



— ARKANSAS COLLEGES OF —  
**HEALTH EDUCATION**

---

# 2019

Jeanne Clery

Disclosure of Campus Security Policy

Campus Crime Statistics Report

(Statistics for 2016, 2017 & 2018)

&

Annual Fire Safety Report

Prepared by the Office of Police and Security  
Arkansas Colleges of Health Education  
Published October 2019

# Table of Contents

## Contents

Arkansas Colleges of Health Education.....	5
ACHE Mission Statement .....	5
Arkansas College of Osteopathic Medicine .....	5
About ARCOM .....	5
ARCOM Mission Statement .....	5
Clery Act.....	5
Violence Against Women Reauthorization Act of 2013 (VAWA).....	9
ACHE Office of Police and Security .....	10
Reporting Crime and Other Emergencies .....	10
Crime Off-Campus.....	11
Campus Security Authorities (CSA’s) .....	11
Crime Reporting .....	11
Voluntary Confidential Reporting .....	12
Alternatives to Immediately Filing a Police Report.....	12
Daily Crime Log/Crime Notifications.....	12
Campus and Community Notification of Criminal Activity .....	12
Timely Warnings .....	13
Emergency Preparedness .....	13
Emergency Notification .....	13
Campus Facilities Security and Access.....	14
Identification Cards/Badges .....	14
ACHE/ARCOM Weapons Policy.....	15
Alcohol, Tobacco, Drug Free Campus and Workplace Policy.....	15
Health Risks Associated with the Use of Illicit Drugs and Alcohol.....	18
Distribution of Materials.....	19
Program Review .....	19
Safety and Crime Prevention .....	19
ACHE Sexual Harassment, Sexual Assault Polices and Disciplinary Procedures.....	20
Sexual Harassment.....	21
Anti-Harassment Policy.....	22

Other Discriminatory Harassment .....	22
All Students and Employees.....	22
Complaint and Reporting Procedure for Claims of Discrimination or Harassment.....	23
Content of Complaint.....	24
Conduct that Constitutes a Crime.....	24
Domestic Violence, Dating Violence, Sexual Assault and Stalking Prevention.....	24
Sexual Assault, Stalking, Domestic Assault, and Domestic Battery Definitions.....	24
Bystander Intervention .....	29
Personal Safety Tips for Risk Reduction.....	29
Prevention and Awareness Program .....	29
Special Guidance Concerning Complaints of Sexual Violence .....	30
Vendors, Contractors and Third Parties.....	31
Retaliation.....	31
Protecting the Complainant.....	31
Timing of Complaints .....	31
Investigation and Confidentiality.....	31
Resolution .....	31
Bad Faith Complaints .....	32
Campus Sex Crimes Prevention Act.....	32
Missing Student Policy .....	32
Annual Crime Statistics Policy.....	33
Clery Act Reportable Locations.....	34
On-Campus.....	34
On-Campus Student Housing Facilities .....	34
Non-Campus Buildings or Property.....	34
Public Property.....	34
Arkansas Colleges of Health Education On-Campus and Non-Campus Properties .....	34
ACHE Campus Map .....	35
Clery Act Statistics.....	36
Annual Fire Safety Report .....	38
Fire Safety Equipment.....	38
Fire Procedures .....	38
Building Evacuation.....	39

Fire Drills .....	39
Flammable Materials, Explosives, Fireworks and Open Flames .....	39
Fire Log.....	39
Definitions.....	40
APPENDIX A: Campus Security Authorities .....	41

## Arkansas Colleges of Health Education

### ACHE Mission Statement

To educate and train a diverse group of highly competent and compassionate health care professionals; to create health and research support facilities; and to provide healthy living environments to improve the lives of others.

## Arkansas College of Osteopathic Medicine

### About ARCOM

The Arkansas College of Osteopathic Medicine (ARCOM) is the flagship building for the Arkansas Colleges of Health Education (ACHE). ARCOM is the first in a series of projects on the ACHE campus that will seek to promote fitness and health consciousness in our community.

### ARCOM Mission Statement

The mission of the Arkansas College of Osteopathic Medicine (ARCOM) is to educate and train compassionate osteopathic physicians, skilled in the science of patient-centered osteopathic medical care, dedicated to the ethical and social principles of osteopathic profession, committed to lifelong learning, and focused on service to the underserved. The mission will be accomplished at the undergraduate and graduate medical education levels through excellence in teaching, research, service, and scholarly activity.

## Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) is the landmark federal law, originally known as the Campus Security Act, that requires colleges and universities across the United States to disclose information about crime on and around their campuses. The law is tied to an institution's participation in federal student financial aid programs and it applies to most institutions of higher education both public and private. The Act is enforced by the United States Department of Education.

The law was amended in 1992 to add a requirement that schools afford the victims of campus sexual assault certain basic rights, and was amended again in 1998 to expand the reporting requirements. The 1998 amendments also formally named the law in memory of Jeanne Clery. Subsequent amendments in 2000 and 2008 added provisions dealing with registered sex offender notification and campus emergency response. The 2008 amendments also added a provision to protect crime victims, "whistleblowers", and others from retaliation. The most recent amendments were made in 2013 to include regulations contained in the Violence Against Women Reauthorization Act of 2013. The Clery Act requires colleges and universities to:

Publish an Annual Security Report (ASR) by October 1, documenting three calendar years of select campus crime statistics including security policies and procedures and information on the basic rights guaranteed victims of sexual assault. The law requires schools make the report available to all current students and employees, and prospective students and employees must be notified of its existence and given a copy upon request. Schools may comply with this requirement via the internet if required recipients are notified and provided exact information regarding the on-line location of the report.

Paper copies of the ASR should be available upon request. All crime statistics must be provided to the U.S. Department of Education.

To have a public crime log. Institutions with a police or security department are required to maintain a public crime log documenting the "nature, date, time, and general location of each crime" and its disposition, if known. Incidents must be entered into the log within two business days. The log should be accessible to the public during normal business hours; remain open for 60 days and, subsequently, made available within two business days upon request.

Disclose crime statistics. This includes incidents that occur on campus, in unobstructed public areas immediately adjacent to or running through the campus and at certain non-campus facilities including Greek housing and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement and other school officials who have "significant responsibility for student and campus activities." The Clery Act requires reporting of crimes in seven major categories, some with significant sub-categories and conditions:

1. Criminal Homicide:
  - a. Murder & Non-negligent manslaughter
    - The willful (non-negligent) killing of one human being by another.
  - b. Negligent manslaughter
    - The killing of another person through gross negligence, which is defined as the intentional failure to perform a manifest duty in reckless disregard of the consequences as affecting the life or property of another.
2. Sex Offenses:
  1. Forcible
    - Defined as any sexual contact 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.
  2. Non-Forcible
    - Defined as unlawful, non - forcible sexual intercourse.
3. Robbery:

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

4. Aggravated Assault:

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

5. Burglary, where:

1. There is evidence of unlawful entry (trespass), which may be either forcible or not involve force.

2. Unlawful entry must be of a structure - having four walls, a roof, and a door.
3. There is evidence that the entry was made in order to commit a felony or theft.

6. Motor Vehicle Theft:

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

7. Arson:

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

Schools are also required to report statistics for the following categories of arrests or referrals for campus disciplinary action (if an arrest was not made):

Liquor Law Violations:

Defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages. Does not include driving under the influence and drunkenness.

1. This involves the violation of laws or ordinances prohibiting:
  - a. Manufacture, sale, transporting, furnishing, possessing of intoxicating liquor
  - b. Maintaining unlawful drinking places
  - c. Bootlegging
  - d. Operating a still
  - e. Furnishing liquor to a minor or intemperate person
  - f. Underage possession
  - g. Using a vehicle for illegal transportation of liquor
  - h. Drinking on a train or public conveyance
  - i. Attempts to commit any of the above
  - j. Drunkenness and DUI are not included in this definition

Drug Law Violations:

Defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

Illegal Weapons Possession:

Defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives,

incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

Hate crimes must be reported by category of prejudice, including race, gender, religion, sexual orientation, ethnicity, and disability. Statistics are also required for four additional crime categories if the crime committed is classified as a hate crime:

1. Larceny/Theft
  - a. The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
    - i. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.
2. Simple Assault
  - a. An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe lacerations, or loss of consciousness.
3. Intimidation
  - a. To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
4. Destruction/Damage/Vandalism of Property
  - a. To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Issue timely warnings about Clery Act crimes which pose a serious or ongoing threat to students and employees.

Institutions must provide timely warnings in a manner likely to reach all members of the campus community. This mandate has been part of the Clery Act since its inception in 1990. Timely warnings are limited to those crimes an institution is required to report and include in its ASR. There are differences between what constitutes a timely warning and an emergency notification; however, both systems are in place to safeguard students and campus employees.

Devise an emergency response, notification and testing policy.

Institutions are required to inform the campus community about a "significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus." An emergency response expands the definition of timely warning as it includes both Clery Act crimes and other types of emergencies (i.e., a fire or infectious disease outbreak). Colleges and universities with and without on-campus residential facilities must have emergency response and evacuation procedures in place. Institutions are mandated to disclose a summary of these procedures in

their ASR. Additionally, compliance requires one test of the emergency response procedures annually and policies for publicizing those procedures in conjunction with the annual test.

Compile and report fire data to the federal government and publish an annual fire safety report.

Similar to the ASR and the current crime log, institutions with on-campus housing must report fires that occur in on-campus housing, generate both an annual fire report and maintain a fire log that is accessible to the public.

Enact policies and procedures to handle reports of missing students.

This requirement is intended to minimize delays and confusion during the initial stages of a missing student investigation. Institutions must designate one or more positions or organizations to which reports of a student living in on-campus housing can be filed if it's believed that student has been missing for 24 hours.

## Violence Against Women Reauthorization Act of 2013 (VAWA)

As of 2013, schools are also required to report statistics related to:

1. Domestic violence means a felony or misdemeanor crime of violence committed by:
  - A current or former spouse or intimate partner of the victim,
  - A person with whom the victim shares a child in common,
  - A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
  - A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies [under the VAWA],
  - 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
2. Dating violence means violence committed by a person:
  - Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
  - Where the existence of such a relationship shall be determined based on a consideration of the following factors:
    - The length of the relationship;
    - The type of the relationship; and
    - The frequency of interactions between the person involved in the relationship.
3. Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
  - Fear for his or her safety or the safety of others; or
  - Suffer substantial emotional distress.

