | UC     |         |          |
|                                 | December 2024  | UC Gym | ALC     | Students |
| Keep it Sober Santa             |                |        |         |          |

\*ALC means Alcohol, MAR means marijuana, and OTH means Other Drugs

\*\*Primary Prevention

## **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: <https://www.uamont.edu/life/pdfs/UAMStudentHandbook.pdf>

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**

| <b>Crime Type<br/>(Arkansas Code)</b> | <b>Definitions</b>                                                                                                        |
|---------------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| Dating Violence                       | The institution has determined, based on good-faith research, that Arkansas law does not define the term dating violence. |

| Crime Type<br>(Arkansas Code) | Definitions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| Domestic<br>Violence          | <p>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).</p> <p>Arkansas defines “domestic abuse” to mean: (A) Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault between family or household members; or (B) Any sexual conduct between family or household members, whether minors or adults, that constitutes a crime under the laws of Arkansas. Ark. Code § 9-15-103(4).</p> <p>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 and Ark. Code § 9-15-103 use the following definitions (or some variation thereof):</p> <ul style="list-style-type: none"> <li>• “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.</li> <li>• “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.</li> </ul> <p>A person commits domestic battering in the first degree (Ark. Code § 5-26-303) if:</p> <ol style="list-style-type: none"> <li>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;</li> <li>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;</li> </ol> |

| Crime Type<br>(Arkansas Code) | Definitions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
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|                               | <ol style="list-style-type: none"> <li>3. The person causes serious physical injury to a family or household member under circumstances manifesting extreme indifference to the value of human life;</li> <li>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;</li> <li>5. The person: <ol style="list-style-type: none"> <li>A. Commits any act of domestic battering as defined in § 5-26-304 or § 5-26-305; and</li> <li>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;</li> </ol> </li> <li>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</li> <li>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.</li> </ol> <p>“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.</p> <p>A person commits domestic battering in the second degree (Ark. Code § 5-26-304) if:</p> <ol style="list-style-type: none"> <li>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;</li> <li>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;</li> <li>3. The person recklessly causes serious physical injury to a family or household member: <ol style="list-style-type: none"> <li>A. By means of a deadly weapon; or</li> </ol> </li> </ol> |

| Crime Type<br>(Arkansas Code) | Definitions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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|                               | <p style="text-align: center;">B. Who is four (4) years of age or younger; or</p> <p>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.</p> <p>A person commits domestic battering in the third degree (Ark. Code § 5-26-305) if:</p> <ol style="list-style-type: none"> <li>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;</li> <li>2. The person recklessly causes physical injury to a family or household member;</li> <li>3. The person negligently causes physical injury to a family or household member by means of a deadly weapon; or</li> <li>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.</li> </ol> <p>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.</p> |
| Stalking                      | <p>Under Arkansas law, there are various degrees of stalking found at Ark. Code § 5-71-229.</p> <p>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.</p> <p>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.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

| Crime Type<br>(Arkansas Code) | Definitions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
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|                               | <p>A person commits stalking in the first degree if he or she knowingly engages in a course of conduct 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, and the actor: (A) Does so in contravention of an order of protection consistent with the Domestic Abuse Act of 1991, § 9-15-101 <i>et seq.</i>, or a no contact order as set out in subdivision (a)(2)(A) of this section, protecting the same victim, or any other order issued by any court protecting the same victim; (B) has been convicted within the previous ten (10) years of: (i) Stalking in the second degree; (ii) Terroristic threatening, § 5-13-301, or terroristic act, § 5-13-310; or (iii) Stalking or threats against another person's safety under the statutory provisions of any other state jurisdiction; or (C) Is armed with a deadly weapon or represents by word or conduct that he or she is armed with a deadly weapon.</p> <p>As used in this statute, the following definitions apply:</p> <ul style="list-style-type: none"> <li>• (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.</li> <li>• “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.</li> </ul> |
| Sexual Assault                | <ul style="list-style-type: none"> <li>• 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.</li> <li>• Sexual assault in the second degree (Ark. Code § 5-14-125): A person commits sexual assault in the second degree if the person:</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

| Crime Type<br>(Arkansas Code)          | Definitions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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|                                        | <ul style="list-style-type: none"> <li>○ Engages in sexual contact with another person by forcible compulsion.</li> <li>○ 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.</li> <li>○ Being eighteen (18) years of age or older, engages in sexual contact with another person who is less than fourteen (14) years of age.</li> <li>○ 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 or the minor's guardian, an employee in the minor's school or school district, a temporary caretaker, or a person in a position of trust or authority over the minor.</li> <li>• 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.</li> <li>• 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.</li> </ul> |
| Rape, Fondling, Incest, Statutory Rape | <p>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:</p> <ul style="list-style-type: none"> <li>• 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: <ul style="list-style-type: none"> <li>○ By forcible compulsion.</li> <li>○ Who is incapable of consent because he or she is: (A) Physically helpless; (B) Mentally defective; or (C) Mentally incapacitated.</li> <li>○ Who is less than fourteen (14) years of age.</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

