



University of Arkansas – Fort Smith

Statistics for 2020, 2021, and 2022



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The Clery Act

On Nov. 8, 1990, President Bush signed the “Student Right to Know and Campus Security Act of 1990.” This act applies to every institution of higher education that receives federal financial aid. Title II of the Act was called the “Campus Crime Awareness and Campus Security Act of 1990.” It requires institutions of higher education to distribute to all current students and employees and applicants for enrollment or employment two types of information: (1) descriptions of policies related to campus security and (2) statistics concerning specific types of

University of Arkansas – Fort Smith History

UAFS was established in 1928 as an extension of the public school system in Fort Smith, Arkansas, and has since gone through distinct phases to become a regional university.

Mutual Relations with Other Law Enforcement Agencies

UPD enjoys an excellent working relationship with the City of Fort Smith Police Department, Sebastian County Sheriff's Department, and Arkansas State Police.

Written Memorandum of Understanding

UAFS has a memorandum of understanding (MOU) between UPD and FSPD that outlines which law enforcement agency will have jurisdiction over certain areas and the procedure of response to calls in assistance with each department. UPD frequently meets with leaders from other departments in a formal or informal setting and often attends events together in support of our surrounding community. Personnel and resources are provided by these law enforcement agencies whenever an incident occurs that exceeds the capabilities of UPD or if an incident requires an outside agency to investigate, such as vehicle accidents involving UPD or in cases of UPD use of deadly force. This practice is common among law enforcement agencies to protect the integrity of the investigation.

University Police Personnel Training

The chief of police and their designee are primarily responsible for conducting intensive and continuing training for UPD officers. Training topics may include criminal law, civil law, federal law, the Clery Act and campus security authority, procedural justice and community caretaking, Title IX, sexual assault and gender violence response and investigation, trauma-informed investigation, public relations, race relations and implicit bias, interpersonal communications, crisis intervention and de-escalation, critical incident response and incident command system, emergency operations, emergency medical training, and all facets of protection of persons and property. Training includes annual in-service sessions with department and guest lecturers, select out-service seminars and conferences, applicable online training/webinars, and regular roll call information sessions.

Reporting Crime and Other Emergencies on Campus

UAFS community members—students, faculty, staff, visitors, and guests—are encouraged to report all criminal actions, emergencies, suspicious behavior, or other campus safety-related incidents occurring within the university's Clery geography to the UPD in an accurate, prompt, and timely manner. UAFS Clery geography includes:

- on campus property including campus residence halls, buildings, and/or facilities.
- designated non campus properties and facilities.
- all public property, including thoroughfares, streets, sidewalks, and parking lots, that are within the campus or immediately adjacent to and accessible from the campus or on campus property/facilities.

UPD has been designated by UAFS as the official office for campus crime and emergency reporting. UPD strongly encourages the accurate and prompt reporting of crimes. Accurate and prompt reporting ensures UPD can evaluate, consider, and send timely warning notices, disclose crimes through ongoing disclosure processes such as the posting of crimes in the Daily Crime Log, and accurately document reportable crimes in its annual statistical disclosure. UAFS further encourages accurate and prompt reporting to UPD and/or the local police when the victim of a crime elects to or is unable to make such a report.

This publication focuses on UPD because it has primary responsibility for patrolling the UAFS campus and has been designated as the institution's primary reporting structure for crimes and emergencies. However, criminal incidents off campus can be reported to the Fort Smith Police Department. Additionally, as outlined below, UAFS has also identified a list of primary campus security authorities (CSA) or preferred receivers of reports to whom crimes can be reported. Primary CSAs or preferred receivers of reports include:

- calling UPD at 479-788 7140 or the on campus extension 7140.
- reporting in person to UPD at the University Police Department, located at 425 N. 51st St.
- reporting crimes or emergencies to the Fort Smith Police Department or local emergency services by dialing 911.
- reporting sex offenses and other incidents of sexual or relationship violence to the university's Title IX

Office by phone at 479-788 7310 or the on campus extension 7310 or in person at the Office of Title IX located in the Smith-Pendergra Campus Center 201.

- contacting the Office of Human Resources (HR) by phone at 479-788 7082 or the on campus extension 7082 or in person at the HR office located on the second floor of the Fullerton Administration Building
- contacting the Dean of Students Office by phone at 479-788 7696 or the on campus extension 7696 or in person at the Smith-Pendergra Campus Center 201-B.
- utilizing emergency phones located throughout campus to contact UPD to report a crime or emergency. These “blue light phones” are located at the east side of the Old Gym; the middle of Lot E (parking area south of the Recreation and Wellness Center); the middle of Lot F (parking area south of Windgate Art and Design); Lot A behind the Advancement Center; and north of the Vines Building near the pedestrian tunnel. Elevators in campus buildings contain emergency phones as well, which provide a direct connection to the UPD.
- emailing UPD at UPD@uafs.edu.