**If you believe you are a victim of any of these situations you can and should seek out help and assistance from the following agencies:**

Contact Information:

ACHE Office of Police and Security (479) 308-2222

Fort Smith Police Department	(479) 709-5000
Barling Police Department	(479) 452-1550
Sebastian County Sheriff's Office	(479) 783-1051

## ACHE Office of Police and Security

The ACHE Office of Police and Security is dedicated to providing professional service and protection to the students, faculty, staff and visitors of its campus. The ACHE Office of Police and Security employs full-time certified officers who are law enforcement officers of the State of Arkansas and are professionally trained and certified through the Commission on Law Enforcement Standards and Training. ACHE officers carry weapons and have full investigative and arrest authority on the campus, contiguous streets and highways, and throughout the state of Arkansas, when conducting official business of the College pursuant to A.C.A. §25-17- 305.

All ACHE officers have the authority to enforce orders of protection, no contact orders and similar lawful orders issued by a criminal, civil, or tribal court, when necessary to protect the safety of the campus community.

All ACHE officers have the authority to ask persons for identification and to determine whether individuals have business at the college. ACHE officers have the responsibility and authority to investigate suspicious persons or circumstances on the ACHE campus. ACHE officers have arrest authority and may make arrests or issue a summons for traffic or criminal violations, which are referred to the City or County Prosecutor. The ACHE Office of Police and Security maintains a close working relationship with the Fort Smith Police Department, Barling Police Department and the Sebastian County Sheriff's Office.

## Reporting Crime and Other Emergencies

The responsibility to report crime or other emergencies lies with every member of the Arkansas Colleges of Health Education community. Students, faculty, staff, and guests should report all crimes, emergencies, or violations of college policies to the appropriate authorities. If a serious crime or emergency is witnessed or suspected, dial 9-1-1 immediately. If possible, the ACHE Office of Police and Security Office should be contacted as well at (479) 308-2222.

The Sebastian County Sheriff's Department, Fort Smith Police Department, Barling Police Department and/or ACHE officers will respond as quickly as possible to any request for assistance. Response time is based on current activity and the severity of the call. Crimes in progress have a higher priority than other types of calls. Certain crimes may also be reported to the Student Affairs Office (479) 308-1161, or to any individual designated as Campus Security Authority with whom the student is comfortable talking to about the crime. Members of the ACHE community are reminded it is important to report incidents immediately so an investigation can be conducted promptly and evidence preserved.

It is important to quickly and accurately report crime, no matter where it occurs. If a crime is not promptly reported, evidence can be lost and/or a suspect could get away. If a crime is not accurately reported, leads could be missed and an investigation could head the wrong direction. If one witnesses a

crime or emergency, it should be immediately reported to the Fort Smith or Barling Police Department and/or the ACHE Office of Police and Security. The investigation can only be as good as the information received.

ACHE Police officers are primary responders to any emergency or criminal situation on campus. Direct radio and telephone communications with local police, fire, and emergency medical services ensures that campus officers can initiate and direct necessary emergency responders to any campus area.

## Crime Off-Campus

The ACHE Office of Police and Security maintains a working relationship with the Fort Smith and Barling Police Departments in reference to obtaining statistics for crimes that occur on the campus that may have been reported to their departments and not to the Office of Police and Security or off-campus in the vicinity of the campus. ACHE officers may respond and make proper documentation of any incident for Annual Security Report purposes.

## Campus Security Authorities (CSA's)

“Campus Security Authority” is a Clery-specific term that encompasses four groups of individuals and organizations associated with an institution.

- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security.
- Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution. If someone has significant responsibility for student and campus activities, he or she is a campus security authority. For a complete list of ACHE Campus Security Authorities, see the list in Appendix A of this report.

## Crime Reporting

To report a crime, call the ACHE Office of Police and Security at (479) 308-2222, or visit the Security Office on the lower level of the ARCOM Building, Room #137. You may also contact a campus CSA to report a crime or request assistance with notifying law enforcement.

To report a life-threatening emergency to the Fort Smith Police Department or the Barling Police Department, call 9-1-1.

Criminal activity or security incidents should be reported immediately to the ACHE Office of Police and Security.

## Voluntary Confidential Reporting

If you are the victim of a crime and do not wish to pursue action within the ACHE system or the criminal justice system, you may still wish to consider making a confidential report. With your permission, a Campus Security Authority can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, ACHE can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

The ACHE Office of Police and Security encourages anyone who is the victim or witness to any crime to promptly report the incident to law enforcement or a Campus Security Authority. However, because police reports are public records under state law, law enforcement cannot hold reports of crime in confidence once an investigation is closed. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to ACHE campus security authorities as identified above. All reports submitted on a confidential or anonymous basis are evaluated for purposes of issuing a campus-wide “timely warning” as well as inclusion in the annual crime statistics.

## Alternatives to Immediately Filing a Police Report

- Report the crime at a later date to law enforcement.
- File a complaint to the Dean of Students. This type of complaint may be used for actions which include on-campus disciplinary proceedings.
- Make an anonymous report to the police.
- Make a complaint to the Title IX Coordinator.

## Daily Crime Log/Crime Notifications

The ACHE Office of Police and Security maintains a Daily Crime Log in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Members of the campus community can stay informed about criminal incidents at the Arkansas Colleges of Health Education by reading the Daily Crime Log, which is in the Office of Police and Security located in room #137 of the ARCOM Building. The Daily Crime Log and Fire Log is available any time upon request to the Office of Police and Security or during normal business hours at the main entrance reception desk of the ARCOM Building.

## Campus and Community Notification of Criminal Activity

If there are crimes occurring on the ACHE campus that will continue to endanger or affect the campus community, crime notifications/alerts will be published and posted on the campus web site, email, digital bulletin boards, text messages, Lynx Emergency Notification System and in posted print in various locations around campus. The bulletins will allow members of the campus community to know what is currently happening in order to provide better protection. Students and employees can also subscribe to Rave Alert, a free of charge text messaging and e-mail subscription service for notifying the ACHE community of emergency situations and campus closing announcements. Information about resources

concerning safety and security can be obtained by contacting the ACHE Office of Police and Security by phone (479) 308-2222, or by visiting <http://acheedu.org/safety-security/>, or by e-mail at [security@acheedu.org](mailto:security@acheedu.org).

## Timely Warnings

The Office of Police and Security distributes a Timely Warning Notice in various ways dependent upon the circumstances. Timely warnings are generally issued in connection with the following crime classifications: arson, burglary, aggravated assault, criminal homicide, motor vehicle theft, robbery, hate crimes, dating violence, domestic violence, stalking and sex offenses. Timely warnings may also be issued for other crimes as deemed necessary for the safety of the ACHE Campus by the Chief of Police. Once the Office of Police and Security determines that a notice will be issued, the Dean of Students, the Chief of Police and other designees are responsible for ensuring that notices are dispatched to the ACHE campus community utilizing the most feasible method(s) possible. Typically, e-mail and/or text notices will be sent. Warning Notices by cell phones via text messages and e-mails are available. The ACHE Office of Police and Security may also post notices on electronic bulletin boards throughout buildings. In the event a serious crime occurs, the suspect remains at large and there is a potential threat to the campus community, specific messages called ACHE Alerts and Lynx Alerts will be published. ACHE Alerts and Lynx Alerts are also released for natural or manmade disasters, which could affect any significant segment of the campus community. It should be noted that timely warnings issued by ACHE authorities will always withhold the names of victims as confidential.

## Emergency Preparedness

ACHE seeks to prepare for, prevent, respond to, and recover from emergency situations. In conjunction with local first responders, the college is prepared to respond to critical incidents. In case of any type of emergency, individuals making the discovery should move to a safe location then contact the ACHE Office of Police and Security at (479) 308-2222 and/or call 9-1-1 using a cell phone or campus phone, pull the fire alarm (in the case of a fire) or take other appropriate emergency actions. Initial civilian responders are asked to not intervene in any crime or dangerous event.

The officers of the ACHE Office of Police and Security should follow standard operating procedures while contacting additional civil authorities (Police Department, Sheriff's Department, Fire Dept., EMS, etc.) as necessary. If the emergency warrants, the officer should also communicate immediately with the Chief of Police who will assess the situation and direct the appropriate college officials to contact and summon other necessary ACHE officials and other resources required to contain and control the emergency. Also, the ACHE Emergency Action Plan can be found at <http://acheedu.org/wp-content/uploads/2018/08/Emergency-Action-Plan-Revised-January-2018.pdf>.

## Emergency Notification

It is the policy of the Arkansas Colleges of Health Education to issue Emergency Notification Alerts (Rave & Lynx Alerts) about immediate emergencies on and around the campus. When a report of a potential emergency or dangerous situation occurs, appropriate college personnel will respond in order to assess the situation. If it is determined that an emergency or other dangerous situation involving an immediate threat to the health or safety of students or others on campus exists, immediate notification of the

emergency or dangerous situation will be made to the campus community. Usually, such notification will be made by using the College's Rave and/or Lynx Alert notification system.

Notification may be accomplished using a variety of messaging methods that include text, telephone, and email. ACHE personnel authorized to issue such notifications will use their discretion to determine the specific method of notification. Upon confirmation of an emergency or dangerous situation, the Chief of Police, the Dean of Students, the President of the college, and/or their designee(s) are responsible for consulting on a case-by-case basis when information in the form of an alert is disseminated. The notification will be made without delay. Notification will only be withheld if in the professional judgment of responsible authorities, doing so would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

If the emergency information needs to be disseminated outside of the campus community, this will be accomplished utilizing various methods, which may include the college website, telephone information line, and/or by communicating with local news agencies. Campus evacuation and storm shelter information may be found in the ACHE Emergency Action Plan at <http://acheedu.org/wp-content/uploads/2018/08/Emergency-Action-Plan-Revised-January-2018.pdf>.

Evacuation route maps are posted in hallways throughout the ARCOM building. A test of the Lynx Alert notification system is conducted once per month. The test is conducted through the college's information network system.

## Campus Facilities Security and Access

The Arkansas Colleges of Health Education is a private institution that allows controlled access for the general public during normal business hours. With the exception of essential personnel and as designated, access to the ARCOM building, offices and facilities are locked and access permitted only with proper authorization and identification. The responsibility for securing campus buildings and offices rests primarily with the Office of Police and Security.

In order to protect the safety and welfare of students and employees of ACHE and to protect the property of ACHE, all persons on the property under the jurisdiction of ACHE behaving in a suspicious manner will be asked to identify themselves. A person identifies himself/herself by giving their name, complete address, and stating truthfully his or her relationship with the college. A person may be asked to provide proof of identification which is subject to verification.