| Crime Type<br>(Arkansas Code) | Definitions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
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|                               | <ul style="list-style-type: none"> <li>○ 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.</li> <li>• Capital rape (Ark. Code § 5–14–114): A person commits capital rape if:             <ol style="list-style-type: none"> <li>1. 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;</li> <li>2. Acting alone or with one (1) or more other persons:                 <ol style="list-style-type: none"> <li>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</li> <li>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;</li> </ol> </li> </ol> </li> <li>○ 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</li> <li>○ 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.</li> </ul> <ul style="list-style-type: none"> <li>• Fondling: The institution has determined, based on good-faith research, that Arkansas law does not define the term fondling.</li> <li>• Incest (Ark. Code § 5-26-202): A person commits incest if the person, being sixteen (16) years of age or older, purports to marry,</li> </ul> |

| Crime Type<br>(Arkansas Code) | Definitions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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|                               | <p>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.</p> <ul style="list-style-type: none"> <li>• 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).</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Other "sexual assault" crimes | <p>Other crimes under Arkansas law that may be classified as a "sexual assault" include the following:</p> <ul style="list-style-type: none"> <li>• Sexual indecency with a child (Ark. Code § 5-14-110): A person commits sexual indecency with a child if: <ul style="list-style-type: none"> <li>○ 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;</li> <li>○ 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;</li> <li>○ 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 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 or the minor's parent or guardian, an employee in the minor's school or school district, a temporary caretaker, or a person in a position of trust and authority over the minor;</li> <li>○ With the purpose to arouse or gratify his or her sexual desire or a sexual desire of another person, the person, being eighteen (18) years of age or older, causes or coerces a minor to expose his or her sex organs to the actor or another person, and the actor is a mandated reporter under § 12-18-402(b) and is in a position of trust or authority over the minor or The minor's parent or guardian, an employee in the minor's school or school district, a temporary caretaker, or a person in a position of trust or authority over the minor;</li> </ul> </li> </ul> |

| Crime Type<br>(Arkansas Code)              | Definitions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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|                                            | <ul style="list-style-type: none"> <li>○ 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</li> <li>○ 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.</li> </ul> <p>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.</p> |
| 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

The University uses the following definition of consent in its sexual misconduct policy for the purpose of determining whether sexual violence (including sexual assault) has occurred:

**Consent:** Consent is clear, knowing, and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, if those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity. If coercion, intimidation, threats, or physical force are used, there is no consent.

If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature or extent of the sexual situation, there is no consent. This includes impairment or incapacitation due to alcohol or drugs or being asleep or unconscious. Incapacitation is a state where someone cannot make rational, reasonable decisions because he or she lacks the capacity to give knowing consent. This Policy also covers a person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of rape drugs. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Brundage, etc. is prohibited, and administering one of these drugs to another person is a violation of this Policy.

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

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

Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes overt threats, implied threats, intimidation, and coercion that overcome resistance or produce consent.

Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Under Arkansas law, the age of consent varies with the degrees of assault, the age of the actor, and the relationship of the actor to the other party. For specific information, please refer to Arkansas statutes (e.g., Arkansas Code Annotated § 5-14-125, Sexual Assault in the Second Degree).

### *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 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 that they 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 clearly tell you their intentions.
- 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 important 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; blames 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 important 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 set forth 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, but 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 OPAC Programming Methods:**

The PPAP and OPAC are carried out in a variety of ways, using 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 Dean of Students Office and the University Police Department during orientation. All new employees are required to complete an online training module on these topics upon hire and are required to retake the online training each year.
- As part of its ongoing campaign, the University uses a variety of strategies, such as in person presentations by sexual assault organizations, emails 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.

The University of Arkansas at Monticello (UAM) promotes campus safety through ongoing training and educational programs available to all faculty, staff, and students, including annual observances of Domestic Violence Awareness Month in October and Sexual Assault Awareness Month in April. These initiatives emphasize safety awareness, prevention, and education while encouraging all members of the campus community to take an active role in protecting their personal safety and contributing to the safety and well-being of others.

### **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 the University Police Department at 870.460.1083. You may also contact the University's Title IX Coordinator at 870.460.1110.

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 & 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

Baptist Health Medical Center-Drew County  
778 Scogin Dr, Monticello, AR 71655  
(870) 367-2411.

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 & How to Make a Police Report*

- University Police Department 112 Science Center Drive Monticello, AR 71656 (870) 460-1083 or (870) 460-1000
- Monticello Police Department 101 N. Church Street Monticello, AR 71655 (870) 367-3411
- To make a police report, a victim should contact the local police agency listed above either by phone or in-person. The victim should provide as much information as possible, including name, address, and when and what occurred, to the best of the victim's ability. University Police Department 112 Science Center Drive Monticello, AR 71656 (870) 460-1083 or (870) 460-1000 Monticello Police Department 101 N. Church Street Monticello, AR 71655 (870) 367-3411

### *Information about Legal Protection Orders*

An Order of Protection is issued by a Circuit Judge and provides victims of domestic violence who are in immediate and present danger of domestic violence protection that can be

enforced by law enforcement and the courts.

Orders of Protection are good in any county in and Arkansas and in any state or territory in the United States. An Order of Protection can be sought in the county where the victim resides, the county where the batterer lives or works, or where the incident occurred.

**Who can get an Order of Protection?**

Spouse or former Spouse of the batterer.

Persons who are or have resided together.

Persons related by blood.

Parent or guardian of a minor.

Any adult family or household member on behalf of a minor (including a married minor) or an adjudicated/incompetent person.

An employee of a shelter.

Persons who are presently, or in the past have been, in a dating relationship.