Response to Reports

UPD officers are available 24 hours a day to answer campus community calls by dialing 479-788-7140 or on campus extension 7140. In response to a call, dispatchers will take the required action by either dispatching an officer or asking the reporting party to go to the UPD office to file an incident report in person. All reported crimes will be investigated by UPD and may become a matter of public record. Crime victims are given on- and off-campus resource information as necessary and appropriate. UPD procedures require an immediate response to emergency calls. UPD works closely with a full range of Fort Smith and Sebastian County agencies to assure a complete and timely response to all emergency calls.

Priority response is given to crimes against persons and personal injuries. UPD responds to and investigates all reports of crimes and/or emergencies that occur within the university's Clery geography. UPD personnel also can notify FSPD dispatchers of emergencies occurring on campus via portable radio, mobile, and direct call. This system allows UPD to summon assistance from emergency responders if deemed necessary and appropriate. Incidents occurring within the university's Clery geography are documented and processed for further investigation and review by the dean of students and/or local law enforcement, depending upon the nature of the crime or emergency and the involvement of the local police agency. Additional information obtained via any investigation will also be forwarded to the dean of students. Residential directors, professionals, and student staff may also complete reports of potential criminal incidents that are forwarded to the dean of students for review and processing.

To obtain information or request any UPD or safety escort services, community members should call UPD. Located throughout campus are well marked interior phones. These phones access the campus phone system and can be used like any campus extension, for example, to obtain emergency assistance, contact community members, or obtain general information.

When placing an emergency call, remember to stay on the line and wait for the dispatcher/officer to end the call. These interior phones should be used when seeking information and/or reporting activities, including criminal incidents. If a member of the community finds any of these phones inoperative or vandalized, they should call UPD so the phone can be repaired or replaced as quickly as possible. If assistance is required from FSPD or the Fort Smith Fire Department, UPD will contact the appropriate agency.

If a sexual assault or rape should occur on campus, staff on the scene, including UPD, will offer the victim a written notice of rights and options. This publication contains information about on and off campus resources and services and is made available to the UAFS community. The information regarding resources is not provided to infer that those resources are crime reporting entities for UAFS.

As mentioned, crimes should be reported to UPD to ensure inclusion in the annual crime statistics and to aid in providing timely warning campus safety alert (Lions Alert) notices to the community, when appropriate. For example, a crime that was reported only to the UAFS counseling center would not be known to UPD, a campus security authority (CSA), or another university official.

University police officers in vehicles, on foot, or on bicycles are eager to be of assistance and may be contacted directly. University police officers are in radio contact with the Fort Smith Police Department. For emergencies involving the need for immediate ambulance, fire department, or armed law enforcement response, dial 911 immediately and then notify UPD as described above. UPD will respond as quickly as possible to any request for assistance. Response time is based on current activity and the severity of the call.

It cannot be stated enough how important it is to report crime promptly and accurately, no matter where it occurs. If a crime is not promptly reported, evidence can be lost and/or cause a delay in the investigation such as missed leads. If a crime or emergency is witnessed, it must be promptly reported to UPD and questions should be answered as accurately as possible. The investigation can only be as good as the information received. If one sees or receives knowledge of criminal activity or other emergencies, or if one is the victim of such, they are encouraged to contact UPD or the preferred sources for CSAs as mentioned earlier in the "Reporting Crime and Other Emergencies on Campus" section.

Responsibilities of the UAFS Community for Their Own Personal Safety and Security and the Safety and Security of Others

Members of the UAFS community must assume responsibility for their safety and the security of their personal property and are encouraged to assist others. The following precautions provide guidance that could assist in increasing your own personal safety:

- Report all suspicious activity to UPD immediately.
- Never take personal safety for granted.
- Try to avoid walking alone at night. Use the UPD escort service.
- Limit your alcohol consumption, and leave social functions that get too loud, too crowded, or have too many people drinking excessively. Remember to call UPD or FSPD for help at the first sign of trouble.
- Carry only small amounts of cash.
- Never leave valuables (wallets, purses, books, phones, etc.) unattended or in plain view.
- Always carry your keys, and do not lend them to anyone.
- Lock up bicycles and motorcycles. Lock car doors and close windows when leaving your car.
- Always lock the door to your residence hall room, whether you are there or not. Be certain that your door is locked when you go to sleep, and keep windows closed and locked when you are not at home. **DO NOT PROP OPEN INTERIOR OR EXTERIOR DOORS.**
- Do not leave valuables in your car, especially if they can be easily noticed.
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Confidential Reporting

