



CLERY ACT

ANNUAL SECURITY REPORT

NORTHWEST ARKANSAS
COMMUNITY COLLEGE **2019**



In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 § 1092(f), 34 CFR 668.46)

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Clery Act Annual Security Report of 2019

The NorthWest Arkansas Community College (“NWACC”) Annual Security Report of 2019 is provided to current students, prospective students, staff, and faculty as part of the College’s commitment to the safety and well-being of the NWACC community. The Annual Security Report is published every year by October 1st and contains three years of selected campus and non-campus crime statistics and certain campus security policy statements in accordance with the Clery Act.

Enacted in 1990, *The Crime Awareness and Campus Security Act* was designed to assist students in making decisions which affect their personal safety and to ensure institutions of higher education provide students, prospective students, staff, and faculty the information they need to avoid becoming victims of campus crime. The *Higher Education Act of 1998* and the subsequent amendments of the implementing regulations significantly expanded institutions’ obligations under the Act. The Act was also renamed the “*Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act*” (hereafter the “Clery Act”).

The “NWACC” Departments of Public Safety (“DPS”), and Department of Institutional Policy, Risk Management and Compliance are committed to providing a risk averse, sustainable, and resilient environment that enhances the learning experience and supports the College’s educational mission.

The NWACC DPS understands the unique challenges associated with a college setting, and as such is tasked with providing services that meet both law enforcement and private security standards. DPS officers play various roles on campus including peace officer, security guard, policy enforcer, and public relations officer. DPS provides services at 5 locations and consists of 29 authorized positions that include 17 state certified police officers and 12 security officers. Officers are constantly patrolling NWACC properties and staffing fixed posts at some facilities. These officers answer calls for service, respond to alarms, and enforce state criminal and traffic laws. DPS also has police officers responsible for specialized assignments including criminal investigations, training, and bicycle patrol.

Development, Disclosure and Implementation of Security Policies

The Department of Public Safety and the Department of Institutional Policy, Risk Management, and Compliance are the offices designated to ensure that NWACC’s security policies are actively implemented as prescribed. The Clery Compliance Coordinator and DPS prepare this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The Emergency Management Coordinator works in conjunction with the Director of Public Safety and the Clery Compliance Coordinator in an on-going basis to make certain that administration, faculty, staff, students, and guests are aware of NWACC’s security policies. For more information on our NWACC Campus Safety and Security Reporting/Clery Act Policy visit this link: https://nwacc.policystat.com/?lt=njLiKEwN-LRzInd3Ca2_-j&next=/policy/5589937/latest/

Campus Security Authorities

Campus Security Authorities (“CSAs”), as defined by the Clery Act, have an obligation to report allegations of Clery Act-defined crimes that they conclude are made in good faith. These crime allegations should be reported to DPS or to the local police. The Clery Act definition of a campus security authority includes NWACC personnel in addition to DPS officers, including any official of NWACC who has significant responsibility for student and campus activities, including but not limited to, student discipline, student activities, campus conduct proceedings, advisors to student organizations and intramurals, event security, administrators who oversee branch or separate campuses, and those who monitor access to an NWACC facility. The Ethics and Compliance Officer is responsible for overseeing CSAs, ensuring their compliance with annual training, and sending semi-annual updates to CSA’s reminding them of their responsibilities. The Department of Public Safety is responsible for the collection of their crime reports and for inclusion in the Annual Security Report. If CSA’s report any crime to the Director of Student Support (“DSS”) or the Dean of Students (“DOS”), both of those parties are responsible for forwarding this information to the Director of Public Safety. The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many individuals may be hesitant about reporting crimes to the police, but may be more inclined to report incidents to other campus-affiliated individuals. For information about NWACC’s policy on limited, confidential reporting, please see the Disclosure of Policy Statements, section *a) Reporting crimes on a limited voluntary, confidential basis*.

Immediate Notification

The procedure regarding immediate notification at NWACC is designed to get relevant information to College students, employees and visitors at any affected NWACC location as soon as possible when an emergency incident occurs that involves a threat to health and safety. The NWACC administration will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or staff occurring on campus.

The Director of Public Safety or a designee will confirm if there is a significant emergency or dangerous situation and determine necessary notifications. The mass notification system, NWACC’s Smart Phone LiveSafe App, and BCAlert text messaging systems have prewritten messages that can be modified as necessary and sent to the NWACC community by Public Safety personnel, Exec. Director of Institutional Policy, Risk Mgmt. and Compliance or Public Relations personnel (these individuals will determine the appropriate segment or segments of the campus community to receive the messages if the threat is limited to a particular building or segment of the population). Immediate notifications are distributed in various ways depending on the nature of the situation and the information to be disclosed. NWACC will use some or all of the following methods of communication: e-mails; BCAlert text messaging System; mass notification system; NWACCs LiveSafe Smart Phone App; NWACC In-Case-of-Crisis Emergency Guide APP; social media and face to face communication by professors and other leaders of the institution, as deemed appropriate. Parents or other interested members of the larger community may sign up for the BCAlert text messaging system and LiveSafe App by visiting the NWACC website. These individuals can also obtain information in the event of an emergency on campus via the local news media and/or the NWACC website. <http://www.nwacc.edu/administrativeservices/campussafety/default.aspx>

Anyone with information warranting an immediate notification should report the circumstances to the Department of Public Safety at 479-619-4229. Follow-up information will be available on the NWACC website or any of the communication systems listed above may be used to provide follow-up information to the campus

community. NWACC officials 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.

Emergency Response Procedures

An emergency response and recovery program has been developed to ensure response to and recovery from emergencies of all types and magnitudes and the continuation of College operations following an emergency. The plan is carried out by the Emergency Response Team and the Disaster Recovery/Business Continuity Response Team. The Department of Institutional Policy, Risk Mgmt. & Compliance and Department of Public Safety will be responsible for establishing plan priorities, writing and distributing the plan and training personnel in the plan.

NWACC's first priority when an emergency occurs is employee, student and guest safety and emergency response, and their second priority is disaster recovery and business continuity. This plan encourages the development of high levels of resilience where required and the wise use of resources to ensure that when an emergency occurs, NWACC's normal functions continue and, in the case of a major emergency, its mission essential functions are restored as soon as possible followed by the restoration of all College functions.

The College publishes its Quick Reference Emergency Procedures Guide that is distributed to all employees and copies are also available in the DPS Office and online at <http://www.nwacc.edu/administrativeservices/campussafety/default.aspx>. Additionally, Emergency Procedures are located throughout all NWACC facilities. The leaders of the institution have access to an Emergency Operations Plan that includes operational guidelines and leadership command structure for the institution in the event of a campus emergency. Training exercises are held at least once a year under the direction of DPS and the Department of Institutional Policy, Risk Mgmt. & Compliance. These exercises will consist of training, tabletop exercises, full-scale exercises, drills, and/or tests of the BCAlert text messaging system, mass notification system, NWACCs LiveSafe Smart Phone App, and the Wireless Emergency Notifications Systems. The Disaster Recovery/Business Continuity Response Team members will participate along with appropriate first responder representatives. If required, all College emergency personnel and occupants of the affected building(s) are to participate fully in these exercises and drills, which may be announced or unannounced.

When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually the DPS, along with local Police, Fire and EMS. These first responders typically work together to manage the incident. Depending on the nature of the incident, other NWACC departments and other local agencies could also be involved in responding to the incident.

Emergency Evacuation Procedures

Students, faculty, staff, and guests are expected to evacuate campus buildings if they hear a fire alarm, if they are notified by first responders, or if the campus administration determines that an evacuation is necessary. All persons will receive information about evacuation and shelter-in-place procedures via one or more of the following: e-mail, BCAlert text messaging system, mass notification system, NWACCs LiveSafe Smart Phone APP, Social Media and/or verbally by Administration or DPS personnel in person or by phone. Information surrounding these procedures is also published in the Quick Reference guide.

Shelter-in-Place Procedures – What it means to “Shelter-in-Place”

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to seek shelter indoors. Thus, to “shelter-in-place” means to utilize the building that you are in as shelter from danger that is outside of the building or in other areas of the building. With a few adjustments, these locations can be made even safer and more comfortable until it is safe to go outside.

Basic “Shelter-in-Place” Guidance

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, NWACC ID Card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, proceed to the pre-designated evacuation point or to a safe location. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to “Shelter-in-Place”

A shelter-in-place notification may come from several sources, including e-mails, BCAlert text messaging system, mass notification system, and the NWACC Life Safe phone app, as well as Social Media.

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:

1. 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 inside the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It 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
3. Shut and lock all windows and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able.
6. Make a list of the people with you and ask someone to call the list in to the College operator at (479) 936-9222. In the event that the operator station cannot be manned calls will be forwarded to an appropriate location.
7. Turn on a radio or TV and listen for further instructions.
8. Remain calm and make yourself comfortable.

Lockdown

A "Lockdown" is the temporary sheltering technique utilized to limit civilian exposure to an "Active Shooter" or similar incident. When alerted, occupants of any building within the subject area will lock all doors and windows and will not allow entry or exit to anyone until the all clear has been sounded. Notice that a "Lockdown" has been issued will be broadcast over the mass notification system and by other appropriate means.

How to Lockdown

The basic steps for how to lockdown will be the same regardless of your location. Follow these steps, unless instructed otherwise by local emergency personnel:

- Try to remain calm.
- Remain indoors, e.g. your office or classroom. Once in "Lockdown" you would be allowed to move about to facilitate certain needs, e.g. bathroom, water; but you should not leave the building unless an all clear has been sounded.
- If not in your typical surroundings, proceed to a room that can be locked.
- Close and lock all doors.
- Turn off all lights.
- Occupants should be seated below window level, toward the middle of a room, out of view from windows and doors, as low to the ground as possible.
- Remain silent.
- Turn off all radios or other devices that emit sound.
- Silence cell phones and turn off vibration functions.
- If gunshots are heard, lay on the floor using heavy objects, e.g. tables, filing cabinets for shelter.
- If safe to do so, turn off gas and electric appliances, e.g. heater, fan, coffee maker, gas valves, lights and locally controlled ventilation systems, e.g. air conditioner. Use phones only for emergency notification to emergency responders.
- Do not shelter in open areas such as hallways or corridors. Go to the nearest office, classroom, lecture hall or auditorium that can be locked.
- A message may be broadcast giving specific locations and directions for entering certain shelter sites.
- Do not unlock doors or attempt to leave until instructed to do so by emergency responders. The "All-clear" will be announced over the mass notification system or other appropriate system when it is considered safe.

The Daily Crime Log

NWACC Department of Public Safety ("DPS") maintains a daily crime log that is available to the public from all campuses/centers via the main Public Safety office, in the Center for Health Professions, Room #1033C, One College Drive, Bentonville, AR. The daily crime log discloses all alleged criminal incidents reported to DPS, including non-Clery Act crimes. The Clery Act requires that the daily crime log include specific categories of information which include; 1) the date the crime was reported; 2) the nature of the crime; 3) the date and time the crime occurred; 4) the general location of the crime; and 5) the disposition of the complaint, if known.

An institution may temporarily withhold information from the daily crime log in some cases. There must be clear and convincing evidence that the release of information may: 1) jeopardize an ongoing investigation; 2) jeopardize the safety of an individual; 3) cause a suspect to flee or evade detection; or 4) result in the destruction of evidence.

Statistics from Local Law Enforcement Agencies

The Department of Public Safety and/or the Clery Compliance Coordinator submits an annual request to the local law enforcement agencies requesting specified crime statistics reported to local police agencies that

occurred on or immediately adjacent to the campuses and on College owned, controlled, or affiliated property to be reported for inclusion in the annual crime report. Documentation of the request is maintained by DPS and/or the Clery Compliance Coordinator regarding the College's efforts to obtain the statistics and documentation of any noncompliance on behalf of the police as well as the statistics from all the appropriate police agencies with jurisdiction for NWACC.

Data Report to Department of Education

Per request by annual letter, the United States Department of Education ("DOE") sends a request to DPS to submit the crime statistics portion of the Annual Security Report via the Campus Safety and Security Survey web-based system. The Clery Compliance Coordinator is the Campus Safety Survey Administrator ("CSSA"). The CSSA or his/her designee enters and submits the College's crime statistics through this survey. NWACC's updated statistics are available to the general public at: <http://ope.ed.gov/security> or the DPS website: http://content.nwacc.edu/dps/Clery_Annual_Report.pdf

2019 ANNUAL CRIME REPORT

All information and data collected are for calendar year 2018: January 1, 2018 – December 31, 2018.

Geographic Locations

On Campus: Property owned or controlled by the College, within the same reasonably contiguous geographic area; and used in direct support of or in a manner related to the institution's educational purposes such as academic buildings and administrative buildings.

Separate Campus: (or Branch Campus) Property owned or controlled by the College, not reasonably geographically contiguous with the main campus; that has an organized program of study; and has at least one person on site acting in an administrative capacity.

Non-Campus: Any building or property not part of the core campus and does not fit the definition of separate campus and is owned or controlled by the institution, used in direct support of or in relation to the College's educational purposes, frequently used by students, and is not within the same reasonable contiguous geographic area of the campus.

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.

Clery Act Definitions of Reportable Crimes per the FBI Uniform Crime Reporting Handbook

The Clery Act requires our College to include four general categories of crime statistics:

- **Criminal Offenses**—Criminal Homicide, including Murder and Non-negligent Manslaughter, and Manslaughter by Negligence; Sexual Assault, including Rape, Fondling, Incest and Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson.
- **Hate Crimes**—Any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/ Vandalism of Property that were motivated by bias.
- **VAWA Offenses**—Any incidents of Domestic Violence, Dating Violence and Stalking. (Note that Sexual Assault is also a VAWA Offense but is included in the Criminal Offenses category for Clery Act reporting purposes).
- **Arrests and Referrals for Disciplinary Action for Weapons**—Carrying, Possessing, Etc. Law Violations, Drug Abuse Violations and Liquor Law Violations.

Statistics must be disclosed separately for each of these four general categories. This means that when an incident meets definitions in more than one of these categories, it must be reported in each category.

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 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 which could or probably would result in a serious potential injury if the crime were successfully completed.

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

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

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joy riding).

Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Manslaughter by Negligence: The killing of another person through gross negligence.

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, violence, and/or causing the victim fear.

Larceny: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Vandalism: To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

Weapon Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Liquor Law Violations: The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Driving While Intoxicated: A person who drives a motorized vehicle while influenced or affected by the ingestion of alcohol, a controlled substance, or any intoxicant, commits the offense of driving while intoxicated.

Public Intoxication: - A person commits the offense of "Public Intoxication" if (1) he appears in a public place manifestly under the influence of alcohol or a controlled substance to the degree that he is likely to endanger himself, other persons or property, or that he unreasonably annoys persons in his vicinity; or (2) he consumes an alcoholic beverage in a public place.

Sexual Assault: Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.

Sex Offenses: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. These include:

Rape: Sexual penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. The definition includes any gender of victim or perpetrator.

Sodomy: Oral or anal sexual intercourse with another person, without consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

Sexual Assault with an Object: To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification without consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or temporary or permanent mental or physical incapacity.

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

Sex Offenses—Non-Forcible: Unlawful, non-f forcible sexual intercourse that includes incest and statutory rape.

Incest-Non-f forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape-Non-f forcible sexual intercourse with a person who is under the statutory age of consent.

Sex Offenses—Forcible: Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

- **Rape**-Carnal knowledge of a person without consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or temporary or permanent mental or physical incapacity.

- **Sodomy**-Oral or anal sexual intercourse with another person without consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or temporary or permanent mental or physical incapacity.

- **Sexual Assault with an Object**-The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person without consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or permanent mental or physical incapacity.

- **Fondling**-The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Hate Crime: Criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias (a preformed negative opinion or attitude) against a race, gender, religion, disability, sexual orientation, or ethnicity/national origin.

- **Race**-A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).

- **Gender Identity Bias**-A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.

- **Religion**-A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).

- **Sexual orientation**-A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).

- **Ethnicity/national origin**-A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (e.g., Arabs, Hispanics).

- **Disability**-A negative opinion or attitude toward a group of persons based on their physical or mental impairment/challenges whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Domestic Violence:

The term "domestic violence" means 1) Felony or misdemeanor crimes of violence committed—

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

- (ii) By a person with whom the victim shares a child in common;
 - (iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
 - (iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
 - (v) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- 2) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting

Dating Violence:

The term "dating violence" means violence committed by a person

- 1) who is or has been in a social relationship of a romantic or intimate nature with the victim and
- 2) The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition-

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

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Stalking:

The term "stalking" means 1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- (i) Fear for the person's safety or the safety of others; or
- (ii) Suffer substantial emotional distress.

2) For the purposes of this definition—

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

3) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Procedures for Reporting Crimes and Other Emergencies

Students, faculty, staff, or guests of all campuses encountering violations of College regulations, crimes or other emergencies are encouraged to report these incidents accurately and promptly to one of the following:

NWACC's Department of Public Safety	(479) 619-4229 (ALL Campuses)
Bentonville Police	(479) 271-3170 (Main Campus and Brightwater)
Rogers Police	(479) 636-4141
Springdale Police	(479) 751-4542 (WCC & JCF)
Farmington Police	(479) 267-3411 (FC)

Community members, students, faculty, staff and guests should report all crimes and public safety related incidents including when the victim of a crime elects to or is unable to make such a report to NWACC's DPS and/or local police departments in a timely manner. Emergency phones are located and accessible throughout the campus. Crimes should be reported to the DPS for purposes of making timely warning notices to the community and inclusion in the annual security report. It is the responsibility of DPS to investigate and follow up on all reports of criminal activity on campus. In some cases DPS officers are assisted in their investigations by other area law enforcement agencies. If assistance is required from other police agencies and/or fire departments, DPS will contact the appropriate unit.

Responses to these reports will vary according to the situations. In an emergency, DPS will respond and summon the appropriate resources to assist in the response to the incident. Reported violations of local, state or federal law will be investigated by the Department of Public Safety. Information obtained by the college may be used in selecting an appropriate course of action. Options for action include: 1) pursuing the alleged violation through the criminal justice system, 2) pursuing the alleged violation through the College Student Conduct System, 3) pursuing the alleged violation through both the criminal justice system and the College Student Conduct System, or 4) taking no action. Reported violations of College regulations will be investigated and, where appropriate, adjudicated by the appropriate student conduct complaint/grievance procedures.

DPS incident reports involving students, faculty and staff are forwarded to the appropriate and responding offices on campus for review and potential action. Incident reports are available in the DPS office. DPS Officers will investigate a report when it is deemed appropriate and additional information obtained via the investigation will also be forwarded to the appropriate and responding office(s).

Reporting Crimes and Confidentiality

The NWACC Department of Public Safety ("DPS") encourages anyone who is the victim or witness to any crime to promptly report the incident. Because all police reports are public records under state law, DPS cannot guarantee that it will hold reports of crime in confidence.

Confidential reporting may be available to witnesses and/or victims of some crimes who do not want to pursue action within the College system or the criminal justice system. Such reports may be made by using the Ethics Point secure link on the Human Resources page at <https://secure.ethicspoint.com/domain/media/en/gui/15781/index.html> or the Advocate link on the Student Support Services page at https://nwacc-advocate.symplicity.com/public_report/index.php/pid706441?. NWACC has trained Confidential Advocates who may also serve for confidential reporting. Confidential Advocates will strive to keep information private, however, there are some circumstances in which they are not able to guarantee complete confidentiality. To read more about the Confidential Advocates, please see this link: <https://www.nwacc.edu/studentervices/healthandwellbeing/confidentailadvocates.aspx>.

The purpose of a confidential report is to comply with the witness's or victim's wish to keep the matter confidential, while taking steps to ensure their or other's future safety. With such information, the College 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. It is the policy of the College to encourage the reporting of crimes even if the victim does not wish to file a complaint. However, with crimes that involve sexual harassment, including sexual violence, confidentiality cannot be guaranteed. If a crime is reported to

a CSA and the victim chooses not to report it to the police, then the employee, student or visitor may complete a *Crime Incident Report Form* which excludes the victim's name. This form is available at the Department of Public Safety Office or on the DPS website (<http://content.nwacc.edu/administrativeServices/DPS/Crime%20Incident%20Report%20Form.pdf>).

Any information received will be reported to DPS for crime reporting notifications, campus crime statistics reporting, and campus education programs. Cases of suspected sex discrimination or sexual harassment may be reported to the Title IX Compliance Officer, who is Teresa Taylor, Executive Director for Institutional Policy, Risk Management and Compliance. (ttaylor19@nwacc.edu; 479-619-4188)

Timely Warning Notifications

The Director of the Department of Public Safety or a designee will coordinate with the Office of Public Relations to develop Timely Warning Notices for the College Community to notify members of the community about serious crimes that occur on campus or on other College owned, leased or controlled property, where it is determined that the incident may pose a serious or continuing threat to members of the College Community. Timely Warning Notices are usually distributed for the following Uniformed Crime Reporting program ("UCR")/National Incident Based Reporting System ("NIBRS") classifications: major incidents of arson, criminal homicide, and robbery. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by DPS. For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to other College Community members, therefore; a Timely Warning Notice would not be distributed. Sexual Assaults are considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by DPS. Timely Warning Notices may be distributed for other crimes as determined necessary by the Director of Public Safety or a designee in his/her absence.

Timely Warning Notices for the College Community will be written and sent by Public Relations once approved by the Director of Public Safety or his/her designee and one or more of the following: Executive Director for Policy, Risk Management and Compliance, Chief Academic Officer, Vice President for Administration and Finance, Executive Director of Public Relations, College President, or Administrator in Charge of the campus/center facility or designee at the off-site location as determined by existing College emergency procedures. Notifications may be made via some or all of the following: e-mails, BCAlert text messaging system, mass notification, NWACCs LiveSafe Smart Phone App, Social Media, press releases, warning posters, campus meetings, and announcements. On all other campuses/centers timely warnings will be delivered by one or more of the following means: bullhorn or other means of verbal contact by DPS and/or other personnel available, blast emails, BCAlert *text messaging system*, press releases, warning posters, campus meetings, and announcements.

Anyone with information warranting a timely warning should report the circumstances to the DPS. All notifications issued will provide general information about the incident as well as crime prevention information that may aid in the prevention of similar occurrences. All Timely Warning notices will be issued in a manner that withholds the names of victims as confidential.

Annual Disclosure of Crime Statistics

The Annual Security Report is compiled by the Department of Public Safety and/or the Clery Compliance Coordinator. Crime and arrest statistics for the report are compiled from police reports obtained from the files

of NWACC's DPS, along with requested information from Bentonville, Pea Ridge, Centerton, Fayetteville, Gravette, Rogers, Springdale and Farmington Police Departments. Student conduct violations statistics are provided by NWACC's Dean of Students. We cast a wide net for input from other campus officials. Inquiries are made to all campus security authorities, including but not limited to, college administrators, deans, directors and department heads requesting information if a crime was reported to anyone in their area and not reported to the police. Statistics are compiled from their replies.

Security and Access of Campus Facilities

NWACC is an open campus and maintains on-campus security 24 hours a day 7 days a week. Facilities are open to members of the College community and guests. 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 the Department of Public Safety at (479) 619-4229. Administrative buildings are typically open from 8:00 a.m. to 4:30 p.m. Monday through Friday. Academic facilities close and are locked by DPS after the last class scheduled in the facility. Service buildings (i.e., library, student center) are open during posted hours. NWACC does not have on-campus or off-campus residence halls at any of its campuses.

Some facility hours may vary by facility/location and some facility hours may vary 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. DPS conducts daily security checks to verify that all facilities on campus are secured. DPS also monitors on campus security cameras and conducts routine patrols of all campuses/centers which are staffed by DPS Officers.

NWACC is committed to campus safety and security. Exterior lighting and landscape control is a critical part of the commitment. The Physical Plant Department maintains the College's buildings and grounds, including lighting, walkways, roadways, and landscaping, and conducts routine checks of lighting on campus. DPS officers regularly patrol the campuses/centers and report any deficient lighting (such as dim, obstructed, or non-operational) or other unsafe facility conditions to the Physical Plant Department.