**What can the Order of Protection do?**

Exclude the batterer from the residence, place of employment, school, church, and child care facilities.

Prohibit the batterer from contacting the victim directly or through a third party.

Order temporary child custody or visitation of minor children.

Order batterer to pay attorney fees.

Where do I go to file for an Order of Protection?

Drew County Courthouse  
210 S. Main Street  
Monticello, AR 71655  
(870) 460-6200

Contact the Court Advocate  
Drew County Courthouse  
210 S. Main Street  
Monticello, AR 71655  
(870) 460-6200

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, you should contact the local police department.

The institution will also enforce any temporary restraining order or other no contact order against the alleged perpetrator from a criminal, civil, or tribal court. 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 may be kept on file with the institution and can be 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 orders of protection. 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 be in violation of 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

Student Health Services - Randy S. Risher Wellness Center  
Mrs. Tearini Warfield , LPN  
Student Health Services Nurse  
531 University Drive  
P.O. Box 3459  
Monticello, AR 71656  
870-460-1051 (phone)

Mrs. Emily Johnston  
UAM Counseling Services  
Office of Counseling Services  
P.O. Box 3459  
Monticello, AR 71655

Gibson University Center (UC), Suite 201  
870-460-1554 or 870-460-1654  
All of these resources are available to employees.

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 based on the circumstances of a complaint, he/she should understand there may be financial aid implications in taking such leave. This should be discussed with financial aid personnel, and the Title IX Coordinator can assist in facilitating this conversation if desired. The University's financial aid website can be found at: UAM Office of Financial Aid

#### State/Local Resources

Baptist Health Medical Center  
778 Scogin Drive  
Monticello, AR 71655  
870-367-2411

Mainline Behavioral Health  
583 West Gaines  
Monticello, AR 71655  
870-538-5414

Victim Assistance Unit of the Prosecuting Attorney's Office

506 S Main St  
Monticello, AR 71655  
Legal Aid of Arkansas  
1-800-952-9243

#### 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): <https://www.rainn.org/>  
US Dept. of Justice Office on Violence Against Women: <https://www.justice.gov/ovw>  
National Coalition Against Domestic Violence: <http://www.ncadv.org/>  
National Sexual Violence Resource Center: <http://www.nsvrc.org/>  
U.S. Citizenship and Immigration Services: <https://www.uscis.gov/>  
Immigration Advocates Network: <https://www.immigrationadvocates.org/>

#### **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 870.460.1110 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 as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the University's ability to provide them. However, there may be times when certain information must be disclosed to a third party in order to implement the accommodation or protective measure. Such decisions will be made by the University in light of the surrounding circumstances, and disclosures of this nature will be limited so that only the information necessary to implement the accommodation or protective measure is provided. In the event it is necessary to disclose information about a victim in order to provide an accommodation or protective order, the University will inform the victim of that necessity prior to 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 **staff handbook and 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

### Title IX Coordinator

Jessica Foxworth  
Associate Vice Chancellor/Dean of Students  
870.460.1110  
SSC 201D  
Email [foxworth@uamont.edu](mailto:foxworth@uamont.edu)

Reports may be made **in-person, electronically, by phone, etc.** An electronic form available at [Title IX Reporting Form](#) can also be used to file a report.

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 and expert witnesses, and 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 relevant to the complaint. Prior to 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 an 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 within three (3) days of it being made. The University strives to complete investigations of this nature within ninety (90) calendar days.

Both parties have an equal opportunity to appeal the determination by filing a written appeal with the Vice Chancellor for Student Engagement within five (5) days of being notified of the

outcome of the investigation. The non-appealing party will be notified of the appeal and permitted to submit a written statement in response. The Vice Chancellor for Student Engagement will resolve the appeal within five (5) days of receiving it, and may take any and all actions that he/she determines to be in the interest of a fair and just decision.

### **Rights of the Parties in an Institutional Proceeding:**

During the course of 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 final result.
  - A prompt, fair and impartial process is one that 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.
3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor, but 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:**

Following a final determination in the institution's disciplinary proceeding that dating violence, domestic violence, sexual assault, or stalking has been committed, the institution may impose a sanction depending on the mitigating and aggravating circumstances involved. The possible sanctions include: warning; reprimand; probation; restitution; fine; loss of privileges; housing probation; suspension or expulsion/termination; restriction on eligibility to represent the University at any official function or in any intercollegiate competition. If a suspension is imposed on a student, it may be for part of a semester, a full semester, or an entire academic year. An employee may be suspended for any length of time determined appropriate by the Director of Human Resources. Following a suspension, the individual will be required to meet with the Dean of Students (student) or Director of Human Resources (employee) to discuss re-entry and expectations going forward.

### **Protective Measures Available to Victims**

In addition to formal remedies available through the University of Arkansas at Monticello's Title IX Grievance Process and Student Conduct Code, the University can make available a range of **protective measures** designed to promote safety, reduce risk of recurrence, and support the well-being of all parties involved. These measures are non-disciplinary, non-punitive, and can be implemented **before, during, or after** an investigation or hearing—**without** a formal finding of responsibility.