Students may make confidential reports to professional counselors. Professional counselors, when acting in their capacity and function as UAFS counselors, do not make identifiable reports of incidents to UPD unless

Daily Crime Log

UPD combines its Daily Crime Log and Fire Log into one public document. UPD makes the Daily Crime and Fire Logs for the most recent 60-day period open to public inspection during normal business hours, typically 8 a.m. to 4 p.m. Monday-Friday except for holidays or days when the university is closed. UAFS Daily Crime and Fire Logs can be inspected at UPD headquarters, located at 425 N 51st St. (51st Annex). The Daily Crime and Fire Log will include all law violations reported to UPD and consist of the type of crime, general location, date/time occurred, disposition of crime or fine, date of incident, nature of fine, and report number. The Clery Act requires the Daily Crime Log and Fire Log to be updated within two business days to accurately reflect the activity reported to UPD at UAFS.

Campus Safety Alerts (Timely Warning Notices)

To provide timely notice to the UAFS community in the event of a criminal situation that, in the judgement of the chief of police or their designee, may pose a serious or continuing threat to members of the campus community, a campus safety alert (timely warning notice, Lions Alert) will be issued.

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

Campus safety alerts are primarily distributed by mass email or text to all students, faculty, and staff on campus as soon as pertinent information is available.

Campus safety alerts are generally written and distributed to the campus community by the chief of police or their designee. Should the chief of police or their designee be directly impacted and involved in incident response or otherwise unavailable, a member from Marketing and Communications could write and send the alert.

Emergency Preparedness, Response and Evacuation

UAFS has long recognized the need to be prepared for critical incidents. Under the guidance of the university's Emergency Response Team, the university is doing all it can to prepare for, prevent, respond to, and recover from emergency situations. In conjunction with local first responders, the university is well prepared to respond to a full range of critical incidents.

UAFS operates under the Incident Command System – a system utilized by FEMA and many other emergency response organizations. Under this system a single incident commander directs all UAFS resources. Although the UAFS incident commander may consult other individuals, all faculty and staff must follow the decisions made by the incident commander.

In case of any type of emergency, individuals making the discovery should move to a safe location and then contact UPD at 479-788-7140. Individuals making the discovery may also contact 911 using a cell phone or campus phone, pull the fire alarm, or take other appropriate emergency actions. Initial civilian responders are asked to not intervene in any crime or dangerous event.

The UPD officer should follow standard operating procedures while contacting additional civil authorities (FSPD, Fire, etc.) as necessary. If the emergency warrants, the officer should also communicate immediately with the incident commander. The incident commander will assess the situation and direct UPD to contact and summon the necessary UAFS officials and other resources required to contain and control the emergency. Emergency procedure information such as Rapid Response Information, Emergency Action Plan, and Emergency Maps are listed on the university's webpage.

Evacuation Scope

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

Building Evacuation

- All building occupants are required to evacuate when the fire alarm sounds or upon the order of an authorized university official such as a UPD officer.
- If time permits, stabilize lab procedures, turn off stoves and ovens, and unplug or disable any device that could make a dangerous situation worse.
- Move to the closest exit and proceed down the exit stairwell in a safe and orderly manner. Take personal belongings with you. Do NOT use elevators.
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How You Will Know to Shelter in Place?

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

How to Shelter in Place

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

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

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

Campus Community Emergency Notification

It is UAFS policy to issue emergency notification alerts about immediate emergencies on and around the campus. When a report of a potential emergency or dangerous situation occurs, appropriate university personnel will respond to assess the situation. If it is determined that an emergency or other dangerous situation involving an immediate threat to the health or safety of students or others on campus exists, immediate notification of the event will be made to the campus community.

Such notifications usually will be made by using the university's Lions Alert notification system. UAFS students, faculty, and staff are automatically enrolled in the emergency notification system. Students can select how they receive the messages by clicking on "Lions Alert" in [My.UAFS](#) under the "Students" tab. Faculty and staff members can change their alert settings by logging into Lions Alert as well.

Notification can also be accomplished using a variety of other messaging methods that include text, telephone, email, computer pop-up windows on campus and in other meetings.

