



2022-2023

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Clery Act Annual Security Report of 2021/2022

Introduction

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, ASUN collects crime statistics for the previous three years, that occurred on-campus; in off-campus buildings or property owned or controlled by the College; and on public property within, or immediately adjacent to and accessible from the campus; as the basis for the Annual Security Report that is made available to students, employees, potential students and members of the community, for enrollment or employment. This report demonstrates the College's commitment to the safety and well-being of the ASUN community. This report is published annually on the ASUN website and its availability is communicated to all ASUN students on or before October first of the year. A copy of this report may be obtained by contacting Campus Police at 870-512-7866, or by accessing the Campus Police website at www.asun/campus_police. Then select a link under the Crime Statistics heading.

Campus is defined as any building or property owned or controlled by the school within the same contiguous area used by the institution in direct support of and related to its educational purpose. Criminal offenses included in the report reflect statistics that occurred on campus, near campus, and other educational locations during the previous three years. Students can request a copy of this report at any time by contacting the Campus Police at 870-512-7866 or emailing safety@asun.edu.

You can also access and review the campus crime report any time by visiting the IPEDS website at: www.nces.ed.gov/collegenavigator/, then select the school location, and then select Campus Security.

ASUN encourages all students and employees to be responsible for their own security and the security of others. Please report any known criminal offenses occurring on campus to the school administration. In the event a sex offense should occur on campus, the victim should take the following steps:

1. Report the offense to the school administration.
2. Preserve any evidence as may be necessary to the proof of the criminal offense.
3. Request assistance, if desired, from school administration in reporting the crime to local law enforcement agencies.
4. Request a change in the academic situation if necessary.

Equal Opportunity/ Affirmative Action

ASUN is an equal opportunity institution and will not discriminate on the basis of race, color, religion, sex, national origin, age, handicap, or other unlawful factors in employment practices or admission and treatment of students. The facilities and services of ASUN are accessible to the handicapped. Any questions regarding this policy should be addressed to: Equal Opportunity/Affirmative Action, ASU-Newport, 7648 Victory Boulevard, Newport, AR 72112, 870-512-7800.

Drug-Free Workplace Act Requirements

Employees working for the university under the provisions of a federal grant are required to agree to abide by this policy and to notify the Chancellor's Office within five (5) days of any criminal drug statute conviction for a violation occurring in connection with their employment.

The provisions of this policy are designed to comply with rules published by the federal office of Management and Budget on January 13, 1989, implementing the Drug-Free Workplace Act of 1988, and

rules published by the federal Department of Education on August 16, 1990, implementing the Drug-Free Schools and Communities Act Amendments of 1989.

System Alcohol Policy for Staff

Purpose

ASUN seeks to maintain an educational and working environment free from the influence of alcohol.

ASUN Alcohol Policy

The unlawful manufacture, distribution, dispensing, possession or use of alcoholic beverages on any property owned or maintained by Arkansas State University-Newport or as a part of university activity is strictly prohibited. Possession of any alcoholic beverages in residence halls, educational facilities is prohibited unless specifically authorized by the chancellor for special events only and confirmed by written agreement setting out the terms controlling the use of university property for the special event. Under no circumstance shall any student or student group be authorized to possess alcoholic beverages in any residence hall, educational facility, or recreational facility. The sole exception to student possession of alcohol as set out above shall be for students of lawful age who attend a special event a special event authorized by the chancellor. This policy is adopted to comply with all current laws and regulations relating to the Federal Drug-Free Schools and communities Act and the Drug-Free Workplace Act.

Process

- A. Employees and students are encouraged to attend events which occur on campuses periodically designed to make the campus community aware of the dangers of alcohol abuse.
- B. Employees who believe that they need alcohol counseling or rehabilitation are urged to contact an Employee Assistance Program or other medical facilities offering appropriate services. In order to determine whether services of this type are covered by university insurance, contact the Human Resources Department.
- C. Employees working for the institution under the provisions of a federal grant are required to abide by this policy.
- D. Employees and students who violate this policy are subject to appropriate disciplinary action, up to and including termination. The university may refer violations to the appropriate state and federal authorities for criminal prosecution.
- E. Each campus shall biennially review their alcohol abuse prevention program to determine its effectiveness and implement needed changes.
- F. Each campus shall biennially review their disciplinary sanctions to ensure they are consistently enforced.