Protective measures may include, but are not limited to:

- **Residence Restrictions:** Prohibiting the accused (Respondent) from entering the Complainant's residence hall, apartment, or other designated housing areas.
- **No-Contact Directives:** Issuing institutional no-contact orders forbidding direct or indirect communication (in person, phone, text, email, or through third parties) between the Respondent and Complainant.
- **Security Escorts:** Arranging for UAM Police or trained staff to provide walking or vehicle escorts on campus.
- **Academic Adjustments:** Modifying academic requirements, class schedules, testing arrangements, or deadlines to minimize contact and ensure equal access to educational opportunities.
- **Employment Modifications:** Adjusting work schedules, job locations, or supervision arrangements for student workers or employees.
- **Housing Changes:** Facilitating temporary or permanent relocation to another residence hall or on-campus housing unit, as appropriate and available.
- **Access Restrictions:** Limiting the Respondent's access to specific campus facilities, programs, or activities while ensuring they can continue their education.
- **Other Measures:** Implementing any additional individualized safety or support strategies deemed appropriate by the Dean of Students or Title IX Coordinator.

Requests for protective measures can be made to the **Dean of Students Office** or **Title IX Coordinator** at any point. The University will maintain confidentiality to the greatest extent possible while balancing the need to provide a safe and nondiscriminatory environment for all community members.

## **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 or 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 Chief John Kidwell at 870.460.1083. State registry of sex offender information may be accessed at the following link:<https://sexoffenderregistry.ar.gov/public/#!/disclaimer?returnUrl=%2Flocation>

## **Timely Warnings & Emergency Response**

### *Timely Warnings*

In the event of criminal activity occurring either on campus or off campus that in the judgment of the Vice Chancellor for Student Engagement, Dean of Students and/or Chief of Police for the Monticello campus (or the CT Vice Chancellors for the Crossett and McGehee campuses) constitutes a serious or continuing threat to members of the campus community. Timely warnings are triggered as soon as pertinent information is available about Clery Act crimes that have been committed and represent a serious or an ongoing threat. The decision to issue a timely warning shall be decided and initiated, on a case-by-case basis, by considering all available facts, by the Vice Chancellor for Student Engagement, Dean of Students and/or Chief of University Police for the Monticello campus and the CT Vice Chancellors for the Crossett and McGehee campuses.

Timely warnings could be issued for the following incidents when it is determined that the incident represents a serious or continuing threat to students and employees:

- Murder, negligent manslaughter, non-negligent manslaughter
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known). In cases involving sexual assault are often reported long after the incident occurred, as such, there may be no ability to distribute a “timely” warning notice to the community. All

cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a timely warning notice.

- Robbery, Burglary
- 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 community.)
- Major incidents of Arson
- Domestic violence, dating violence, stalking (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).
- Other crimes as determined necessary A timely warning may be distributed to the campuses using some or all of the following mechanisms:
- WeevilNet email system
- RAVE emergency alert
- Flyers posted on bulletin boards, exterior doors in academic buildings, residence halls, outdoor boards and administrative buildings.
- Campus meetings and/or announcements
- Posted on one or more campus websites:

University Police website: <https://www.uamont.edu/UPD/index.html>

UAM website: <http://www.uamont.edu/> Information contained in each timely warning will include: 1) specific information about the crime that prompted the alert (date/time/location and nature of the crime); 2) information promoting safety (crime prevention and safety tips); and 3) information that will assist individuals in protecting themselves (what action to take or not take). The name(s) of alleged victim(s) will be withheld as confidential from all timely warnings. University Police or Dean of Students will communicate the Timely Warning Notice to campus.

Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences. Timely warnings alert the campus community regarding any crime committed on the Clery geography that has been reported to University Police, CSAs or local police agencies and is considered to represent a serious or continuing threat to students and employees. Anyone with information warranting a timely warning should report the circumstances to the following: constitutes a serious or continuing threat to members of the campus community, a campus-wide “timely warning” 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 Monticello Campus, 870-460-1000 or 870-460-1083 or dial 911
- University Police Crossett Campus, 870-460-2012 or 870-500-8000 or Ashley County Sheriff’s Department at 870-853-2040 or dial 911
- University Police McGehee Campus, 870-222-5360 or McGehee Police Department at 870-222-3636 or dial 911
- Chief of Police John Kidwell, 870-460-1083

The University has communicated with local law enforcement asking them to notify the University if it receives reports or information warranting a timely warning.

### Emergency Response

The University has an emergency management plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of members of the campus community. Such situations include, but are not limited to: tornadoes, bomb threats, chemical spills, disease outbreaks, fires, active shooters, etc. 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.

The ultimate goal of emergency preparedness is to promote community safety, assure continuity of emergency response operations, and restore normal University operations and services as quickly as possible following an emergency. The Emergency Procedures Manual identifies key decision makers and their roles during a significant emergency or dangerous situation occurring on campus that involves an immediate threat to the health or safety of students or employees.

UAM will test the emergency response and evacuation procedures at least once per calendar year. University Police will publicize these procedures in conjunction with this test and document the date and time of the event, as well as provide a description of the exercise.

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 employees information to remind them of the University's emergency response and evacuation procedures.

The University's Emergency Procedures Manual includes information about Incident Teams; University operating status parameters; incident priorities and performance expectations; shelter-in-place and evacuation guidelines; and local contingency and continuity planning requirements. University departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility. The University conducts numerous emergency response exercises each year, such as table top exercises, field exercises, and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution and may be announced or unannounced.