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Fraternities

the responsibility for locking and unlocking doors rests with the fraternities.

Sororities

the responsibility for locking and unlocking doors rests with the sororities.

UAFS recognizes its responsibility to provide a healthy environment in which students may learn and prepare themselves to be fully functioning and productive individuals. Alcohol and other substance abuse is a university concern. Abuse of alcohol and other drugs affects academic performance, health, personal relationships, and safety. Abusive levels of alcohol use and other drugs often result in problems such as vehicle accidents, physical altercations, property damage, serious illness, and sometimes death. Students need to know their responsibilities as members of the university community and understand the university's expectations and regulations. The abuse of alcohol and other drugs is considered detrimental to the attainment of the educational mission of this institution.

University of Arkansas – Fort Smith Alcohol Policy

Students are expected to use alcohol in a safe responsible manner consistent with federal and state law.

Possession, manufacturing, and/or use of alcohol in university facilities, including residential housing, and at official university functions held on campus is generally prohibited. Alcohol is allowed per housing policy for

The following information is being supplied to address questions from employees and students about the use and possession of medical marijuana within the University of Arkansas System. Any questions that are not addressed here may be referred to Human Resources.

The university is subject to and will continue to follow the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989 as well as applicable state laws and regulations.

Medical marijuana in any form shall not be possessed or used on any university campus or owned/leased property, including campus housing, or any university-sponsored event or activity.

Enforcement of Federal and State Alcohol and Drug Laws

UPD works with the Fort Smith Police Department to enforce all state and local liquor laws, including those for underage drinkers, as well as all state and local laws regarding prescription drugs and controlled substances. UPD will work with federal agencies when needed to enforce any applicable federal laws.

University of Arkansas – Fort Smith Disciplinary Policy

Any student who fails to comply with university policies or local, state, or federal laws may be subject to discipline under the University Code of Student Conduct. Sanctions can include, but are not limited to, a reprimand, disciplinary probation, withdrawal of privileges, suspension, and/or expulsion. When a student's presence on campus is considered a threat to order, health, or safety, the provost or their designee may impose a mandatory leave of absence or conditions on the student's attendance.

Generally, prospective students are asked about certain felony convictions. Employees are also required to disclose all convictions for a felony, crime of violence, dishonesty, or crime against property or involving the threat of violence. A criminal record, if relevant to the position in question, is a factor considered in the employment process.

Prevention and Education Programs Available Through the UAFS Police Department and the

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Programs are available to members of the university community on the topics of crime prevention and drug and alcohol abuse. Programs can be arranged through the director/chief of the UPD, the Student Affairs Office, and/or Housing and Residential Life.

Information on drug and alcohol abuse education may also be obtained through the National Clearinghouse for Alcohol and Drug Information at 800-729-6686.

Programs and Activities Available on Campus to Raise Awareness of Safety and Risk Reduction

Crime prevention programs available through UPD include:

Campus Lighting Tour - A walking tour of campus grounds is conducted annually to inspect lighting and identify needs for improvement. Representatives from several departments, administration, student groups, and media participate in the tour. Monthly inspections of lighting are made by police officers and facilities management staff. Anyone can report an outage by calling Plant Operations at 479-788-7171.

Crosswalk Safety Awareness

- Alcohol Awareness
- Ultimate Drunk Driving
-

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse, but does not include acts covered under the definition of domestic violence.

The Federal definition (from VAWA) of stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- fear for the person's safety or the safety of others; or
- suffer substantial emotional distress.

For the purposes of this definition:

- Course of conduct - two or more acts including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property.
- Reasonable person - a person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress - significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault, and Stalking (Also Rape Awareness and Acquaintance Rape)

UAFS regularly schedules educational programs designed to prevent domestic violence, dating violence, sexual assault, and stalking. Some programs are presented by Lion's Roar, a peer-educator organization focused on behavioral issues. Programs include Night Walk and UAFS Cares, an umbrella programming group representing a partnership between UPD, Academic Affairs, and Student Affairs. UPD also conducts RAD training throughout the year. Other awareness and intervention programs are offered throughout the year.