(Adopted by the Arkansas State University Board of Trustees on December 11, 2009, Resolution 09-92, supersedes Drug-Free Workplace Police of April 27, 1989, and the Unlawful Use of Drugs and Alcohol on Campus Policy of October 11, 1990.)

System Drug Policy for Staff

Purpose

ASUN seeks to maintain an educational and working environment free from the influence of unlawful drugs. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance on any property owned or maintained by Arkansas State University-Newport or as a part of university activity is strictly prohibited. This policy is adopted to comply with all current laws and regulations relating to the Federal Drug-Free Schools and communities Act and the Drug-Free Workplace Act.

Process

- A. Employees and students are encouraged to attend events which occur on campuses periodically designed to make the campus community aware of the dangers of drug abuse.
- B. Employees who believe that they need drug counseling or rehabilitation are urged to contact an Employee Assistance Program or other medical facilities offering appropriate services. In order to determine whether services of this type are covered by university insurance, contact the Human Resources Department.
- C. Employees working for the institution under the provisions of a federal grant are required to abide by this policy and to notify the Chancellor's Office within five (5) days of any criminal drug statute conviction for a violation occurring in connection with their employment.
- D. Employees and students who violate this policy are subject to appropriate disciplinary action, up to and including termination. The university may refer violations to the appropriate state and federal authorities for criminal prosecution.
- E. Each campus shall biennially review their drug abuse prevention program to determine its effectiveness and implement needed changes.
- F. Each campus shall biennially review their disciplinary sanctions to ensure they are consistently enforced.

(Adopted by the Arkansas State University Board of Trustees on December 11, 2009, Resolution 09-92, supersedes Drug-Free Workplace Policy of April 27, 1989, and the Unlawful Use of Drugs and Alcohol on Campus Policy of October 11, 1990.)

Progressive Discipline Policy for Employees

Arkansas State University-Newport utilizes a progressive discipline policy. It is the goal of the University to use progressive steps in employee disciplinary matters except when immediate termination is warranted. The existence and use of a progressive discipline policy does not in any way alter the at-will status of employees. The employee's supervisor will administer any appropriate corrective or disciplinary action. Appropriate action will be determined based on factors such as severity, frequency, and degree of deviation from expectations and length of time involved. Because of the great variety of situations that may arise, the University may need to make decisions related to employment in a manner other than as provided in this section. Disciplinary actions may take place in several forms. The forms of disciplinary actions are Verbal Counseling, Written Counseling, Final Counseling, and Dismissal. Your Human Resources Department should be consulted when disciplinary action with an employee is necessary. The following outlines the four forms of disciplinary action.

Verbal Counseling

Verbal counseling sessions may take place between employees and supervisors in situations that are deemed less serious in nature. Every effort to determine and resolve the cause of the problem should be made. At the same time, however, it should be specifically stated that the employee is receiving a formal warning. Documentation of the verbal counseling should occur utilizing the Employee Counseling Form (available from the forms section of the Human Resources website). Copies of all documentation of verbal

counseling should be distributed as follows: one copy to the employee, one copy to the department file, and one copy to your Human Resources Department for inclusion in the employee's personnel file.

Written Counseling

Written counseling sessions take place between a supervisor and an employee when the behavior of the employee is a repeated violation and verbal counseling has been administered, when the behavior hinders the operations of the department in which the employee works, or when the behavior hampers the progress of the University. Written warnings should be documented on an Employee Counseling Form. Copies of all written warnings should be distributed as follows: one copy to the employee, one copy to the department file, and one copy to your Human Resources Department for inclusion in the employee's personnel file.