University Police officers have received training in Incident Command and Responding to Critical Incidents on campus. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually University Police, Monticello Police Department, Monticello Fire Department and Emergency Medical Services, and they typically respond and work together to manage the incident. Depending on the nature of the incident, other UAM departments and other local, state, or federal agencies could also be involved in responding to the incident.

Some emergencies may require the evacuation of a building or the entire campus. The decision to evacuate a building/area will be made by the Chancellor or designee. The

evacuation will be carried out under the direction of University Police or other Emergency Personnel with assistance of faculty and/or Student Engagement personnel. Persons evacuated will be escorted to designated areas. University Police or other Emergency Personnel reports safety clearance to the Chancellor or designee, who decides when classes will resume. A post-incident debriefing, presided by the Chancellor or designee will be held to critique the procedures used and modify the plan for greater effectiveness.

## **Building Evacuation**

- A building evacuation will occur when a fire alarm sounds and/or upon notification by University Police.
- If necessary or directed to do so by University Police, activate the building fire alarm.
- Exits are clearly marked in all buildings - Be aware of all marked exits in your area and building.
- Know the exit routes in your area.
- Never use an elevator to exit a building.
- Evacuees should move at least 500 feet from the building.
- Once the building has been evacuated, no individual will be permitted to re-enter the building until the Chief of University Police or designee has given approval to re-enter.
- Keep streets, fire lanes, hydrant areas, and walkways clear for emergency vehicles and personnel.
- If requested or directed, assist the emergency personnel.
- An Incident Command Post (ICP) may be set up near the emergency site.
- Keep clear of the ICP unless you have important information to report.
- Do not return to an evacuated building until you are told to do so by authorized personnel.

## **Campus Evacuation**

Individuals who are asked by University Police to evacuate the campus should do so immediately and relocate to a specified assembly point off campus as directed.

Special consideration and care will be given to individuals with access and functional needs.

Residence Hall evacuation(s) will necessitate the utilization of the UC as a staging area.

In some cases, an alternate staging area may be used and will be announced by University Police.

A total campus evacuation may require the transportation of individuals to a designated area off campus.

General information about the emergency response and evacuation procedures for UAM are publicized each year as part of the institution's Clery Act compliance efforts, and that information is available on the UAM website at:

<https://www.uamont.edu/UPD/pdfs/EmergencyProceduresGuide.pdf>

Additional information and details (username and password required) pertaining to emergency response and evacuation procedures is located in the UAM Emergency Management Plan (EMP) at: <https://www.uamont.edu/UPD/index.html>

Students, staff and visitors are encouraged to notify the University Police at 870-460-1000 of any emergency or potentially dangerous situation.

University Police will access available sources of information from campus administrative staff and local authorities to confirm the existence of the danger and 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.

Upon confirmation that a significant emergency or dangerous situation exists, the Vice Chancellor for Student Engagement, Dean of Students, Vice Chancellor for UAM-CTC, Vice Chancellor for UAM-CTM, or Chief of University Police will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the UAMAlert notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. These departments will also identify the appropriate segment of the community intended to receive the notification, if the threat is limited to a particular building or segment of the population.

The University Police in collaboration with other appropriate personnel, will determine who should be notified, and will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also, as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The UAM Chief of Police will direct the issuance of emergency notifications, which will be accomplished using one or more of 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 Chief John Kidwell, the University Police will notify local law enforcement of the emergency if they are not already aware of it and local 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                                                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| UAM website at:<br><a href="http://www.uamont.edu">http://www.uamont.edu</a>                                                                                                    | This site is accessible to everyone.                                             |
| UAM Alert - Text, Email, Phone Notifications                                                                                                                                    | Faculty, Staff & Students are automatically signed up for this service.          |
| Local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents and other interested parties.            | Local News Webpages                                                              |
| UAM Alert Conference Blast to join and participate in a conference call that is connected through a trunk line using the cell phone each EAS member has registered in UAMAlert. | EAS members are automatically signed up for this service through UAM Rave Alert. |

### Testing & 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.

Each week, a UAMAlert administrator from one of the three campuses conducts a test of the system.

- Monticello campus – Vice Chancellor for Student Engagement, Dean of Students, and Chief of University Police
- Crossett campus – Vice Chancellor for UAM-CTC and University Police officer
- McGehee campus – Vice Chancellor for UAM-CTM and University Police officer

This practice is designed to ensure that each system administrator can successfully navigate the UAMAlert dashboard in a timely manner to successfully initiate the alert during an actual emergency.

Each semester University Police conducts an ALL USERS test of UAMAlert. In the fall semester the test is announced in advance to the entire campus community and is unannounced in the spring semester. Both tests provide faculty, staff and students an opportunity to verify enrollment in UAMAlert by receipt of a text, email and/or voice message.

The UAM 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 employees information to remind them of the University's emergency response and evacuation procedures.

## **Stop Campus Hazing Policy and Programming**

The University of Arkansas at Monticello is committed to maintaining a supportive, educational environment that seeks to enhance the well-being of all members of its community. Hazing is a crime under Arkansas law and University policy. The University of Arkansas at Monticello prohibits hazing, in any form, against any member of the campus community.

Hazing, defined as, but not limited to, any act imposed on current or potential members of a group or organization that endangers the mental or physical health or safety of a person, that defaces or destroys public or private property, that is likely to result in humiliation or ridicule, or that is likely to result in interference with academic efforts regardless of the consent of the participants, or any actions or activities prohibited by Ark, Code Ann. 6-5-201 and Ark, Code Ann. 6-5-204.