Title IX Office, Student Affairs, and several other groups sponsor these programs. Examples from 2022 include:

- Educate to Eradicate - a statement of solidarity by men committed to reducing violence against women
- Rising in the River Valley - a community-oriented celebration of prevention, awareness, and survival of domestic abuse involving numerous community groups, such as the local Crisis Center, and hosted on our campus
- Title IX - Title IX procedures, Title IX volunteer group, Title IX for staff, mandatory reporting for Athletics staff, Student Government Association, ROTC, faculty, and international students, and cross examination
- Sexual Assault Awareness Month
- "Second Assault" documentary and discussion
- Smart Phone Sexual Assault
- Denim Day
- Block Party and Fresh Check

Other programs put on by Housing include Cover Your Banana, SebCo Block Party, Drink Before You Drink, Booze!, Safe Sex Snacks, Spooky Care Package, Splash of Spooky, and Trivia with Steven.

Title IX trainings conducted by Title IX coordinators, deputies, and other trained personnel also address some of the same issues as do Residence Life and Greek Life programs. Student organizations such as the Student Nurses Asskvevne (r)13 (a)8.9 tudh as tua9 (e Y)1poven.

Procedures and Sanctions for Violence, Assault, and Stalking

UAFS procedures will be employed once an incident of domestic violence, dating violence, sexual assault, and stalking has been reported.

If a student is found responsible for violating the Student Code of Conduct by committing sexual harassment, domestic violence, sexual assault, dating violence, or stalking, sanctions may range from warnings and educational requirements to suspension or expulsion from the university. For employees, sanctions may range from warnings and educational requirements up to termination.

Protective measures that may be employed range from no-contact orders to a ban from campus property. In addition, changes in academic arrangements, on-campus living arrangements, work arrangements, or schedules for access to various facilities may all be addressed to minimize the impact of a sexual offense, stalking, domestic violence, or dating violence.

How to be an Active Bystander

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who are in an area where they observe or witness possible criminal activity or the potential thereof. They are not directly involved but have the choice to intervene, speak up, or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help.

Below are some ways to be an active bystander. If you or someone else is in immediate danger, call UPD at 479-788-7140 or the local police by dialing 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help:

- ask if they are ok.
- be direct, delegate responsibility, or cause a distraction when you see a person secludes, hits on, tries to make out with, or has sex with people who are incapacitated.
- intervene when someone discusses plans to take sexual advantage of another person.
- believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- refer people to on or off campus resources listed in this document for support in health, counseling, or legal assistance.

For more information please visit the National Sexual Violence Resource Center.

Procedures Victims Should Follow

Importance of Preserving Evidence - Victims are encouraged to preserve evidence for any possible investigation,

Complaints can be reported to:

- UAFS Coordinator for Title IX - Dr. Lee Krehbiel, Vice Chancellor for Student Affairs, 479-788-7310
- Deputy Coordinator for Students - Kathryn Janz, 479-788-7413
- Deputy Coordinator for Employees and Guests - Brittany Slamons, 479-788-7084
- Deputy Coordinator for Athletics - Katie Beineke, 479-788-7687

Reports can also be made to UPD, Residential Life, the Office of the Vice Chancellor for Student Affairs, or any of the Title IX coordinators or deputy coordinators listed above.

If you want full confidentiality and the issue is not an immediate life emergency, speak with a professional counselor, clergy member, or health care provider (e.g., the University Counseling Center at 479-788-7398, or on-campus at the Crisis Intervention Center at 479-782-1821 or 24-Hour Hotline, 800-359-0056)

Options for Reporting and Receiving Assistance to Report to Law Enforcement

Persons wishing to report an incident may do so on their behalf or on the behalf of another person. UAFS personnel should always make the option of filing a report with the police known. UPD can coordinate with other local law enforcement agencies as needed. The university also offers personal assistance to reporters who wish to speak with local or municipal law enforcement. Assistance in contacting the police is available through the Office of Student Affairs at 479-788-7310, University Housing staff, or any of the Title IX coordinators or deputies. Persons retain the right to decline reporting to such authorities.

Rights of Victims for No Contact Orders (NCO)

Persons reporting a complaint have the option of requesting a no contact order if the other party attends class on campus, resides on campus, or otherwise frequents campus. A formal restraining order may also be sought through a local judge. Initiating that process can be facilitated by UPD. In some cases a preliminary letter may be requested from the prosecuting attorney who can inform a person that certain actions are alleged to have occurred, if they were ever repeated and verified, might violate a certain statute(s), and result in criminal charges.

Procedures for Institutional Disciplinary Action in Case of Alleged Violence, Assault, or Stalking

A clear statement must be included informing that such proceedings shall be prompt and fair and the investigation and resolutions shall be impartial and conducted by officials who undergo annual training.

The accuser and accused shall receive the same opportunities. Both shall be simultaneously informed in writing of the outcome, the institution's procedures, and any change to the results that occur before the time that such results become final.