Campus Law Enforcement

a) Enforcement authority of security personnel, b) working relationship with state and local police agencies, and c) arrest authority of security personnel

NWACC's Department of Public Safety has primary responsibility for maintaining a reasonably safe campus/center. Specifically, DPS is responsible for crime prevention, law enforcement, parking control, emergency response, policing of special events, and various other community services on campus/center. DPS provides a full range of campus/center 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. DPS police officers have complete police authority to apprehend and arrest anyone involved in illegal acts on campus/center and areas immediately adjacent to the campus/center pursuant to A.C.A. 25-17-305. If minor offenses involving college rules and regulations are committed by a student, the DPS may also refer the individual to the Office of Student Conduct. All police officers of NWACC's DPS meet state mandated training requirements and are certified by the Arkansas Commission on Law Enforcement Standards.

Major offenses such as rape, murder, aggravated assault, robbery, and auto theft are reported to the local law enforcement, as well as the NWACC Office of Student Conduct/Dean of Students Office. Although NWACC does not have a formal written memorandum of understanding with all local law enforcement

agencies regarding its campuses/centers for the purpose of investigation of alleged criminal offenses, joint efforts are coordinated as needed with these local agencies and the Arkansas State Police to investigate crimes as deemed necessary. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted in the appropriate local, state, or federal court. DPS officers maintain working relationships with local law enforcement agencies and have direct radio communications to facilitate rapid response in any emergency situation.

Reporting of Crimes to Campus Police and Local Police

NWACC is committed to providing a safe and secure environment for our students, faculty, staff, and guests. With the support of all members of the College community, there is a continuing effort to keep the campus/center safe and secure. Because a truly safe campus/center can only be achieved through the cooperation of all students, faculty, staff, and guests; everyone is encouraged to accurately and promptly report all crimes to the campus police and the appropriate police agencies as soon as they have knowledge of such an event.

Voluntary, Confidential Crime Reporting Procedures

Professional counselors and/or pastoral counselors are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary confidential basis to non-DPS campus security authorities for inclusion in the annual disclosure of crime statistics.

Campus Security Procedures and Practices

Programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others

A common theme of all 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. The institution distributes timely warning notices to the campus/center when a crime poses a serious ongoing threat to the community to keep them aware of security related issues.

NWACC strives to provide all students, faculty, and staff members with information and education throughout each academic semester which encompasses a variety of topics related to safety and security. Some of the events for 2019 included: Community Resource Fair; table top events across campus to speak to staff and students about safety and security on campus; printed materials to hand out at events across campus; an “app” created for smart phones called, “LiveSafe”, which provides the users with information on safety, security, and how to respond in a crisis situation on campus; Brown Bag lunch sessions during each semester; the campus-wide email for the Annual Security Report; Risk Management informational emails which cover a variety of topics related to security and risk; Divisional Emergency Preparedness seminar and drills; Administrative Table-Top exercises; We Comply employee training module titled “Emergency Preparedness”; Student Empower Plus online training and education program available to all students; community and campus presenters on topics including “The Use of Technology in Domestic Violence and Stalking”. NWACC also includes safety and security information on several different website pages in order to be easily accessed.

In addition, information and presentations regarding NWACC’s safety and security programs and procedures are included in each new student orientation program during the fall and spring semesters. New employees are given this information during their orientation which usually occurs on a bi-monthly basis. The same

information is made available upon request to all prospective students during the application process and to every job applicant.

Concealed Weapons on Campus

Effective September 1, 2017, Arkansas Act 562 of 2017 allows the possession of concealed handguns in buildings and on the grounds of NWACC, provided certain conditions are met. NWACC is committed to complying with the law while also providing a safe and secure environment for our students, faculty, staff, and guests. In furtherance of these goals, NWACC has revised NWACC Policy # 2005: Possession of Weapons on Campus/Concealed Carry.

NWACC's Concealed Carry Policy

It is unlawful for any person to knowingly possess a weapon, defined as a handgun, knife or club, other than a law enforcement officer or a commissioned officer in the employment of NWACC, in any NWACC owned or operated building or on any College grounds. However, effective September 1, 2017, possession of concealed handguns in buildings and on the grounds of NWACC is permitted, provided all of the following conditions are met:

- Licensee has a license to carry a concealed handgun, and
- Licensee has completed required endorsement training as approved by the Director of the Department of Arkansas State Police, and
- Licensee is 21 years of age or over (exceptions to minimum age are noted below).
- Handgun must be concealed at all times.

Notwithstanding the above, Licensee has the ability to store concealed handgun in his or her locked vehicle on a publicly owned and maintained parking lot.

Exceptions:

- Concealed carry is not allowed in the following:
 - Public K-12 schools, the Jones Center for Families, and private spaces not owned or leased by Northwest Arkansas Community College.
 - Brightwater: A Center for the Study of Food
 - Documented grievance and disciplinary meetings, provided additional requirements are met.
- Exceptions to the age requirement limiting concealed carry as follows:
 - Twenty-one (21) years of age; or
 - Eighteen (18) years of age and is:
 - Currently a federally recognized commissioned or noncommissioned officer or an enlisted member on active duty in the United States Armed Forces;
 - In the National Guard or a reserve component of the United States Armed Forces; or
 - A former member of the United States Armed Forces who has been honorably discharged.

In Case of an Emergency:

In case of an emergency, to be connected to NWACC DPS:

- Dial 4229 from your campus phone.
- Pick up any emergency phone located in and around campus.
- Dial (479) 619-4229 from your cell phone.

In case of emergency, to be connected to an off-campus dispatcher:

- Dial 911 from your cell phone.

- Dial 9-911 from a campus phone.

If a non-emergency violation has occurred, notify an instructor or NWACC administrator, the NWACC DPS, or use the LiveSafe mobile device application to report the incident.

For more information, to view the campus policy on concealed carry, and for frequently asked questions, please visit: <https://www.nwacc.edu/administrativeservices/campussafety/>.

Description of the Programs for Prevention of Crimes

NWACC's DPS crime prevention program is based upon the dual concepts of eliminating or minimizing criminal opportunities whenever possible and encouraging students and employees to be responsible for their own security and the security of others. Educational programs regarding campus/center crime and emergency procedures are conducted periodically. These programs may include DPS Officers or other guest speakers. Through programs such as these, students and employees are reminded to follow such preventative procedures as:

1. Report all crimes and/or suspicious activities to DPS.
2. Protect personal property such as computers, cell phones, tablets, calculators, etc. by marking them with an identification number.
3. Lock offices and car doors.
4. Walk in well-lighted areas at night.
5. Do not walk alone at night.
6. Do not leave books, jewelry, purses, wallets, backpacks or other valuables unattended for any length of time.

Student Off-Campus Criminal Activity

Policy concerning the monitoring and recording student off-campus criminal activity through local police, including student organizations with off-campus housing facilities

When an NWACC student is involved in an off campus/center offense, DPS officers may assist with the investigation in cooperation with local, state, or federal law enforcement. Local law enforcement agencies routinely work and communicate with DPS officers on any serious incidents occurring on campus/center or in the immediate neighborhood and business areas surrounding all of NWACC's campuses/centers. NWACC does not operate any on-campus/center or off-campus/center housing, and there are no off-campus/center student organization facilities associated with the campuses. However, many students live in the neighborhoods in the surrounding area. Local law enforcement agencies have primary jurisdiction in all areas off-campus/center.

Drug and Alcohol Abuse Education Programs

A statement of policy regarding possession, use, and sale of alcoholic beverages and enforcement of State of Arkansas underage drinking laws. A statement of policy regarding the possession, use, and sale of illegal drugs and enforcement of Federal

and State drug laws. Description of drug or alcohol-abuse education programs, as cross referenced in HEA materials

This policy is mandated by and complies with the provisions of the Drug-Free Schools and Communities Act Amendments of 1989. NWACC conducts annual educational programs on drug and alcohol abuse. Educational materials are provided in various locations on NWACC Campuses. Annually, the College makes available to all students and personnel information on procedures for reporting criminal actions, policies concerning campus security, criminal and drug enforcement policies and educational programs, crime prevention programs, and statistics concerning criminal activities on campus/center. All trainings and educational programs are available for faculty, staff, and students.

Information regarding NWACC's drug or alcohol abuse policies and procedures is included in each new student orientation program/guide and new employees are given this information during their orientation. The same information is made available upon request to all prospective students and job applicants.

Several offices, agencies, and hospitals in the Bentonville area offer drug treatment and rehabilitation services or programs. Information about these can be located in the yellow pages of the telephone directory under the heading, "Alcohol and Drug Information and Treatment Centers." Community resources are also listed in the NWACC Student Handbook. In addition, the Dean of Students office for NWACC has compiled resources and information for faculty, staff and students at the following link: <http://content.nwacc.edu/wellness/Alcohol%20and%20Substance%20Abuse.pdf>.

Campus Policies and Procedures

NWACC has the following policies related to alcohol and/or drug use on campus and/or at college functions: (policies are printed and attached to report)

1. Human Resources – general policy regulating alcohol usage on campus - <https://nwacc.policystat.com/policy/5183272/latest/>
2. Procedures for Alcohol in Education Facilities - <http://contentdev.nwacc.edu/administrativeservices/collegepolicy/cl/ProceduresAlcoholEducationalFacilities2015.pdf>
3. Code of Student Conduct policy on alcohol and drug usage: <https://nwacc.policystat.com/policy/5936762/latest/>

See Addendum "A" - - Included in this ASR is the NorthWest Arkansas Community College 2018 Biennial Report.

Information on Domestic Violence, Dating Violence, Sexual Assault and Stalking

A statement of policy regarding the institution's programs to prevent dating violence, domestic violence, sexual assault, and stalking. A statement of policy regarding procedures that the institution will follow when one of these crimes is reported

Description of Relevant Educational Programs

NWACC has a zero tolerance policy for gender-based misconduct to include sexual harassment, discriminatory harassment, domestic violence, dating violence, stalking, and other acts of harassment and/or discrimination congruent with our campus policy.

Sexual assault, sexual harassment, discriminatory harassment, domestic violence, dating violence and stalking are specifically prohibited on the NWACC campus/center or in connection with any of the programs and activities it sponsors. Students, faculty, and staff committing these offenses, whether on or off campus, are subject to College disciplinary action as well as criminal action.

During the summer 2014, NWACC joined the national Red Flag Campaign for prevention, awareness and education for students, faculty, and staff, on issues surrounding Domestic Violence, Dating Violence, Stalking, and Sexual Assault. (<https://www.nwacc.edu/student-services/healthandwellbeing/redflagcampaign.aspx>). This program has continued throughout 2019 with continued success.

“The Red Flag Campaign is a public awareness campaign designed to address dating violence and promote the prevention of dating violence on college campuses. The campaign was created using a “bystander intervention” strategy, encouraging friends and other campus community members to “say something” when they see warning signs (“red flags”) for dating violence in a friend’s relationship. The campaign posters reflect racially and ethnically diverse models, and illustrate both heterosexual and same-sex relationships.” (www.theredflagcampaign.org)

This bystander intervention campaign helps the campus to create more awareness and provides resources and outreach for issues surrounding domestic violence, dating, stalking and sexual assault through use of social media, emails campaigns, bathroom flyers in all campus locations, campus events, classroom discussions, online training forums, speaking events, and guest presentations/speakers.

Sex offense awareness and prevention programs are presented regularly throughout each semester across campus. All faculty, staff, and students are invited to attend. Guest speakers may also be brought to the campus for presentations open to the entire campus community. Materials including pamphlets covering sex offense awareness and prevention and similar materials are also available in the Student Center.

For more information on the Red Flag Campaign email: redflag@nwacc.edu

Through these efforts, students and employees are informed of preventive actions such as the following:

Protecting yourself

- Determine what you want and what you don't want and communicate your limits clearly. No one should pressure you into unwanted sexual activity. If you are uncertain about what you want, ask your partner to respect your feelings.
- Know that you have the right and power to say "No" and the right and power to defend yourself against someone who won't listen to you. If you say "No", say it firmly and directly.
- Trust your intuition. If you feel something is wrong, it likely is. Remove yourself from the situation and get to a safe space as quickly as you can.
- Be careful with alcohol and drugs. Some people think that a drunk or stoned companion has automatically consented to sex.
- Attend parties with friends you can trust. Agree to 'look out' for one another. Try to leave with a group, rather than alone or with someone you don't know very well.
- Look for danger signals in a dating relationship. If your partner restricts your activities, isolates you from friends, and displays jealous behavior, he or she may eventually rape and/or beat you.
- Talk with your friends about ways you've learned to prevent rape and violence.

Protecting your partner and friends

- Respect your partner's feelings and needs. Don't pressure anyone to go beyond the limits she or he has set. Listen carefully to your partner and ask for clarification if your partner seems unclear or is giving you a 'mixed message'.
- Respect the person when she or he says "No" to sexual activity and comply. "No" does not mean "Yes"; "No" means "No".
- If you see someone in a vulnerable position, find a non-threatening way to help. Don't ignore a potential case of rape-- get involved if you believe someone is at risk.
- With alcohol and drugs, remember that they can interfere with your ability to assess situations and to communicate effectively. If you have sex with a person under these conditions, the situation could be understood as rape, meaning trauma and legal consequences could result.
- Be careful in group situations- resist pressure from friends to participate in or be subjected to violent or criminal acts.
- Specifically for men, don't make assumptions about a woman's behavior. Don't automatically assume a woman wants to have sex just because she drinks heavily, dresses provocatively, or agrees to go back to your room.

The Arkansas statute of rape is not gender specific, which recognizes that individuals of any gender can be victims or perpetrators of rape. Sexual assault can occur whenever consent is not freely given by the victim; whenever the victim fears that he or she will be injured if he or she does not submit; whenever the victim is incapable of giving consent or resisting due to alcohol or drugs; and whenever the perpetrator uses physical force, threat, coercion, or intimidation to overpower the victim.

Definitions

Domestic Violence: (federal definition)

Domestic Violence is defined as:

- 1) Felony or misdemeanor crimes of violence committed—
 - (i) By a current or former spouse or intimate partner of the victim;
 - (ii) By a person with whom the victim shares a child in common;
 - (iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
 - (iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
 - (v) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- 2) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting

Domestic Violence: (NWACC Title IX Policy definition)

Domestic Violence: A pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

Domestic violence can happen to anyone regardless of race, age, sexual orientation, religion, or gender. Domestic violence affects people of all socioeconomic backgrounds and education levels. Domestic violence occurs in both opposite-sex and same-sex relationships and can happen to intimate partners who are married, living together, or dating.

Dating Violence: (federal definition)

The term “dating violence” is defined as:

The term “dating violence” means violence committed by a person

- 1) Who is or has been in a social relationship of a romantic or intimate nature with the victim and
- 2) The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition-

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

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Dating Violence: (NWACC Title IX Policy definition)

Dating Violence: A pattern of assaultive and controlling behaviors that one person uses against another in order to gain or maintain power and control in the relationship. It is physical, sexual, or psychological/emotional violence within a dating relationship and can occur in person or electronically by a current or former dating partner. Other terms used include relationship abuse, intimate partner violence, relationship violence, dating abuse, domestic abuse, domestic violence, and stalking

Stalking: (federal definition)

The term “stalking” is defined as:

- 1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
 - (i) Fear for the person’s safety or the safety of others; or
 - (ii) Suffer substantial emotional distress.
- 2) For the purposes of this definition—
 - (i) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
 - (ii) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
 - (iii) Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.
- 3) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Stalking: (NWACC Title IX Policy definition)

Stalking: A pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear for his or her safety or the safety of others and/or suffer substantial emotional distress.

Sexual Assault: (federal definition)

Sexual Assault is defined as:

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s UCR program. (see full definition on page 11, as listed previously in this report)

Consent:

Consent is defined as: (in Arkansas)

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, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.

- In order to give effective consent, one must be at least 16 years old.

- Sexual activity with someone known to be mentally or physically incapacitated, or based on the circumstances, someone who could reasonably be known to be mentally or physically incapacitated, constitutes a violation of this policy.
 - Incapacitation is a state where someone cannot make rational, reasonable decisions because he or she lacks the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of the sexual interaction). Alcohol or other drug use, unconsciousness or blackout is an example of incapacitation.
 - 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, Burundanga, etc. is prohibited, and administering one of these drugs to another person is a violation of this policy. More information on these drugs can be found at <http://www.911rape.org/>
- Use of alcohol or other drugs will never function as a defense to a violation of this policy.
- Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
- Previous relationships or prior consent cannot imply consent to future sexual acts.

NWACC Procedures for Victims of Dating Violence and/or Domestic Violence

Responding to Victims of Domestic/Dating Violence

Domestic violence laws in Arkansas prohibit people from physically injuring family members and household members. Arkansas also makes it illegal to engage in conduct that creates a substantial danger of death or serious injury to a family or household member. Punishment for domestic violence crimes range from misdemeanor penalties to lengthy felony prison sentences.

Arkansas domestic violence laws apply to aggressors and victims who are family or household members. Arkansas defines “family or household members” as:

- current or former spouses
- parents and children
- persons related by blood
- a child living in the household
- persons who currently or previously lived together
- people who have a child together, and
- persons who currently or formerly were in a dating relationship

Domestic Violence

Domestic Violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

Domestic violence can happen to anyone regardless of race, age, sexual orientation, religion, or gender. Domestic violence affects people of all socioeconomic backgrounds and education levels. Domestic violence occurs in both opposite-sex and same-sex relationships and can happen to intimate partners who are married, living together, or dating.

Dating Violence

Dating violence is a pattern of assaultive and controlling behaviors that one person uses against another in order to gain or maintain power and control in the relationship. Dating Violence is defined as the physical, sexual, or psychological/emotional violence within a dating relationship. It can occur in person or electronically and may occur between a current or former dating partner. Other terms used include: relationship abuse, intimate partner violence, relationship violence, dating abuse, domestic abuse, domestic violence, and stalking.

If you are a victim of domestic violence.....

Your first priority should be safety. If there is any immediate danger, contact Campus Police (479-619-4229) if you are on campus, or call 911 if you are off campus. If you have safety concerns, the Department of Public Safety can also escort you to your vehicle on campus. Downloading LiveSafe from the App Store or Google Play is another way to share information with Public Safety, know what resources are around you on campus, and quickly request help in an emergency. NWACC strongly advocates that a victim of sexual assault report the incident as soon as possible. You are encouraged to report domestic violence to the Title IX Coordinator, and/or the Director of Student Support, and/or the Dean of Students, and/or Public Safety.

The college can connect you with resources which can help. Community resources provide assistance with safety planning for victims, friends and family members – anyone who is concerned with their own safety or the safety of someone else. NWACC campus contacts:

NWACC Public Safety/Campus Police	BH 1205	479-619-4229
Beverly Hill, Human Resources	BH 1128.13	479-916-2679
Ms. Dale Montgomery, Dean of Students	SC 225 J	479-619-4234
Ryan Drake, Director of Student Conduct	SC 225 I	479-619-4315
Teresa Taylor, Title IX Coordinator	CHP 3048	479-619-4188

You may also contact one of the local police departments by dialing 911, or listed below are the direct numbers for some of our area police stations:

Bentonville Police:	479-271-3170
Fayetteville Police:	479-587-3555
Rogers Police:	479-621-1172
Springdale Police:	479-751-4542

Filing a report with an NWACC representative will **not** obligate you to prosecute, nor will it subject you to scrutiny or judgmental opinions. Filing a report if you are a victim of domestic violence will help ensure you get the assistance you need.

If you are a victim of domestic violence, you may choose for the investigation to be pursued through the criminal justice system, or in cases where the abuser is an employee or student of NWAAC, through the college conduct processes. A college representative from the Department of Public Safety, the Human Resources Department, the Title IX Office, and/or the Dean of Students Office will guide you through the

available options and will support you in your decision. These college representatives will provide options for support and will assist you in connecting with community resources, and local police if desired.

Regardless of whether the person who is accused of domestic violence is associated with NWACC, the college will provide assistance for any student or employee who is a victim.

If the person who is accused of domestic violence is an employee of NWACC: Human Resources will investigate to see if any further action is necessary.

If the person who is accused of domestic violence is a student at NWACC: NWACC disciplinary proceedings are detailed in the *Student Handbook*. Possible sanctions imposed for disciplinary purposes against the perpetrators of domestic violence in the event of a finding of "in violation" include expulsion, suspension, dismissal, disciplinary probation, educational sanctions, denial of certain privileges, and counseling. The perpetrator could also be subjected to criminal prosecution in the state courts. Retaliation against a person for reporting an offense is not permissible.

Employee victims might have the option to make temporary changes to their work assignment, if such change is reasonably available. The Human Resource Office will provide more information on what options are available.

Student victims have the option to change their academic situation after an alleged domestic violence occurrence, if such change is reasonably available. The Vice President for Student Services or the Dean of Students can provide information about this option and assist you with the process.

NWACC has an Employee Assistance Program (EAP) which provides confidential counseling and referral service that can help you when needed. EAP is available to all eligible employees and there is no cost.

Employee Assistance Program

NWACC Campus - Becky Paneitz Student Center

Room SC 215 A-G
Counseling & Wellness Center
479.619.4128

To Schedule an Appointment:

counseling@nwacc.edu
479.619.4128

Description

Individuals seek personal counseling services for a myriad of reasons. Some issues that clients seek our counseling services for include, but are not limited to, college life, cultural shock, depression, anxiety, anger, substance use/abuse, relationship challenges, etc. Counselors are trained to be supportive, relate to others and are sensitive to a client's background and life experience. Counseling can offer a client an ear to listen, help you learn how to address issues and how to manage and cope with symptoms.

PLEASE NOTE: Our counselors do not prescribe medication, nor provide medication management.

If you are a student, NWACC will provide you with free, confidential and professional counseling services through the campus Counseling and Wellness Center. Email counseling@nwacc.edu for more information or to schedule an appointment.

The NWACC Department of Public Safety may provide assistance when needed. This can include accompanying an employee or student on campus who feels threatened.

Reporting to a Confidential Advocate:

Some people may choose to start with a **Confidential Advocate** before making the decision on what steps to take. The following are trained campus advocates:

Judy Reeves

jreeves@nwacc.edu CHP 1053 619-4390

Austin Schader

aschader@nwacc.edu WCC 124 725-4663

Confidential Advocates have been specially trained to provide affirming, empowering, and confidential support. The Advocate will listen and explain options available to you while providing support. It is your decision to pursue available resources or to report an incident to law enforcement or the College. Although rare, there are times when the College may not be able to honor a victim's request for confidentiality. If a victim discloses an incident to an Advocate but wishes that no investigation into the incident be conducted or disciplinary action taken, the Advocate must weigh that request against the College's obligation to provide a safe environment for all students, including the victim.

Guidance if you are a victim of domestic violence:

- ▶ Call the NWA Women's Shelter at their 24-hour hotline numbers 800-775-9011 or 479-246-9999 for support, advocacy, emergency shelter, and other resources. Please note that the shelter services women, men, and children.
- ▶ If you are experiencing stalking, you are encouraged to document all related behaviors, such as harassing telephone calls, electronic contacts (texts, e-mails, contact via social media), letters/notes, acts of vandalism, and threats communicated through third parties. If possible, try to include the date, time, location, and description of what occurred.
- ▶ If you were harmed, you are encouraged to receive medical attention as quickly as possible.
- ▶ Tell someone you trust about the incident, you may want to develop a safe word to be used in emergency situations to indicate when and how they can help you.
- ▶ If you obtain external orders of protection, please notify Campus Police, the Dean of Students, the Director of Student Support, or the Title IX Coordinator so that those orders can be observed on campus.
- ▶ Treat all threats, direct or indirect, as legitimate and report them.