Ark, Code Ann. 6-5-210

Definition.

(a) As used in this subchapter, hazing means:

(1) Any willful act on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student alone or acting with others which 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 alone or acting with others, upon another student to frighten or scare him or her;

(3) Any willful act on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student 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) Any willful act on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student 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 does not include customary athletic events or similar contests or competitions and is limited to those actions taken and situations created in connection with initiation into or affiliation with any organization.

History. Acts 1983, No. 75, § 2; A.S.A. 1947, § 80-5502.

Ark, Code Ann. 6-5-204

Construction.

Nothing in this subchapter shall be construed as in any manner affecting or repealing any law of this state respecting any other criminal offense.

History. Acts 1983, No. 75, § 6; A.S.A. 1947, § 80-5506.

If you are a victim of hazing, go to a safe place and call 870.460.1110. You may also contact the University Police Department at 870.460.1000 or the Dean of Students Office at 870.460.1110. Those who witness or hear about an incident of hazing are also encouraged to report in the same manner.

When a report of hazing is received, the Dean of Students Office will make a determination regarding whether an investigation must occur. If so, an investigator will be assigned to gather information and conduct interviews, as appropriate. The investigator will report any findings and make a recommendation for sanctions as appropriate to the relevant administrator for implementation. The institution strives to complete the investigation within 30 days.

An individual may appeal the decision to Vice Chancellor for Student Engagement at 870.460.1328 within 5 days of being notified of the decision. The appeal officer will render a decision within 14 days of receiving an appeal. The appeal officer's decision is final.

## **Hazing Prevention and Awareness Program**

The institution provides prevention and awareness programming related to hazing annually, such as computer modules, in person, brochures, etc.). The community is reminded that hazing is prohibited and is provided information regarding how to file a report how reports of hazing are investigated and information regarding local, state and tribal laws on hazing.

In addition, the institution provides research-informed programming for students and employees that covers a wide range of information designed to stop hazing before it occurs. It includes information regarding bystander intervention, such as how to take steps to watch out for those around you, as well as information regarding ethical leadership. Community members are also provided information regarding how to strengthen group ties without engaging in hazing behavior.

## **Hazing State Laws**

| Summary (Code of Arkansas) |                    |
|----------------------------|--------------------|
| a.                         | ..."hazing" means: |

### Summary (Code of Arkansas)

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.

### Summary (Code of Arkansas)

- 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**

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, that information should be reported immediately to the Director of Residence Life at 870-460-1045 or the Dean of Students at 870-460-1110. Any University employee receiving a missing student report should immediately notify campus police 870-460-1000 so that an investigation can be initiated.

Students residing in on-campus housing have the option to identify, confidentially, an individual to be contacted by UAM in the event the student is determined to be missing for more than 24 hours. If a student has identified such an individual, the University will notify that individual no later than 24 hours after the student is determined to be missing. The option to identify a contact person in the event the student is determined missing is in addition to identifying a general emergency contact person, but they can be the same individual for both purposes. A student's confidential contact information will be accessible only by authorized campus officials and law enforcement as appropriate and it may not be disclosed outside of a missing person investigation. A student who wishes to identify a confidential contact may do so by completing the Missing Student Notification Form at the time a student checks-in the residential facility.

After investigating a missing person report, if it is determined that the student has been missing for 24 hours, the University will notify local police authorities unless it was local law enforcement that made the determination that the student is missing. If the missing student is under the age of 18 and is not emancipated, the University will also notify that student's custodial parent or legal guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student.

# UAM - Monticello

## 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                                        | 2025      | 2024 | 2023 | 2025              | 2024 | 2023 | 2025       | 2024 | 2023 | 2025            | 2024 | 2023 |
| 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                                         | 0         | 1    | 0    | 0                 | 1    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Fondling                                     | 1         | 0    | 0    | 1                 | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| 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                           | 2         | 0    | 0    | 1                 | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Burglary                                     | 0         | 0    | 0    | 0                 | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Robbery                                      | 0         | 0    | 0    | 0                 | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Motor Vehicle Theft                          | 0         | 0    | 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         | N/A  | N/A  | 0                 | N/A  | N/A  | 0          | N/A  | N/A  | 0               | N/A  | N/A  |
| Arrest - Liquor Law Violation                | 13        | 2    | 0    | 11                | 2    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Arrest - Drug Abuse Violation                | 33        | 34   | 0    | 26                | 22   | 0    | 0          | 0    | 0    | 6               | 0    | 0    |
| Arrest - Weapon Violation                    | 3         | 9    | 0    | 2                 | 0    | 0    | 0          | 0    | 0    | 1               | 0    | 0    |
| Disciplinary Referral - Liquor Law Violation | 0         | 0    | 0    | 0                 | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Disciplinary Referral - Drug Abuse Violation | 0         | 0    | 0    | 0                 | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Disciplinary Referral - Weapon Violation     | 0         | 0    | 0    | 0                 | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Domestic Violence                            | 1         | 1    | 0    | 0                 | 1    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Dating Violence                              | 1         | 4    | 0    | 1                 | 3    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Stalking                                     | 2         | 0    | 0    | 2                 | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |

### Hate crimes:

2025: No hate crimes reported.

2024: No hate crimes reported.