If any person refuses or fails to present evidence of identification or is found to have no legitimate reason to be on the campus or in the building, the person will be asked to leave and may be removed from the building or campus.

Persons who behave in a suspicious manner or are involved in suspicious activities, should be reported immediately to the Office of Police and Security.

## Identification Cards/Badges

Identification cards are required for employees, students and visitors. ID cards are issued during normal business hours in the Office of Information Systems & Technology. Employees and students must complete required paperwork and provide a form of picture identification to obtain a college ID card.

ACHE issued ID badges must be worn and displayed at all times while on campus or in ACHE facilities. Badges should be worn in plain view and should not be defaced or obscured in any way. Employees and students must report any lost, found, or stolen card immediately to their supervisor and/or the Office of Police and Security. Cards cannot be duplicated or loaned to anyone. Any employee or student found in violation of this policy will be subject to disciplinary action. ID Cards must be returned upon termination of employment. Temporary visitor badges are issued at the main reception desk in the ARCOM building.

## ACHE Weapons Policy

ACHE is committed to providing a safe, healthy learning and working environment and to making adequate provisions for the safety and health of its students, staff, faculty and the public and will not permit its students or employees, as well as visitors, to act in ways that may endanger themselves or others.

The possession, carrying, storage or use of any handgun, firearm or weapon is prohibited on any property owned or controlled by ACHE, except when specifically authorized by the President to maintain the safety and security of the ACHE students, faculty and staff. This policy also covers employees of ACHE while they are on duty or while they are operating ACHE vehicles/equipment or operating personal vehicles for ACHE purposes. Individuals are permitted to carry mace, pepper spray and pocketknives with blades no longer than four (4) inches as long as they are stored in a pocket, purse, briefcase or other personal belongings.

ACHE reserves the right, based upon reasonable suspicion of a violation of this policy, to search an office, desk, and other property under the control of the visitor, student, or employee, as well as the packages, purses, lunch boxes, briefcases, and students' or employees' vehicles parked on its premises. Individuals may also be required to remove a jacket or sweater and to turn out their pockets. Reasonable suspicion sufficient to justify a search may be based on a clear and reasonable belief, through observation or information provided by a reliable and credible source, that an employee is in violation of this policy. Searches of ACHE property under the control of the visitor, student, or employee are subject to being conducted without notice, once the reasonable suspicion standard has been met. Violation of this policy may result in disciplinary action, up to and including expulsion or termination.

## Alcohol, Tobacco, Drug Free Campus and Workplace Policy

ACHE supports the Drug-Free Workplace Act of 1988 (Public Law 100-690) and the Drug-Free Schools and Communities Act of 1989, and the Arkansas Clean Indoor Air Act of 2006.

It is the policy of ACHE to maintain and promote a safe and healthy environment for its students and employees. Therefore, the College policy prohibits the use, manufacture, possession, distribution, or dispensing of drugs, ("controlled substances" as defined in the Controlled Substance Act, 21 U.S.C. 812) alcohol, or tobacco products and vapor products on College property which is used for academic purposes or during College activities by its students, staff, or faculty, regardless of the type of employment. This policy is in effect 24 hours a day, year-round. ACHE will not condone criminal activity on its property, or on property under its direct control, and will take appropriate personnel action up to and including termination or required participation in a drug abuse assistance or rehabilitation program. It is also a violation of this policy to report to work under the influence of drugs or alcohol. Violation of this policy constitutes grounds for disciplinary action including termination.

Federal and state laws provide additional penalties for such unlawful activities, including fines and imprisonment (21 U.S.C., 84 et seq, Ark. Code. Ann. §5-64-401). Local ordinances also provide various penalties for drug and alcohol-related offenses. A list of state or federal penalties for alcohol and drug violations may be viewed at <http://www.dea.gov> or <http://www.arkleg.state.ar.us>. The College is bound to take all appropriate actions against violations, which may include arrest, referral for legal prosecution or requiring the individual to participate satisfactorily in an approved alcohol, tobacco, or drug abuse assistance or rehabilitation program. Students may receive alternate or additional sanctions for violations of drug or alcohol related offenses. For additional information, see the “Complaints Regarding Student Misconduct” section of the ACHE Student Handbook & Academic Catalog. A student who has been convicted of any offense under any Federal or State law involving the possession or sale of a controlled substance shall not be eligible to receive any grant, loan, or work assistance under the 1998 Amendments to the Higher Education Act of 1965 during the period beginning on the date of such conviction and ending after the interval specified in the following table.

(<https://www2.ed.gov/policy/highered/leg/hea98/sec483.html>):

If convicted of an offense involving:

The possession of a controlled substance:

Ineligibility period is:

- 1<sup>st</sup> offense - 1 year
- 2<sup>nd</sup> offense - 2 years
- 3<sup>rd</sup> offense - indefinite

The sale of a controlled substance:

Ineligibility period is:

- 1<sup>st</sup> offense - 2 years
- 2<sup>nd</sup> offense - Indefinite

### Penalties for Common Drug and Alcohol Related Offenses

- Public Intoxication
  - A person commits the offense of public intoxication if he or she appears in a public place manifestly under the influence of alcohol or a controlled substance to the degree and under circumstances such that the person is likely to endanger himself or herself or another person or property; or the person unreasonably annoys a person in his or her vicinity. Public intoxication is a Class “C” misdemeanor which can result in a fine up to \$100 and incarceration up to 30 days.
  - For additional information, see Arkansas Code Annotated § 5-71-212 and related statutes.
- Minor in Possession of Alcohol
  - It is unlawful for any person under 21 years of age to purchase or have in his or her possession any intoxicating liquor, wine, or beer. For the purposes of this section, intoxicating liquor, wine, or beer in the body of a person under 21 years of age is deemed to be in his or her possession. A person 18 years of age or older violating this section is guilty of a violation and upon conviction shall be subject to a fine of not less than \$100 nor more than \$500 and suspension of driver’s license for 60 days.

- For additional information, see Arkansas Code Annotated § 3-3-203 and related statutes.
- **Driving While Intoxicated**
  - It is unlawful for a person who is intoxicated to operate or be in actual physical control of a motorboat on the waters of this state or a motor vehicle.
  - It is unlawful for a person to operate or be in actual physical control of a motorboat on the waters of this state or a motor vehicle if at that time the alcohol concentration in the person's breath or blood was 0.08 or more based upon the definition of alcohol concentration in § 5-65-204.
  - A person who pleads guilty or nolo contendere to or is found guilty of violating § 5-65-103 shall be fined no less than \$150 and no more than \$1,000 for the first offense; no less than \$400 and no more than \$3,000 for the second offense occurring within 5 years of the first offense; and no less than \$900 and no more than \$5,000 for the third or subsequent offense occurring within 5 years of the first offense.
  - A person who pleads guilty or nolo contendere to or is found guilty of violating § 5-65-103, for a first offense, is upon conviction guilty of an unclassified misdemeanor and may be imprisoned for not less than 24 hours but no more than 1 year; or 7 days but no more than one 1 year if a passenger under 16 years of age was in the motor vehicle or motorboat at the time of the offense.
  - For additional information, see Arkansas Code Annotated § 5-65-103 and related statutes.
- **Possession of a Controlled Substance**
  - It is unlawful for a person to possess a controlled or counterfeit substance. Penalties for violations of this statute could be up to a \$15,000 fine and up to 40 years imprisonment, depending on the type and amount of controlled substance.
  - For additional information, see Arkansas Code Annotated § 5-64-419 and related statutes.

With the approval of the ACHE President in advance, alcohol or tobacco products may be permitted for special events or circumstances. Alcoholic beverages for personal consumption by students over the age of 21 is allowed in student housing.

Individuals who are paid by ACHE from federal grants or contracts must notify the College of any criminal drug statute conviction for a violation occurring in the workplace within 5 days after such conviction. An employee who fails to report a conviction may be subject to disciplinary action including termination.

The College is required to notify the appropriate federal contracting or granting agency within 10 calendar days of receiving notification of conviction. The directors of projects receiving external funds through grants or contracts shall be responsible for notifying the funding agency (after coordination with the Chief Academic Officer/Dean and obtaining approval from the Office of the President) within 10 days of receiving notice from an employee or otherwise receiving the actual notice of an employee's drug statute conviction for a violation occurring in the workplace.

## Health Risks Associated with the Use of Illicit Drugs and Alcohol

The scope and impact of health risks from alcohol and drug abuse are both alarming and well-documented, ranging from mood-altering to life-threatening, with consequences that extend beyond the individual to family, organizations and society at large. There are physical, emotional, spiritual, social and occupational risks involved with the use of alcohol and drugs. Some of the physical health risks of drug use include, but are not limited to, heart problems, infections, malnutrition, convulsions, respiratory paralysis, emphysema, high blood pressure, and possible death. Drug use can also lead to legal problems, financial hardships, and social and occupational difficulties. Some of the physical risks of using alcohol are chronic addiction, blood disorders, brain damage, cirrhosis, hepatitis, heart problems, lung infection and stomach ulcers. Mentally, there may be increased stress, depression, contemplation of suicide, impaired thought process, memory loss, and increased incidents of psychosis.

Additionally, ACHE acknowledges that long-term health hazards may impact individuals who use tobacco products or who are subjected to second-hand smoke. Understanding the addictive nature of tobacco products, ACHE will make every effort to assist those who wish to stop using tobacco.

Employees and their families seeking resources for preventing drug and alcohol abuse as well as treatment information or tobacco cessation programs should contact the EAP (Employee Assistance Program) by calling (800)624-5544 or visiting the EAP website [www.ndbh.com](http://www.ndbh.com). (login code is: acheedu). The EAP is available 24 hours per day, 365 days a year. Information about the service as well as additional assistance may be obtained through the Office of Human Resources.

Students seeking drug or alcohol abuse treatment information or tobacco cessation programs should contact The Guidance Center, 3111 So. 70<sup>th</sup> Street, Fort Smith, AR at (479)452-6650. For Emergency/After Hours call 1-800-542-1031 or contact the Mercy Clinic at 7003 Chad Colley Boulevard, Barling AR 72923, Phone: (479) 431-3500. Students may also seek assistance, treatment or prevention information by utilizing the services of the Student Assistance Program by visiting the SAP website [www.ndbh.com](http://www.ndbh.com) (login code: arcomedu) or calling (800)624-5544. The Student Assistance Program is available 24 hours per day, 365 days a year.