On Campus Resources:

NWACC Public Safety/Campus Police	BH 1205	479-619-4229
Beverly Hill, Human Resources	BH 1128.13	479-916-2679
Ms. Dale Montgomery, Dean of Students	SC 225 J	479-619-4234
Ryan Drake, Director of Student Conduct	SC 225 I	479-619-4315
Teresa Taylor, Title IX Coordinator	CHP 3048	479-619-4188

Employee Assistance Program

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PLEASE NOTE: This service is for employees only. Our counselors do not prescribe medication, nor provide medication management.

Community Resources:

Northwest Arkansas Women's Shelter

Northwest Arkansas Women's Shelter provides safe and temporary shelter, 24- hour confidential crisis line, court advocacy, Spanish bilingual services, children's advocacy, and support groups for victims of domestic violence, sexual assault, and the children of those victims.

479-246-9999

24 Hour Crisis Line: 1-800-775-9011

www.nwaws.org

Peace at Home Family Shelter

Provides emergency shelter to women and children in danger. Works with survivors to help them remain independent of their abuser. Peace at Home offers emotional support through weekly support groups including parenting, substance abuse, and sexual assault and domestic violence recovery.

24 Hour Crisis Lines:

Local- 479-442-9811

Toll Free- 1-877-442-9811

www.peaceathomeshelter.org

Northwest Arkansas Center for Sexual Assault

1-479-445-6448

1-800-794-4175

Arkansas Coalition Against Domestic Violence

1-800-269-4668

www.domesticpeace.com

Teen Dating Abuse Helpline: 866-331-9474

National Resources:

National Domestic Violence Hotline

1-800-799-7233

www.thehotline.org

Teen Dating Abuse Helpline

1-866-331-9474

www.domesticpeace.com

Women’s Law

www.womenslaw.org

Stalking Resource Center

<http://www.victimsofcrime.org/our-programs/stalking-resource-center>

(*end of Responding to Victims of Domestic Violence document)

NWACC Procedures for Responding to Victims of Sexual Assault

Responding to Victims of Sexual Assault

The Arkansas statute of rape is not gender specific, which recognizes that individuals of any gender can be victims or perpetrators of rape. Sexual assault can occur whenever consent is not freely given by the victim; whenever the victim fears that he or she will be injured if he/she/they does not submit; whenever the victim is incapable of giving consent or resisting due to alcohol or drugs; and whenever the perpetrator uses physical force, threat, coercion, or intimidation to overpower the victim.

If you are a victim of sexual assault.....

Your first priority should be safety. If there is any immediate danger, contact Campus Police (479-619-4229) if you are on campus, or call 911 if you are off campus. If you have safety concerns, the Department of Public Safety can also escort you to your vehicle on campus. Downloading LiveSafe from the App Store or Google Play is another way to share information with Public Safety, know what resources are around you on campus, and quickly request help in an emergency. NWACC strongly advocates that a victim of sexual assault report the incident as soon as possible. You are encouraged to report domestic violence to the Director of Student Support, and/or the Dean of Students, and/or Public Safety.

You should then obtain necessary medical treatment. You are encouraged to go to a hospital emergency room to receive appropriate medical care and/or evidence collection. NWACC strongly advocates that a victim of sexual assault report the incident as soon as possible. Time is a critical factor for evidence collection and preservation. If the assault is reported within 72 hours of its occurrence and you cooperate with the police in providing information and evidence, the State of Arkansas pays for the medical examination. Also, if the offense is reported to the police, Victims Compensation can pay for the treatment or other injuries that occurred during the rape. An assault should be reported directly to the Title IX Coordinator, Public Safety, the Dean of Students Office and/or the Human Resource Office. Contact information is listed below:

NWACC Public Safety/Campus Police

BH 1205

479-619-4229

Beverly Hill, Human Resource Office	BH 1128.13	479-619-2679
Teresa Taylor, Title IX Coordinator	CHP 3048	479-919-4188
Ms. Dale Montgomery, Dean of Students	SC 225J	479-619-4234
Ryan Drake, Director of Student Conduct	SC 225 I	479-619-4315

You may also contact one of the local police departments by dialing 911, or listed below are the direct numbers for some of our area police stations:

Bentonville Police: 479-271-3170
 Fayetteville Police: 479-587-3555
 Rogers Police: 479-621-1172
 Springdale Police: 479-751-4542

Filing a police report with an NWACC Public Safety officer will **not** obligate you to prosecute, nor will it subject you to scrutiny or judgmental opinions from officers. Filing a report if you are a victim of sexual assault will help ensure that you:

- Understand your options
- Are provided with the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet or change clothing prior to a medical/legal exam). You should not disturb the area where the assault occurred.
- Obtain access to confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.
- Receive necessary medical treatment and tests.
- Are advised of the importance of writing down detailed information about the assault – where, when, who, and if the assailant is a stranger to remember his or her height, hair color, scars, and clothing.
- Are advised to seek emotional support from a friend, counselor, or anyone who can help provide that support.

If you are a victim of sexual assault, you may choose for the investigation to be pursued through the criminal justice system and NWACC, or only the latter. A college representative from the Public Safety Department, the Title IX Coordinator, the Dean of Students, or a representative from Human Resources will guide you through the available options and will support you in your decision. These college representatives will provide options for support and will assist you in connecting with community resources, and local police if desired. NWACC has counseling services available to eligible employees through the Employee Assistance Program (EAP). For students, NWACC provides free counseling in the Counseling and Wellness Center in the Student Center – email: counseling@nwacc.edu to request an appointment.

**Counseling for Employees:
 Employee Assistance Program**

NWACC Campus - Becky Paneitz Student Center
 Room SC 215 A-G
 Counseling & Wellness Center
 479.619.4128

To Schedule an Appointment:

counseling@nwacc.edu
 479.619.4128

Description

Individuals seek personal counseling services for a myriad of reasons. Some issues that clients seek our counseling services for include, but are not limited to, college life, cultural shock, depression, anxiety, anger, substance use/abuse, relationship challenges, etc. Counselors are trained to be supportive, relate to others

and are sensitive to a client's background and life experience. Counseling can offer a client an ear to listen, help you learn how to address issues and how to manage and cope with symptoms.

PLEASE NOTE: Our counselors do not prescribe medication, nor provide medication management.

Procedures to Follow if Sexually Assaulted

The Student Right to Know and Campus Security Act requires that students be provided information concerning campus sexual assault programs and the procedures which should be followed once an offense has occurred. Although it may be difficult, it is always best to report a sexual assault (attempted rape or rape, which includes acquaintance rape) to the Department of Public Safety or to the local law enforcement as quickly as possible. Crimes that occur on-campus will be referred to the NWACC DPS for jurisdiction purposes.

NWACC's DPS:	(479) 619-4229
Bentonville Police:	(479) 271-3170
Rogers Police:	(479) 636-4141
Springdale Police:	(479) 751-4542
Farmington Police:	(479) 267-3411

Any information received will be reported to DPS for crime reporting notifications, campus crime statistics reporting, and campus education programs. Cases of suspected sex discrimination or sexual harassment may be reported to the Title IX Compliance Officer, Teresa A. Taylor, at 479-619-4188 or via email: taylor19@nwacc.edu or titleix@nwacc.edu.

In an emergency, an individual should go straight to the hospital.

You are encouraged to go to a hospital emergency room to receive appropriate medical care and/or evidence collection. These important steps should be taken after a sexual assault:

Guidance if you are a victim of sexual assault:

- ▶ Call the Center for Sexual Assault at their 24-hour hotline 800-794-4175 for support, accompaniment to the hospital, support with law enforcement, or to meet you at the Sexual Assault Nurse Examiner Crisis Center.
- ▶ If the offense is reported to the police, Victim Compensation may pay for the treatment or other injuries that occurred during the rape.
- ▶ It is encouraged that you do not shower, eat, drink, smoke, comb your hair, urinate, douche, or change clothes before going to the emergency room or Center for Sexual Assault. However, if you have already taken any of these actions, you are still encouraged to seek medical care, and evidence may still be recoverable.
- ▶ If you decide to pursue criminal action, it is important that evidence be preserved. If possible do not alter the physical scene of the assault, i.e., room, car, etc., not be altered, cleaned up, or disturbed in any way. The decision on how to proceed can be made at a later date, but evidence preservation keeps options open.
- ▶ If you have physical injuries, photograph or have them photographed, with a date stamp on the photo.
- ▶ Try to document details (physical description, names, license plate number, car description,) if you have time and the ability to do so.
- ▶ If you decide not to seek medical attention in relation to a police investigation (i.e. the forensic evidence kit), still seek medical attention from a physician or a hospital.
- ▶ Victims that are capable of becoming pregnant may choose to talk with a healthcare professional about the "morning after pill". This type of medication is most effective within 72 hours of the incident.
- ▶ Victims may also want to be screened for sexually transmitted infections.

Reporting to a Confidential Advocate:

Some people may choose to start with a **Confidential Advocate** before making the decision on what steps to take. The following are trained campus advocates:

Judy Reeves

jreeves@nwacc.edu CHP 1053 619-4390

Austin Schader

aschader@nwacc.edu WCC 124 725-4663

Confidential Advocates have been specially trained to provide affirming, empowering, and confidential support. The Advocate will listen and explain options available to you while providing support. It is your decision to pursue available resources or to report an incident to law enforcement or the College. Although rare, there are times when the College may not be able to honor a victim's request for confidentiality. If a victim discloses an incident to an Advocate but wishes that no investigation into the incident be conducted or disciplinary action taken, the Advocate must weigh that request against the College's obligation to provide a safe environment for all students, including the victim.

If the person who is accused of sexual assault is a student at NWACC:

NWACC disciplinary proceedings are detailed in the *Student Handbook*. Possible sanctions imposed for disciplinary purposes against the student perpetrators of sexual assault in the event of a finding of "in violation" include expulsion, suspension, dismissal, disciplinary probation, educational sanctions, denial of certain privileges, and counseling. The perpetrator could also be subjected to criminal prosecution in the state courts.

Regardless of whether the person who is accused of sexual assault is associated with NWACC, the college will provide assistance for any employee or student who is a victim. Retaliation against a person for reporting an offense is not permissible.

Employee victims might have the option to make temporary changes to their work assignment, if such change is reasonable available. The Human Resource Office will provide more information on what options are available.

Student victims have the option to change their academic situation after an alleged sex offense, if such change is reasonably available. The VP for Student Support and/or the Dean of Students can provide information about this option and assist you with the process.

The NWACC Department of Public Safety may provide assistance when needed. This can include accompanying an employee on campus who feels threatened.

NWACC makes available literature on date rape and sexual assault through the Student Information Center brochure rack and the Washington County Center. The Arkansas Coalition Against Sexual Assault: www.acasa.us is an informative resource for sexual assault issues.

The sex offender's registry search is accessible through the State of Arkansas at this link:

<https://www.ark.org/offender-search/index.php>. NWACC's Department of Public Safety (DPS) maintains a folder of all registered sex offenders. To view this folder, visit the DPS office between the hours of 8:00am and 4:30pm.

Community resources include, but are not limited to:

Northwest Arkansas Center for Sexual Assault

2367 North Green Acres Road

Fayetteville, AR 72703

Office: 479-445-6448 – FAX: 877-433-8930 24 Hour Hotline: 1-800-794-4175

www.nwarapecrisis.org

Arkansas Coalition Against Sexual Assault (ACASA)
479-527-0900
www.acasa.us

Rape Abuse & Incest National Network (RAINN)
National Hotline: 1-800-656-HOPE (4673)

Ozark Guidance Center
2508 SE 20th St.
Bentonville, AR 72712
479-273-9088
www.ozarkguidance.org

Benton County Prosecutor's Office
Victim Witness Coordinator
479-271-1030

Washington County Prosecutor's Office
Victim Assistance Coordinator
479-444-1570

(*end of Responding to Victims of Sexual Assault document)

Responding to Victims of Stalking

Stalking laws in Arkansas prohibit people from engaging in behaviors and conduct that would make a reasonable person fear for their safety or the safety of another individual. Stalking is a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear for his or her safety or the safety of others and /or suffer substantial emotional distress. Stalking may include repeated unwanted communication in person or through phone, e-mail, or social media; following or waiting for the victim at their home, school work, etc.; tracking the victim with GPS or other technology; making threats and damaging property.

If you are a victim of stalking, your first priority should be safety.

If there is any immediate danger, contact Campus Police (479-619-4229) if you are on campus, or call 911 if you are off campus. If you have safety concerns, the Department of Public Safety can also escort you to your vehicle on campus. Downloading LiveSafe from the App Store or Google Play is another way to share information with Public Safety, know what resources are around you on campus, and quickly request help in an emergency. You are encouraged to report stalking to the Director of Student Support, and/or the Dean of Students, and/or Public Safety.

NWACC Public Safety/Campus Police	BH 1205	479-619-4229
Beverly Hill, Human Resource Office	BH 1128.13	479-619-2679
Teresa Taylor, Title IX Coordinator	CHP 3048	479-919-4188
Ms. Dale Montgomery, Dean of Students	SC 225J	479-619-4234
Ryan Drake, Director of Student Conduct	SC 225 I	479-619-4315

You may also contact one of the local police departments by dialing 911, or listed below are the direct numbers for some of our area police stations:

Bentonville Police: 479-271-3170

Fayetteville Police: 479-587-3555
Rogers Police: 479-621-1172
Springdale Police: 479-751-4542

Filing a police report with an NWACC Public Safety officer will **not** obligate you to prosecute. If you are a victim of stalking, you may choose for the investigation to be pursued through the criminal justice system and NWACC, or only through NWACC. A college representative from the Public Safety Department or the Dean of Students will guide you through the available options, will support you in your decision, and connect you to community resources and local police if desired. Filing a report if you are a victim of stalking will help ensure that you understand your options and are connected to resources. Regardless of whether the person who is accused of stalking is associated with NWACC, the college will provide assistance for any student who is a victim.

Guidance if you are a victim of stalking:

- ▶ Call the NWA Women's Shelter at 800-775-9011 for support, advocacy, emergency shelter, and other resources. Please note that the shelter services women, men, and children.
- ▶ If you are experiencing stalking, you are encouraged to document all related behaviors, such as harassing telephone calls, electronic contacts (texts, e-mails, contact via social media), letters/notes, acts of vandalism, and threats communicated through third parties. If possible, try to include the date, time, location, and description of what occurred.
- ▶ If you were harmed, you are encouraged to receive medical attention as quickly as possible.
- ▶ Tell someone you trust about the incident, you may want to develop a safe word to be used in emergency situations to indicate when and how they can help you.
- ▶ If you obtain external orders of protection, please notify Campus Police, the Dean of Students, the Director of Student Support, or the Title IX Coordinator so that those orders can be observed on campus.
- ▶ Treat all threats, direct or indirect, as legitimate and report them.

If you are a victim of sexual assault, you may choose for the investigation to be pursued through the criminal justice system and NWACC, or only the latter. A college representative from the Public Safety Department, the Title IX Coordinator, the Dean of Students, or a representative from Human Resources will guide you through the available options and will support you in your decision. These college representatives will provide options for support and will assist you in connecting with community resources, and local police if desired. NWACC has counseling services available to eligible employees through the Employee Assistance Program (EAP). For students, NWACC provides free counseling in the Counseling and Wellness Center in the Student Center – email: counseling@nwacc.edu to request an appointment.

Counseling for Employees: Employee Assistance Program

NWACC Campus - Becky Paneitz Student Center
Room SC 215 A-G
Counseling & Wellness Center
479.619.4128

To Schedule an Appointment counseling@nwacc.edu 479.619.4128

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jreeves@nwacc.edu CHP 1053 619-4390

Austin Schader

aschader@nwacc.edu WCC 124 725-4663

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Community Resources:

Northwest Arkansas Women's Shelter

479-246-9999

24 Hour Crisis Line: 1-800-775-9011

www.nwaws.org

Peace at Home Family Shelter

24 Hour Crisis Lines:

Local- 479-442-9811

Toll Free- 1-877-442-9811

www.peaceathomeshelter.org

Northwest Arkansas Center for Sexual Assault

1-479-445-6448

1-800-794-4175

Arkansas Coalition Against Domestic Violence

1-800-269-4668

www.domesticpeace.com

Arkansas Crisis Center

614 E. Emma Avenue, Suite 213

Springdale, AR 72764

1-888-274-7472

National Resources:

National Domestic Violence Hotline

1-800-799-7233

www.thehotline.org

Teen Dating Abuse Helpline

1-866-331-9474

www.domesticpeace.com

Stalking Resource Center

<http://www.victimsofcrime.org/our-programs/stalking-resource-center>

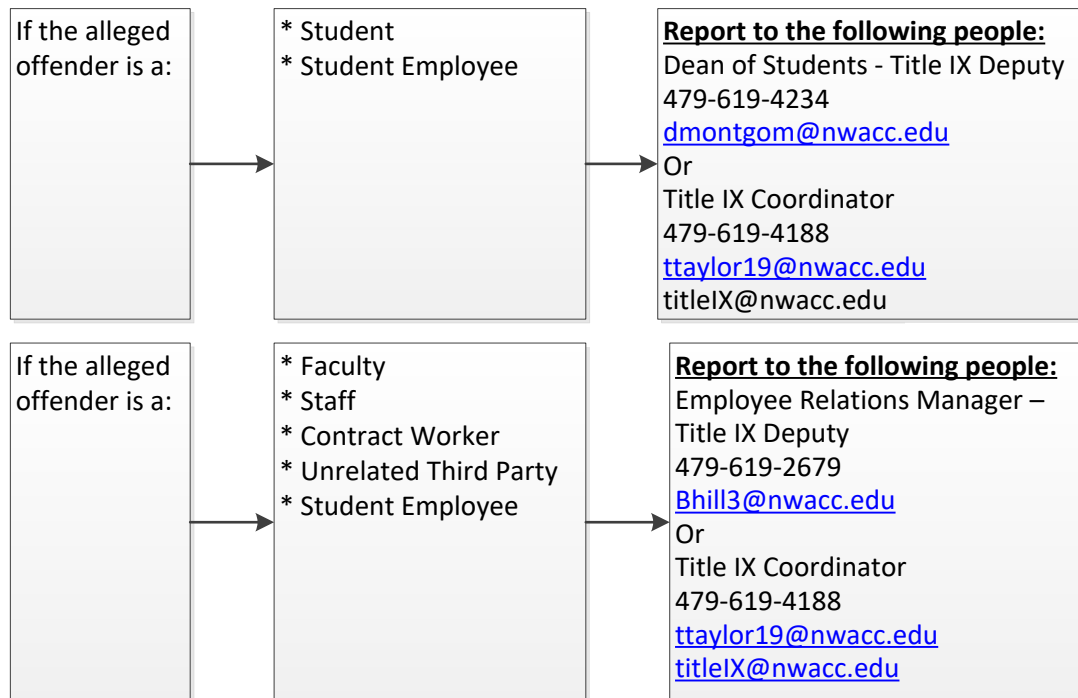
(*end of Responding to Victims of Stalking document)

Title IX – Sex Discrimination, Sexual Harassment, and Sexual Misconduct

No person at NorthWest Arkansas Community College will, on the basis of sex, be excluded from participation in, be denied benefit of, or be subjected to sex discrimination, sexual harassment or sexual misconduct under any education program or activity. For more information on this policy, please visit: http://content.nwacc.edu/administrativeservices/CollegePolicy/TitleIX/SexDiscrimination_TitleIX.pdf.

NWACC has a zero tolerance policy for gender-based misconduct to include sexual harassment, discriminatory harassment, domestic violence, dating violence, stalking, and other acts of harassment and/or discrimination congruent with our campus policy.

Individuals who witness, are subjected to, or are informed about incidents of sexual assault, dating violence, domestic violence, stalking, or any form of sexual harassment have the option to file a complaint with a designated college official, including the Title IX Compliance Officer, in accordance with the table below:



Any complaint can be reported directly to the Title IX Coordinator, Teresa Taylor – Office Phone: (479) 619-4188; Email: ttaylor19@nwacc.edu

Individuals may also report a sexual assault to any of the local hospitals or obtain assistance from the following community resources that include, but are not limited to:

NWA Rape Crisis Center

2367 North Green Acres Rd., Ste 1
Fayetteville, AR 72703
479-445-6448/ Fax 877-433-8930
24 Hour Hotline: 1-800-794-4175
www.nwarapecrisis.org

Arkansas Coalition Against Sexual Assault (ACASA)

479-527-0900
www.acasa.us

Rape Abuse & Incest National Network (RAINN)
National Hotline: 1-800-656-HOPE (4673)

Peace at Home Family Shelter

Fayetteville, AR
Crisis Hotline: 1-877-442-9811

Northwest Arkansas Women's Shelter

Rogers, AR
Hotline: 1-800-775-9011
Local: 479-246-9999

Ozark Guidance Center

2508 SE 20th St.
Bentonville, AR 72712
479-273-9088
www.ozarkguidance.org

Benton County Prosecutor's Office

Victim Witness Coordinator
479-271-1030

Washington County Prosecutor's Office

Victim Assistance Coordinator
479-444-1570

Option to Notify Law Enforcement Authorities

Sexual assault victims are entitled to certain rights which shall be recognized and provided by all campus student services, Title IX, and Human Resources personnel. Among these are:

- The right to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by NWACC's Department of Public Safety in notifying such authorities.
- The right to have an incident of sexual assault investigated and adjudicated by the campus conduct system.
- The right to full and prompt cooperation and assistance in the campus disciplinary/conduct processes.

State of Arkansas – Laura's Law

The recently enacted "Laura's Law" requires Arkansas police officers responding to domestic violence incidents to ask victims a set of questions to evaluate their risk of being killed by abuse, such as whether the offender has ever used a weapon against the victim or controls most of the victim's daily activities. The assessment aims to help identify victims in severe danger needing intervention. Police will also present victims with a "Laura's Card," a document listing their rights and contact information for local prosecutors and shelters.

Laura's Card

Purpose:

- To provide crime victims their rights afforded to them by Arkansas' Victim's Bill of Rights outlined in Arkansas Victim Rights Act of 1997 and Laura's Card Act 873
- To provide state wide consistency of information concerning victim's rights provided to victims' of crime.
- To provide victim rights and information in a clear and concise manner in order to empower victims to make decisions about their safety

Protocol:

Law enforcement agencies responding to crime incidents are required to inform victims in writing of their victim's rights. Officers MUST inform victims of the availability of services: medical, housing, counseling, financial, social, legal, and emergency services. In addition, officers MUST inform victims about how to obtain orders of protection, how to access public records related to the case, and about the Arkansas Crime Victims Reparations Board (including the address and phone number).

Provides:

- Links to the Arkansas Crime Information Center which contains Arkansas' Victims' Bill of Rights and Crime Victims' Guide to the Arkansas Judicial System.
- Information concerning legal aid and printable protective orders.
- Links to Vine Link notification system.
- Information and a link to the Arkansas Crime Victim's Reparation Program.
- Links to government agencies where more detailed information on victims' rights and resources are located
- Space provided for local victims' services information including available medical, housing, counseling, financial, social, legal, and emergency services

For more information on Laura's Law and Laura's Card (in English and Spanish), please visit:
<http://www.cji.edu/resources/lauras-law/>

Notification of On-and-Off Campus Victim Services

Guidance and assistance for reporting the assault may be received from DPS or the Office of Student Support. If the assault is reported within 72 hours of its occurrence and you cooperate with the police in providing information and evidence, the State of Arkansas pays for the medical examination. Also, if the offense is reported to the police, Victims Compensation can pay for the treatment of other injuries that occurred during

the rape. Under any circumstances medical evaluation is important because of the possibilities of Sexually Transmitted Diseases and pregnancy.

The NWACC Student Handbook includes additional available community resources. You can also visit this link for additional community resources:

<https://www.nwacc.edu/student-services/healthandwellbeing/redflagcampaign.aspx>. Off-campus counselors for mental health or victims of sex offenses can be found in the yellow pages of the telephone book under the heading "Counseling," "Counseling Centers," or "Counselors." **NWACC offers free personal counseling services for students and employees. Students can contact the Dean of Students office to schedule an appointment: 479-619-4234. Or email counseling@nwacc.edu**

Counseling for Employees: Employee Assistance Program

NWACC Campus - Becky Paneitz Student Center
Room SC 215 A-G
Counseling & Wellness Center
479.619.4128

To Schedule an Appointment:

counseling@nwacc.edu
479.619.4128

Description

Individuals seek personal counseling services for a myriad of reasons. Some issues that clients seek our counseling services for include, but are not limited to, college life, cultural shock, depression, anxiety, anger, substance use/abuse, relationship challenges, etc. Counselors are trained to be supportive, relate to others and are sensitive to a client's background and life experience. Counseling can offer a client an ear to listen, help you learn how to address issues and how to manage and cope with symptoms.