2023: No hate crimes reported.

### Crimes unfounded by the University:

2025: 0 unfounded crimes.  
2024: 0 unfounded crimes.  
2023: 0 unfounded crimes.

**Statistics for unfounded crimes provided by law enforcement agencies:**

2025: 1 unfounded crimes.  
2024: 0 unfounded crimes.  
2023: 0 unfounded crimes.

**Data from law enforcement agencies:**

- 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.

# UAM - Crossett

## Crime Statistics

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

| Crime                                        | On Campus |      |      | Non Campus |      |      | Public Property |      |      |
|----------------------------------------------|-----------|------|------|------------|------|------|-----------------|------|------|
|                                              | 2025      | 2024 | 2023 | 2025       | 2024 | 2023 | 2025            | 2024 | 2023 |
| Murder/Non-Negligent Manslaughter            | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Manslaughter by Negligence                   | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Rape                                         | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Fondling                                     | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Statutory Rape                               | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Incest                                       | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Aggravated Assault                           | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Burglary                                     | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Robbery                                      | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Motor Vehicle Theft                          | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Arson                                        | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Hazing                                       | 0         | N/A  | N/A  | 0          | N/A  | N/A  | 0               | N/A  | N/A  |
| Arrest - Liquor Law Violation                | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Arrest - Drug Abuse Violation                | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Arrest - Weapon Violation                    | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Disciplinary Referral - Liquor Law Violation | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Disciplinary Referral - Drug Abuse Violation | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Disciplinary Referral - Weapon Violation     | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Domestic Violence                            | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Dating Violence                              | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Stalking                                     | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |

\* The University does not have on-campus student housing facilities.

### Hate crimes:

2025: No hate crimes reported.

2024: No hate crimes reported.

2023: No hate crimes reported.

### Crimes unfounded by the University:

2025: 0 unfounded crimes.

2024: 0 unfounded crimes.

2023: 0 unfounded crimes.

### Statistics for unfounded crimes provided by law enforcement agencies:

2025: 0 unfounded crimes.  
 2024: 0 unfounded crimes.  
 2023: 0 unfounded crimes.

#### Data from law enforcement agencies:

- 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.

## UAM - McGehee

### Crime Statistics

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

| Crime                                        | On Campus |      |      | Non Campus |      |      | Public Property |      |      |
|----------------------------------------------|-----------|------|------|------------|------|------|-----------------|------|------|
|                                              | 2025      | 2024 | 2023 | 2025       | 2024 | 2023 | 2025            | 2024 | 2023 |
| Murder/Non-Negligent Manslaughter            | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Manslaughter by Negligence                   | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Rape                                         | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Fondling                                     | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Statutory Rape                               | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Incest                                       | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Aggravated Assault                           | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Burglary                                     | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Robbery                                      | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Motor Vehicle Theft                          | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Arson                                        | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Hazing                                       | 0         | N/A  | N/A  | 0          | N/A  | N/A  | 0               | N/A  | N/A  |
| Arrest - Liquor Law Violation                | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Arrest - Drug Abuse Violation                | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Arrest - Weapon Violation                    | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Disciplinary Referral - Liquor Law Violation | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Disciplinary Referral - Drug Abuse Violation | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Disciplinary Referral - Weapon Violation     | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Domestic Violence                            | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Dating Violence                              | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |
| Stalking                                     | 0         | 0    | 0    | 0          | 0    | 0    | 0               | 0    | 0    |

\* The University does not have on-campus student housing facilities.

**Hate crimes:**

2025: No hate crimes reported.

2024: No hate crimes reported.

2023: No hate crimes reported.

**Crimes unfounded by the University:**

2025: 0 unfounded crimes.

2024: 0 unfounded crimes.

2023: 0 unfounded crimes.

**Statistics for unfounded crimes provided by law enforcement agencies:**

2025: 0 unfounded crimes.

2024: 0 unfounded crimes.

2023: 0 unfounded crimes.

**Data from law enforcement agencies:**

- 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.

## **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: UAM - Monticello, 346 University Dr, Monticello, AR 71656

| Facility                                       | Fire Alarm Monitoring Done on Site | Partial Sprinkler System | Full Sprinkler System | Smoke Detection | Fire Extinguishers | Evacuation Plans & Placards | Number of evacuation (fire) drills in previous calendar year |
|------------------------------------------------|------------------------------------|--------------------------|-----------------------|-----------------|--------------------|-----------------------------|--------------------------------------------------------------|
| Bankston Hall, 283 University Drive Monticello | X                                  |                          |                       | X               | X                  | X                           | 2                                                            |