All individuals associated with ACHE shall be responsible for compliance with these policies related to alcohol, tobacco and drugs. It is expected that all faculty, staff, students, contractors, and visitors will voluntarily comply.

The success of these policies, including the promotion of healthy lifestyles and a safe environment will depend on the consideration and cooperation of all. Disciplinary policies applicable to students, faculty, and staff shall be invoked, if necessary, to secure compliance.

Violations of these policies will be enforced in the following manner:

- A. Violations by faculty and staff should be brought to the attention of the employee's supervisor.
- B. Violations by students should be brought the attention of Student Affairs.
- C. Violations by visitors should be brought to the attention of the ACHE Police and Security.

- D. Violations by contractors should be brought to the attention of the department for whom the contractor is working or to the Director of Buildings and Grounds, as applicable.

There shall be no reprisals against anyone reporting violations of these policies.

### Distribution of Materials

Annual notification of the Alcohol, Tobacco, Drug Free Campus and Workplace Policy is provided to all students, faculty and staff. Notification of this policy and distribution of alcohol, tobacco and drug abuse materials will be made by email, social media, colleges webpages and distribution in the employee and student handbooks. New students, faculty and staff members will receive a copy of this policy during their orientation.

### Program Review

The Office of Student Affairs will conduct a biennial review of the College's Alcohol, Tobacco, Drug Free Campus and Workplace Policy and associated prevention programs. This review will be conducted to determine the effectiveness of the policy, the consistency of the disciplinary sanctions and recommend needed changes, if any, to the Assistant Dean of Student Affairs.

## Safety and Crime Prevention

New employee and student safety orientations are conducted at the beginning of each academic year or first day of employment. Employees and students are briefed on emergency procedures, campus police policies and other safety programs.

The college sponsors several programs for crime prevention, which include but are not limited to:

- Safety Escort Services:
  - Students, guests and employees may use the on-duty police officer as an escort to and from their auto or buildings on campus.
- ACHE Alert (Emergency Alert Notification System):
  - Students, faculty and staff are alerted via email, text, and phone calls for weather related emergencies, school closings, breach of security, or other emergencies. At registration, students provide emergency contact information for this system.
- Active Shooter on Campus Training:
  - Students, faculty and staff are to follow the United States Department of Justice recommended "Run, Hide, Fight" response plan to an active shooter on campus. This training may be done through video, publications, and actual scenario training. See the video at <https://www.dhs.gov/active-shooter-preparedness>
- Rave Guardian Personal Safety Smartphone App:
  - Students, faculty and staff have access to the Rave Guardian Smartphone App which provides immediate access to campus notifications, a virtual campus safety escort, two-way text communication with campus police, campus phone directory and one-click emergency dial options.
- Emergency Phones:
  - Emergency phones are located throughout the ACHE campus. The emergency phones allow the caller to communicate directly with campus police officers.
- WellConnect Student Assistance Program:

- WellConnect provides students with free and confidential wellness support by offering 24/7 counseling, referrals, coaching and consultations services. The services can be accessed on the web by going to [www.wellconnectforyou.com](http://www.wellconnectforyou.com), by the 24/7 support line at 866-640-4777 or by the mobile app GetWellConnectEd. School code: ACHE

## ACHE Sexual Harassment, Sexual Assault Polices and Disciplinary Policies

Title IX of the Education Amendments of 1972 (amending the Higher Education Act of 1965) is a federal gender equity law that prohibits discrimination based on sex in education programs and activities that receive federal funding. Sexual harassment, which includes sexual violence and other forms of nonconsensual sexual misconduct, is a form of sex discrimination and is prohibited under this law. Title IX states: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal assistance...” (20 U.S.C. section 1681)

### Title IX Policy Policy

It is the policy of the Arkansas Colleges of Health Education to comply with Title IX of the Education Amendments of 1972 and its implementing regulations, which prohibit discrimination based on sex in ACHE’s Programs and Activities. Title IX and its implementing regulations also prohibit retaliation for asserting claims of sex discrimination.

Title IX issues regarding students will be forwarded to the Assistant/Associate Dean of Student Affairs. Title IX claims by employees of ACHE, and not regarding students, will be forwarded to the Director of Human Resources.

It is the responsibility of the respective Title IX coordinator to coordinate dissemination of information and education and training programs to:

- assist members of ACHE community in understanding that sex discrimination and sexual harassment are prohibited by policy;
- ensure that investigators are trained to respond to and investigate complaints of sex discrimination and sexual harassment;
- ensure that employees and students are aware of the procedures for reporting and addressing complaints of sex discrimination and sexual harassment; and
- implement the Complaint Resolution Procedures, or to designate appropriate persons for implementing the Complaint Resolution Procedures.

Because ACHE recognizes sex discrimination and sexual harassment as important issues, it offers educational programming to a variety of groups such as campus personnel, incoming students participating in orientation, and members of student organizations.

### Administrators, Deans, Department Chairs, and Other Managers

It is the responsibility of administrators, deans, department chairs, and other managers (i.e., those that formally supervise other employees) to:

- Inform employees under their direction or supervision of Title IX policy
- Work with the Title IX coordinator to implement education and training

- programs for employees and students
- Implement any corrective actions that are imposed as a result of findings of a violation of this policy

### All Employees and Students

It is the responsibility of all employees and students to review and comply with ACHE's Title IX policy.

### The College

When ACHE is made aware that a member of the ACHE community may have been subjected to or may have been affected by conduct that violates Title IX policy, ACHE will take prompt action including a review of the matter and, if necessary, conduct an investigation carefully taking appropriate steps to stop and remedy the discrimination or harassment. ACHE will act in accordance with its Complain Resolution Procedures.

### Title IX Complaint Resolution Procedures

The complaint resolution procedures can be found on ACHE website in the student handbook at [www.acheedu.org](http://www.acheedu.org) and are the exclusive means of resolving a complaint alleging violations of the Title IX: Non-Discrimination and Anti-Harassment Policy. To the extent there are any inconsistencies between these complaint resolution procedures and other ACHE grievance, complaint, or discipline procedures, these complaint resolution procedures will control the resolution of complaints alleging violations of the Title IX: Non-Discrimination and Anti-Harassment Policy.

### Sexual Harassment

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical contact of a sexual nature.

This conduct constitutes unlawful sexual harassment when:

- Submission to this conduct is explicitly or implicitly made a term or condition of an individual's employment or academic success.
- Submission to or rejection of this conduct is used as the basis for an employment or academic decision.
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment refers to behavior that is not welcome, is personally offensive, is debilitating to morale and interferes with academic or work effectiveness. It frequently (though not necessarily) occurs as an abuse of authority where the parties are in an unequal power relationship. Sexual harassment may take different forms. One specific form is the demand for sexual favors. Other forms of harassment can include:

- Verbal: Sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, implied or explicit threats, and offensive or obscene language.
- Non-Verbal: Sexually suggestive objects, graffiti, cartoons, posters, calendars, writings, pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, stalking,

- staring, and making obscene gestures.
- Physical: Unwanted or unwelcome physical contact, including touching, pinching, grabbing, holding, hugging, kissing, brushing the body, assault, and rape. While sexual harassment usually involves members of the opposite sex, it also includes same sex harassment (i.e., males harassing males and females harassing females).

Sexual harassment may be subtle or overt. Some behavior that is appropriate in a social setting is not appropriate in the workplace or in an academic environment. Regardless of the form it takes, verbal, non-verbal, or physical sexual harassment is inherently destructive, insulting, and demeaning to the recipient and will not be tolerated at ACHE.

### Anti-Harassment Policy

ACHE is committed to maintaining study and work environments that are free from discriminatory harassment based on race, ethnicity, color, sex, sexual orientation, gender, gender identity, religion, national origin, age, disability, or veteran's status.

ACHE prohibits any form of sexual or other discriminatory harassment of its 1) employees by other employees, 2) employees or students by non-employees, such as contractors or vendors, or 3) students by employees, and will take immediate and appropriate action to prevent and to correct behavior that violates this policy.

Employees at all levels must comply with this policy and take appropriate measures to create an atmosphere free of harassment and discrimination to ensure that such conduct does not occur. Appropriate disciplinary action, up to and including termination, will be taken against any employee who violates this policy.

### Other Discriminatory Harassment

Other discriminatory harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of race, ethnicity, color, sex, sexual orientation, gender, gender identity, religion, national origin, age, disability, or veteran's status when such conduct a) has the purpose or effect of creating an intimidating, hostile or offensive work environment, b) has the purpose or effect of unreasonably interfering with an individual's work performance, or c) otherwise adversely affects an individual's employment opportunities. Examples of discriminatory harassing conduct include, but are not limited to, using epithets, slurs, negative stereotyping, threatening, intimidating or hostile acts or words, or showing, exhibiting or creating written or graphic material that denigrates or shows aversion or hostility toward an individual or group because of race, color, religion, national origin, pregnancy, age, military status, or disability.

NOTE: All employees must avoid any action or conduct that might be viewed as discriminatory harassment (whether sexual or other). Approval of, participation in, or acquiescence in conduct constituting such harassment is a violation of this policy.

Employees may be disciplined for behavior which is not so severe as to independently constitute unlawful harassment, but which is nonetheless offensive.

### All Students and Employees

It is the responsibility of all students and employees to review this policy and comply with it.

## Complaint and Reporting Procedure for Claims of Discrimination or Harassment

Employees have the responsibility to bring any form of discrimination or harassment they experience or observe to the immediate attention of ACHE. Individuals do not have to complain first to the offending person. All complaints or reports should be directed to the Director of Human Resources.

A prompt, thorough, and fair investigation will be conducted based on the individual's statement of what has occurred. In an effort to protect the individual who reports or complains of discrimination or harassment, to encourage prompt reporting, and to protect the accused interests during the pendency of an investigation, access to information related to the investigation will be maintained on a strict "need-to-know" basis.

ACHE will retain confidential documentation of all allegations and investigations and will take appropriate corrective action to remedy all violations of ACHE policy. Investigations will normally include conferring with the parties involved and any named or apparent witnesses. Signed statements from the parties and witnesses will usually be requested. All complainants and witnesses will be protected from coercion, intimidation, retaliation, interference, or discrimination for raising a bona fide complaint or properly assisting in an investigation. If the investigation reveals that the complaint is valid, prompt and appropriate corrective action designed to stop the discrimination/harassment immediately and to prevent its recurrence will be taken. While the Director of Human Resources is in charge of the complaint and reporting procedure, he/she will submit a full disclosure of the facts along with a recommendation for resolution to the appropriate college Vice President, or VPAA and to the President for approval.