Final Counseling

Final counseling is utilized when previous counseling has failed to produce the proper results. Final Counseling may also be utilized to address an initial incident or an incident that is too severe for a verbal or written warning yet not sufficiently severe for dismissal. Copies of all Final Counseling Forms should be distributed as follows: one copy to the employee, one copy to the department file, and one copy to your Human Resources Department for inclusion in the employee's personnel file.

Dismissals

Employment may be terminated after other disciplinary measures have failed or when a first time incident occurs that is extremely serious. An employee may be discharged at any time without regard to any progressive steps if he or she commits an offense for which immediate discharge is specified as a penalty or if, in the University's judgment, the employee's continued presence would be contrary to the well-being of the University or its employees. Your Human Resources Department should be consulted prior to the dismissal of an employee.

Terminations/Resignations

The University strives to maintain good working conditions. Instances of personal or job dissatisfaction should be discussed with the supervisor and/or your Human Resources Department before the employee considers termination of employment. If an employee wishes to terminate employment with the University, two weeks' notice to the supervisor is requested, but not required. If an employee voluntarily terminates employment with proper notice and the employee's work record has been satisfactory, the employee may be considered for reemployment. Should it be necessary to eliminate a position because of a reduction in work force, reasonable efforts may be made to place the employee elsewhere in the University. Upon termination, resignation, retirement, death, or other action by which a person ceases to be an employee of the University, the amount due the employee or his/her estate from accrued annual leave shall be issued within 30 days of completing checkout process. This amount shall not exceed 240 hours or the balance in the employee's annual leave account, whichever is less. When an employee terminates and returns to the University within twenty (20) workdays, both sick and annual leave may be reinstated subject to the following:

1. An employee receiving lump sum payment for annual leave upon termination and who is subsequently rehired within twenty (20) workdays may "buy" back the annual leave by repaying the University for the number of days paid but not yet expired on or before the day of reemployment.
2. An employee who received a lump sum payment for annual leave and who elects not to "buy" back the annual leave may not be reemployed by the University until the number of workdays for which annual leave

was paid has elapsed. If the period that the employee is out of state service exceeds the twenty (20) workdays limit, reemployment is to be treated as a rehire with subsequent loss of sick leave.

3. An employee rehired within six months after having been laid off due to budgetary reasons is entitled to restoration of accrued sick leave.

Tolerance of Alcohol or Drug Misuse

ASUN does not tolerate inappropriate use of alcohol or drugs. Any and all alleged violations of any ASUN drug or alcohol policy will be investigated and properly addressed. All persons found responsible for being in violation of policy will be sanctioned appropriately through the appropriate means based on their status with the institution.

College Jurisdiction

The college has jurisdiction over any student or student organization alleged to have violated the Standards of Student Conduct on campus or off campus. For the purpose of the student conduct process, a “student” is defined as any person who is admitted, enrolled or registered for study at Arkansas State University-Newport (ASUN) for any academic period. Persons who are not officially enrolled for a particular term but who have a continuing student relationship with, or an educational interest in, ASUN are considered “students”. A person shall also be considered a student during any period while the student is under suspension from the institution or when the person is attending or participating in any activity preparatory to the beginning of the academic year, including but not limited to, organizational activities, orientation, and placement testing.

Alcohol and Drug Policies for Students

Drug and Alcohol Abuse Policy

In accordance with the Drug-Free Workplace Act of 1988 (P.L. 100-690), the Drug-Free Schools and Communities Act of 1989 (P.L. 101-226) and 34 Code of Federal Regulation Part 85, Subpart F, Arkansas State University-Newport (ASUN) has adopted this policy prohibiting alcohol and drug possession and abuse, which prohibits the unlawful possession, use, or distribution of alcohol and illicit drugs by students and employees on any ASUN premises, or in conjunction with any college-sponsored activity or event, whether on- or off- campus. These policies are included in the college’s student and employee handbooks.