| <b>Facility</b>                                                       | <b>Fire Alarm Monitoring Done on Site</b> | <b>Partial Sprinkler System</b> | <b>Full Sprinkler System</b> | <b>Smoke Detection</b> | <b>Fire Extinguisher Devices</b> | <b>Evacuation Plans &amp; Placards</b> | <b>Number of evacuation (fire) drills in previous calendar year</b> |
|-----------------------------------------------------------------------|-------------------------------------------|---------------------------------|------------------------------|------------------------|----------------------------------|----------------------------------------|---------------------------------------------------------------------|
| , AR 71655                                                            |                                           |                                 |                              |                        |                                  |                                        |                                                                     |
| Horsfall Hall, 520 University Drive Monticello, AR 71655              | X                                         |                                 |                              | X                      | X                                | X                                      | 2                                                                   |
| Maxwell Hall, 136 University Court Monticello, AR 71655               | X                                         |                                 |                              | X                      | X                                | X                                      | 2                                                                   |
| Royer Hall, 605 University Drive Monticello, AR 71655                 | X                                         |                                 |                              | X                      | X                                | X                                      | 2                                                                   |
| University Apartments A, 211 Forestry Park Drive Monticello, AR 71655 | X                                         |                                 |                              | X                      | X                                | X                                      | 2                                                                   |
| University Apartments B, 231 Forestry Park Drive Monticello, AR 71655 | 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 such things as incense, and smoking are prohibited in campus housing. Only surge-protected extension cords are permitted. Only the following portable cooking appliances are permitted to be used in campus housing: Microwave & Refrigerator. Only one microwave and refrigerator are allowed per two residents. 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.

Staff should make monthly fire safety checks within their residence hall. The following items must be checked:

- All hallways and stairwells are clear of any obstacles
- Smoke detectors are working
- Smoke detector panel is working
- Fire extinguishers are current and unobstructed
- No combustible materials are stacked in storage areas near wiring or heat
- There is no evidence of smoking
- Walking surfaces from rooms are clear
- Fire doors are not propped and are without damage
- All automatic closing features of doors are functioning

Tampering with fire safety equipment is a felony and will not be tolerated. Students who tamper with fire safety equipment may be fined. Fire safety equipment includes, but is not limited to:

- Fire extinguishers
- Smoke detectors
- Fire alarm—including pulling the alarm, muffling the alarm, etc.
- Fire sprinklers

### **Fire Evacuation Procedures**

In the event of a fire, the University expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if one is nearby) as they leave. If circumstances permit at the time of the alarm, additional instructions will be given regarding where students and/or staff are to relocate.

#### **Residence Hall fire alarm meeting locations:**

##### **Bankston Hall**

1st floor NE & NW wings: Front lobby exit and cross the West parking lot.

2nd and 3rd floor NE wings: Northeast exit and cross the East parking lot.

2nd and 3rd floor NW wings: Northwest exit and cross the West parking lot.

All SE wings: Southeast exit and cross the East parking lot.

All SW wings: Southwest exit and cross West parking lot.

All middle hallways: Southeast exit and cross East parking lot.

### **Horsfall Hall**

1st floor residents: Exit the nearest door they can reach.

2nd floor residents: South stairwell and exit South door.

3rd floor residents: North stairwell and exit East door.

All residents: Proceed to South parking lot after exiting.

### **Maxwell Hall**

All residents: Use the shortest unobstructed route to the breezeway.

All residents: Proceed to the UC parking lot after exiting hall.

### **University Apartments**

“A” Building should exit the shortest unobstructed route to the first floor and proceed across the East parking lot.

“B” Building should exit the shortest unobstructed route to the first floor and proceed across the South parking lot.

## **USE AN ALTERNATE ROUTE ONLY IF YOUR DESIGNATED ROUTE IS OBSTRUCTED!**

### **Fire Education and Training Programs**

Fire safety education programs for all residents of on-campus student housing and all employees with responsibilities related to that housing are held 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 if there is a fire and inform them of the University's fire safety policies. Information distributed includes maps of each facility's evacuation route and any fire alarms and fire suppression equipment available in the facility. Attendees are advised that participation in fire drills is mandatory and any student with a disability is given the option of having a “buddy” assigned to assist him or her.

### **Reporting Fires**

The University is required to disclose each year statistical data on all fires that occurred in on-campus student housing. 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 the University Chief of Police at 870-460-1000. 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**

As a result of the University's most recent review of its fire safety protections and procedures, we have determined that the following improvements will be made, subject to the availability of funding: **Routine Fire Drills & Training:** Increased frequency of fire drills for students,

faculty, and staff, along with expanded training for Residence Life staff and campus police.  
**Future Housing Development:** Pending funding, the University is exploring the construction of a new residence hall or apartment-style housing that will incorporate upgraded Fire Alarm Systems.

## **Fire Statistics**

### **UAM - Monticello**

#### **2025**

No fires were reported in 2025.

#### **2024**

##### *Reported Fires*

| <b>Residential Facility</b> | <b>Total Number Fires</b> |
|-----------------------------|---------------------------|
| Royer Hall                  | 1                         |

##### *Additional Information about Reported Fires*

| <b>Residential Facility</b> | <b>Cause of Fire(s)</b>                                                                | <b>Number of Injuries that Required Treatment at a Medical Facility</b> | <b>Number of Deaths Related to a Fire</b> | <b>Value of Property Damage Caused by Fire</b> |
|-----------------------------|----------------------------------------------------------------------------------------|-------------------------------------------------------------------------|-------------------------------------------|------------------------------------------------|
| Royer Hall                  | Unintentional Fire/Power line fell across top of car. The car caught on fire. Totaled. | 0                                                                       | 0                                         | \$10,000-24,999                                |

#### **2023**

No fires were reported in 2023.

### **UAM - Crossett**

#### **2025**

No fires were reported in 2025.

#### **2024**

No fires were reported in 2024.

#### **2023**

No fires were reported in 2023.

### **UAM - McGehee**

#### **2025**

No fires were reported in 2025.

**2024**

No fires were reported in 2024.

**2023**

No fires were reported in 2023.