PLEASE NOTE: Our counselors do not prescribe medication, nor provide medication management.

Victim Assistance for Academic or Employment Changes

If a student has been the victim of a sexual assault, NWACC will change the victim's academic schedule after the alleged sex offense if those changes are requested by the victim and they are reasonably available. The VP of Student Services or the Dean of Students can provide information about this option and assist you with the process. NWACC does not provide on or off campus housing and does not assist with living arrangements.

Employee victims might have the option to make temporary changes to their work assignment, if such change is reasonably available. The Human Resource Office will provide more information on what options are available.

Disciplinary Actions

The NWACC Student Code of Conduct, found in the Student Handbook, contains the procedures for campus disciplinary action. The college will conduct an investigation when a complaint is received. The complainant and the respondent are entitled to the same opportunities to be heard. They may both have the same opportunities to have others present as representatives and witnesses if a formal hearing is held and both parties are informed of the outcome in accordance with federal laws. A complete explanation of the

hearing and appeals process can be found on the college website:

<https://nwacc.policystat.com/policy/5179086/latest/> or in the Student Handbook under “Student Conduct Policies and Procedures”.

In addition to the Code of Student Conduct, NWACC’s Sex Discrimination, Sexual Harassment, and Sexual Misconduct Complaint and Grievance Procedures contain all information and procedures for the Title IX campus disciplinary actions. Please refer to this link for more information:

<https://nwacc.policystat.com/policy/5781607/latest/>, or contact the Title IX Coordinator directly at titleix@nwacc.edu.

See addendum “B” at the end of this document for the full NWACC’s Title IX Complaint and Grievance Procedures, Statement of the Rights of Complainant/Alleged Victim, and Statement of the Rights of Respondent/Accused Party

Sanctions

Possible Sanctions for Students

If the complaint is against a student, the Title IX Team will discuss and suggest appropriate sanctions to the Vice President of Student Services. The Vice President of Student Services will review and impose appropriate sanctions for the violation in consultation with the Dean of Students.

Sanctions are based on the severity of the incident, as well as taking into account any previous campus code of conduct violations. Types of actions/penalties include, but are not limited to the following:

Disciplinary

1. Disciplinary Warning. The Student has been given a verbal or written letter of warning by the College. Warning status will be documented in the students’ record.
2. Conduct probation. Imposed when a student’s actions are found to be serious, but not serious enough to warrant Suspension or Expulsion. The disciplinary authority shall indicate the length of the probationary period, which may range from one (1) semester to completion. A further violation of the Code of Student Conduct while on Conduct Probation may result in a Suspension or Expulsion. Conduct Probation may prohibit the student from representing the college, participating in student activities, and/or participating in work study employment.
3. Restriction of participation in student organizations, events, and college employment and limited access to designated areas.
4. Restitution: Repayment to the College or to an affected party for damages (amount to be determined by the College)_resulting in violation of this Code, or the Code of Student Conduct.
5. Course or Program Dismissal. In lieu of Suspension from the College, a student may be removed from a class or program entirely, but still be allowed to take other classes or enroll into a different program as specified by the sanction.
6. Suspension. Interruption of the student’s educational activities at the college for a definite, stated period.
 - a. Suspension involves withdrawal of enrollment privileges for a specified period of time and ordinarily carries with it conditions that must be met for re-enrollment. During the period of Suspension, the student may not come onto campus, except when specifically authorized in writing by the Dean of Students, Title IX Coordinator, or designee. Re-enrollment after a Suspension requires that the student apply to the Dean of Students or designee at the close of the imposed period. The Dean of Students, Title IX Coordinator, or designee determines whether the student has met the conditions imposed and is otherwise eligible for reenrollment. These records are maintained indefinitely.
 - b. Disciplinary Suspensions will be notated on academic transcripts at the semester level and will include the notation of “Disciplinary Suspension for (term of suspension)” and the date of suspension.
 - c. Suspensions may range from one (1) semester to four (4) semesters.
7. Expulsion. Termination of enrollment at the college. Expulsion is an indefinite sanction and the student will not be allowed to enroll, attend, or visit the college campus(es) in the future. This sanction will remain on the students’ file indefinitely and will be reported on the students’ transcript.

- a. Disciplinary Expulsions will be notated at the bottom of the transcript and will include the initial date of expulsion.
8. Revocation of degree. A degree awarded from NWACC may be revoked for violations committed by a student prior to graduation.

Educational

1. Co-curricular education. An assignment to complete a specific educational requirement directly related to the violation committed, such as completion of a sexual harassment workshop, a diversity awareness workshop, essays, reports, reflective papers, journals, etc.
2. Attendance at a mediation meeting.
3. Community Service. Completion of a specified number of hours of approved community or college service. The student is permitted to complete a portion of the hours through academic initiatives such as attending programs with the Career Development, tutoring sessions, etc., but must be verified by a College Faculty or Staff member.
4. A conduct review which requires the student to meet with a college official for a specific period of time.
5. Mandatory professional counseling. The Student is required to seek professional counseling and is required to comply with the professional recommendation(s) of the mental health professional. It is expected that the student will actively engage in this process.
6. Educational Conversation with college official.
7. Alcohol and/or Drug Assessment. The Student is required to complete a mandatory Alcohol and/or Drug Assessment through a licensed professional mental health practitioner who is licensed or certified by the State of Arkansas. The student is required to comply with the prescribed course of treatment. The selection of the practitioner is the choice of the student and will be paid for by the student. The student must submit documentation of completion of both the assessment and the prescribed course of treatment.

More than one sanction may be imposed for any single violation.

Possible Sanctions for Employees

If the Responding Party is an NWACC employee and he/she has been found responsible for discrimination, harassment, and/or sexual misconduct, the Vice President for the appropriate division of the complaint, will impose appropriate sanctions for the violation, after consultation with the Title IX Team, Dean and/or Director of the appropriate division, and/or the Title IX Deputy for Human Resources.

Any employee who is found responsible for violating NWACC's Title IX Policy may be subject to corrective action and appropriate sanctions pursuant to this policy. Sanctions may include, but are not limited to:

1. Verbal or Written Warning
2. Documented educational conversation
3. Suspension of duties, including leave with or without pay
4. Change of assigned work duties and/or change of assigned work supervisor
5. Probation with warning to terminate employment
6. Termination
7. Loss of annual pay increase
8. Revocation of tenure
9. Additional Training

More than one sanction may be imposed for any single violation. Employees Code of Conduct is also regulated under NWACC Policy 5007.1 – Employee Code of Conduct and Ethics Compliance.

The responding party could also be subjected to criminal prosecution in the state courts.

Retaliation against a complainant for reporting an offense is prohibited by law.

NWACC will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student and/or employee 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 this paragraph.

No Retaliation

Retaliation against any person, who in good faith, exercises his/her rights or responsibilities to file a complaint of discrimination, participates in an investigation, or opposes a discriminatory employment or educational practices or policies, under any provision of federal or state law, including Title IX, Title VII, and the VAWA or this policy, is strictly prohibited by NWACC policy, and federal and state law. Retaliation against a Reporting Party, alleged victim (if different from the Reporting Party), Responding Party, any witness and/or any member of the college Title IX Team, process and Conduct Review Board or assigned investigator, is, in itself, a violation of College policy and the law, and is a serious separate offense. Retaliation includes intimidating, threatening, coercing, and/or in any way discriminating against any person or group for exercising rights under these procedure. Retaliation may be present even where there is a finding of "Not Responsible" on the alleged violation of policy. The Office of Student Conduct and/or Dean of Students Office, and/or the Office of Human Resources may address reports of retaliation informally through consultation or educational conversation, or remand the case to the Conduct Review Board for resolution. A person who believes retaliation has occurred should notify the Title IX and/or Title IX Deputy as soon as possible.

Registered Sex Offenders

The federal Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. The federal law requires institutions of higher education to issue a statement advising the campus community where information concerning registered sex offenders may be obtained.

Pursuant to Arkansas Act 916 Sex Offender Registration of 2017, sex offenders must register with NWACC within three days of employment or registration. The NWACC Department of Public safety maintains all records of registration and they are available to the public upon request. See <http://content.nwacc.edu/AdministrativeServices/CollegePolicy/PublicSafety/SexOffenderRegistrationPolicy.pdf>

A current listing of all registered sex offenders in Arkansas is available at: <http://acic.org/offender-search/index.php> The web site can be searched by city, county, zip code, or name.

Privacy and Confidentiality

The College is committed to protecting the privacy of all individuals involved in the investigation and resolution of reports under this Policy. The College also is committed to assisting students, employees, and third Parties in making informed choices. With respect to any report under this Policy, the College will make

reasonable efforts to protect the privacy of participants, in accordance with applicable state and federal law, while balancing the need to gather information to take steps to eliminate prohibited conduct, prevent its recurrence, and remedy its effects.

All College employees who are involved in the College's Title IX response receive specific instruction about respecting and safeguarding private information.

Privacy and confidentiality have distinct meanings under this Policy.

1. Privacy

"Privacy" generally means that information related to a report of prohibited conduct will only be shared with a limited individuals who "need to know" in order to assist in the assessment, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act ("FERPA"), as outlined in the College's FERPA policy. The privacy of an individual's medical and related records may be protected by the Health Insurance Portability and Accountability Act ("HIPAA"), excepting health records protected by FERPA. Access to an employee's personnel records may be restricted by applicable Arkansas State and federal law.

While there are certain limitations on privacy, the College generally will not release the names of the Reporting Party(ies) or Responding Party(ies) to the general public without express written consent or absent another exception consistent with the law. The release of names will be guided by applicable law, including the Family Educational Rights and Privacy Act (FERPA) and the Clergy Act.

In addition, no information shall be released from a proceeding to enforce this Policy except as required or permitted by law and College policy.

2. Confidentiality

"Confidentiality" generally means that information shared by an individual with designated campus or community professionals cannot be revealed to any other individual without the express permission of the individual.

The confidentiality of information shared by an individual with designated campus or community professionals generally is governed by Arkansas State or federal law, including restrictions on disclosure of information by mental health providers, ordained clergy, rape crisis counselors, and attorneys, all of whom have legally protected confidentiality. These individuals are prohibited from breaking confidentiality unless there is an imminent threat of harm to self or others.

An individual who seeks confidential assistance may do so by speaking with professionals who have a legally protected confidentiality. Note, however, that these confidential resources are required by state law to notify child protective services and/or local law enforcement of any report which involves suspected abuse of a minor under the age of 18.

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Crime Statistics for Main Campus and Separate Campus Locations

2019 Annual Security Report NorthWest Arkansas Community College Bentonville Main Campus

One College Drive
Bentonville, AR 72712

The NWACC Bentonville Main Campus is a collection of buildings, facilities, classrooms, outside areas, and parking lots, and serves as the primary physical location for the college. NWACC offers a full range of classes at this center. The Department of Public Safety is on site at this facility. There are no residential facilities at this location.

Emergencies and Reporting Crime

Notification of an emergency is done via the electronic mass notification system; BCAAlert text messaging System; NWACC LiveSafe Smart Phone Guide APP; Social Media; verbally and/or by phone and e-mail.

Students, faculty or staff encountering emergencies or violations of NWACC regulations or local, state, or federal law should report these incidents to one of the following offices.

NWACC Dept. of Public Safety at 479-619-4229
City of Bentonville police at 479-271-3170

Although it may be difficult, it is always best to report domestic violence, dating violence, sexual assault, and stalking to NWACC DPS or local police. Individuals may report domestic violence, dating violence, sexual assault, and stalking to:

NWACC Dept. of Public Safety at 479-619-4229
City of Bentonville police at 479-271-3710
Teresa Taylor, Title IX Coordinator at 479-619-4188

Access to Facilities

NWACC facilities are open only during schedule hours as posted at the facility. Buildings are locked after normal working hours by DPS. Areas are secured by DPS personnel.

Maintenance of Facilities

Proper lighting and building security are major factors in reducing crime on campus. Inspections of facilities are conducted regularly and repairs are made as quickly as possible by NWACC.

NOTE: All other policies and procedures outlined in this report for the NWACC Bentonville main campus apply to all separate campus and non-campus locations, unless otherwise described in this section.

Crime Statistics						
<u>Bentonville Main Campus</u> <i>One College Drive Bentonville, AR</i>	On Campus			Public Property		
	2016	2017	2018	2016	2017	2018
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Rape	0	0	1	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Liquor Law Violations (Arrest)	1	2	0	0	0	0
Liquor Law Violations (Referrals)	0	0	0	0	0	0
Drug Abuse Violations (Arrest)	0	1	1	0	0	0
Drug Abuse Violations (Referrals)	1	1	1	0	0	0
Weapons Law Violations (Arrest)	0	0	0	0	0	0
Weapons Law Violations (Referral)	0	0	0	0	0	0
Domestic Violence	0	0	2	0	0	0
Dating Violence	0	0	1	0	0	0
Stalking	1	0	0	0	0	0
NOTE: All other policies and procedures outlined in this report for the NWACC Main campus apply to the Bentonville Main Campus , unless otherwise described in this section.						
**NOTE: No Hate Crimes were reported for 2016, 2017, or 2018						



**2019 Annual Security Report
NorthWest Arkansas Community College
Farmington Center – Separate Campus Location**

275 Rheas Mill Rd.
Farmington, AR 72730

Farmington Center is a collection of rooms, located within the walls of the Farmington High School. NWACC offers a limited number of classes at this center. DPS personnel and on-site building manager are at this facility. There are no residential facilities at this location.

Emergencies and Reporting Crime

Notification of an emergency is done via the electronic mass notification system; BCAlert text messaging System; NWACC LiveSafe Smart Phone Guide APP; Social Media; verbally and/or by phone and e-mail.

Students, faculty or staff encountering emergencies or violations of NWACC regulations or local, state, or federal law should report these incidents to one of the following offices.

NWACC Dept. of Public Safety at 479-619-4229
City of Farmington Police at 479-267-3411

Although it may be difficult, it is always best to report domestic violence, dating violence, sexual assault, and stalking to NWACC DPS or local police. Individuals may report domestic violence, dating violence, sexual assault, and stalking to:

NWACC Dept. of Public Safety at 479-619-4229
City of Farmington Police at 479-267-3411
Teresa Taylor, Title IX Coordinator at 479-619-4188

Access to Facilities

NWACC facilities are open only during schedule hours as posted at the facility. Buildings are locked after normal working hours by DPS.

Maintenance of Facilities

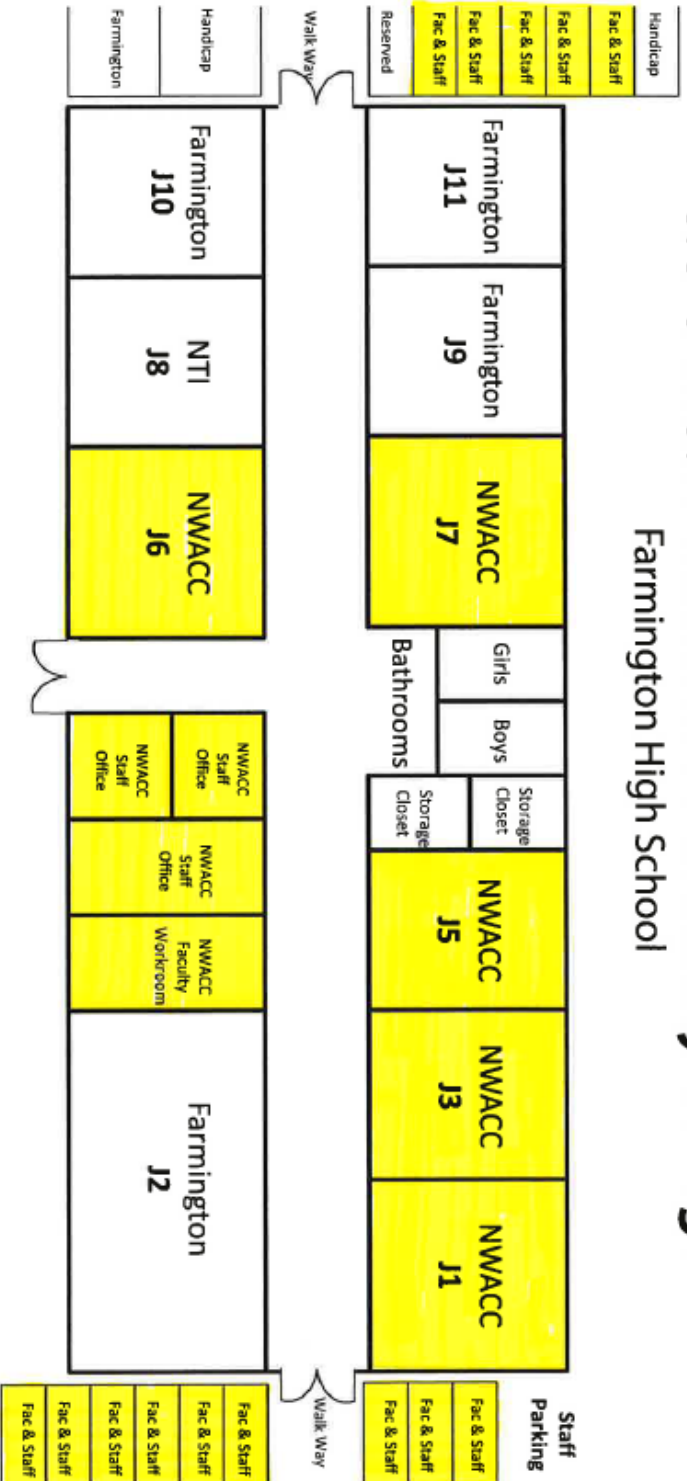
Proper lighting and building security are major factors in reducing crime on campus. Inspections of facilities are conducted regularly and repairs are made as quickly as possible by landlord.

NOTE: All other policies and procedures outlined in this report for the NWACC main campus apply to the NWACC Farmington Center, unless otherwise described in this section.

Crime Statistics						
<i>Farmington Center 275 Rheas Mills Road Farmington, AR</i>	On Campus			Public Property		
	2016	2017	2018	2016	2017	2018
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Burglary	0	1	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Liquor Law Violations (Arrest)	0	1	0	0	0	0
Liquor Law Violations (Referrals)	0	0	0	0	0	0
Drug Abuse Violations (Arrest)	0	2	0	0	0	0
Drug Abuse Violations (Referrals)	0	0	0	0	0	0
Weapons Law Violations (Arrest)	0	0	0	0	0	0
Weapons Law Violations (Referral)	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
NOTE: All other policies and procedures outlined in this report for the NWACC Main campus apply to the Farmington Center, unless otherwise described in this section.						
**NOTE: No Hate Crimes were reported for 2016, 2017 or 2018						

NorthWest Arkansas Community College

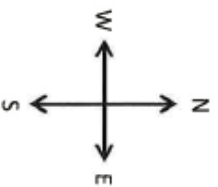
Farmingington High School



NWACC

Farmingington High School

Building J



**2019 Annual Security Report
NorthWest Arkansas Community College
NWACC at the Jones Center – Separate Campus Location**

922 E. Emma Ave.
Springdale, AR 72764

NWACC at the Jones Center is a collection of rooms, located within the walls of Jones Center for Families. NWACC offers a limited number of classes at this center. DPS personnel and on-site building manager are at this facility. There are no residential facilities at this location.

Emergencies and Reporting Crime

Notification of an emergency is done via the electronic mass notification system; BCAlert text messaging System; NWACC LiveSafe Smart Phone Guide APP; Social Media; verbally and/or by phone and e-mail.

Students, faculty or staff encountering emergencies or violations of NWACC regulations or local, state, or federal law should report these incidents to one of the following offices.

NWACC Dept. of Public Safety at 479-619-4229
City of Springdale police at 479-751-4542

Although it may be difficult, it is always best to report domestic violence, dating violence, sexual assault, and stalking to NWACC DPS or local police. Individuals may report domestic violence, dating violence, sexual assault, and stalking to:

NWACC Dept. of Public Safety at 479-619-4229
City of Springdale police at 479-751-4542
Teresa Taylor, Title IX Coordinator at 479-619-4188

Access to Facilities

NWACC facilities are open only during schedule hours as posted at the facility. Buildings are locked after normal working hours by DPS.

Maintenance of Facilities

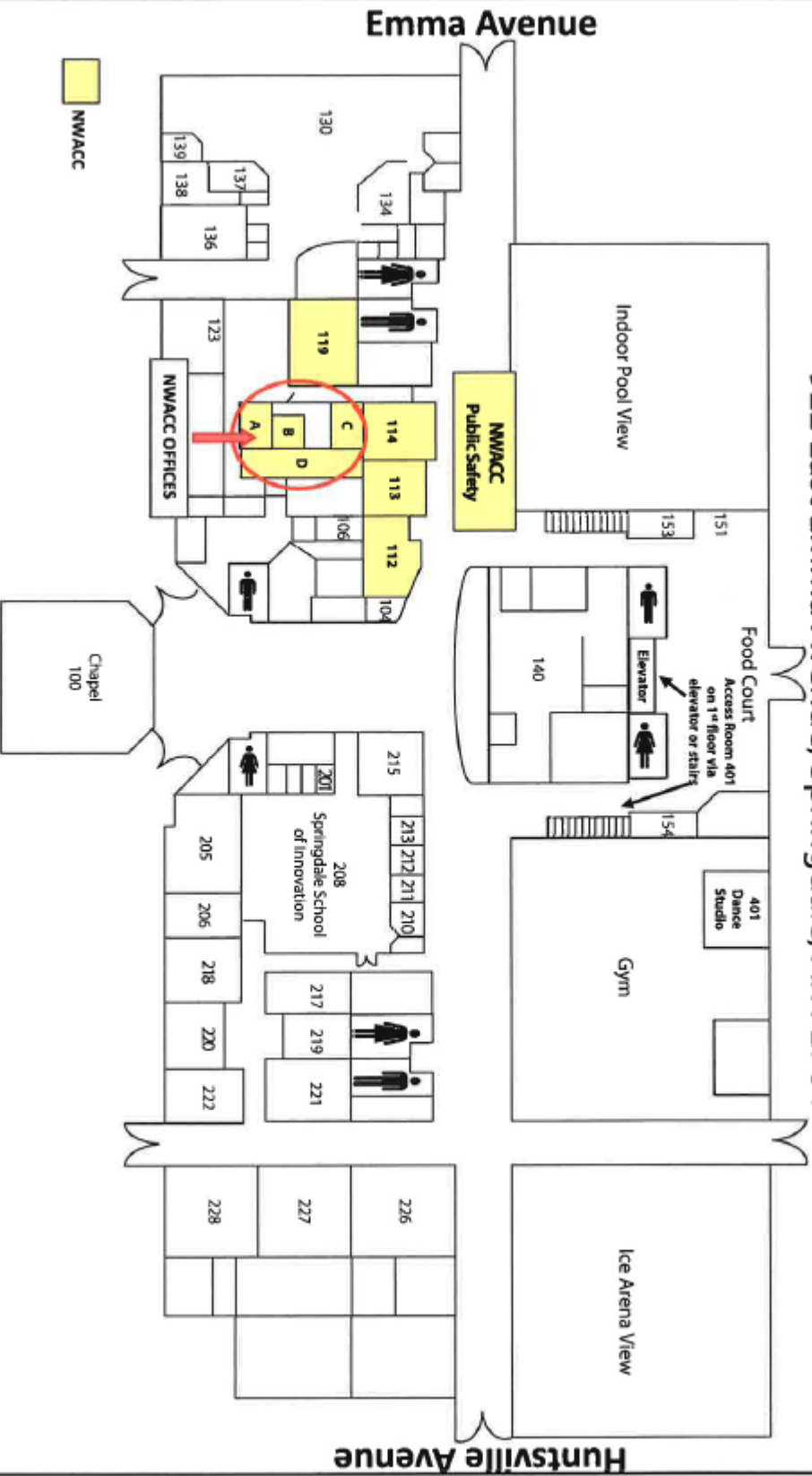
Proper lighting and building security are major factors in reducing crime on campus. Inspections of facilities are conducted regularly and repairs are made as quickly as possible, by the landlord.