When such results become final, both the accuser and accused shall receive information about keeping the confidentiality of victims, written notification of resources for the victim, and written notification about options for and available assistance in changing living arrangements.

Context and Rights

In cases of alleged domestic violence, dating violence, sexual assault, or stalking, the university will provide a prompt, fair and impartial investigation, and resolution. The officers conducting the investigation and hearings receive training on an annual basis on the nature of these offenses and in how to conduct the investigations and hearings in a manner that protects the safety of victims and promotes accountability.

Both the accused and the complainant, in all of these types of cases, will have equal access to: have others present during a conduct hearing, including at any related meetings; written notification concerning the outcome of the proceeding and any subsequent appeals, including the end of the process; all process related to appeals; confidentiality, including how publicly available record keeping will be accomplished without the inclusion of identifying information about the alleged victim, to the extent allowed by law.

All persons reporting offenses covered by this section will receive a packet of written information covering on- and off-campus support services, such as counseling, student health services, and victim advocacy; options for confidential reporting and legal assistance; options for assistance in changing living, transportation, working, and academic situations, assuming the accommodations are requested and reasonably available. This remains true regardless of the person's decision concerning formal reporting of the alleged crime to campus or community law enforcement.

UAFS Sexual Misconduct Policy and Procedures

The attached Title IX policy outlines the university's process, your rights, and where you can turn to for additional assistance. This includes where and how to report a sexual discrimination claim, what Title IX is, what process the university will follow, and various related regulations covering topics like retaliation, confidentiality, and confidential listeners, legal and on-campus options, on and off-campus counseling options, interim measures to allow persons to continue functioning in their work and study while an investigation and/or hearing is ongoing, and estimated timetables.

If you ever have any questions, please contact the Title IX coordinator for UAFS, Dr. Lee Krehbiel, at 479-788-7310. Even if you prefer to speak with someone else (e.g., a female Title IX officer or police officer), Dr. Krehbiel can help arrange that.

UAFS Title IX Policy for Complaints of Sexual Assault and Other Forms of Sexual Harassment

Notice of Nondiscrimination Under Title IX

The University of Arkansas at Fort Smith does not discriminate on the basis of sex in the education programs and activities that it operates and is prohibited from doing so by Title IX of the Education Amendments of 1972,

Reporting

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

Lee Krehbiel, Ph.D.
UAFS Title IX Coordinator
Smith-Pendergra Campus Center 201-A
479-788-7310
Lee.Krehbiel@uafs.edu

Kathryn Janz
Deputy Title IX Coordinator for Students
Smith-Pendergra Campus Center 230
479-788-7413
Kathryn.Janz@uafs.edu

appropriate. Individuals may file a report directly with local law enforcement agencies by dialing 911. Individuals may also contact any of the following for assistance in filing a report with local law enforcement.

UAFS Police Department
51st St. Annex 100
Fort Smith, AR 72903
479-788-7140

Fort Smith Police Department
100 S. 10th St.
Ft. Smith, AR 72901
479-709-5000

Preserving Evidence

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

Employees' Duty to Report to the Title IX Coordinator

In order to enable the university to respond effectively and to proactively stop instances of sexual harassment, employees must, within 24 hours of receiving information regarding a potential violation of this policy, report

or other meetings, with sufficient time for the party to prepare to participate.

- The university shall maintain an administrative file that includes without limitation all documents and evidence in the institution's possession or control that is relevant to an alleged violation and the university's investigation. The parties shall have reasonable continuing access to the administrative file and may ask the Title IX coordinator to schedule a reasonable time to inspect it. The administrative file shall not include privileged documents, internal communications, or communications from non-parties that the institution does not intend to introduce as evidence at a disciplinary proceeding. The administrative file shall include, without limitation:

- o exculpatory evidence;
- o statements by an accuser or an accused student or a student organization;
- o third-party witness statements;
- o written communications;
- o social media posts;
- o demonstrative evidence;
- o documents submitted by any participant involved in disciplinary procedures; and
- o the university's choice of a video recording, audio recording, or a transcript of any disciplinary ultimately held on the matter.