ASUN enforces these policies and upholds any local, state and federal regulations in support of substance abuse awareness and enforcement, by imposing and enforcing disciplinary sanctions on students and staff. The policy describes these sanctions, up to and including expulsion, termination of employment and referral for criminal prosecution for any violation of State and Federal regulations.

Additionally, on behalf of ASUN, the Vice Chancellor of Student Affairs conducts a biennial review of this policy on the 2nd quarter of the calendar year to determine the effectiveness of this policy and to ensure that disciplinary sanctions for violating standards of conduct are enforced.

Moreover, in an effort to encourage drug prevention at ASUN campuses and in the community at large, ASUN hosts for students, faculty and staff activities in observance of Drug and Alcohol Awareness Week. Information on the effects of drug, alcohol, and tobacco use are distributed to students. In addition, students had the opportunity to participate in a host of drug-free and healthy activities.

The unlawful manufacture, distribution, dispensing, possession or use of drugs, alcohol or other controlled substances at ASUN institution is strictly prohibited.

Students and employees are required, as a condition of enrollment and/or employment, to abide by this policy. To the extent allowed by local, state and federal laws, ASUN will impose disciplinary action against students and employees for violating these standards of conduct. These actions may include suspension, expulsion, and termination of employment, referral for prosecution and/or required completion of a drug or alcohol rehabilitation or similar program

Penalties

Additionally, there are numerous local, state and federal laws, which can be used to punish violators. Penalties can range from suspension revocation and/or denial of a driver’s license, to 20-50 years imprisonment at hard labor without benefit of parole. Property may also be seized. Community service may also be mandated.

Students could lose eligibility for financial aid, could be denied other federal benefits, such as Social Security, retirement, Welfare, health care benefits, disability and Veterans benefits. Public housing residents could also be evicted. Finally, a record of a felony or conviction in a drug-related crime may prevent a person from entering certain career.

Drugs can be highly addictive and injurious to the body as well as one’s self. People tend to lose their senses of responsibility and co-ordination.

Drug Law Violations

- A Federal or state drug conviction can disqualify a student for FSA funds. The student self-certifies in applying for aid that he/she is eligible for by using the FAFSA. ASUN is not required to confirm this unless there is evidence of conflicting information.
- The chart below illustrates the period of ineligibility for FSA funds, depending on whether the conviction was for sale or possession and whether the student had previous offenses. (A conviction for the sale of drugs includes conviction for conspiring to sell drugs)

	Possession of illegal drugs	Sale of illegal drug
1st Offense	1 year from date of conviction	2 years from date of conviction
2nd Offense	2 years from date of conviction	Indefinite period
3+ Offense	Indefinite period	

- If a student was convicted of both possessing and selling illegal drugs, and the periods of ineligibility are different the student will be ineligible for the longer period
- A student regains eligibility the day after the period of ineligibility ends or when he/she successfully completes a qualified drug rehabilitation program. Further drug conviction will make him/her ineligible again.
- When a student regains eligibility during the award year, the institute may award Pell and/or Loan for the current payment period.
- A qualified drug rehabilitation program must include at least two unannounced drug tests and must satisfy at least one of the following requirements:
 - Be qualified to receive funds directly or indirectly from a federal, state or local government program.

- Be qualified to receive payment directly or indirectly from a federally or state-licensed insurance company.
- Be administered or recognized by federal, state or local government agency or court.
- Be administered or recognized by a federally or state-licensed hospital, health clinic or medical doctor.

Upon receipt of all required documents and in good order, and when all admissions criteria and requirements are met, the prospective student is eligible to enroll.