NOTE: All other policies and procedures outlined in this report for the NWACC main campus apply to the NWACC at the Jones Center, unless otherwise described in this section.

Crime Statistics						
<i>NWACC at the Jones Center 922 East Emma Springdale, AR</i>	On Campus			Public Property		
	2016	2017	2018	2015	2016	2017
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Liquor Law Violations (Arrest)	0	0	2	0	0	0
Liquor Law Violations (Referrals)	0	0	0	0	0	0
Drug Abuse Violations (Arrest)	0	0	1	0	0	0
Drug Abuse Violations (Referrals)	0	0	0	0	0	0
Weapons Law Violations (Arrest)	0	0	0	0	0	0
Weapons Law Violations (Referral)	0	0	0	0	0	0
Domestic Violence	0	1	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
NOTE: All other policies and procedures outlined in this report for the NWACC Main campus apply to the NWACC at the Jones Center, unless otherwise described in this section.						
**NOTE: No Hate Crimes were reported for 2016, 2017 or 2018						

North West Arkansas Community College

at The Jones Center (JCF)
922 East Emma Avenue, Springdale, AR 72764



**If you have any questions pertaining to NWACC,
please see the NWACC JCF Center Manager located in office 116A
or call (479) 986-6662.**

**2019 Annual Security Report
NorthWest Arkansas Community College
Brightwater: A Center for the Study of Food – Separate Campus Location**

801 SE 8th Street
Bentonville, AR 72712

Brightwater is a Culinary School located in Bentonville, AR, inside of the 8th Street Market Place Center. NWACC offers a number of classes at this center. DPS personnel and on-site building manager are at this facility. There are no residential facilities at this location.

Emergencies and Reporting Crime

Notification of an emergency is done via the electronic mass notification system; BCAlert text messaging System; NWACC LiveSafe Smart Phone Guide APP; Social Media; verbally and/or by phone and e-mail.

Students, faculty or staff encountering emergencies or violations of NWACC regulations or local, state, or federal law should report these incidents to one of the following offices.

NWACC Dept. of Public Safety at 479-619-4229
City of Bentonville police at 479-271-3710

Although it may be difficult, it is always best to report domestic violence, dating violence, sexual assault, and stalking to NWACC DPS or local police. Individuals may report domestic violence, dating violence, sexual assault, and stalking to:

NWACC Dept. of Public Safety at 479-619-4229
City of Bentonville police at 479-271-3710
Teresa Taylor, Title IX Coordinator at 479-619-4188

Access to Facilities

Brightwater facilities are open only during schedule hours as posted at the facility. Buildings are locked after normal working hours by DPS.

Maintenance of Facilities

Proper lighting and building security are major factors in reducing crime on campus. Inspections of facilities are conducted regularly and repairs are made as quickly as possible by landlord.

NOTE: All other policies and procedures outlined in this report for the NWACC main campus apply to the Brightwater Center, unless otherwise described in this section.

Crime Statistics						
<i>Brightwater Culinary School 801 SE 8th Street Bentonville, AR 72712</i>	On Campus			Public Property		
	2016	2017	2018	2016	2017	2018
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Sex Offense-Rape	0	0	0	0	0	0
Sex Offense - Non-Forcible	0	1	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Liquor Law Violations (Arrest)	0	0	0	0	0	0
Liquor Law Violations (Referrals)	0	0	0	0	0	0
Drug Abuse Violations (Arrest)	0	0	0	0	0	0
Drug Abuse Violations (Referrals)	0	0	0	0	0	0
Weapons Law Violations (Arrest)	0	0	0	0	0	0
Weapons Law Violations (Referral)	0	0	0	0	0	0
Domestic Violence	0	1	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
NOTE: All other policies and procedures outlined in this report for the NWACC Main campus apply to the Brightwater Center, unless otherwise described in this section.						
**NOTE: No Hate Crimes were reported for 2016, 2017 or 2018						
** NOTE: Campus opened January, 2017 – no previous crime stats available for this building.						

**2019 Annual Security Report
NorthWest Arkansas Community College
Washington County Center – Separate Campus Location**

693 White Rd., Ste B
Springdale, AR 72762

NWACC at the Washington County Center is in a strip mall setting. NWACC offers a number of classes at this center. Advising and Financial Aid is also located at this facility. DPS personnel and on-site building manager are at this facility. There are no residential facilities at this location.

Emergencies and Reporting Crime

Notification of an emergency is done via the electronic mass notification system; BCAlert text messaging System; NWACC LiveSafe Smart Phone Guide APP; Social Media; verbally and/or by phone and e-mail.

Students, faculty or staff encountering emergencies or violations of NWACC regulations or local, state, or federal law should report these incidents to one of the following offices.

NWACC Dept. of Public Safety at 479-619-4229
City of Springdale police at 479-751-4542

Although it may be difficult, it is always best to report domestic violence, dating violence, sexual assault, and stalking to NWACC DPS or local police. Individuals may report domestic violence, dating violence, sexual assault, and stalking to:

NWACC Dept. of Public Safety at 479-619-4229
City of Springdale police at 479-751-4542
Teresa Taylor, Title IX Coordinator at 479-619-4188

Access to Facilities

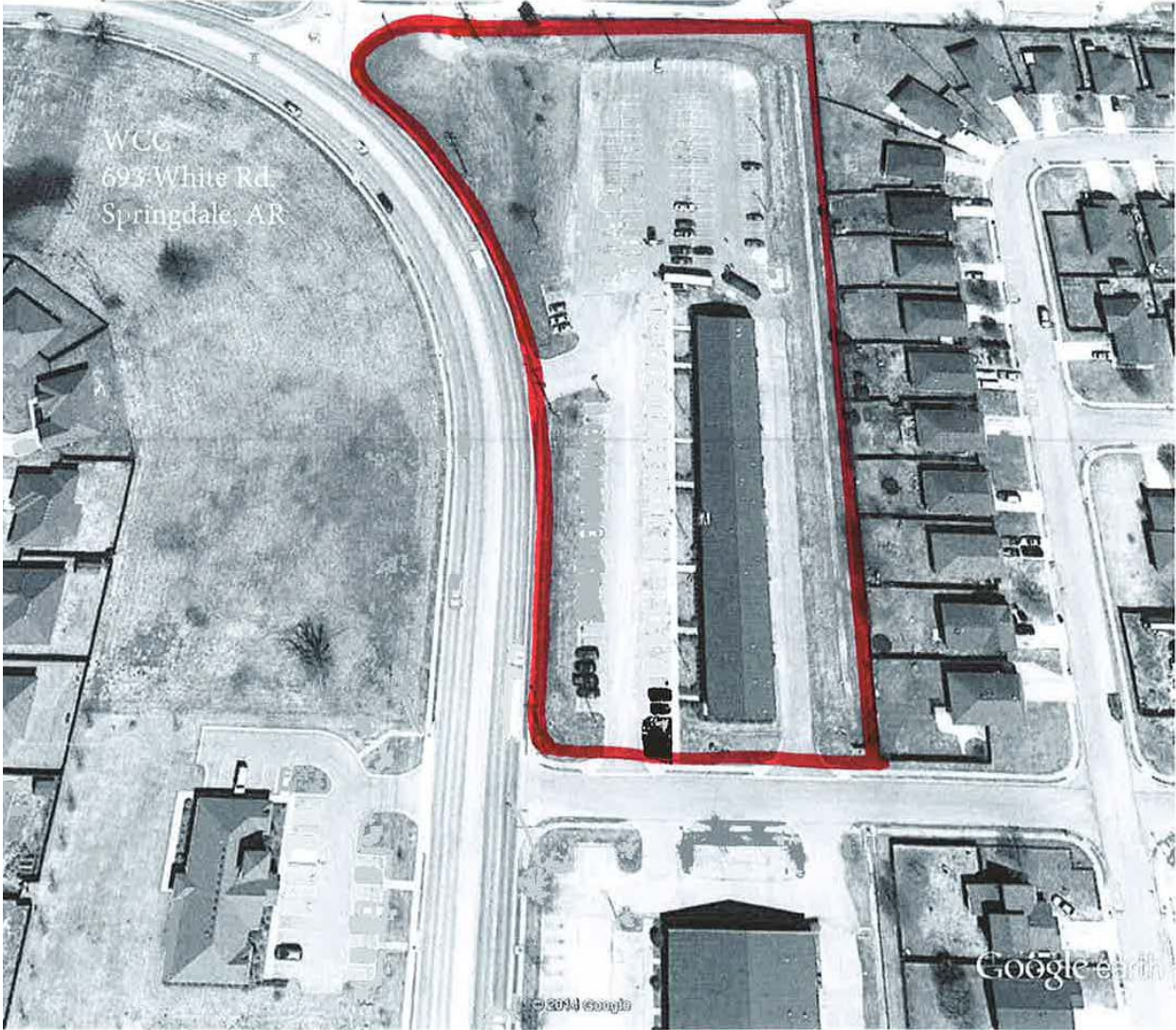
NWACC facilities are open only during schedule hours as posted at the facility. Buildings are locked after normal working hours by DPS.

Maintenance of Facilities

Proper lighting and building security are major factors in reducing crime on campus. Inspections of facilities are conducted regularly and repairs are made as quickly as possible by landlord.

NOTE: All other policies and procedures outlined in this report for the NWACC main campus apply to the Washington County Center, unless otherwise described in this section.

Crime Statistics						
<i>Washington County Center</i> <i>693 White Rd., Ste B</i> <i>Springdale, AR 72762</i>	On Campus			Public Property		
	2016	2017	2018	2016	2017	2018
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Liquor Law Violations (Arrest)	1	0	0	0	0	0
Liquor Law Violations (Referrals)	0	0	0	0	0	0
Drug Abuse Violations (Arrest)	1	0	0	0	0	0
Drug Abuse Violations (Referrals)	0	0	0	0	0	0
Weapons Law Violations (Arrest)	0	0	0	0	0	0
Weapons Law Violations (Referral)	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
NOTE: All other policies and procedures outlined in this report for the NWACC Main campus apply to the Washington County Center, unless otherwise described in this section.						
**NOTE: No Hate Crimes were reported for 2016, 2017 or 2018						



Crime Statistics for All Non-Campus Locations

Information on individual locations or police reports can be located in the Department of Public Safety or with the Clery Compliance Coordinator.

Crime Statistics for All Non - Campus Locations						
	Non Campus Properties			Public Properties		
	2016	2017	2018	2016	2017	2018
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Liquor Law Violations (Arrest)	0	2	0	0	0	0
Liquor Law Violations (Referrals)	0	0	0	0	0	0
Drug Abuse Violations (Arrest)	0	2	0	0	0	0
Drug Abuse Violations (Referrals)	0	0	0	0	0	0
Weapons Law Violations (Arrest)	0	0	0	0	0	0
Weapons Law Violations (Referral)	0	0	0	0	0	0
Domestic Violence	0	2	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
NOTE: All other policies and procedures outlined in this report for the NWACC Main campus apply to all Non Campus Locations, unless otherwise described in this section.						
**NOTE: Information for each non campus location is listed below this chart						
**NOTE: No Hate Crimes were reported for 2016, 2017 or 2018						

Description and Information for Non Campus Locations

2019 Annual Security Report NorthWest Arkansas Community College Rogers Bowling Lanes

3500 West Walnut Street
Rogers, AR

Rogers Bowling Lanes is a privately owned local recreation facility. NWACC offers a limited number of classes at this center. DPS is not on site at this facility. There are no residential facilities at this location.

Emergencies and Reporting Crime

Notification of an emergency is done via BCAAlert text messaging System: NWACC LiveSafe Smart Phone App; Social Media; verbally and/or by phone and e-mail.

Students, faculty or staff encountering emergencies or violations of NWACC regulations or local, state, or federal law should report these incidents to one of the following offices.

NWACC Dept. of Public Safety at 479-619-4229
City of Rogers police at 479-636-4141

Although it may be difficult, it is always best to report domestic violence, dating violence, sexual assault, and stalking to NWACC DPS or local police. Individuals may report domestic violence, dating violence, sexual assault, and stalking to:

NWACC Dept. of Public Safety at 479-619-4229
City of Rogers police at 479-636-4141
Teresa Taylor, Title IX Coordinator at 479-619-4188

Access to Facilities

NWACC facilities are open only to members of the College and escorted or authorized visitors. Areas leased by NWACC that are in non-campus locations are not secured by DPS personnel, and that responsibility for security and notifications is generally covered by local law enforcement and/or the facility staff members and/or owner. Classrooms that are leased by NWACC are held in facilities where there are other tenants and their hours of operation may vary from NWACC business hours.

Maintenance of Facilities

Proper lighting and building security are major factors in reducing crime on campus. Inspections of facilities are conducted regularly and repairs are made as quickly as possible by landlord.

NOTE: All other policies and procedures outlined in this report for the NWACC main campus apply to Rogers Bowling Lanes, unless otherwise described in this section.

**2019 Annual Security Report
NorthWest Arkansas Community College
Rogers Fire Department**

3003 West Oak Street
Rogers, AR

Rogers Fire Department is a local fire department that allows NWACC to train their students in the Fire and Paramedic programs. NWACC offers a limited number of classes at this center. DPS is not on site at this facility. There are no college residential facilities at this location.

Emergencies and Reporting Crime

Notification of an emergency is done via BCAAlert text messaging System: NWACC LiveSafe Smart Phone App; Social Media; verbally and/or by phone and e-mail.

Students, faculty or staff encountering emergencies or violations of NWACC regulations or local, state, or federal law should report these incidents to one of the following offices.

NWACC Dept. of Public Safety at 479-619-4229
City of Rogers police at 479-636-4141

Although it may be difficult, it is always best to report domestic violence, dating violence, sexual assault, and stalking to NWACC DPS or local police. Individuals may report domestic violence, dating violence, sexual assault, and stalking to:

NWACC Dept. of Public Safety at 479-619-4229
City of Rogers police at 479-636-4141
Teresa Taylor, Title IX Coordinator at 479-619-4188

Access to Facilities

NWACC facilities are open only to members of the College and escorted or authorized visitors. Areas leased by NWACC that are in non-campus locations are not secured by DPS personnel, and that responsibility for security and notifications is generally covered by local law enforcement and/or the facility staff members and/or owner. Classrooms that are leased by NWACC are held in facilities where there are other tenants and their hours of operation may vary from NWACC business hours.

Maintenance of Facilities

Proper lighting and building security are major factors in reducing crime on campus. Inspections of facilities are conducted regularly and repairs are made as quickly as possible by landlord.

NOTE: All other policies and procedures outlined in this report for the NWACC main campus apply to the Rogers Fire Department, unless otherwise described in this section.

**2019 Annual Security Report
NorthWest Arkansas Community College
University of Arkansas, Fayetteville**

Memorial Hall
#1 University of Arkansas
Fayetteville, AR

University of Arkansas, Fayetteville is a local four-year public University. NWACC offers a limited number of classes at this center. DPS is not on site at this facility. There are residential facilities at this location, however, those are owned and controlled by the University of Arkansas, Fayetteville, and not by NWACC.

Emergencies and Reporting Crime

Notification of an emergency is done via BCAlert text messaging System: NWACC LiveSafe Smart Phone App; Social Media; verbally and/or by phone and e-mail.

Students, faculty or staff encountering emergencies or violations of NWACC regulations or local, state, or federal law should report these incidents to one of the following offices.

NWACC Dept. of Public Safety at 479-619-4229
Univ. of Arkansas Police Department 479-575-2222

Although it may be difficult, it is always best to report domestic violence, dating violence, sexual assault, and stalking to NWACC DPS or local police. Individuals may report domestic violence, dating violence, sexual assault, and stalking to:

NWACC Dept. of Public Safety at 479-619-4229
University of Arkansas Police Department 479-575-2222
Teresa Taylor, Title IX Coordinator at 479-619-4188

Access to Facilities

NWACC facilities are open only to members of the College and escorted or authorized visitors. Areas leased by NWACC that are in non-campus locations are not secured by DPS personnel, and that responsibility for security and notifications is generally covered by local law enforcement and/or the facility staff members and/or owner. Classrooms that are leased by NWACC are held in facilities where there are other tenants and their hours of operation may vary from NWACC business hours.

Maintenance of Facilities

Proper lighting and building security are major factors in reducing crime on campus. Inspections of facilities are conducted regularly and repairs are made as quickly as possible by landlord.

NOTE: All other policies and procedures outlined in this report for the NWACC main campus apply to the University of Arkansas, Fayetteville, unless otherwise described in this section.

2019 Annual Security Report Lost Springs Golf and Athletic Club

3024 N. 22nd Street
Rogers, AR

Lost Springs is a golf and athletic club facility. NWACC offers a limited number of classes at this center. DPS is not on site at this facility. There are no residential facilities at this location.

Emergencies and Reporting Crime

Notification of an emergency is done via BCAAlert text messaging System: NWACC LiveSafe Smart Phone App; Social Media; verbally and/or by phone and e-mail.

Students, faculty or staff encountering emergencies or violations of NWACC regulations or local, state, or federal law should report these incidents to one of the following offices.

NWACC Dept. of Public Safety at 479-619-4229
City of Rogers police at 479-636-4141

Although it may be difficult, it is always best to report domestic violence, dating violence, sexual assault, and stalking to NWACC DPS or local police. Individuals may report domestic violence, dating violence, sexual assault, and stalking to:

NWACC Dept. of Public Safety at 479-619-4229
City of Rogers police at 479-636-4141
Teresa Taylor, Title IX Coordinator at 479-619-4188

Access to Facilities

NWACC facilities are open only to members of the College and escorted or authorized visitors. Areas leased by NWACC that are in non-campus locations are not secured by DPS personnel, and that responsibility for security and notifications is generally covered by local law enforcement and/or the facility staff members and/or owner. Classrooms that are leased by NWACC are held in facilities where there are other tenants and their hours of operation may vary from NWACC business hours.

Maintenance of Facilities

Proper lighting and building security are major factors in reducing crime on campus. Inspections of facilities are conducted regularly and repairs are made as quickly as possible by landlord.

NOTE: All other policies and procedures outlined in this report for the NWACC main campus apply to the Lost Springs location, unless otherwise described in this section.

2019 Annual Security Report Laurel Manor Equestrian

12680 Seba Road
Centerton, AR

Laurel Manor is a local Equestrian facility located in NWA. NWACC offers a limited number of classes at this center. DPS is not on site at this facility. There are no residential facilities at this location.

Emergencies and Reporting Crime

Notification of an emergency is done via BCAlert text messaging System: NWACC LiveSafe Smart Phone App; Social Media; verbally and/or by phone and e-mail.

Students, faculty or staff encountering emergencies or violations of NWACC regulations or local, state, or federal law should report these incidents to one of the following offices.

NWACC Dept. of Public Safety at 479-619-4229
City of Centerton police at 479-795-4431

Although it may be difficult, it is always best to report domestic violence, dating violence, sexual assault, and stalking to NWACC DPS or local police. Individuals may report domestic violence, dating violence, sexual assault, and stalking to:

NWACC Dept. of Public Safety at 479-619-4229
City of Centerton police at 479-795-4431
Teresa Taylor, Title IX Coordinator at 479-619-4188

Access to Facilities

NWACC facilities are open only to members of the College and escorted or authorized visitors. Areas leased by NWACC that are in non-campus locations are not secured by DPS personnel, and that responsibility for security and notifications is generally covered by local law enforcement and/or the facility staff members and/or owner. Classrooms that are leased by NWACC are held in facilities where there are other tenants and their hours of operation may vary from NWACC business hours.

Maintenance of Facilities

Proper lighting and building security are major factors in reducing crime on campus. Inspections of facilities are conducted regularly and repairs are made as quickly as possible by landlord.

NOTE: All other policies and procedures outlined in this report for the NWACC main campus apply to Laurel Manor, unless otherwise described in this section.

2019 Annual Security Report Inferno Fitness and Martial Arts

1200 SE 14th Street
Bentonville, AR

Inferno Fitness and Martial Arts is a local fitness and martial arts facility. NWACC offers a limited number of classes at this center. DPS is not on site at this facility. There are no residential facilities at this location.

Emergencies and Reporting Crime

Notification of an emergency is done via BCAlert text messaging System: NWACC LiveSafe Smart Phone App; Social Media; verbally and/or by phone and e-mail.

Students, faculty or staff encountering emergencies or violations of NWACC regulations or local, state, or federal law should report these incidents to one of the following offices.

NWACC Dept. of Public Safety at 479-619-4229
City of Bentonville police at 479-271-3170

Although it may be difficult, it is always best to report domestic violence, dating violence, sexual assault, and stalking to NWACC DPS or local police. Individuals may report domestic violence, dating violence, sexual assault, and stalking to:

NWACC Dept. of Public Safety at 479-619-4229
City of Bentonville police at 479-271-3170
Teresa Taylor, Title IX Coordinator at 479-619-4188

Access to Facilities

NWACC facilities are open only to members of the College and escorted or authorized visitors. Areas leased by NWACC that are in non-campus locations are not secured by DPS personnel, and that responsibility for security and notifications is generally covered by local law enforcement and/or the facility staff members and/or owner. Classrooms that are leased by NWACC are held in facilities where there are other tenants and their hours of operation may vary from NWACC business hours.

Maintenance of Facilities

Proper lighting and building security are major factors in reducing crime on campus. Inspections of facilities are conducted regularly and repairs are made as quickly as possible by landlord.

NOTE: All other policies and procedures outlined in this report for the NWACC main campus apply to Inferno Fitness, unless otherwise described in this section.

2019 Annual Security Report Pea Ridge Manufacturing and Business Academy

785 W. Pickens
Pea Ridge, AR 72751

Pea Ridge Manufacturing is a local manufacturing facility. NWACC offers a limited number of classes at this center. DPS is not on site at this facility. There are no residential facilities at this location.

Emergencies and Reporting Crime

Notification of an emergency is done via BCAlert text messaging System: NWACC LiveSafe Smart Phone App; Social Media; verbally and/or by phone and e-mail.

Students, faculty or staff encountering emergencies or violations of NWACC regulations or local, state, or federal law should report these incidents to one of the following offices.

NWACC Dept. of Public Safety at 479-619-4229
City of Pea Ridge police at 479-451-8220

Although it may be difficult, it is always best to report domestic violence, dating violence, sexual assault, and stalking to NWACC DPS or local police. Individuals may report domestic violence, dating violence, sexual assault, and stalking to:

NWACC Dept. of Public Safety at 479-619-4229
City of Pea Ridge police at 479-451-8220
Teresa Taylor, Title IX Coordinator at 479-619-4188

Access to Facilities

NWACC facilities are open only to members of the College and escorted or authorized visitors. Areas leased by NWACC that are in non-campus locations are not secured by DPS personnel, and that responsibility for security and notifications is generally covered by local law enforcement and/or the facility staff members and/or owner. Classrooms that are leased by NWACC are held in facilities where there are other tenants and their hours of operation may vary from NWACC business hours.

Maintenance of Facilities

Proper lighting and building security are major factors in reducing crime on campus. Inspections of facilities are conducted regularly and repairs are made as quickly as possible by landlord.

NOTE: All other policies and procedures outlined in this report for the NWACC main campus apply to Pea Ridge Manufacturing, unless otherwise described in this section.

**2019 Annual Security Report
Kingsdale Tennis Center
Bella Vista, AR**

4 Riordan Drive
Bella Vista, AR 72714

Kingsdale Tennis Center is a local tennis court facility. NWACC offers a limited number of classes at this center. DPS is not on site at this facility. There are no residential facilities at this location.