Given the nature of this type of discrimination, ACHE recognizes that false accusations of sexual or other discriminatory harassment can have serious effects on innocent individuals. Therefore, if after investigating any complaint or report, ACHE determines the complaint or report is not bona fide and was made in bad faith or for an improper purpose or that an employee has provided false information regarding a complaint or investigation, disciplinary action up to and including termination or suspension may be taken against the individual who filed the complaint or who gave false information.

Retaliation against any complaining individual, any witness, or anyone involved in a complaint is strictly prohibited. ACHE will follow up any complaint or investigation as appropriate to ensure that no retaliation occurs. Employees should immediately report any perceived retaliation to the Director of Human Resources. Whether a particular act or incident produces a discriminatory employment or academic effect or amounts to harassment, or whether it otherwise violates this policy, requires a factual determination based on all the facts and circumstances.

ACHE trusts and expects that all employees will act responsibly to establish and maintain a pleasant and respectful working environment, free of discrimination or harassment, for all. ACHE has a zero-tolerance policy for sexual or other discriminatory harassment. Thus, employees are subject to discipline for any inappropriate behavior.

Questions or concerns about this policy or the complaint and reporting procedure should be directed to the Director of Human Resources:

Office of Human Resources  
Arkansas Colleges of Health Education  
7000 Chad Colley Blvd.  
Fort Smith, AR 72916

Students and Other Persons: Students who wish to report sex discrimination or sexual harassment should file a complaint with the Title IX Coordinator (Assistant Dean of Student Affairs).

Students and other persons may also file a complaint with the United States Department of Education's Office for Civil Rights by visiting: <https://www2.ed.gov/about/offices/list/ocr/docs/howto.html> or by calling 1-800-421-3481.

### Content of Complaint

So that ACHE has sufficient information to investigate a complaint, the complaint should include:

- the date(s) and time(s) of the alleged conduct;
- the names of all person(s) involved in the alleged conduct, including possible witnesses;
- all details outlining what happened; and
- contact information for the complainant so that ACHE may follow up appropriately.

### Conduct that Constitutes a Crime

Any person who wishes to make a complaint of sex discrimination or sexual harassment that also constitutes a crime—including sexual violence—is encouraged to make a complaint to local law enforcement. If requested, ACHE will assist the complainant in notifying the appropriate law enforcement authorities. In the event of an emergency, please contact 911.

### Domestic Violence, Dating Violence, Sexual Assault and Stalking Prevention

The Arkansas Colleges of Health Education prohibits domestic violence, dating violence, sexual assault and stalking as defined by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Allegations of domestic violence, dating violence, sexual assault and stalking may be investigated by Director of Student Services, Human Resources Director or Office of Police and Security depending on the type of allegation. Student offenders may be referred to Student Progress Committee for disciplinary action and or referred to the appropriate law enforcement agency for criminal proceedings. ACHE provides personal counseling and health services to students, faculty and staff who are victims of domestic violence, dating violence, sexual assault or stalking.

### Sexual Assault, Stalking, Domestic Assault, and Domestic Battery Definitions

The following definitions are for informational purposes only and are taken from the Arkansas Code Annotated. These definitions are not used to categorize crimes reported in the annual Clery Report.

*Sexual Assault, First Degree - Ark. Code Ann. § 5-14-124*

A person commits sexual assault in the first degree if the person engages in sexual intercourse or deviate sexual activity with a minor who is not the actor's spouse and the actor is employed with the Department of Correction, the Department of Community Correction, the Department of Human Services, or any city or county jail or a juvenile detention facility, and the victim is in the custody of the Department of Correction, the Department of Community Correction, the Department of Human Services, any city or county jail or juvenile detention facility, or their contractors or agents; employed by or contracted with the Department of Community Correction, a local law enforcement agency, a court, or a local government and the actor is supervising the minor while the minor is on probation or parole or for any other court-ordered reason; a mandated reporter under § 12-18-402 and is in a position of trust or authority over the victim and uses the position of trust or authority to engage in sexual intercourse or deviate sexual activity; or an employee in the victim's school or school district, a temporary caretaker, or a person in a position of trust or authority over the victim; or the person is a teacher, principal, athletic coach, or counselor in a public or private school in kindergarten through grade twelve (K-12) and the actor engages in sexual intercourse or deviate sexual activity with a person who is not the actor's spouse and the victim is less than 21 years of age; and a student enrolled in the public or private school employing the actor; and is in a position of trust or authority over the victim and uses his or her position of trust or authority over the victim to engage in sexual intercourse or deviate sexual activity. It is no defense to a prosecution under this section that the victim consented to the conduct. It is an affirmative defense to a prosecution under subdivision of this section that the actor was not more than 3 years older than the victim. Sexual assault in the first degree is a Class A felony.

*Sexual Assault, Second Degree - Ark. Code Ann. § 5-14-125*

A person commits sexual assault in the second degree if the person engages in sexual contact with another person by forcible compulsion; engages in sexual contact with another person who is incapable of consent because he or she is physically helpless; mentally defective; or mentally incapacitated; being 18 years of age or older, engages in sexual contact with another person who is less than 14 years of age; and not the person's spouse; engages in sexual contact with a minor and the actor is employed with the Department of Correction, the Department of Community Correction, any city or county jail, or any juvenile detention facility, and the minor is in custody at a facility operated by the agency or contractor employing the actor; employed by or contracted with the Department of Community Correction, a local law enforcement agency, a court, or a local government and the actor is supervising the minor while the minor is on probation or parole or for any other court-ordered reason; a mandated reporter under § 12-18-402(b) and is in a position of trust or authority over the minor; or the minor's guardian, an employee in the minor's school or school district, a temporary caretaker, or a person in a position of trust or authority over the minor. For purposes of this section, consent of the minor is not a defense to a prosecution; being a minor, engages in sexual

contact with another person who is less than 14 years of age; and not the person's spouse. It is an affirmative defense to a prosecution under this subdivision that the actor was not more than 3 years older than the victim if the victim is less than 12 years of age; or 4 years older than the victim if the victim is 12 years of age or older; or is a teacher, principal, athletic coach, or counselor in a public or private school in a grade kindergarten through twelve (K-12), in a position of trust or authority, and uses his or her position of trust or authority over the victim to engage in sexual contact with a victim who is a student enrolled in the public or private school; and less than 21 years of age. Sexual assault in the second degree is a Class B felony. Sexual assault in the second degree is a Class D felony if committed by a minor with another person who is less than 14 years of age; and not the person's spouse.

*Sexual Assault, Third Degree - Ark. Code Ann. § 5-14-126*

A person commits sexual assault in the third degree if the person engages in sexual intercourse or deviate sexual activity with another person who is not the actor's spouse, and the actor is employed with the Department of Correction, the Department of Community Correction, the Department of Human Services, or any city or county jail, the victim is in the custody of the Department of Correction, the Department of Community Correction, the Department of Human Services, or any city or county jail, and the actor is in a position of trust or authority over the victim and uses the position of trust or authority to engage in sexual intercourse or deviate sexual activity; employed by or contracted with the Department of Community Correction, a local law enforcement agency, a court, or a local government and the actor is supervising the person while the person is on probation or parole or for any other court-ordered reason; employed or contracted with or otherwise providing services, supplies, or supervision to an agency maintaining custody of inmates, detainees, or juveniles, the victim is in the custody of the Department of Correction, the Department of Community Correction, the Department of Human Services, or any city or county jail, and the actor is in a position of trust or authority over the victim and uses the position of trust or authority to engage in sexual intercourse or deviate sexual activity; or a mandated reporter under § 12-18-402(b) or a member of the clergy and is in a position of trust or authority over the victim and uses the position of trust or authority to engage in sexual intercourse or deviate sexual activity; or being a minor, engages in sexual intercourse or deviate sexual activity with another person who is less than 14 years of age; and not the person's spouse. It is an affirmative defense under this subdivision that the actor was not more than 3 years older than the victim. It is no defense to a prosecution under this section that the victim consented to the conduct. Sexual assault in the third degree is a Class C felony.

*Sexual Assault, Fourth Degree - Ark. Code Ann. § 5-14-127*

A person commits sexual assault in the fourth degree if the person being 20 years of age or older engages in sexual intercourse or deviate sexual activity with another person who is less than 16 years of age; and not the person's spouse; or engages in sexual contact with another person who is less than 16 years of age; and not the person's

spouse; or engages in sexual contact with another person who is not the actor's spouse, and the actor is employed with the Department of Correction, Department of Community Correction, Department of Human Services, or any city or county jail, and the victim is in the custody of the Department of Correction, Department of Community Correction, Department of Human Services, or a city or county jail. Sexual assault in the fourth degree under this section is a Class D felony. Sexual assault in the fourth degree under this section is a Class A misdemeanor if the person engages only in sexual contact with another person as described in this section.

*Stalking - Ark. Code Ann. § 5-71-229*

A person commits stalking in the first degree if he or she knowingly engages in a course of conduct that would place a reasonable person in the victim's position under emotional distress and in fear for his or her safety or a third person's safety, and the actor does so in contravention of an order of protection consistent with the Domestic Abuse Act of 1991, § 9-15-101 et seq., or a no contact order as set out in this section, protecting the same victim, or any other order issued by any court protecting the same victim; has been convicted within the previous 10 years of stalking in the second degree; terroristic threatening, § 5-13-301, or terroristic act, § 5-13-310; or stalking or threats against another person's safety under the statutory provisions of any other state jurisdiction; or is armed with a deadly weapon or represents by word or conduct that he or she is armed with a deadly weapon. Upon pretrial release of the defendant, a judicial officer shall enter a no contact order in writing consistent with Rules 9.3 and 9.4 of the Arkansas Rules of Criminal Procedure and shall give notice to the defendant of penalties contained in Rule 9.5 of the Arkansas Rules of Criminal Procedure. The no contact order remains in effect during the pendency of any appeal of a conviction under this subsection. The judicial officer or prosecuting attorney shall provide a copy of the no contact order to the victim and the arresting law enforcement agency without unnecessary delay. If the judicial officer has reason to believe that mental disease or defect of the defendant will or has become an issue in the case, the judicial officer shall enter orders consistent with § 5-2-327 or § 5-2-328, or both. Stalking in the first degree is a Class C felony. A person commits stalking in the second degree if he or she knowingly engages in a course of conduct that harasses another person and makes a terroristic threat with the purpose of placing that person in imminent fear of death or serious bodily injury or placing that person in imminent fear of the death or serious bodily injury of his or her immediate family. Upon pretrial release of the defendant, a judicial officer shall enter a no contact order in writing consistent with Rules 9.3 and 9.4 of the Arkansas Rules of Criminal Procedure and shall give notice to the defendant of penalties contained in Rule 9.5 of the Arkansas Rules of Criminal Procedure. The no contact order remains in effect during the pendency of any appeal of a conviction under this subsection. The judicial officer or prosecuting attorney shall provide a copy of the no contact order to the victim and arresting law enforcement agency without unnecessary delay. If the judicial officer has reason to believe that mental disease or defect of the defendant will or has become an issue in the case, the judicial officer shall enter orders consistent with § 5-2-327 or § 5-2-328, or both. Stalking in the second