Possible Drug and Alcohol Sanctions for Students

Sanctions for Non-Academic Misconduct will be imposed by the Vice Chancellor of Student Affairs or his/her designee. The following sanctions may be imposed for Non-Academic Misconduct:

- **Educational Task** - Completion of a task which educates the student about and allows the student to learn from the misconduct.
- **Written Warning** - Official record that a student has been warned about behavior.
- **Removal of Property** - Required removal of property.
- **Restitution** - Reimbursement by the student to cover the cost of repair or replacement of damaged or misappropriated property.
- **Restriction of Activities or Privileges** - Restriction of active status or participation in any and/or all organized university activities other than required academic endeavors for a designated period of time.
- **Fees** - Monetary requirements based on the resolution of a case.
- **Conduct Probation** - A period of self-reflection, during which a student is on official warning that subsequent violations of university rules, regulations or policies are likely to result in a more severe sanction including suspension or expulsion from the university.
- **Conduct Suspension** - Temporarily canceling a student's enrollment at Arkansas State University-Newport. A student cannot graduate while suspended. Once assigned this sanction, students are immediately removed from their classes and banned from university property. A student cannot enter university property during his/her term of suspension without prior permission from the Dean of Students or designee. Any classes taken at another institution during this period of suspension cannot be transferred to Arkansas State University-Newport.
- **Expulsion** - Permanently canceling a student's enrollment at Arkansas State University-Newport. A dismissed student cannot re-enroll or graduate. Once assigned this sanction, students are immediately removed from their classes and banned from university property. A student cannot enter University property once dismissed without prior permission from the Dean of Students or designee.
- **Revocation or Denial of Degree** - The University reserves the right to revoke or refuse to confer a degree on the basis of a violation of the Standards of Student Conduct that occurred while the student was enrolled, given that the violation(s) would have resulted in expulsion.

Tolerance of Alcohol or Drug Misuse

ASUN does not tolerate inappropriate use of alcohol or drugs. All alleged violations of any ASUN drug or alcohol policy will be investigated and properly addressed. All persons found responsible for being in violation of policy will be sanctioned appropriately through the appropriate means based on their status with the institution.

Drug or Alcohol Counseling, Treatment, Rehabilitation and Re-entry Programs

ASUN encourages students and employees to voluntarily seek help with drug and alcohol problems. There are drug or alcohol counseling, treatment and rehabilitation facilities in our area where advice and treatment are available.

The telephone numbers of these facilities may be found in your local telephone book or yellow pages under Drug Abuse and Addiction – Information and Treatment.

- Northeast Arkansas Regional Recovery Center (NEARRC), at
2401 Fox Meadow Ln
Jonesboro, AR 72403
(870) 932-0228
- Birch Tree Communities, Inc.
210 Third Street
Newport, Arkansas 72112
(501) 315-3344

There are national organizations that can be contacted for help.

- The Alcoholism and Drug Abuse Hotline is open 24 hours daily, 1-800-252-6465.
- The Cocaine Hotline, 1-800-444-9999 is also open 24 hours.
- The National Institute on Drug Abuse Hotline is available 8:00 AM to 2:00 AM, Monday through Friday and 11:00 AM to 2:00 AM on weekends, 1-800-662-4357.

Programs to Raise Awareness of Safety for Students and Employees

ASUN's Campus Police crime prevention program is based upon the dual concepts of eliminating or minimizing criminal opportunities whenever possible and encouraging students and employees to be responsible for their own security and the security of others. Educational programs regarding campus crime and emergency procedures are conducted each semester in coordination with faculty and staff for students on all three campuses. These programs may include Public Safety Officers or other guest speakers. Through programs such as these, students and employees are reminded to follow such preventative procedures as:

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

A common theme of situational awareness and crime prevention programs is to encourage students and employees to be aware of their surroundings and take responsibility for their own security and the security

of others. Campus Police in conjunction with Student Affairs provides programming throughout the year to individual groups on campus or by special request. Some of the programs presented include the following:

- A. Introduction to Public Safety
- B. Active Shooter
- C. Sexual Assault Prevention and Awareness
- D. Domestic Violence and Violence Against Women/ Bystander Intervention
- E. Identity Theft Prevention
- F. Stalking Awareness and Prevention
- G. Crime Prevention
- H. Alcohol and Drug Awareness

When time is of the essence, information about potentially dangerous situations will be released to the ASUN community through the Rave Alert notification system and through the campus email system. Information regarding ASUN's safety and security program is included in each new student orientation and new employees are given this information during their orientation. The same information is made available upon request to all prospective students and job applicants.