Emergencies and Reporting Crime

Notification of an emergency is done via BCAAlert text messaging System: NWACC LiveSafe Smart Phone App; Social Media; verbally and/or by phone and e-mail.

Students, faculty or staff encountering emergencies or violations of NWACC regulations or local, state, or federal law should report these incidents to one of the following offices.

NWACC Dept. of Public Safety at 479-619-4229
City of Bella Vista police at 479-855-3771

Although it may be difficult, it is always best to report domestic violence, dating violence, sexual assault, and stalking to NWACC DPS or local police. Individuals may report domestic violence, dating violence, sexual assault, and stalking to:

NWACC Dept. of Public Safety at 479-619-4229
City of Bella Vista police at 479-855-3117
Teresa Taylor, Title IX Coordinator at 479-619-4188

Access to Facilities

NWACC facilities are open only to members of the College and escorted or authorized visitors. Areas leased by NWACC that are in non-campus locations are not secured by DPS personnel, and that responsibility for security and notifications is generally covered by local law enforcement and/or the facility staff members and/or owner. Classrooms that are leased by NWACC are held in facilities where there are other tenants and their hours of operation may vary from NWACC business hours.

Maintenance of Facilities

Proper lighting and building security are major factors in reducing crime on campus. Inspections of facilities are conducted regularly and repairs are made as quickly as possible by landlord.

NOTE: All other policies and procedures outlined in this report for the NWACC main campus apply to the Kingsdale Tennis Center, unless otherwise described in this section.

**2019 Annual Security Report
Greenland High School
Greenland, Arkansas**

30 N. Sandy
Greenland, AR 72737

Greenland High School is a public school located in Greenland, Arkansas. NWACC offers a limited number of classes at this center. DPS is not on site at this facility. There are no residential facilities at this location.

Emergencies and Reporting Crime

Notification of an emergency is done via BCAAlert text messaging System: NWACC LiveSafe Smart Phone App; Social Media; verbally and/or by phone and e-mail.

Students, faculty or staff encountering emergencies or violations of NWACC regulations or local, state, or federal law should report these incidents to one of the following offices.

NWACC Dept. of Public Safety at 479-619-4229
City of Greenland Policy Department at 479-521-5760

Although it may be difficult, it is always best to report domestic violence, dating violence, sexual assault, and stalking to NWACC DPS or local police. Individuals may report domestic violence, dating violence, sexual assault, and stalking to:

NWACC Dept. of Public Safety at 479-619-4229
City of Greenland Police Department at 479-521-5760
Teresa Taylor, Title IX Coordinator at 479-619-4188

Access to Facilities

NWACC facilities are open only to members of the College and escorted or authorized visitors. Areas leased by NWACC that are in non-campus locations are not secured by DPS personnel, and that responsibility for security and notifications is generally covered by local law enforcement and/or the facility staff members and/or owner. Classrooms that are leased by NWACC are held in facilities where there are other tenants and their hours of operation may vary from NWACC business hours.

Maintenance of Facilities

Proper lighting and building security are major factors in reducing crime on campus. Inspections of facilities are conducted regularly and repairs are made as quickly as possible by landlord.

NOTE: All other policies and procedures outlined in this report for the NWACC main campus apply to the NWACC students and classes held at Greenland High School, unless otherwise described in this section.

Addendum “A” - - NWACC 2018 Biennial Report

Northwest Arkansas Community College – Bentonville, AR Alcohol and Other Drugs Biennial Review

Ryan Drake
Director of Student Conduct, NWACC

Dale Montgomery
Dean of Students, NWACC

Becky Hudson
Director for Student Life, NWACC

Teresa Taylor
Executive Director of Risk Management, NWACC

Steve Tosh
Chief of Police, NWACC

Introduction

The Drug-Free Schools and Campuses Regulations (EDGAR Part 86) require that, as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education (IHE) must certify that it has adopted and implemented a program “to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees” both on the institution’s premises and as part of any of its activities. According to the Part 86 regulations, if an IHE fails to submit the necessary certification when requested to do so or violates its certification, the Secretary of Education may terminate all forms of financial assistance whether from the Dept. of Education or other federal agencies (34 CFR Section 86.1 and 20. USC & 1145g.).

The Drug-Free Schools and Campuses Regulations also require IHEs to conduct a biennial review of the AOD (alcohol and other drugs) programs and policies to determine program effectiveness and consistency of policy enforcement and to implement any changes needed to either.

This legislation directs the NorthWest Arkansas Community College (NWACC) to maintain a written policy on alcohol and other drugs and to maintain a process that ensures policy distribution to all students, staff and faculty. The written policy must enumerate federal, state and/or local sanctions for unlawful possession or distribution of illicit drugs and alcohol, describe health risk associated with alcohol abuse or illicit drug use, describe College drug and alcohol programs available for students and employees, and specify disciplinary sanctions imposed on students and employees for policy violations. Also, the College is required to conduct biennial reviews to assess the effectiveness of its alcohol and drug prevention programs.

In compliance with federal legislation, the Director of Student Conduct in the division of Student Services for NWACC has prepared this biennial review.

This biennial review has the following dates of coverage:

September 1, 2016-August 31, 2018

Creating a program that complies with the regulations requires an IHE to do the following:

1. Annually notify each employee and student, in writing, of standards of conduct; a description of appropriate sanctions for violations of federal, state, and local laws and campus policies; a description of health risks associated with AOD use; and a description of available treatment programs/options.
2. Develop a sound method for distributing annual notification information to every student and staff/faculty member each year.
3. Prepare a biennial report on the effectiveness of its AOD programs and the consistency of sanction enforcement.
4. Maintain a copy of the biennial review on file, available for inspection by the U.S. Department of Education.

The following campus units provided information for this report:

- Dean of Students
- Office of Student Conduct
- Office of Student Life and Activities
- NWACC Department of Public Safety
- Office of Policy, Risk Management, and Compliance
- Human Resources
- Office of Counseling & Wellness

The intention of this document is to meet the legal requirements of conducting a biennial review and also summarize the programs and activities related to alcohol and drug prevention and awareness on NWACC's campus during the 2016-2017 and 2017-2018 academic years.

Materials Reviewed

- Complying with The Drug-Free Schools and Campuses Regulations (EDGAR Part 86), A Guide for University and Campus Regulations prepared by the Higher Education Center
- The Higher Education Amendments of 1998 (P.L. 105-244) and the Drug-Free Schools and Communities Act Amendments of 1989, (P.L. 101-226)
- Alcohol and Other Drug Policy documents printed for distribution on campus
- Arkansas State Laws for Alcoholic Beverages
- NWACC Police Department drug and alcohol arrest reports
- Annual reports compiled by conduct staff from the Office of Student Conduct and the Dean of Students Office
- Code of Student Conduct Policies and Procedures for NWACC
- NWACC Policies and Procedures for Staff (HR Policies)
- NWACC Drug and Alcohol Abuse Resources webpage for students (On Student Conduct website)
- NWACC Drug and Alcohol Resources on Campus and Community Resources webpage (Counseling & Wellness)
- NWACC Student Handbook
- NWACC College Catalogue
- NWACC link to Clery Act Annual Security Report

Biennial Review Report

The NorthWest Arkansas Community College continues to be committed to an environment that discourages the inappropriate or illegal use of alcohol and drugs and to providing an environment that supports healthy decisions and lifestyles. The campus has established policies and procedures in place to enforce this commitment and provides education and information to those who need assistance as a result of their alcohol or drug use. In compliance with the requirements of the Biennial Review, we have completed the following checklist to serve as a guide for ensuring our campus population receives all required information:

- 1. Annually notify each employee and student, in writing, of standards of conduct; a description of appropriate sanctions for violations of federal, state, and local laws and campus policies; a description of health risks associated with AOD use; and a description of available treatment programs/options.**
 - a. Email to all NWACC community which will include information on campus policies (student and employee), conduct procedures and sanctions for violations, health risks associated with AOD usage, and a list of local, state and national resources and treatment programs/options**
 - b. This information will be included on the Wellness website for the DOS and links will be listed in the email**
- 2. Develop a sound method for distributing annual notification information to every student and staff/faculty member each year.**
 - a. Create email notification to be distributed by PR/Marketing to all NWACC faculty, staff and students (including adjuncts, online students, and part time)**
 - b. Email will be sent no later than September 30th of each academic year**
- 3. Prepare a biennial report on the effectiveness of its AOD programs and the consistency of sanction enforcement.**
 - a. Due to the small number of alcohol and drug violations that take place it is not possible to measure the effectiveness of the awareness and prevention programs that the college offers.**
- 4. Maintain a copy of the biennial review on file, available for inspection by the U.S. Department of Education.**
 - a. File will be maintained by DOS, Office of Student Conduct, and Risk Management Director.**

Publications

Printed fliers and documentation on alcohol and drug usage are available in the Bentonville and Springdale Student Centers. Currently in the process of updating materials to make more recent information and statistics.

Compliance with Clery Act

The Northwest Arkansas Community College maintains annual compliance with the Clery Campus Safety Act. Each year on October 1st, the annual report is filed electronically. Copies are kept on file or immediate review by any member of the community who makes a request at the Department of Public Safety Office located in Burns Hall #1205. In addition, our college's website hosts the link to the report on several pages. We also publish the following information on our website:

Your Right to Know:

Your personal safety, and the security of the campus community are of vital concern to NorthWest Arkansas Community College. A copy of the college's annual security report is available upon request. This report includes statistics for the most recent three-year period concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by NorthWest Arkansas Community College, and on public property within or immediately adjacent to and accessible from the campus. The report also includes information regarding the law enforcement authority of the college police, policies concerning campus security such as crime prevention, alcohol and drug abuse, sexual assault, obtaining the name(s) of any registered sex offender who may be employed by, or be a student at NorthWest Arkansas Community College, and the reporting of any crimes which may occur on the campus. You can obtain a copy of this report by contacting the College Police Department, Burns Hall 1205, NorthWest Arkansas Community College, One College Drive, Bentonville, AR., 72712. This information is also on file along with the data from other institutions of higher education at <http://ope.ed.gov/security>

For questions or comments, please contact 619-4229 or email departmentofpublicsafety@nwacc.edu

Campus Policies and Procedures

NWACC has the following policies related to alcohol and/or drug use on campus and/or at college functions: (policies are printed and attached to report)

1. Human Resources – general policy regulating alcohol usage on campus – <https://nwacc.policystat.com/policy/5183272/latest/>
2. Facility usage and alcohol usage policy – <https://nwacc.policystat.com/policy/5186064/latest/>
3. Code of Student Conduct policy on alcohol and drug usage: http://content.nwacc.edu/LSS_Forms/conduct/Student%20Handbook.pdf

Prevention and Wellness (Education and Outreach)

Alcohol and Drug (AOD) awareness programs take place on our college campus yearly. A few examples are listed below:

Community Resource Fair September 28, 2017 & September 27, 2018- Included representation from area agencies that provide support services for students on alcohol and drug education, addiction counseling, etc.

Fall 2017 and Fall 2018 - Student Empower Plus online training, which includes substance information and resources, is made available to all students.

Drug & Alcohol Awareness Week March 14 & 15, 2017 and March 13 & 14, 2018 – Community resources and events for students.

Student Ambassador & Government Association Annual Spring Semester Event – During Alcohol & Drug Awareness Week.

Counseling & Wellness Center – Substance Abuse Education event October 2017. Substance abuse providers from the community participated.

Information provided through Successful First Year Student Course textbook utilized in the Successful First Year Experience courses.

Counseling Services

NWACC opened the Counseling & Wellness Center in August 2017. The Director of the center is a licensed alcohol and drug addiction counselor. Counseling services are provided to assist students in times of stress or to help overcome barriers to student success. Our counseling services are at no charge to the student and is available 5 days a week. Our counselors provide personal counseling that can include substance abuse issues when addressed. Sometimes collaboration occurs with our counseling services and other campus departments about the specific resource/referrals a student may need in order to receive the best treatment. Student Support staff and faculty work in conjunction with our campus counselors to provide educational sessions for students to attend.

Orientation Materials

All first-time, degree seeking students must participate in an online orientation. This orientation contains information on The Code of Student Conduct, the Dean of Students Office, Safety on Campus, how to access counselors on campus and much more. This orientation serves as a great resource to students as they begin to navigate college life.

Conduct Website

The Dean of Students Office maintains the Student Conduct website for NWACC. The website can be located at: https://nwacc.policystat.com/?lt=njLiKEwN-LRzInd3Ca2_-j&next=/policy/5179086/latest/ . This website contains student information which can be easily located and accessed. This website informs the student about the conduct process, Code of Student Conduct, where to find information and resources on topics such as: Wellness, alcohol and drug resources, sexual assault and sexual harassment, professional counseling, domestic violence, public safety, campus policies, equality information and much more.

The following link includes our information on drug and alcohol resources:
<http://www.nwacc.edu/miscandnotifications/drugfreeschoolnotification.aspx>

Dean of Students Office/Director of Student Conduct

The DOS welcomes students' ideas and concerns as it is her/his mission for all students to be connected to the college.

The college endeavors to make the campus community a place of study and work where all people are treated with respect and courtesy. The office of Student Conduct strives to protect the college environment and to provide a quality learning environment, one that is safe, secure, and conducive to academic pursuits.

Every student on the NWACC campus is responsible for reading and understanding the Code of Student Conduct. Student Conduct Policies and Procedures can be located at the following link: (policy attached to report) <http://content.nwacc.edu/conduct/Conduct%20Policy.pdf>

Office of Student Life

The Office of Student Life (OSL) provides many entertaining, non-alcoholic activities for students to participate in. Each semester they have continuous activities engaging students and promoting student leadership and involvement. Additionally, OSL provides AOD educational programming for students, faculty, and staff by hosting events focused on the risks associated with alcohol and drugs.

Department of Public Safety

In conjunction with the Dean of Students and the Office of Student Conduct, NWACC Department of Public Safety (DPS) officers enforce alcohol and drug abuse laws and related campus policies. They respond to alcohol and other drug complaints: intervening where necessary, issuing citations, making referrals to the Director of Student Conduct when appropriate, and handling emergencies.

DPS also maintains and publishes the "Clery Act Annual Security Report", which provides alcohol and drug related information and statistics related to criminal activity.

Statistics and Reports on Alcohol and/or Drug Violations (list by year)

In the Clery reporting category for Additional Arrests (not required), the following were violations on our campus:

DWI/DUI:

2017: 0
2018: 0

Illegal Possession, Manufacture, Use, or Sale of Alcohol or Other Drugs

2017: 1
2018: 0

Public Intoxication:

2017: 0
2018: 0

Minor in Possession:

2017: 0
2018: 0

Summary

The NorthWest Arkansas Community College is in compliance with the requirements for federal regulations including the Drug Free Schools and Campuses Regulation, has an effective AOD policy, consistently enforces standards of behavior related to AOD abuse and distributes the policy in writing to students.

Due to the small population, lack of community housing and general unique nature of the campus, the actual abuse of alcohol and/or drugs by our students and employees appears to be minimal, based upon the information and research available. We will continue to develop, evaluate, assess, and pursue the best practices for our campus to create a safe and healthy environment for our students and campus community.

(end of 2018 Biennial Report)

Addendum “B” - NWACC’s Title IX Complaint and Grievance Procedures

COMPLAINT/GRIEVANCE PROCEDURES

These procedures are intended to apply to student civil rights grievances against employees, employee civil rights grievances against students, and student-on-student civil rights grievances. These procedures may also be applicable in employee civil rights grievances against other employees. All other grievances by students against students or employees will be addressed through other conduct procedures.

The college benefits from formal and informal procedures that encourage prompt resolution of complaints and concerns raised by members of the college community.

NOTIFICATION

It is the responsibility of all employees, (i.e. college faculty, administrators, supervisors) whether full or part time, to report complaints of sexual harassment/sexual misconduct that they receive and of possible sexual harassment/sexual misconduct of which they become aware. Any student and/or visitor to the campus who has experienced or witnessed sexual harassment/sexual misconduct is strongly encouraged to report it. A report of sex discrimination or harassment should be made as soon as possible after the incident in order to facilitate an effective response. The longer a report is delayed, the more difficult it will be for the college to investigate.

A person who raises a complaint may discuss any situation believed to constitute sex discrimination or sexual harassment with any member of the Title IX team. Reports may be made by the person experiencing the discrimination or harassment or by a third party, such as a witness or someone who is told of the discrimination or harassment. A complaint against a student may also be reported through the college’s online Student Conduct Reporting Form, Advocate, which can be found on the Student Conduct website or at the following link: https://nwacc-advocate.symphlicity.com/public_report/. A complaint against an employee may be made through the college’s online Ethics Point report line (<https://secure.ethicspoint.com/domain/media/en/gui/15781/index.html>). After selecting the “Make a Report” tab, the reporting party should look for the Discrimination and Harassment button under the Human Resources arrow. Reports can also be made directly to the Title IX Coordinator via email: titleIX@nwacc.edu or (479) 619-4188.

Responsible Employee

A “Responsible Employee” includes any employee who: (1) Has the authority to take action to redress the harassment; (2) Has the duty to report to appropriate school officials sexual harassment or any other misconduct by students or employees; or (3) A student could reasonably believe has the authority

or responsibility to take action. All College employees who do not have legally protected confidentiality are considered Responsible Employees. This includes all employees with supervisory or leadership responsibilities on campus, including, but not limited to, faculty, coaches, administrators, staff members and student club/organization advisors. The College requires that all Responsible Employees share a report of misconduct with the Title IX Coordinator or a Deputy Title IX Coordinators. The purpose of this requirement is to permit the College to take immediate and corrective action to respond to allegations of prohibited conduct.

Disclosures Required by The Clery Act

Timely Warnings

A “Timely Warning” is a campus-wide notification of a serious or continuing threat to the NWACC community. The Timely Warning does not include identifying information about the Reporting Party. If a report of misconduct discloses a serious or continuing threat to the NWACC community, the College may issue a campus wide timely warning (which can take the form of an email to campus) to protect the health or safety of the community.

Annual Reporting Responsibilities

All higher education institutions that receive federal funding, including the College, are obligated to issue publicly an Annual Security Report (“ASR”) which identifies the number of particular reported crimes on campus or campus property, or adjacent to campus. The ASR does not include identifying information about the Reporting Party or Responding Party.

Crime Log

All higher education institutions that have campus police forces or security departments must maintain a daily crime log that includes entries for all crimes that occur within both the Clery geography and the campus police force’s regular patrol route. The crime log does not include identifying information about the Reporting Party or Responding Party.

NorthWest Arkansas Community College’s Title IX Coordinator and Deputy Coordinators

The College has designated a Title IX Coordinator with overall responsibility for oversight of the College’s compliance with its obligations under Title IX, including, but not limited to, its obligations to investigate and respond to allegations of sexual assault. The Title IX Coordinators, Title IX Deputy Coordinators, and members of the Title IX Team can be contacted by office telephone, email and/or in person during regular office hours.

All reports, complaints and any concerns about conduct that may violate this Policy should be submitted to the Title IX Coordinator, or any member of the Title IX Team.

Teresa A. Taylor – Title IX Coordinator
Center for Health Professions, Room 3048
NorthWest Arkansas Community College
Bentonville, AR 72712
Office: 479-619-4188
Email: ttaylor19@nwacc.edu or TitleIX@nwacc.edu

The College has appointed and trained Deputy Title IX Coordinators to serve on the College’s Title IX Team. The Deputy Title IX Coordinators and Title IX team members report to the College Title IX Coordinator on all allegations of sexual misconduct.

The NWACC Title IX team consists of:

NWACC Title IX Team:

Title IX Coordinator

Teresa Taylor
Exec Dir – Policy, Risk, Compliance
Center for Health Prof 3048
479-619-4188
ttaylor19@nwacc.edu

Title IX Deputy (Student Issues)

Dale Montgomery
Dean of Students
Student Center 225J
479-619-4234
dmontgom@nwacc.edu

Title IX Deputy (Employee Issues)

Beverly Hill
Employee Relations Manager
Burns Hall 1128
479-619-1128
bhill3@nwacc.edu

Director for Student Conduct

Ryan Drake
Student Center 225I
479-619-4315
rdrake@nwacc.edu

Dean of Washington County Centers

Brenda Green
WCC-Springdale
479-725-4669
bgreen@nwacc.edu

Director of Human Resources

Wendi Cadle
Burns Hall 1128
479-619-3149
wcadle@nwacc.edu

Role of the Title IX Coordinator and Deputy Coordinators

The Title IX Coordinator monitors the College’s overall compliance with Title IX, ensures appropriate training and education, and oversees the College’s investigation, response, and resolution of reports made under this Policy. Upon receiving reports of prohibited conduct, the Title IX Coordinator ensures that appropriate action is taken to eliminate that conduct, prevent its recurrence, and remedy its effects. The Title IX Coordinator is available to advise all individuals — including individuals who have experienced misconduct, individuals who are alleged to be responsible for misconduct, and third-Parties — on this Policy and the processes.

The Title IX Coordinator is supported and assisted by Deputy Coordinators. In addition, based on the relationship of the Reporting Party(ies) and/or the Responding Party(ies) to the College, the Title IX

Coordinator may be supported by the Vice President for Student Services, the Dean of Students, the Chief of Campus Safety, and a representative(s) from the Dean of Students Office and/or Human Resources. Collectively, the Title IX Coordinator and the individuals supporting the Title IX Coordinator are the “Title IX Team.” The Title IX Team is a small circle of individuals who have a “need to know” of any alleged prohibited conduct to effectuate this Policy and procedures. All individuals are employees of the College and have received appropriate training to discharge their responsibilities

Reporting to the College

The College strongly encourages all individuals to seek assistance from a medical provider and/or law enforcement immediately after an incident of sexual violence. This is the best option to ensure preservation of evidence and to begin a timely investigative and remedial response.

The College also strongly encourages all individuals to make a report to the College and to local law enforcement, although neither is required. These reporting options are not mutually exclusive. Both internal and criminal reports may be made simultaneously.

The College has a strong interest in supporting survivors of sexual harassment, sexual violence, stalking, and intimate partner violence and strongly encourages all individuals or third party witnesses to report any incident to the College.

Making a report means telling a Responsible Employee what happened—in person, by telephone, in writing, or by email. At the time a report is made, a Reporting Party does not have to request any particular course of action, nor does a Reporting Party need to know how to label what happened. Choosing to make a report, and deciding how to proceed after making the report, can be a process that unfolds over time. The College provides support that can assist each individual in making these important decisions, and will respect an individual’s autonomy in deciding how to proceed to the extent legally possible. In this process, the College will balance the individual’s interest with its obligation to provide a safe and non-discriminatory environment for all members of the College community.

The College will investigate and resolve all reports of prohibited conduct in a fair and impartial manner. A Reporting Party, a Responding Party and all individuals involved will be treated with dignity and respect. In response to all reports of prohibited conduct, the College will make an immediate assessment of any risk of harm to the Reporting Party, Responding Party, or to the broader campus community and will take steps necessary to address those risks. These steps may include interim measures to provide for the safety of the individual and the campus community.

Emergency and External Reporting Options

In some instances, sexual misconduct may constitute both a violation of College policy and criminal activity. The College grievance process is not a substitute for instituting legal action.

A Reporting Party(ies) has the right to notify or decline to notify law enforcement. The College strongly encourages all individuals to seek assistance from law enforcement immediately after an incident of sexual misconduct, intimate partner violence, or any other prohibited conduct. This is the best option to ensure preservation of evidence and to begin a timely investigative and remedial response. Police have unique legal authority, including the power to seek and execute search warrants, collect forensic evidence, make arrests, and assist in seeking emergency protective orders. The College will help any NWACC community member in coordination with law enforcement, and information about on- and off-campus resources and options for resolution.