Initial Report/Intake Process

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

- provide a copy of this policy and a copy of Act 470 of 2023, codified at Ark. Code Ann. 6-62-1401 et seq.
- explain the process for filing a formal complaint and provide a copy of the Sexual Harassment Complaint Form on which the complainant may, if he or she agrees to disclose the information, provide details regarding the allegation, including the name of the accused individual and the date, location, and general nature of the alleged violation of policy
- explain avenues for resolution, including informal and formal
- explain the steps involved in an investigation and hearing under this policy
- discuss confidentiality standards and concerns
- refer to law enforcement, counseling, medical, academic or other resources, as appropriate
- discuss, as appropriate, possible supportive measures, which are available with or without the filing of a formal complaint

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

Formal Complaint Process

require the university to formally respond to and address the allegations. Circumstances to be considered include, among others, a pattern of alleged misconduct by a respondent and whether the complaint has alleged use of violence, weapons, or other similar conduct. The Title IX coordinator will also consider the complainant's wishes with respect to supportive measures and desired response by the university. Where a report is made anonymously and the Title IX coordinator files the complaint, both the complainant and respondent will receive notice of the allegations with written details and identities of the parties if known.

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

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

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

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

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

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

- provide a copy of this policy and a copy of Act 470 of 2023, codified at Ark. Code Ann. 6-62-1401 et seq. (if not previously provided).

- Mutual restrictions on contact between the parties
- Changes in working or housing locations
- Leaves of absence
- Increased security and monitoring of certain areas of the campus

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

Informal Resolution -At any time after a formal written complaint is filed but prior to reaching a determination regarding responsibility, the University may facilitate a resolution without a full investigation and adjudication.

The complainant and respondent must give their voluntary, written consent to the informal resolution process. The informal resolution process will not be utilized to resolve allegations that an employee sexually harassed a student. Prior to commencing the informal resolution process, the Title IX Coordinator or designee must provide the parties a written notice that includes the following information:

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

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

A er the gathering of evidence has been completed but prior to completion of the investigative report, the Investigator will provide to each party and party's advisor, if any, any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which

or their designee will select one member of the hearing panel to act as the chair. e Title IX coordinator will

or hearing panel's decision. The Title IX coordinator will forward the appeal to the chancellor. The appeal will be

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

Retaliation Prohibited

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, 34 C.F.R. Part 106, or this policy, or because an

an informal resolution process. These materials will be made publicly available on the university's website.

- records of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, along with documentation of the University's bases for its conclusion that its response was

their youth or because his/her temporary or permanent or physical incapacity.

-

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

Sex Offender Registry and Access to Related Information

The Federal Campus Sex Crimes Prevention Act, (section 1601 of Public Law 106-386) enacted on Oct. 28, 2000, went into effect Oct. 28, 2002. It is a law that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education or those working or volunteering on campus. This law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already registered in a state to provide notice to the appropriate state agency, as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student.

The Clery Act, as amended by the Campus Sex Crimes Prevention Act, requires an educational institution to state the location of where information concerning registered sex offenders is maintained, such as the Arkansas Registry of Sex Offenders. In accordance with Arkansas law, relevant and necessary information will be disclosed when the information is necessary for public protection. Inquiries regarding registered sex offenders may be directed to UPD at 479-788-7140.

Arkansas Anti-Hazing Law

6-5-201. Definition

As used in this section, “hazing” is defined as taking place 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, and includes:

- a willful act directed against any other student and done for the purpose of intimidating the student attacked by threatening them with social or other ostracism or of submitting such student to ignominy, shame, or disgrace among their fellow students, and acts calculated to produce such results;
- the playing of abusive or truculent tricks upon another student to frighten or scare them;
- a willful act 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 them from remaining

in that school, college, university, or other educational institution or reasonably to cause them to leave the institution rather than submit to such acts; OR

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Missing Student Policy

A missing student is defined as any currently registered student at the University Arkansas – Fort Smith who has not been seen by friends, family members, or associates for a reasonable length of time and whose whereabouts

No appointment necessary. Clinic hours are subject to change. The last patients will be seen at 11:30 a.m. and 4:30 p.m., respectively.

Counseling Center

College life can be an exciting and unique experience. However, there are times when the stress of juggling studying, working, and a personal life may be overwhelming and frustrating. Many students find themselves dealing with anxiety, substance abuse, depression, and suicidal thoughts. The UAFS Counseling Center is available to help those students.

The Counseling Center is committed to treating the psychiatric, behavioral, and emotional needs of the

as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

All statistics are gathered, compiled, and reported to the UAFA community via this report, entitled the "Annual Security and Fire Safety Report," which is published by UAFA no later than Oct. 1 of each year.

Clery Crime Definitions

The following definitions are to be used for reporting the crime listed in the Clery Act in accordance with the FBI's Uniform Crime Reporting (UCR) Program.