degree is a Class D felony. A person commits stalking in the third degree if he or she knowingly commits an act that would place a reasonable person in the victim's position under emotional distress and in fear for his or her safety or a third person's safety. Upon pretrial release of the defendant, a judicial officer shall enter a no contact order in writing consistent with Rules 9.3 and 9.4 of the Arkansas Rules of Criminal Procedure and shall give notice to the defendant of penalties contained in Rule 9.5 of the Arkansas Rules of Criminal Procedure. The no contact order remains in effect during the pendency of any appeal of a conviction under this subsection. The judicial officer or prosecuting attorney shall provide a copy of the no contact order to the victim and arresting law enforcement agency without unnecessary delay. If the judicial officer has reason to believe that mental disease or defect of the defendant will or has become an issue in the case, the judicial officer shall enter orders consistent with § 5-2-327 or § 5-2-328, or both. Stalking in the third degree is a Class A misdemeanor. It is an affirmative defense to prosecution under this section if the actor is a law enforcement officer, licensed private investigator, attorney, process server, licensed bail bondsman, or a store detective acting within the reasonable scope of his or her duty while conducting surveillance on an official work assignment. It is not a defense to a prosecution under this section that the actor was not given actual notice by the victim that the actor's conduct was not wanted. "Course of conduct" means a pattern of conduct composed of 2 or more acts, separated by at least 36 hours, but occurring within 1 year, including without limitation an act in which the actor directly, indirectly, or through a third party by any action, method, device, or means follows, monitors, observes, places under surveillance, threatens, or communicates to or about a person or interferes with a person's property. "Course of conduct" does not include constitutionally protected activity. If the defendant claims that he or she was engaged in a constitutionally protected activity, the court shall determine the validity of that claim as a matter of law and, if found valid, shall exclude that activity from evidence; "Emotional distress" means significant mental suffering or distress. "Emotional distress" does not require that the victim sought or received medical or other professional treatment or counseling; and "Harasses" means an act of harassment as prohibited by § 5-71-208.

*Aggravated assault on a family or household member - Ark. Code Ann. § 5-26-306*

A person commits aggravated assault on a family or household member if, under circumstances manifesting extreme indifference to the value of human life, the person purposely engages in conduct that creates a substantial danger of death or serious physical injury to a family or household member. Aggravated assault on a family or household member is a Class D felony.

*First degree assault on a family or household member - Ark. Code Ann. § 5-26-307*

A person commits first degree assault on a family or household member if the person recklessly engages in conduct that creates a substantial risk of death or serious physical injury to a family or household member. First degree assault on a family or household member is a Class A misdemeanor.

### *Second degree assault on a family or household member - Ark. Code Ann. § 5-26-308*

A person commits second degree assault on a family or household member if the person recklessly engages in conduct that creates a substantial risk of physical injury to a family or household member. Second degree assault on a family or household member is a Class B misdemeanor.

### *Third degree assault on a family or household member - Ark. Code Ann. § 5-26-309*

A person commits third degree assault on a family or household member if the person purposely creates apprehension of imminent physical injury to a family or household member. Third degree assault on a family or household member is a Class C misdemeanor.

### Definition of Consent in Reference to Sexual Activity

Arkansas criminal statute does not specifically define consent as it relates to sexual activity. However, consent is reviewed on a case by case basis during criminal proceedings based on the facts of the case. In general consent is defined as permission given for something to happen or an agreement to do something. The absence of consent or silence cannot be interpreted as consent.

### Bystander Intervention

Bystander intervention can play a key role in the prevention of dating, family and sexual violence. Bystanders are often in a position where they witness activities that may lead to dating, family or sexual violence. In these situations, intervening action by a bystander may safeguard victims from violence. Intervening action can be as simple as asking if someone needs help or reporting suspicious activity.

The ACHE Office of Police and Security provides a safe and anonymous way for a bystander to report activity or conditions that lead to violence by utilizing the “anonymous tip” function in the Rave Guardian Campus Safety smartphone application.

### Personal Safety Tips for Risk Reduction

- Use the personal safety features on the Rave Guardian Mobile Safety smartphone app.
- Always maintain situational awareness. Be aware of your surroundings.
- Be cognizant of your location, try to avoid unfamiliar, isolated areas.
- Walk with confidence and purpose, so as not to appear lost or confused.
- At unfamiliar social gatherings, go with a friend or someone you trust.

### Prevention and Awareness Program

The primary prevention and awareness program for all new students is the Student Wellness Panel during new student orientation. During this panel, students receive information on the legal requirements of Title IX, information on awareness and prevention of sexual assault, dating violence, stalking and sexual harassment.

All new employees are provided with the employee handbook, which details the college's policies on anti-harassment, sexual harassment, sexual violence and Title IX. Additionally, all new employees are also required to complete training courses on "Sexual Harassment Prevention for Employees" and "Title IX for Higher Education".

The Office of Police and Security, in conjunction with the college administration, continually reviews and modifies the college environment to enhance the overall safety and security of the campus. As an example, the location of security cameras, building access procedures, traffic flow and signage, emergency call-station locations, and campus lighting are just a few safety concerns that that are constantly reviewed for effectiveness.

### CARE Team

The ACHE CARE team is a multi-disciplinary team for the purpose of promoting and maintaining student safety and well-being across ACHE colleges. Students discovered to be in need of any assistance are referred to the appropriate resources by the CARE Team. The CARE Team serves as a resource for students and a referral source for campus community members who are concerned about any ACHE student.

### Special Guidance Concerning Complaints of Sexual Violence

If you are the victim of sexual violence, to include dating violence, domestic violence, sexual assault and stalking, do not blame yourself. Sexual violence is never the victim's fault. ACHE recommends that you immediately go to the emergency room of a local hospital and contact local law enforcement, in addition to making a prompt complaint under this policy. You also should do everything possible to preserve evidence by making certain that the crime scene is not disturbed. Victims of sexual violence should not bathe, urinate, douche, brush teeth, or drink liquids until after they are examined and, if necessary, a rape examination is completed. Clothes should not be changed. When necessary, seek immediate medical attention at an area hospital and take a full change of clothing, including shoes, for use after a medical examination.

Once a complaint of sexual violence is made, the complainant has several options such as, but not limited to:

- contacting parents or a relative
- seeking legal advice
- seeking personal counseling (always recommended)
- pursuing legal action against the perpetrator
- pursuing disciplinary action
- requesting that no further action be taken

For additional crime victim information and resources, see the AR Victim Rights section at

<http://acheedu.org/wp-content/uploads/2018/08/ARVictimRights.pdf> and

<http://acheedu.org/wp-content/uploads/2018/08/ACHE-Lauras-Card.pdf>.

## Vendors, Contractors and Third Parties

This policy applies to the conduct of vendors, contractors, and third parties. Persons who believe they have been discriminated against or harassed in violation of this policy should make a complaint in the manner set forth in this section.

## Retaliation

It is a violation of this policy to retaliate against any member of the ACHE Community who reports or assists in making a complaint of discrimination, harassment, dating violence, domestic violence, sexual assault, stalking or who participates in the investigation of a complaint in any way. Persons who believe they have been retaliated against in violation of this policy should make a complaint in the manner set forth in this section.

## Protecting the Complainant

Pending final outcome of an investigation, ACHE will take steps to protect the complainant from further discrimination or harassment. This may include allowing the complainant to change his or her academic situation if options to do so are reasonably available.

## Timing of Complaints

ACHE encourages all persons to make complaints of sex discrimination and sexual harassment as soon as possible because late reporting may limit ACHE's ability to investigate and respond to the complaint.

## Investigation and Confidentiality

All complaints of sex discrimination and sexual harassment will be promptly and thoroughly investigated, and ACHE will take disciplinary action where appropriate. ACHE will make reasonable and appropriate efforts to preserve an individual's privacy and protect the confidentiality of information when investigating and resolving a complaint. However; because of laws relating to reporting and other state and federal laws, ACHE cannot guarantee confidentiality to those who make complaints. In the event a complainant requests confidentiality or asks that a complaint not be investigated, ACHE will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation. If a complainant insists that his or her name not be disclosed to the alleged perpetrator, ACHE's ability to respond may be limited. ACHE reserves the right to initiate an investigation despite a complainant's request for confidentiality in limited circumstances involving serious or repeated conduct or where the alleged perpetrator may pose a continuing threat to the ACHE Community.

## Resolution

If a complaint of sex discrimination or sexual harassment is found to be substantiated, ACHE will take appropriate corrective and remedial action. Students, faculty, and employees found to be in violation of this policy will be subject to discipline up to and including written reprimand, suspension, demotion, termination, or expulsion. Affiliates and program participants may be removed from ACHE programs and/or prevented from returning to campus. Remedial steps may also include counseling for the complainant; academic, work, or living accommodations for the complainant; separation of the parties; and training for the respondent and other persons.

## Bad Faith Complaints

While ACHE encourages all good faith complaints of sex discrimination and sexual harassment, ACHE has the responsibility to balance the rights of all parties. Therefore, if an ACHE investigation reveals that a complaint was knowingly false, the complaint will be dismissed and the person who filed the knowingly false complaint may be subject to discipline.

## Campus Sex Crimes Prevention Act

The federal Campus Sex Crimes Prevention Act of 2000 was enacted on October 28, 2000 and became effective on October 28, 2002. This law requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. In Arkansas, the information is available at <https://www.acic.org/> under the “Online Services” tab. This law also requires sex offenders already registered in a state to provide notice to the appropriate state agency, as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student.

The Family Educational Rights and Privacy Act (FERPA) does not prohibit release of data on registered sex offenders under this law.