Reports may be made 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:

Local Law Enforcement Agencies:

NWACC Department of Public Safety

479-619-4229 (Phones answered 24/7)
Center for Health Professions, Room 1042
Bentonville Main Campus
Email: DepartmentOfPublicSafety@nwacc.edu

Bentonville City Police Department

479-271-3170
908 SE 14th Street
Bentonville, AR 72712

Benton County Sheriff's Office

479-271-1008
1300 SW 14th
Bentonville, AR 72712

Rogers City Police Department

479-621-1172
1905 S. Dixieland Road
Rogers, AR 72758

Springdale City Police Department

479-751-4542
201 Spring Street
Springdale, AR 72764

Fayetteville Arkansas Police Department

479-587-3555
100 W. Rock Street
Fayetteville, AR 72701

Washington County Sheriff's Office

479-444-5700
1155 Clydesdale Drive
Fayetteville, AR 72701

Anonymous Reporting

Any individual may make an anonymous report concerning an act of prohibited conduct. An individual may report the incident without disclosing their name, identifying the Responding Party, or requesting any action. Depending on the extent of information available about the incident or the individuals involved, however, the College's ability to respond to an anonymous report may be limited. Reports can be filed anonymously through the Advocate Reporting System at: https://nwacc-advocate.symplicity.com/public_report/index.php/pid666144? and/or through the EthicsPoint reporting system at: <https://secure.ethicspoint.com/domain/media/en/gui/15781/index.html>

The Title IX Coordinator and/or Title IX Deputies will receive the anonymous report and will determine any appropriate steps, including individual or community remedies as appropriate, and in consultation with the Clery Team, ensure compliance with all Clery Act obligations

Review of Title IX Complaint

When a Title IX complaint is filed, the Title IX Team will communicate and/or convene to review the information presented and to determine the appropriate course of action. Possible solutions may include an informal administrative process, a formal investigation, an educational conversation, separating the parties involved and/or interim actions (i.e. class changes, work changes, interim suspension, etc.), or other determined best practices. A Reporting Party and/or Responding Party may request a No Contact Letter or other protection, and/or the College may choose to impose interim measures at its discretion to ensure the safety of all Parties, the broader College community, and/or the integrity of the process.

For Complaints Against Students:

If it is determined that a formal investigation is warranted, the appropriate Title IX Deputy and/or the Director of Student Conduct and/or designee will convene an investigation team and will assign the Director of Student Conduct and 2-3 members of the Conduct Review Board (CRB) to conduct the investigation. The Director of Student Conduct and/or designee will prepare the notice of charges on the basis of the initial information received in the complaint. The Title IX Deputy and/or designee will determine appropriate accommodations for the all parties, including but not limited to the Reporting Party, Responding Party, and/or witnesses as needed, and/or other necessary remedial short-term and/or interim actions. The appropriate Deputy or designee will oversee the investigation of the incident and in the enforcement of sanctions, if any. The Title IX Coordinator and/or his/her Deputy will apprise the Vice President of Student Services of the grievance.

For Complaints Against Employees:

If it is determined that a formal investigation is warranted, the Title IX Deputy for Human Resources (HR) and/or designee will convene an investigation team and will assign 2-3 members of the Conduct Review

Board (CRB) to conduct the investigation. The Title Deputy for HR and/or designee will prepare the notice of charges on the basis of the initial information received in the complaint. The Title IX Deputy for HR and/or designee will determine appropriate accommodations for the all parties, including but not limited to the Reporting Party, Responding Party, and/or witnesses as needed, and/or other necessary remedial short-term and/or interim actions. The Title IX Deputy for HR and/or designee will oversee the investigation of the incident and will work with the Title IX Coordinator and/or Title IX Team to suggest appropriate sanctions, if any. The Title IX Coordinator and/or his/her Deputy will apprise the employee's supervisor and the Vice President for the appropriate division of the grievance.

Interim Actions

NWACC may take action to ensure the safety and security of the NWACC community and its members, while resolution of the Title IX case is pending. Interim protections and remedies may be imposed during the investigation of a Title IX report. Interim Actions will be reviewed and implemented by the Title IX Team. The College will make reasonable efforts to communicate with the Parties to ensure that all safety, emotional, and physical well-being concerns are being addressed.

Interim actions are issued pending an investigation of the allegations. Interim actions may be imposed on any member of the NWACC community, including students and/or employees, and may be imposed regardless of whether formal disciplinary action is sought by the Reporting Party or the College, and regardless of whether the crime is reported to the campus Department of Public Safety or local law enforcement.

The College will maintain the privacy of any remedial and protective measures provided under this Policy to the extent practicable and will promptly address any violation of the protective measures. All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by an interim measure. The College will take immediate and responsive action to enforce a previously implemented restriction if such restriction was violated.

Interim Action letters will be delivered to the student's and/or employee's official NWACC provided email account, and may be delivered to the student and/or employee in person. Any restrictions outlined in the interim action will be clearly presented in the Interim Action letter.

These actions may be applied to the Reporting Party(s), the Responding Party(s), or to student groups. Actions can include, but are not limited to:

For Students

Interim Actions for Students

- A no-contact order placed between students, or between a student and another member of the college.
- Changes in academic and work schedules, and/or student groups/clubs/organizations.
- Assistance in requesting academic allowances, including rescheduling of exams and assignments

- Providing alternative course completion options (with agreement of appropriate faculty).
- A formal request or warning that the behavior ceases.
- Removal of privileges or suspension of activity (including attendance in a specific class).
- Issuance of a timely warning to college community.
- Providing academic support services, such as tutoring.
- Interim Suspension from campus.
- Parking reassigned.
- Providing an escort to ensure safe movement between class and/or work locations on NWACC campuses.

Interim Suspension for Students

The process regarding such interim suspensions shall be in accordance with provisions of the NWACC Student Code of Conduct:

- Dean of Students, or designee, will be notified if there is concern of immediate danger. If there is a perception that the student presents a danger, a minimum of two of the following will consult: the Dean of Students, the Director of Student Conduct, and the Vice President of Student Services. If it is determined that there is a danger, the Dean of Students, or designee, is authorized to take immediate action including but not limited to an interim suspension of the student. When interim action is taken, the student will have the opportunity to respond to the action within two (2) business days. The response will be reviewed by the Dean of Students, or designee, and may result in the interim action being lifted or upheld. The interim suspension may last until conduct due process has been completed and a determination has been made.

When a student is issued an Interim Suspension, the details may include, but are not limited to, the following:

- The student is not allowed to access any of the Northwest Arkansas Community College campuses, including but not limited to the NWACC Main Bentonville Campus, The NWACC at The Jones Center for Families, the Washington County Center, Brightwater Culinary School, and/or the Farmington Center (at Farmington High School). This means they are not allowed to participate in any of their classes which may occur on any of these campus facilities, or attend any campus events or functions.
- The student is not allowed to participate in any activities directly associated with NWACC, including but not limited to clubs, groups and/or organizations they are currently involved in.
- The student will be contacted by the Dean of Students when they can come to campus and must follow the directives given for a campus visitation.
- The student may be allowed to contact their instructors for academic assistance through Canvas or via email to continue with class assignments or projects that need to be completed.
- The student must submit a request to come to campus, and permission must be granted by the Dean of Students, the Director of Student Conduct, and/or the Title IX Coordinator before they are

allowed on campus property. The student can submit their request to Director of Student Conduct, Ryan Drake at 479-619-4315 or rdrake1@nwacc.edu and the student will receive a response back after assessing the request.

Any violation of the above listed directives may result in immediate and permanent Suspension or Expulsion from the Northwest Arkansas Community College.

Student Appeal Process for Interim Action

When interim action is taken, the student will have the opportunity to appeal the action within two (2) business days. An email must be submitted explaining why the interim action should not be taken. The response will be reviewed by the Dean of Students, Title IX Coordinator, and/or designee, and may result in the interim action being lifted or upheld. An interim suspension may last until conduct due process has been completed and a determination has been made.

For Employees

Interim Actions for Employees

- A no-contact order placed between employees, or between an employee and another member of the college.
- Changes in work, duties assigned, work groups, office location, or supervision.
- Temporary suspension of duties, including leave without pay.
- Reassignment of Parking.
- Progressive Discipline measures as stated in college policy.
- Providing an escort to ensure safe movement between class and/or work locations on NWACC campuses.

Investigation

The Title IX Deputy, Director of Student Conduct, and/or designee will chair the Investigation and will oversee the process in conjunction with the Title IX Coordinator. The Investigation may be electronically recorded so that the proceedings may be reviewed in the event of an Appeal.

During the Investigation, the following parties may ask questions that are relevant to the complaint:

- The Title IX Coordinator, the Title IX deputy or designee; and
- The assigned Conduct Review Board members

The Reporting Party has the right to be interviewed without the Responding Party present and vice versa. However, each party has the right to know the content of the statements of the other and to respond to them. Requests to review statements can be discussed with the Chair of the Conduct Review Board. Copies of statements made by other participants and/or witnesses will not be given to requesting parties.

The Title IX process at Northwest Arkansas Community College does not have cross examination involving both the Reporting Party(s) and Responding Party(s) in the same room. The cross examination process consists of the Conduct Review Board requesting specific questions that each Party(s) would like to ask the other Party(s). Those questions are reviewed and filtered on basis of relevance by the Chair of the Conduct Review Board and then asked to the opposing Party(s) for comment.

Both the Reporting Party and the Responding Party will be given the opportunity to make a brief and relevant impact statement verbally or in writing. Written statements must be submitted to the Chair of the Conduct Review Board within 48 hours of interview. Statements can be submitted via email, or hand delivered.

Witnesses will not be present during the testimony of any party or other witness. If a witness is unable to appear, a written statement from the witness may be accepted into the record. Telephone, Skype or other technology may also be used for the convenience of the witness.

The Investigation team may recall the Reporting Party, the Responding Party, and/or witnesses if clarification is needed, or if there are additional questions.

1. The CRB Investigative Team will:

- Be staffed with trained, unbiased faculty/staff and administrators, and special attention will be given to the selection of CRB members to help prevent conflict of interest, personal connections and/or association to parties involved in the case, and to help prevent bias;
- Identify the laws and/or policies allegedly violated;
- Meet with the Reporting Party or his or her designee to finalize the grievance;
- Develop a strategic investigation plan which may include a witness list, an evidence list, an intended timeframe, and an order of interviews for all witnesses, including the responding party;
- Conduct a thorough, reliable and impartial investigation. Witnesses may or may not be given notice prior to the interview;
- Complete the investigation promptly, and without unreasonable deviation from the intended timeline;
- Make a finding on the case, based on a preponderance of the evidence which indicates that a policy violation has or has not occurred;
- Meet with the assigned Title IX Deputy to recommend sanctions based on findings; and
- Prepare a complete report on the investigation and its findings to present to the Deputy.

2. The Title IX Deputy or Designee will:

- Review the outcome and recommended sanction(s) in consultation with the Title IX Coordinator; and
- Present the findings to the Reporting Party and the Responding Party.

Where the findings indicate that the alleged discrimination, harassment and /or sexual misconduct has occurred, an appropriate sanction(s) will be imposed.

Within ten (10) business days, the Title IX Deputy and/or designee will notify both parties in writing of the determination by the Conduct Review Board.

Both the Reporting Party and the Responding Party have the right to request an appeal of the investigation and findings. Appeal requests must be filed in writing within five (5) business days upon receipt of final outcome. Appeal requests must be submitted to the Title IX Coordinator, and/or assigned Title IX Deputy or Designee.

Sanctions

Possible Sanctions for Students

If the complaint is against a student, the Title IX Team will discuss and suggest appropriate sanctions to the Vice President of Student Services. The Vice President of Student Services will review and impose appropriate sanctions for the violation in consultation with the Dean of Students.

Sanctions are based on the severity of the incident, as well as taking into account any previous campus code of conduct violations. Types of actions/penalties include, but are not limited to the following:

Disciplinary

9. Disciplinary Warning. The Student has been given a verbal or written letter of warning by the College. Warning status will be documented in the students' record.
10. Conduct probation. Imposed when a student's actions are found to be serious, but not serious enough to warrant Suspension or Expulsion. The disciplinary authority shall indicate the length of the probationary period, which may range from one (1) semester to completion. A further violation of the Code of Student Conduct while on Conduct Probation may result in a Suspension or Expulsion. Conduct Probation may prohibit the student from representing the college, participating in student activities, and/or participating in work study employment.
11. Restriction of participation in student organizations, events, and college employment and limited access to designated areas.
12. Restitution: Repayment to the College or to an affected party for damages (amount to be determined by the College)_resulting in violation of this Code, or the Code of Student Conduct.
13. Course or Program Dismissal. In lieu of Suspension from the College, a student may be removed from a class or program entirely, but still be allowed to take other classes or enroll into a different program as specified by the sanction.
14. Suspension. Interruption of the student's educational activities at the college for a definite, stated period.

- a. Suspension involves withdrawal of enrollment privileges for a specified period of time and ordinarily carries with it conditions that must be met for re-enrollment. During the period of Suspension, the student may not come onto campus, except when specifically authorized in writing by the Dean of Students, Title IX Coordinator, or designee. Re-enrollment after a Suspension requires that the student apply to the Dean of Students or designee at the close of the imposed period. The Dean of Students, Title IX Coordinator, or designee determines whether the student has met the conditions imposed and is otherwise eligible for reenrollment. These records are maintained indefinitely.
 - b. Disciplinary Suspensions will be notated on academic transcripts at the semester level and will include the notation of "Disciplinary Suspension for (term of suspension)" and the date of suspension.
 - c. Suspensions may range from one (1) semester to four (4) semesters.
15. Expulsion. Termination of enrollment at the college. Expulsion is an indefinite sanction and the student will not be allowed to enroll, attend, or visit the college campus(es) in the future. This sanction will remain on the students' file indefinitely and will be reported on the students' transcript.
- a. Disciplinary Expulsions will be notated at the bottom of the transcript and will include the initial date of expulsion.
16. Revocation of degree. A degree awarded from NWACC may be revoked for violations committed by a student prior to graduation.

Educational

- 8. Co-curricular education. An assignment to complete a specific educational requirement directly related to the violation committed, such as completion of a sexual harassment workshop, a diversity awareness workshop, essays, reports, reflective papers, journals, etc.
- 9. Attendance at a mediation meeting.
- 10. Community Service. Completion of a specified number of hours of approved community or college service. The student is permitted to complete a portion of the hours through academic initiatives such as attending programs with the Career Development, tutoring sessions, etc., but must be verified by a College Faculty or Staff member.
- 11. A conduct review which requires the student to meet with a college official for a specific period of time.
- 12. Mandatory professional counseling. The Student is required to seek professional counseling and is required to comply with the professional recommendation(s) of the mental health professional. It is expected that the student will actively engage in this process.
- 13. Educational Conversation with college official.
- 14. Alcohol and/or Drug Assessment. The Student is required to complete a mandatory Alcohol and/or Drug Assessment through a licensed professional mental health practitioner who is licensed or certified by the State of Arkansas. The student is required to comply with the prescribed course of treatment. The selection of the practitioner is the choice of the student and will be paid for by the student. The student must submit documentation of completion of both the assessment and the prescribed course of treatment.

More than one sanction may be imposed for any single violation.

Possible Sanctions for Employees

If the Responding Party is an NWACC employee and he/she has been found responsible for discrimination, harassment, and/or sexual misconduct, the Vice President for the appropriate division of the complaint, will impose appropriate sanctions for the violation, after consultation with the Title IX Team, Dean and/or Director of the appropriate division, and/or the Title IX Deputy for Human Resources.

Any employee who is found responsible for violating NWACC's Title IX Policy may be subject to corrective action and appropriate sanctions pursuant to this policy. Sanctions may include, but are not limited to:

10. Verbal or Written Warning
11. Documented educational conversation
12. Suspension of duties, including leave with or without pay
13. Change of assigned work duties and/or change of assigned work supervisor
14. Probation with warning to terminate employment
15. Termination
16. Loss of annual pay increase
17. Revocation of tenure
18. Additional Training

More than one sanction may be imposed for any single violation. Employees Code of Conduct is also regulated under NWACC Policy 5007.1 – Employee Code of Conduct and Ethics Compliance.

Appeals Process Following an Investigation

Both the Reporting Party and the Responding Party have a right to appeal the findings set out in the Investigation.

In the event that the Reporting Party or Responding Party rejects the findings in part or in their entirety, the person may seek an appeal by contacting the Title IX Deputy within five (5) business days following receipt of the written letter of Determination.

- *Reporting Party:* If the Conduct Review Board's final report concludes that the Responding Party did not violate a policy that the Reporting Party believes the Responding Party violated, the Reporting Party has five (5) business days from receiving written notice of the Final Report to submit a written appeal. If the Responding Party has been found responsible for one or more policy violations, but not others, the Reporting Party may submit a written appeal within five (5) calendar days of notice of the sanction.
- *Responding Party:* If the Conduct Review Board's final determination is that the Responding Party is responsible for violating one or more policies, the Responding Party has five (5) calendar days from receiving written notice of the sanction to submit a written appeal.

It is the responsibility of the individual(s) who is requesting the Appeal to contact the Title IX Deputy assigned to the case, the Director of Student Conduct, and/or the Title IX Coordinator, in writing or electronically, within five (5) business days of being issued the findings of the Investigation. This request can be sent via NWACC issued email only, hand delivered, or delivered via campus mail. It is the

responsibility of the individual who is requesting the Appeal to ensure that delivery and receipt of the written request is received by the intended individual or office. The written appeal must state the reason for the appeal request. An email confirmation regarding the receipt of the Appeal will be sent via email to the NWACC issued email address of the requesting party. We encourage all parties to only use their NWACC issued email address. Any correspondence sent from a personal email account must include NWACC issued ID numbers.

All sanctions imposed by the original investigation outcome will be in effect during the Appeal. A request may be submitted to the Title IX Deputy or designee for special consideration in exigent circumstances, but the presumptive stance of the institution is that the sanctions will stand.

The Title IX Team will be responsible for reviewing all Appeals. During the Appeal, all case notes, interview notes, evidence, written statements, findings, and outcome of the investigation will be admitted. The Title IX Team is not bound by the finding(s) of the Investigation Team. The goal of the Appeal is to provide an equitable resolution via an equitable process, respecting the civil and legal rights of all participants.

The Title IX Team can contact any individual, Reporting Party, Responding Party, and/or witness(es) involved in the case for additional information during this Appeals Process.

If through the formal Appeals Process, the Title IX Team determines a violation has not occurred, the case will be closed.

If through the formal Appeals Process, the Title IX Team determines a violation has occurred, it will recommend that sanctions for the violation be imposed.

Material Procedural or Substantive Error:

If the Title IX team determines that a material procedural or substantive error occurred, the Deputy may return the grievance to the Investigation and Conduct Review Board with instructions to reconvene to correct the error. In rare cases, where the procedural or substantive error cannot be corrected by the Conduct Review Board (as in cases of bias), the Title IX Deputy may, upon advice from the Title IX team, order a new investigation or review of the complaint with new members from the Conduct Review Board. The results of a reconvened hearing cannot be appealed. The results of a new hearing may be appealed.

New Evidence Not Previously Available:

Additional information which was not previously available for the Investigation may be submitted by either party involved in the case. It is the responsibility of each individual to explain and justify why the information was not available during the initial Investigation. The new evidence must be pertinent to the complaint originally filed.

If the Title IX team determines that new evidence should be considered, the Deputy will return the grievance to the Conduct Review Board to reconsider only the new evidence. Once the CRB has reviewed

the evidence and reached a resolution, the decision is final and the outcome and/or sanctions cannot be appealed.

Disproportionate Sanctions:

For students, if the Title IX team determines that the sanctions imposed appear to be disproportionate to the severity of the violation, the Title IX Deputy and/or Director of Student Conduct will consult with the Vice President of Student Services, and may then increase, decrease, or otherwise modify the sanctions. This decision is final.

For employees, if the Title IX team determines that the sanctions imposed appear to be disproportionate to the severity of the violation, the Title IX Deputy will refer the complaint to a board composed of three (3) cabinet officers, which may then increase, decrease or otherwise modify the sanctions. This decision is final.

Procedures Governing the Hearing of Appeals:

The appeal procedure and determination will typically be completed within 20 business days. The procedures governing the hearing of appeals include the following:

- Sanctions imposed are implemented immediately unless the party determining the sanction stays their implementation in extraordinary circumstances, pending the outcome of the appeal.
- All parties should be informed in a timely manner of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision;
- Appeals are not intended to be full re-hearings of the complaint, with the exception of substantiated cases of bias. In most cases, appeals are confined to a review of the written documentation or record of the original investigation, and pertinent documentation regarding the grounds for appeal;
- The Title IX Coordinator and/or the Chair of the Conduct Review Board will render a written decision on the appeal to all parties within seven (7) business days, or as soon as possible thereafter from hearing of the appeal.

NWACC will act to end the discrimination or harassment, prevent its recurrence, and remedy its effects on the person(s) who filed the complaint and on the NWACC community.

COMPLAINT AND GRIEVANCE PROCESS PROVISIONS

Time Periods

All effort will be made to make a determination in no more than 60 calendar days of filing a formal complaint/grievance.

For purposes of calculating all time periods set forth in this Complaint and Grievance Policy, a business day is defined to mean normal operating hours, Monday through Friday, excluding recognized national and state holidays and NWACC closings.

Timelines may be modified in cases where information is not clear, judged to be incomplete, relevant parties are not available for interview, and/or other related circumstances as may arise. In the event that this step is necessary, the Title IX Coordinator or his or her respective deputies will notify the reporting party who filed the grievance in writing within the set timeline.

No Retaliation

Retaliation against any person, who in good faith, exercises his/her rights or responsibilities to file a complaint of discrimination, participates in an investigation, or opposes a discriminatory employment or educational practices or policies, under any provision of federal or state law, including Title IX, Title VII, and the VAWA or this policy, is strictly prohibited by NWACC policy, and federal and state law. Retaliation against a Reporting Party, alleged victim (if different from the Reporting Party), Responding Party, any witness and/or any member of the college Title IX Team, process and Conduct Review Board or assigned investigator, is, in itself, a violation of College policy and the law, and is a serious separate offense. Retaliation includes intimidating, threatening, coercing, and/or in any way discriminating against any person or group for exercising rights under these procedure. Retaliation may be present even where there is a finding of “Not Responsible” on the alleged violation of policy. The Office of Student Conduct and/or Dean of Students Office, and/or the Office of Human Resources may address reports of retaliation informally through consultation or educational conversation, or remand the case to the Conduct Review Board for resolution. A person who believes retaliation has occurred should notify the Title IX and/or Title IX Deputy as soon as possible.

False Reports

NWACC will not tolerate intentional false reporting of incidents. It is a violation of the *Codes of Conduct* governing NWACC to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws.

Integrity of Proceeding

These procedures are entirely administrative in nature and are not considered legal proceedings, but rather procedures designed to address policy violations. Neither party may audio or video record the proceedings. Advisors may not speak for, or on behalf of, Parties.

Consolidation of Investigations

The college has the discretion to consolidate into one Investigation multiple reports against a Responding Party and/or cross-complainants between a Reporting Party and a Responding Party, if the evidence related to each incident would be relevant and probative in reaching a determination on the other incident. Matters may be consolidated where they involve multiple Reporting Parties, multiple Responding Parties, or related conduct that would regularly have been heard under the Code of Student Conduct.

Advisor of Choice

All persons who are a Reporting Party or a Responding Party to this grievance process are permitted to bring an Advisor of their own choosing, including a family member or an attorney, to provide support. The Advisor may accompany the Party to any and all portions of the grievance process. The Advisor may not participate directly in, or interfere with, the proceedings. Although reasonable attempts will be made to schedule proceedings consistent with advisors availability, the process will not be delayed to schedule the proceedings at the convenience of the Advisor. The Investigator and/or Conduct Review Board has the discretion to remove the Advisor from the proceedings if the Advisor interferes with the proceedings.

Training

The College provides training to all individuals within the community who are involved in responding to, investigating, or resolving reports of prohibited conduct. If the College retains an individual outside the community to respond to, investigate, or resolve reports of prohibited conduct, the College requires the retained individual has received adequate training consistent with the College's standards.