Criminal Homicide

- Murder and Non-Negligent Manslaughter - the willful (non-negligent) killing of one human being by another
- Negligent Manslaughter - the killing of another person through gross negligence

Sex Offenses

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

Robbery

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

Aggravated Assault

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.

This type of assault usually is accompanied by the use of a weapon or by a means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary

the unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes

Clery Geography Definitions

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

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

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

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

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

Unfounded Reports

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

Hate Crime Reporting

There is one report of a hate crime incident in 2020. The incident was racially motivated. There were no reports of hate crime incidents reported in 2021 or 2022.

Annual Fire Safety Report

Fire Safety Overview

The Higher Education Opportunity Act of 2008 (HEOA) requires all academic institutions with on-campus student residential facilities to develop and publish an annual fire safety report. The following report includes the information required by the HEOA as it relates to UPD.

UPD publishes this Fire Safety Report as part of its annual Clery Act Compliance document via this annual report, which contains information with respect to the fire safety practices and standards for UAfS. The compliance document is available for review upon request at UPD during normal operating business hours. UAfS combines our Fire Log with our Daily Crime Log as it relates to the Clery Act.

Definition of Terms

Fire - any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

Cause of Fire - the factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

Fire Drill - a supervised practice of a mandatory evacuation of a building for a fire.

Fire-Related Injury - any instance in which a person is injured because of a fire, including an injury sustained from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term person may include students, faculty, staff, visitors, firefighters, or any other individuals.

Fire-Related Death - any instance in which a person is killed because of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire, or dies within one year of injuries sustained as a result of the fire.

Fire Safety System - any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This system includes sprinkler systems or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of fire such as alarms, bells, or strobe lights, smoke control and reduction mechanisms, and fire doors and walls that reduce the spread of a fire.

Value of Property Damage the estimated value of the loss of the structure and contents in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire and related damages caused by smoke, water, and overhaul. However, it does not include indirect loss such as business interruption.

Communicating a False Alarm

Communicating a false alarm is a violation of state law Criminal Code 5-71-210. A person commits the offense of communicating a false alarm if they purposely initiate or circulate a report of a present, past, or impending

UAFS 2022 Fire Log

On-Campus Student Housing Facilities	Fires	Date/Time	Cause	Deaths	Injuries	Value of Property Damage
Lion's Den	0	N/A	N/A	0	0	--
Sebastian Commons	0	N/A	N/A	0	0	--

Per federal law, UAFS is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below are the non-emergency numbers to call to report fires that have already been extinguished in on-campus student housing. These are fires for which you are unsure whether UPD may already be aware. If you find evidence of such a fire or if you hear about a fire, please contact one of the following:

UAFS Police Department: 479-788-7140

UAFS Housing Office: 479-788-7340

Important Contacts and Resources

To report an emergency or a crime in progress anywhere, dial 911 and 479-788-7140.

For other UPD assistance on campus, dial 479-788-7140.

For other police assistance on campus, dial the Fort Smith Police Department: 479-709-5000.

Office of the Vice Chancellor for Student Affairs	479-788-7310
University Housing Office	479-788-7340
Campus Recreation and Wellness	479-788-7596
Office of Non-Traditional Student Support	479-788-7319
Student Counseling Center	479-788-7398
Powell Student Health Clinic.....	479-788-7444

Chancellor
 Provost and Senior Vice Chancellor
 Associate Vice Chancellor for Academic Affairs
 Associate Vice Chancellor – Campus and Community Events
 Vice Chancellor for University Relations
 Vice Chancellor for Enrollment Management
 Vice Chancellor for Finance and Administration
 Vice Chancellor for Student Affairs
 Vice Chancellor for University Advancement
 Chief/Director – University Police Department
 Director – Athletics
 Dean – College of Arts and Sciences
 Dean – College of Business and Industry
 Dean – College of Health, Education, and Human Sciences
 Assistant Vice Chancellor – Marketing
 Director of Donor Relations
 Director of Alumni Affairs
 Director of Information Technology Services
 Registrar
 Director – Western Arkansas Technical Center
 Director – Human Resources/EEO Officer
 Director – Library Services
 Director – Financial Aid
 Director – Admissions
 Director – Student Advisement and Career Planning
 Director – Academic Assessment and Accountability
 Director of Plant Operations
 Assistant Dean of Students
 Executive Director of Institutional Research and Strategic Planning
 Manager – Lions Bookstore
 Resident Assistants
 Director – Academic Success Center
 International Student Programs and Services Administrator
 Director – Campus and Community Engagement