## Missing Student Policy

If a member of the ACHE community has reason to believe that a student is missing for 24 hours, he or she must immediately notify the Office of Police and Security at (479) 308-2222. A missing student is defined as any currently registered student at ACHE who has not been seen by friends, family members or associates for a reasonable length of time, and whose whereabouts have been questioned and brought to the attention of a member of the College community. The Office of Police and Security will generate a missing person report and contact the Fort Smith Police Department, Barling Police Department or other appropriate police department within 24 hours to initiate a missing persons investigation. In addition, members of the ACHE community may choose to report information about missing students to other campus security authorities. Officers of the Office of Police and Security will provide all necessary assistance and information to the investigating police department.

If a student is determined to be missing for at least 24 hours by the Office of Police and Security, the Chief of Police, in coordination with the Dean of Student Affairs or their designees, will contact the student’s designated emergency contact or legal guardian. Students have the option of providing emergency contact information in the Student Information System maintained by the Office of Student Affairs or the Rave Guardian system maintained by the Office of Police and Security. The emergency contact information provided by the student will remain confidential and may only be accessed by authorized campus officials. The emergency contact information may be released to law enforcement personnel in furtherance of a missing person investigation.

If a student is under 18 years of age and not emancipated, the Office of Police and Security, in coordination with the Dean of Student Affairs or their designees, will notify the custodial parent or guardian within 24 hours of the determination that the student is missing.

## Annual Crime Statistics Policy

To ensure its campus community is informed and aware of potential criminal activity or safety hazards, the Office of Police and Security strictly complies with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and the Higher Education Opportunity Act of 2008. The Office of Police and Security is responsible for the collection of crime statistics and production of the annual Jeanne Clery Disclosure of Campus Security Policy / Campus Crime Statistics Report and Annual Fire Safety Report. The Clery Report and Fire Safety Report is published on an annual basis, on or before October 1<sup>st</sup> of each year. The publication and dissemination of the Clery Report and Fire Safety Report is coordinated with the Office of Student Affairs to ensure the broadest dissemination and availability of the reports.

Crime and arrest statistics for the report are compiled from incident reports from the files of the Office of Police and Security, Fort Smith Police Department, and the Barling Police Department. Disciplinary referral statistics are provided by the Office of Student Affairs.

The Office of Police and Security posts incidents in the daily crime log within two business days of receiving a report of an incident, and, in accordance with Clery Act requirements, may exclude incidents from the log in certain circumstances, particularly those in which inclusion may compromise the investigation.

The Office of Police and Security will not withhold, or subsequently remove, a reported crime from its crime statistics based on a decision by a court, coroner, jury, prosecutor, or other non-campus official.

The Office of Police and Security may withhold or remove a reported crime from its crime statistics in the rare situation where law enforcement personnel have fully investigated the reported crime and, based on the results of the investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded”.

The Office of Police and Security will disclose the total number of crime reports that were “unfounded” and subsequently withheld from the annual Clery Report.

When compiling the statistics for the annual Clery Report, the Office of Police and Security will include statistics in accordance with the FBI’s UCR Program Summary Reporting Systems User Manual, the FBI’s UCR Program National Incident-Based Reporting System User Manual, the FBI’s UCR Program Hate Crime Data Collection Guidelines and Training Manual.

In instances where more than one crime is committed during a single incident, the Office of Police and Security will follow the requirements of the Hierarchy Rule in the “Summary Reporting Systems User Manual” from the FBI’s UCR Program. In instances where arson is committed, the Office of Police and Security will record the arson in its Clery Report annual statistics, regardless of whether or not it occurs in the same incident as another reportable crime. Additionally, where rape, fondling, incest, or statutory rape has occurred in the same incident as a murder, the Office of Police and Security will record both the sex offense and the murder in the annual Clery Report statistics.

## Clery Act Reportable Locations

### On-Campus

Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the area as previously defined in this section, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

### On-Campus Student Housing Facilities

Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

### Non-Campus Buildings or Property

Any building or property owned or controlled by a student organization that is officially recognized by the institution.

Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

### Public Property

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that are within the campus, or immediately adjacent to and accessible from the campus.

### Arkansas Colleges of Health Education On-Campus and Non-Campus Properties

Main Campus:

- Arkansas College of Osteopathic Medicine, 7000 Chad Colley Blvd., Fort Smith, AR
- Arkansas College of Health Sciences, 7006 Chad Colley Blvd., Fort Smith, AR

Student Housing:

- Residents Apartments, 7010 Chad Colley Blvd., Fort Smith, AR
- Village at Heritage Apartments, 7309 Chad Colley Blvd., Barling, AR

Non-Campus: None

# ACHE Campus Map

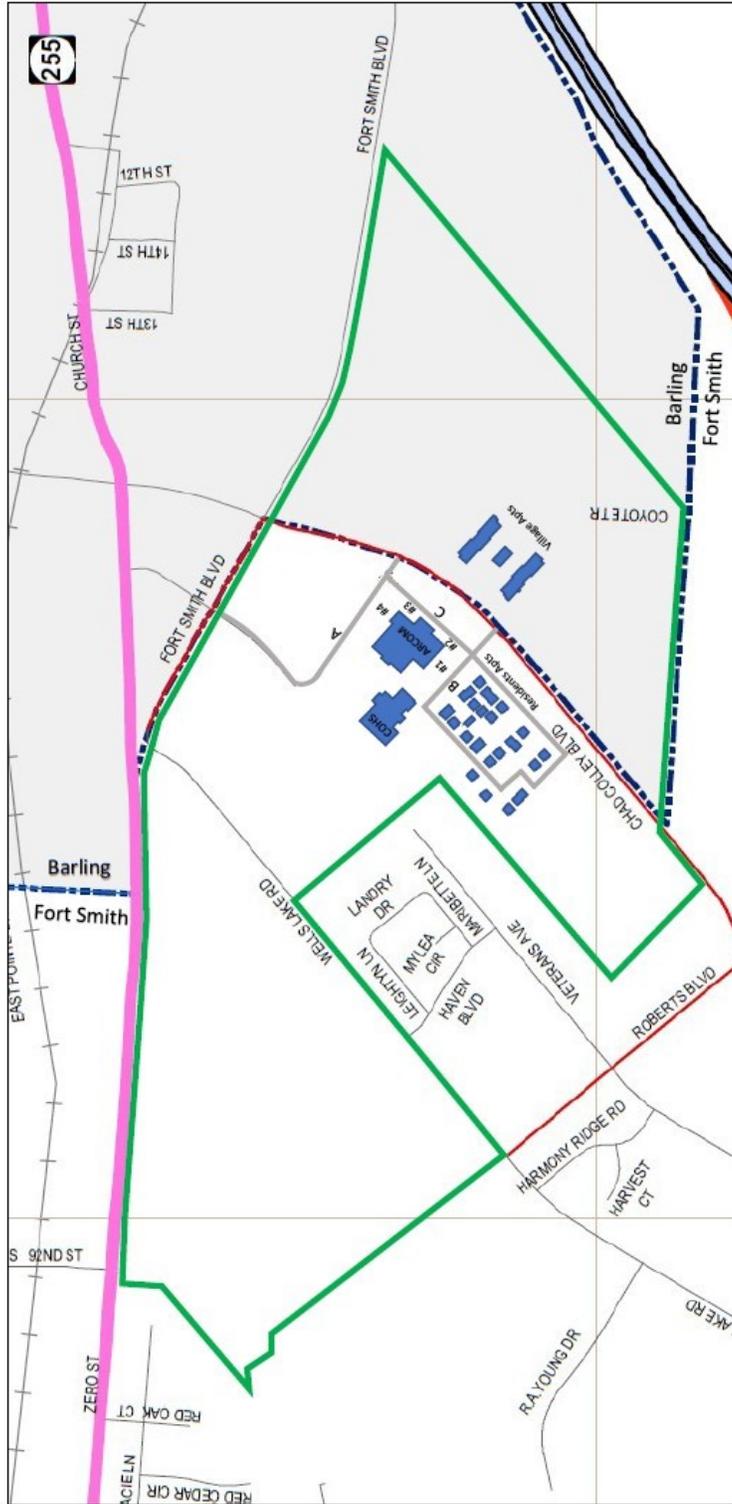
**Map Index**

ARCOM - Arkansas College of Osteopathic Medicine Building  
 COHS - Arkansas College of Health Sciences Building (Under Construction)

#1 - Parking Lot #1  
 #2 - Parking Lot #2  
 #3 - Parking Lot #3  
 #4 - Parking Lot #4

A - ARCOM Road  
 B - Road B  
 C - Road C

■ - Fort Smith / Barling City Limits  
 ■ - ACHE Property Boundary



## Clery Act Statistics

Crimes Reported	2016	2017	2018
<b>Location codes which should precede the incident number(s)</b> OC=On Campus OCH=On Campus Student Housing Facility NC=Non-campus NP= Non-campus Property P=Public Area			
<b>Criminal Offenses</b>			
Notes: #1 Also referred to as Primary Crimes #2 Also referred to as Sex Offenses			
<b>Criminal Homicide #1</b> (these offenses are separated into 2 categories)			
• Murder	0	0	0
• Non-Negligent Manslaughter	0	0	0
• Manslaughter by Negligence	0	0	0
<b>Sexual Assault #2</b>			
• Rape	0	0	0
• Fondling	0	0	0
• Incest	0	0	0
• Statutory Rape	0	0	0
<b>Robbery</b>	0	0	0
<b>Aggravated Assaults</b>	0	0	0
<b>Burglaries</b>	0	0	0
<b>Motor Vehicle Thefts</b>	0	0	0
<b>Arson</b>	0	0	0
<b>Hate Crimes Reporting</b>			
Notes: 1. Any of the above –mentioned offenses & any of the following incidents 2. A hate crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. 3. There are eight categories that are reportable: race, religion, sexual orientation, gender, gender identity ethnicity, national origin and disability			
	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>Larceny-theft</b>	0	0	0
<b>Simple Assault</b>	0	0	0
<b>Intimidation</b>	0	0	0
<b>Destruction, Damage or Vandalism of Property</b>	0	0	0
<b>Gender Identity</b>	0	0	0
<b>Violence Against Women Act</b>			

	2016	2017	2018
<b>Domestic Violence</b>	0	0	0
<b>Dating Violence</b>	0	0	0
<b>Stalking (including cyber-stalking)</b>	0	0	0
<b>Rape &amp; Forcible Fondling</b>	0	0	0
<b>Sex offenses - forcible</b>	0	0	0
<b>Sex offenses - non-forcible</b>	0	0	0
<b>Arrests and Disciplinary Referrals</b>			
<small>Note: this information also includes those individuals that were referred for campus disciplinary action for liquor law violations, drug law violations and illegal weapons possession.</small>			
<b>Arrest:</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
• Weapons- Carrying	0	0	0
• Weapons Possession	0	0	0
<b>Disciplinary Referrals:</b>			
• Weapons- Carrying	0	0	0
• Weapons Possession	0	0	0
<b>Arrest:</b>			
• Drug Abuse Violations	0	0	0
<b>Disciplinary Referrals:</b>			
• Drug Abuse Violations	0	0	0
<b>Arrest:</b>			
• Liquor Law Violations	0	0	0
<b>Disciplinary Referrals:</b>			
• Liquor Laws Violations	0	0	0

## Annual Fire Safety Report

### Fire Safety Equipment

All student housing apartments are equipped with sprinkler systems, smoke detectors, fire extinguishers and emergency lighting for each common hallway. Tampering with fire safety equipment is against the law. It also endangers the lives of other residents. Any person who sets off a false alarm, interferes with the operation of the alarm system, damages or removes any part of the alarm/sprinkler system, fire extinguishers, or smoke detectors is subject to disciplinary action from the college, and/or criminal prosecution. If a smoke detector is detached from the wall or sprinkler head is damaged for any reason, it is the responsibility of the resident to report it immediately.