Past Sexual History

In general, a Reporting Party's prior sexual history is not relevant and will not be provided to the Investigator or Conduct Review Board. Where there is a current or ongoing relationship between the Reporting Party and the Responding Party, and the Responding Party alleges consent, the prior sexual history between the Parties may be relevant to assess the manner and nature of communications between the Parties. As noted in the definition of Consent, however, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Any prior sexual history of the Reporting Party with other individuals is typically not relevant and will not be permitted.

Responding Party's Prior Conduct History

Where there is evidence to substantiate a pattern of conduct similar in nature by the Responding Party, either prior to or subsequent to the conduct in question, regardless of whether there has been a finding of responsibility, this information may be deemed relevant and included to the CRB's determination of responsibility, and/or the final determination of sanction. The CRB will make a determination of relevance based on an assessment of whether the previous incident was substantially similar to the conduct cited in the report and indicates a pattern of behavior and substantial conformity with that pattern by the Responding Party. Where there is a prior finding of responsibility for a similar act of prohibited conduct, there is a presumption of relevance and the finding may be considered in making a determination as to responsibility and/or assigning of a sanction.

The Title IX Deputy may choose to provide this information to the Conduct Review Board, with appropriate notice to the Parties. Alternatively, a party may request in writing that information under this section be admitted. A request to admit such information must be submitted to the CRB. The CRB

will assess the relevance of this information and determine if it is appropriate for inclusion in the investigation report.

Failure to Comply with Investigation and Disciplinary Process

If an Advisor fails to comply with the procedures as determined in this document, including through a material breach of confidentiality, the College reserves the right to exclude the advisor from further participation in the process. If a participant(s) fails to comply with the procedures as determined in this document, including through a material breach of confidentiality, the College reserves the right to bring additional charges of misconduct against the participant. The Conduct Review Board is responsible for interpreting and applying this provision.

All parties have the right to choose to not participate in this process, however, the College retains the right to review, investigate, and/or determine outcome(s) and/or sanction(s) in the absence of participation.

Privacy and Confidentiality

The College is committed to protecting the privacy of all individuals involved in the investigation and resolution of reports under this Policy. The College also is committed to assisting students, employees, and third Parties in making informed choices. With respect to any report under this Policy, the College will make reasonable efforts to protect the privacy of participants, in accordance with applicable state and federal law, while balancing the need to gather information to take steps to eliminate prohibited conduct, prevent its recurrence, and remedy its effects.

All College employees who are involved in the College's Title IX response receive specific instruction about respecting and safeguarding private information.

Privacy and confidentiality have distinct meanings under this Policy.

1. Privacy

"Privacy" generally means that information related to a report of prohibited conduct will only be shared with a limited individuals who "need to know" in order to assist in the assessment, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act ("FERPA"), as outlined in the College's FERPA policy. The privacy of an individual's medical and related records may be protected by the Health Insurance Portability and Accountability Act ("HIPAA"), excepting health records protected by FERPA. Access to an employee's personnel records may be restricted by applicable Arkansas State and federal law.

While there are certain limitations on privacy, the College generally will not release the names of the Reporting Party(ies) or Responding Party(ies) to the general public without express written consent or absent another exception consistent with the law. The release of names will be guided

by applicable law, including the Family Educational Rights and Privacy Act (FERPA) and the Clergy Act.

In addition, no information shall be released from a proceeding to enforce this Policy except as required or permitted by law and College policy.

2. Confidentiality

“Confidentiality” generally means that information shared by an individual with designated campus or community professionals cannot be revealed to any other individual without the express permission of the individual.

The confidentiality of information shared by an individual with designated campus or community professionals generally is governed by Arkansas State or federal law, including restrictions on disclosure of information by mental health providers, ordained clergy, rape crisis counselors, and attorneys, all of whom have legally protected confidentiality. These individuals are prohibited from breaking confidentiality unless there is an imminent threat of harm to self or others.

An individual who seeks confidential assistance may do so by speaking with professionals who have a legally protected confidentiality. Note, however, that these confidential resources are required by state law to notify child protective services and/or local law enforcement of any report which involves suspected abuse of a minor under the age of 18. Information on NWACC’s Counseling and Wellness Center is listed below:

Counseling & Wellness Center

Personal counseling services are available to students and employees at no cost.

SC 230

479.619.4128

Stephanie Curtis-Henson, L.P.C., L.A.D.A.C

479.619.4064

To Schedule an Appointment:

counseling@nwacc.edu

479.619.4128

Reports Involving Minors or Suspected Child Abuse

Under Arkansas law, an individual must make a mandatory report of suspected child abuse and neglect, including sexual assault when that individual, in their professional capacity or within the scope of their employment, has knowledge of, or observes a minor under the age of 18 whom the individual knows or reasonably suspects has been the survivor of child abuse or neglect.

All College employees are required to immediately report any suspected child abuse and neglect to the Child Abuse hotline at 1-800-482-5964. The source of abuse does not need to be known in order to file a report. Reports can be made anonymously.

The College will report all suspected child abuse and neglect, including sexual assault, to law enforcement and/or the Arkansas Department of Human Services. The College must act quickly regarding all reasonable suspicions of sexual or physical abuse. It is not the responsibility of any employee, student, or volunteer to investigate suspected child abuse. This is the role of law enforcement authorities.

In addition to notifying the Title IX Coordinator and Director of Campus Safety, any individual may make a direct report as follows:

- If a child is in immediate danger, call 911.
- If there is no immediate danger, contact the Child Protection Hotline 24 hours a day, 7 days a week, at (800) 482-5964.

Conflict of Interest

Members of the Title IX team and Conduct Review Board (CRB) will notify the Title IX Coordinator or Deputy if they have a direct connection and/or affiliation to any party and/or witness named in the Title IX complaint which may create a conflict of interest.

Office of Civil Rights Complaint

Although reporting parties are encouraged to attempt to resolve complaints pertaining to discrimination by utilizing this Grievance Procedure, they have the right to file a complaint directly with the U.S. Department of Education, Office for Civil Rights (OCR) (Dallas regional office). Information regarding applicable timelines and procedures is available from OCR. You may call 1-800-421-3481 to obtain further information about filing a complaint.

Equal Employment Opportunity Commission

For employment related matters, you may contact the local Equal Employment Opportunity Commission (EEOC) at 820 Louisiana Street, Suite 200, Little Rock, AR 72201. Or by calling 1-800-669-4000.

Notice That Cases Will Not Be Re-Heard

Absent new evidence, NWACC will not re-hear a complaint if the same complaint allegations have been filed by the reporting party against the same responding party with another civil rights enforcement agency of the federal, state or local government or through NWACC's internal complaint procedures, including due process proceedings.

Effective Date

This Complaint and Grievance Policy will be effective upon formal adoption. NWACC reserves the right to make changes and amendments to this policy and procedure as needed, with appropriate notice to

the community. However, the policy in force at the time that the complaint is filed will be the policy used throughout the investigation and adjudication process.

NWACC Title IX Policy and Procedure – Definition of Terms:

DEFINITION OF TERMS

Reporting party: Any party who makes a complaint/grievance against another student, employee, staff member or campus visitor.

Responding party: The person(s) against whom a complaint has been made.

Definition of Status: A full time employee will be considered as an employee, regardless of student status. A student who is a part-time employee will be considered a student unless the incident under consideration occurred in connection with employment. Allegations of sex discrimination or sexual harassment may require the college to take measures applicable to both student and employees status.

Discrimination (general definition): Actions that deprive members of the community of educational or employment access, benefits or opportunities. Any distinction, preference, advantage for or detriment to an individual compared to others that is based upon an individual’s actual or perceived gender, age, race, color, creed, religion, ancestry, national or ethnic origin, sexual orientation, gender identity, disability, genetic information, military status, veteran status, or familial status that is so severe or pervasive that it unreasonably interferes with or limits a person’s ability to participate in or benefit from the college’s educational programs or activities. There can be no discrimination related to pregnancy, child birth, false pregnancy, termination of pregnancy or recovery.

Discriminatory Harassment: Detrimental action based on an individual’s actual or perceived gender, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, sexual orientation or other protected status that is so severe or pervasive that it unreasonably interferes with or limits a person’s ability to participate in or benefit from the college’s educational programs or activities.

Not all workplace or educational conduct that may be described as “harassment” affects the terms, conditions or privileges of employment or education. For example, a mere utterance of an ethnic, gender-based or racial epithet which creates offensive feelings in an employee or student would not normally affect the terms and conditions of their employment or education.

Sexual Harassment: Sexual Harassment is unwelcome, gender-based spoken, written or symbolic action or physical conduct of a sexual nature that is sufficiently severe or pervasive that it has the effect of unreasonably interfering with, limiting or denying someone the ability to participate in or benefit from the college’s educational programs. It can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal or physical conduct of a sexual nature, such as sexual assault or

sexual violence. The unwelcome behavior may be based on power differentials, the creation of a hostile environment or retaliation. Examples include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious, unwanted sexual attention; to punish a refusal to comply; to condition a benefit on submitting to sexual advances; sexual violence; intimate partner violence; stalking; and gender-based bullying.

Hostile Environment: Any situation in which there is harassing conduct that is sufficiently severe, pervasive and objectively offensive that it alters the conditions of employment or limits, interferes with or denies educational benefits or opportunities, from both a subjective (the alleged victim's) and an objective (reasonable person's) viewpoint.

Quid pro Quo Sexual Harassment: Exists when there are unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature and submission to or rejection of such conduct results in adverse educational or employment action.

Retaliatory Harassment: Any adverse employment or educational action taken against a person because of the person's participation in a complaint or investigation of discrimination or sexual misconduct. Intentional action taken by an accused individual or allied third party, absent legitimate non-discriminatory purposes, that harms an individual as reprisal for filing or participating in a complaint/grievance procedure.

Sexual Harassment of a Student by Another Student: Any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a student toward another student that is so severe or pervasive that it unreasonably interferes with or limits a student's ability to participate in or benefit from the college's educational programs or activities.

Sexual Harassment of a Faculty/Staff Member by a Student/Another Employee/3rd Party

Vendor/Campus Visitor: Any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature directed toward a faculty/staff member that is so severe or pervasive that it unreasonably interferes with employment or living conditions or deprives the individual of employment access or benefits.

Sexual Harassment of a Student by a Faculty/Staff Member/3rd Party Vendor/Campus Visitor:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a faculty or staff member, campus visitor, or vendor/3rd party contractor, toward a student are held to constitute sexual harassment when:

- Submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating an individual's educational development or performance; or
- Such conduct is so severe or pervasive that it unreasonably interferes with or limits a student's ability to participate in or benefit from the college's educational programs or activities.

While a particular interaction must be offensive to both a reasonable person and to the victim to be defined as harassment, faculty or staff members and other persons of authority should be sensitive to

questions about mutuality of consent that may be raised and to the conflict of interests that are inherent in personal relationships that result from professional and educational interactions.

Harassment is particularly damaging when it exploits the educational dependence and trust between students and faculty/staff. When the authority and power inherent in faculty/staff relationships with students, whether overtly, implicitly, or through misinterpretation, is abused in any way, there is potentially great damage to the individual student, to the accused individual, and to the climate of the institution. For example, a professor attempts to coerce an unwilling student into having sex with him/her in exchange for a good grade or some other benefit. This is harassment regardless of whether the student accedes to the request and regardless of the student's final grade.

Non-Consensual Sexual Contact: Non-consensual sexual contact is any intentional sexual touching, however slight, with any object by any person upon any person that is without consent and/or by force.

Sexual Contact includes:

- Intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

Non-Consensual Sexual Intercourse: Non-consensual sexual intercourse is any sexual intercourse however slight, with any object by a man or woman upon a man or a woman that is without consent and/or by force.

Intercourse includes:

- vaginal penetration by a penis, object, tongue or finger
- anal penetration by a penis, object, tongue, or finger
- oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact

Sexual Exploitation: Occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses.

Examples of sexual exploitation include, but are not limited to:

- invasion of sexual privacy;
- prostituting another person;
- non-consensual video or audio-taping of sexual activity;

- going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
- engaging in voyeurism;
- knowingly transmitting an STI or HIV to another person; or
- exposing one's genitals in non-consensual circumstances or inducing another to expose his or her genitals.

Sexually-based stalking and/or bullying may also be forms of sexual exploitation.

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, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.

- In order to give effective consent, one must be at least 16 years old.
- Sexual activity with someone known to be mentally or physically incapacitated, or based on the circumstances, someone who could reasonably be known to be mentally or physically incapacitated, constitutes a violation of this policy.
 - Incapacitation is a state where someone cannot make rational, reasonable decisions because the person lacks the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of the sexual interaction). Alcohol or other drug use, unconsciousness or blackout is an example of incapacitation.
 - 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, Burundanga, etc. is prohibited, and administering one of these drugs to another person is a violation of this policy. More information on these drugs can be found at <http://www.911rape.org/>
- Use of alcohol or other drugs will never function as a defense to a violation of this policy.
- Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
- Current or previous dating or sexual relationships or prior consent cannot imply consent to future sexual acts.

Force: 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 For example: “Have sex with me or I’ll hit you. Okay, don’t hit me; I’ll do what you want.”

- 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. NOTE: There is no requirement that a party resist the sexual advance or request, but resistance is a clear demonstration of non-consent.

Domestic Violence: A pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

Domestic violence can happen to anyone regardless of race, age, sexual orientation, religion, or gender. Domestic violence affects people of all socioeconomic backgrounds and education levels. Domestic violence occurs in both opposite-sex and same-sex relationships and can happen to intimate partners who are married, living together, or dating.

Domestic violence victims by Arkansas Law are defined as “family or household members.” Arkansas defines “family or household members” as current or former spouses; parents and children; persons related by blood; a child living in the household; persons who currently or previously lived together; people who have a child together; and persons who currently or formerly were in a dating relationship.

Dating Violence: A pattern of assaultive and controlling behaviors that one person uses against another in order to gain or maintain power and control in the relationship. It is physical, sexual, or psychological/emotional violence within a dating relationship and can occur in person or electronically by a current or former dating partner. Other terms used include relationship abuse, intimate partner violence, relationship violence, dating abuse, domestic abuse, domestic violence, and stalking.

Stalking: A pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear for his or her safety or the safety of others and/or suffer substantial emotional distress.

Gender Identity: Refers to one’s sense of oneself as male, female or transgender. When one’s gender identity and biological sex are not congruent, the individual may identify as transgender or another non-binary category.

Sexual Orientation: Refers to the sex of those to whom one is sexually and romantically attracted. Categories of sexual orientation typically have included attraction to members of one’s own sex (gay men or lesbians), attraction to members of the other sex (heterosexuals), and attraction to members of both sexes (bisexuals). While these categories continue to be widely used, research has suggested that sexual orientation does not always appear in such definable categories and instead occurs on a continuum.

NWACC's Statement of Non-Discrimination

Recognition of and respect for the dignity of each human being are central to our mission of learning for living. Discrimination, harassment, or any other conduct that diminishes the worth of a person is incompatible with our fundamental goal of serving and strengthening the community.

NorthWest Arkansas Community College (NWACC) adheres to all federal and state civil rights laws banning discrimination in publicly-funded institutions. NWACC does not discriminate on the basis of gender, age, race, color, creed, religion, ancestry, national or ethnic origin, sexual orientation, gender identity, disability, genetic information, military status, veteran status, familial status, or any other protected category under applicable local, state, or federal law, ordinance or regulation, including protections for those opposing discrimination or participating in any complaint process. Sexual harassment, which includes acts of sexual violence, is a type of sex discrimination prohibited under Title IX of the Education Amendments of 1972.

For more information or to report allegations of discrimination in employment, contact: Beverly Hill, Employee Relations Manager, Burns Hall 1128, 479-619-2679 or email bhill3@nwacc.edu

For more information or to report allegations of discrimination or disability grievances regarding students under ADA/Section 504 contact: Justin White, 479-619-4123 or jwhite35@nwacc.edu.

For sexual harassment/sex discrimination under Title IX, contact: Teresa A. Taylor, IX Coordinator, Center for Health Professions 3048, 479-619-4188 or ttaylor19@nwacc.edu, titleix@nwacc.edu.

Noticia de la Póliza de No Discriminación

El reconocimiento de y el respeto por la dignidad de cada ser humano son fundamentales para nuestra misión de aprendizaje para la vida. Discriminación, acoso o cualquier otra conducta que disminuya el valor de una persona es incompatible con el objetivo fundamental de servir y fortalecer a la comunidad.

NorthWest Arkansas Community College (NWACC) observa toda ley y derecho civil federal y estatal que prohíbe la discriminación en toda institución financiada por el público. NWACC no discrimina en base a género, edad, raza, color, credo, religión, ascendencia, origen nacional o étnico, orientación sexual, identidad de género, discapacidad, información genética, estatus militar, condición de veterano, condición familiar o cualquier otra categoría protegida bajo la ley local, estatal o federal aplicable, ordenanza o reglamento, incluyendo protecciones para oponerse a la discriminación o para participar en cualquier proceso de queja. El acoso sexual, que incluye actos de violencia sexual, es un tipo de discriminación sexual prohibida bajo el título IX de las Enmiendas de Educación de 1972.

Para mayor información o para hacer una denuncia de discriminación en el empleo, comuníquese con: Beverly Hill, Employee Relations Manager, Burns Hall 1128, 479-619-2679 or bhill3@nwacc.edu

Para mayor información o para hacer denuncia de discriminación con respecto a un/una ADA/504, comuníquese con: Justin White, 479-619-4123 or email: jwhite35@nwacc.edu.

Para mayor información o para hacer una denuncia de discriminación con respect el Titulo IX, comuníquese con: Teresa A. Taylor, IX Coordinator, Center for Health Professions 3048, 479-619-4188 or email: ttaylor19@nwacc.edu, titleix@nwacc.edu.

Addendum “C” - - Rights of Reporting Party/Victim

STATEMENT OF THE RIGHTS OF REPORTING PARTY/VICTIM

- The right to be treated with respect by college officials;
- The right to investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith to college administrators;
- The right to have an advisor or advocate to accompany and assist in the campus investigation and/or Appeal process. This advisor can be anyone, including an attorney (provided at the Reporting Party’s own cost), but the advisor may not take part directly in the investigation and/or Appeal itself, though they may communicate with the Reporting Party as necessary. The college should be notified five (5) business days in advance of the investigation if an advisor or advocate will accompany the Reporting Party.
- The right not to be discouraged by college officials from reporting harassment and/or an assault to both on-campus and off-campus authorities;
- The right to be informed in a timely manner of the outcome and sanction of any disciplinary investigation and/or Appeal involving sexual misconduct, usually within five (5) business days of the end of the conduct investigation and/or Appeal ;
- The right to be informed by college officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by campus authorities in notifying such authorities, if the Reporting Party so chooses. This also includes the right not to report, if this is the victim’s desire;
- The right to be notified of available counseling, mental health, and/or student services for victims of sexual assault, both on campus and in the community;
- The right to notification of options and assistance for changing academic or employment situations after an alleged sexual assault incident. These changes will be made if they are reasonably available and desired by the victim. No formal complaint, or investigation, campus or criminal, need occur before this option is available. Accommodations may include:
 - Exam (paper, assignment) rescheduling;
 - Taking an incomplete in a class;
 - Transferring class sections;
 - Temporary withdrawal;
 - Alternative course completion options;
 - Alternative work assignments and/or supervisory changes.
- The right not to have irrelevant prior sexual history admitted as evidence in a campus investigation and/or Appeal;
- The right ***not*** to have any complaint of sexual assault mediated (as opposed to adjudicated);
- The right to make a victim-impact statement at the campus conduct proceeding and to have that statement considered by the board in determining its sanction;
- The right to a campus no contact order against another person who has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the complaining person or others;

- The right to have complaints of sexual misconduct responded to quickly and with sensitivity by campus disciplinary officials;
- The right to appeal the finding and sanction of the conduct body, in accordance with the standards for appeal established by the institution;
- The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law;
- The right to be informed of the names of all witnesses who will be called to give testimony, within 48 hours of the investigation and/or Appeal, except in cases where a witness' identity will not be revealed to the accused Responding Party for compelling safety reasons (this does not include the name of the alleged victim/Reporting Party, which will always be revealed);
- The right to preservation of privacy, to the extent possible and allowed by law;
- The right to a conduct process that is closed to the public;
- The right to petition that any member of the Conduct Review Board be removed on the basis of demonstrated bias;
- The right to give testimony in a campus investigation and/or Appeal by means other than being in the same room with the Responding Party;
- The right to ask the investigators to identify and question relevant witnesses, including expert witnesses;
- The right to be fully informed of campus conduct rules and procedures as well as the nature and extent of all alleged violations contained within the complaint;
- The right to be present for all testimony given and evidence presented before the conduct body;
- The right to have complaints heard by conduct and appeals officers who have received annual sexual misconduct training;
- The right to conduct boards comprised of representatives of both genders;
- The right to have college policies and procedures followed without material deviation;
- The right to request a case/investigation status update from the Title IX Team, case investigator, and/or Conduct Review Board.
- The right to be informed in advance, when possible, of any public release of information regarding the complaint;
- The right to a fundamentally fair process, as defined by these procedures;
- The right not to have released to the public any personally identifiable information about the Reporting Party, without his or her consent;
- The right to a campus conduct outcome based solely on evidence presented during the conduct process. Such evidence shall be credible, relevant, based in fact, and without prejudice.

Addendum “D” - - Rights of Responding Party/Accused Party

STATEMENT OF THE RIGHTS OF RESPONDING PARTY/ACCUSED PARTY

- The right to be treated with respect by college officials;
- The right to investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith to college administrators against the Responding Party;
- The right to have an advisor or advocate to accompany and assist in the campus investigation and/or Appeal process. This advisor can be anyone, including an attorney (provided at the Responding Party’s own cost), but the advisor may not take part directly in the investigation and/or Appeal itself, though they may communicate with the Responding Party as necessary. The college should be notified five (5) business days in advance of the investigation if an advisor or advocate will accompany the Responding Party.
- The right to be informed in a timely manner of the outcome and sanction of any disciplinary investigation and/or Appeal involving sexual misconduct, usually within five (5) business days of the end of the conduct investigation and/or Appeal;
- The right to be informed of available counseling, mental health, and/or student services, both on campus and in the community;
- The right not to have irrelevant prior sexual history admitted as evidence in a campus investigation and/or Appeal;
- The right to make an impact statement at the campus conduct proceeding and to have that statement considered by the board in determining its sanction;
- The right to have complaints of sexual misconduct responded to quickly and with sensitivity by campus disciplinary officials;
- The right to appeal the finding and sanction of the conduct body, in accordance with the standards for appeal established by the institution;
- The right to review the Reporting Party’s testimony and all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law;
- The right to be informed of the names of all witnesses who will be called to give testimony, within 48 hours of the investigation and/or Appeal, except in cases where a witness’ identity will not be revealed to the Responding Party for compelling safety reasons (this does not include the name of the alleged victim/complainant, which will always be revealed);
- The right to preservation of privacy, to the extent possible and allowed by law;
- The right to a conduct process that is to the public;
- The right to petition that any member of the Conduct Review Board be removed on the basis of demonstrated bias;

- The right to ask the investigators to identify and question relevant witnesses, including expert witnesses;
- The right to be fully informed of the nature, rules and procedures of the campus conduct process and to timely written notice of all alleged violations within the complaint, including the nature of the violation and possible sanctions;
- The right to have complaints heard by conduct and appeals officers who have received annual sexual misconduct adjudication training;
- The right to conduct boards comprised of representatives of both genders;
- The right to have college policies and procedures followed without material deviation;
- The right to request a case/investigation status update from the Title IX Team, case investigator, and/or Conduct Review Board.
- The right to be informed in advance, when possible, of any public release of information regarding the complaint;
- The right to and investigation of the complaint, including timely notice of the investigation date, and adequate time for preparation;
- The right to a fundamentally fair process, as defined in these procedures;
- The right to a campus conduct outcome based solely on evidence presented during the conduct process. Such evidence shall be credible, relevant, based in fact, and without prejudice.