<b>Fire Safety Systems in Residential Facilities</b>					
<b>Facility</b>	<b>Sprinkler System</b>	<b>Supervised Fire Alarm Systems</b>	<b>Smoke Detection</b>	<b>Fire Extinguishers</b>	<b># of Fire Drills Each Calendar Year</b>
<b>Residents Apartments 7010 Chad Colley Blvd. Fort Smith, Arkansas</b>	X	X	X	X	1
<b>Village Apartments 7309 Chad Colley Blvd. Barling, Arkansas</b>	X	X	X	X	N/A

*Note: Village Apartments were not occupied until August 2019.*

### Fire Procedures

- If you observe a fire, call 9-1-1.
- Assist persons with disabilities.
- Extinguish the fire only if you have been trained and it is safe to do so.
- Be familiar with fire extinguisher locations.
- Follow mass notification messages.
- If the building is filled with smoke, stay low to the ground and crawl to the nearest exit. Feel any door before opening. When approaching a closed door, use the back of your hand to feel the lower, middle, and upper parts of the door (never use the palm of your hand or fingers to test for heat).
- If the door is hot, do not open. If the door is cool, open it slightly, if heat and heavy smoke are present, close it.
- If you are trapped, call 9-1-1 and report your exact location. Keep doors closed, seal cracks and vents if smoke comes into the room. Signal for help.
- If your clothing catches on fire, STOP, DROP and ROLL. Cover your face with your hands to protect your face and lungs.
- Evacuate the building using posted evacuation information and report to your designated evacuation location (listed below).
- Do not re-enter the building until authorized by emergency personnel or college administration.

## Building Evacuation

- Evacuation is mandatory when announced by alarm or emergency personnel.
- Exit the building in a calm and orderly manner.
- Evacuate using the nearest exit.
- Assist persons with disabilities.
- Take personal belongings, such as purses and brief cases, only if safe to do so.
- Follow direction given by emergency personnel or college administration.
- Occupants of the Residents (student housing) will evacuate to the dog park on the north side of the housing complex.
- Occupants of the Village (student housing) will evacuate to the pavilion in the center of the complex.
- Survey evacuated personnel, report anyone believed to be missing to emergency personnel.
- Keep streets, fire lanes, hydrants, and walkways clear for emergency vehicles and crews.
- Do not re-enter the building until authorized by emergency personnel or college administration.

## Fire Drills

The purpose of the fire drill is to familiarize the residents with a swift and orderly means of exit during an emergency. Each apartment building will conduct an annual fire drill. All persons in the building are required to participate in the fire drills and evacuate the building.

## Flammable Materials, Explosives, Fireworks and Open Flames

The following is a list of items that are prohibited in student housing. This list includes, but is not limited to:

- Explosives, fireworks or dangerous/noxious chemicals
- Ammunition
- Candles or any open flame
- Halogen, lava lamps or sun lamps
- Tobacco products or electronic cigarette devices
- Hover boards or other similar devices
- Barbecue grills with open flames
- Gasoline, lighter fluid or any other highly combustible material
- Motorcycles, mopeds and any other gas or battery-operated vehicle may not be stored inside student housing.
- Only UL approved appliances with fully enclosed heating elements and/or electrical wiring are permitted.
- Only UL approved extension cords and surge protectors are permitted.

## Fire Log

The ACHE Office of Police and Security maintains a Fire Log that records, by the date an incident was reported, all fires that occur in an on-campus housing facility. The Fire Log is available for public inspection at the Office of Police and Security location in the lower floor of the ARCOM Building, room #137. The Fire Log includes the nature, date, time, and general location of each

fire reported to the Fort Smith Fire Department or the Barling Fire Department. Fire incidents are posted in the Fire Log within two business days of receiving a report of a fire. The Office of Police and Security reserves the right to exclude reports from the log in certain circumstances.

<b>Statistics &amp; Related Information Regarding Fires in Residential Facilities</b>						
<b>Facility</b>	<b># of Fires</b>	<b>Date/Time of Fires</b>	<b>Cause of Fires</b>	<b># of Deaths</b>	<b># of Injuries</b>	<b>Value of Property Damage</b>
<b>Residents Apartments 7010 Chad Colley Blvd. Fort Smith, Arkansas</b>	0	NA	NA	0	0	0
<b>Village Apartments 7309 Chad Colley Blvd. Barling, Arkansas</b>	0	NA	NA	0	0	0

*Note: Village Apartments were not occupied until August 2019.*

## Definitions

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

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

**Fire drill:** A supervised practice of a mandatory evacuation of a building for a fire.

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

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

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

**Value of property damage:** The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents

damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

ACHE is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. All fires (even if the fire has been extinguished) must be reported to the Office of Police and Security at (479) 308-2222.

## APPENDIX A: Campus Security Authorities

Faculty/Staff	Department	Title
Bauer, Dennis	ACHE Administration	VP & Chief Financial Officer
Bridges, Lance	Biomedical Sciences	Assoc. Professor & Chair; Biochem, Molecular & Cell Sciences
Burns, Eric	ACHE Administration	Director of Building & Grounds
Classen, John	ACHE Administration	Police Officer
Cunningham, Patricia	Biomedical Sciences	Director of Preclinical Curriculum
Devero, Susan	ACHE Administration	Executive Director of Community Relations
DeWitt, Kelly	Student Affairs	Director of Admissions
Edwards, Frazier	ACHE Administration	Executive Director of Clinical Resources and CME
Edwards, Gary	Clinical Medicine	Assistant Professor of Family Medicine
Efurd, Melissa	Academic Affairs	Assistant Dean of Academic Affairs & Institutional Research
Evans, Charitee	Student Affairs	Student Services and Activities Coordinator
Evenson, Amanda	Student Affairs	Director of Student Services
Findlay, Debbie	Student Affairs	Director of Academic Support
Fotopoulos, Thomas	Clinical Medicine	Associate Professor & Chair of OPP
Geis, Abby	Biomedical Sciences	Assistant Professor of Microbiology & Immunology

<b>Gilliam, Glenna</b>	<b>Student Affairs</b>	<b>Director of Financial Aid</b>
<b>Gooden, Benny</b>	<b>ACHE Administration</b>	<b>Executive Director of Institutional Relations</b>
<b>Gustafson, Jon</b>	<b>Clinical Medicine</b>	<b>Assistant Professor Neurology</b>
<b>Haney, Alan</b>	<b>ACHE Administration</b>	<b>Police Officer</b>
<b>Hensley, Kenneth</b>	<b>Biomedical Sciences</b>	<b>Professor of Biochemistry, Molecular, &amp; Cellular Biology</b>
<b>Holmes, Clayton</b>	<b>ACHE Administration</b>	<b>Dean of the School of Physical Therapy</b>
<b>Jetton, Barbara</b>	<b>ACHE Administration</b>	<b>Director of Human Resources</b>
<b>Krutsch, Jackie</b>	<b>ACHE Administration</b>	<b>Executive Director of Development</b>
<b>Lee, Eric</b>	<b>Biomedical Sciences</b>	<b>Assistant Professor of Pharmacology</b>
<b>Longley, Ross</b>	<b>Biomedical Sciences</b>	<b>Assoc. Dean of Preclinical Medicine &amp; Research</b>
<b>Mason, Shawna</b>	<b>Student Affairs</b>	<b>Registrar</b>
<b>McWhorter, David</b>	<b>Biomedical Sciences</b>	<b>Professor &amp; Chair of Anatomy</b>
<b>Nassri, Louay</b>	<b>Clinical Medicine</b>	<b>Assistant Professor &amp; Chair of Pediatrics</b>
<b>Ohm, William</b>	<b>ACHE Administration</b>	<b>Police Officer</b>
<b>Parker, Kyle</b>	<b>ACHE Administration</b>	<b>President &amp; CEO</b>
<b>Pippin, Mary Jane</b>	<b>ACHE Administration</b>	<b>Police Officer</b>
<b>Potts, Harvey</b>	<b>Academic Affairs</b>	<b>Executive Director Simulation &amp; Clinical Skills &amp; Asst. Professor</b>
<b>Redwine, Kirk</b>	<b>ACHE Administration</b>	<b>Police Officer</b>
<b>Ree, Brandy</b>	<b>Biomedical Sciences</b>	<b>Assistant Professor of Biochem, Cellular, &amp; Molecular Biology</b>
<b>Risley, Levi</b>	<b>ACHE Administration</b>	<b>Chief of Police</b>
<b>Ryals, Andrew</b>	<b>Clinical Medicine</b>	<b>Director of Clinical Skills; Assistant Professor of Family Medicine</b>

<b>Starling-McIntosh, Laurel</b>	<b>Student Affairs</b>	<b>Assistant Dean of Student Affairs</b>
<b>Stowers, Ray</b>	<b>ARCOM Administration</b>	<b>VP of Academic Affairs &amp; Dean of ARCOM</b>
<b>Throckmorton, Zach</b>	<b>Biomedical Sciences</b>	<b>Assistant Professor of Anatomy</b>
<b>Webb, Tom</b>	<b>ACHE Administration</b>	<b>VP &amp; Chief Operating Officer</b>
<b>Wright, Elizabeth</b>	<b>Academic Affairs</b>	<b>Director of Library Services</b>