Campus Police

The mission of Campus Police is to enhance the safety of the members of the ASUN community and the security of all of the campus' facilities.

The department enforces institutional policies and municipal and state laws in support of the academic mission. Providing professional safety and security services to the academic community, through visibility and education while promoting personal responsibility. Educating the ASUN community on safety and security issues is one of the department's most important responsibilities.

Campus Police provides a safe, secure environment that will maximize educational growth and development of its students and foster productive cooperation among its constituents. Other populace we serve are faculty, staff and visitors. Campus Police are composed of three certified police officers, enforces federal, state and local laws in its jurisdiction. The enforcement of these laws is tempered with an educational philosophy which supports the mission, goals and objectives of the university.

Below are just some of the services offered:

- Campus Patrols
- Parking/Traffic Enforcement
- Emergency Response
- Accident Investigation
- Safety Training
- Compliance and Security Reporting
- Nightly Escort Service

Never walk alone at night if at all possible. If you absolutely have to walk alone, walk on well-lit walkways and plan your route ahead of time. It is best to walk facing traffic. Ask for assistance from the Campus Police Department, if you are frightened or concerned.

Information for Crime Victims about Disciplinary Hearings

In accordance with Federal regulations 34 C.F.R. 668.46, ASUN must, upon written request, disclose to the alleged victim of any crime of violence or non-forcible sex offense, the results of any disciplinary proceeding conducted by the school against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased because of the crime or offense, the information shall be provided, upon request, to the next of kin of the alleged victim. This provision applies to any disciplinary

proceeding conducted by a school on or after August 14, 2009. The procedure of ASUN is that such request are fulfilled through the Vice Chancellor for Student Affairs' office.

Policy on Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence and Stalking

It is the policy of the ASUN to prohibit Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence and Stalking of its students, faculty, and staff and to make every effort to eliminate these offenses in the University. University policy prohibits Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence and Stalking between or among students, faculty, staff, and others visiting or conducting official business on campus, and in all areas of the University's work and educational environments. Those who engage in these offenses may be subject to legal consequences, including civil and criminal penalties and monetary damages.

Program to prevent Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence and Stalking

Several programs and resources are available to members of the University community on these topics. Programs can be arranged through Campus Police, and additional information can be obtained through the Student Affairs office. The following programs are presented on each ASUN campus:

- Introduction to Public Safety
- Domestic Violence and Violence Against Women/ Bystander Intervention
- Crime Prevention
- Sexual Assault

Sexual Harassment

Arkansas State University is committed to creating and maintaining a university community that is free from all forms of sexual harassment. ASUN shall not tolerate harassment in relation to the evaluation of employee or student performance, nor shall the university tolerate such behavior on the context of collegial and/or co-worker interaction. Such conduct is an abuse of authority and position. ASUN maintains as its official policy that sexual harassment of either employees or students will not be tolerated. The university shall act promptly to investigate all allegations of sexual harassment and to effect appropriate remedy when an allegation is determined to be valid.

Sexual harassment is defined as unwelcome sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature when at least one of the following conditions is met:

1. Submission to such conduct is made either explicitly or implicitly as a condition of an individual's employment.
2. Submission to or rejection of such conduct by an individual is used as a basis for evaluation in making employment, membership or academic decisions affecting the individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or creating an intimidating, hostile or offensive work, academic or living environment.

Sexual Misconduct

To constitute sexual misconduct, the sexual conduct must meet one of the following criteria:

- The sexual conduct is not consensual;
- The sexual conduct includes force, threat(s) or intimidation;

- The sexual conduct occurs when the victim is mentally or physically impaired, such as when under the influence of alcohol or other drugs or when the victim is a minor.

Supervisors and faculty members must recognize that their positions necessarily embody unequal power relationships with their subordinates and students, respectively. Because of the inherent power difference in these relationships, the potential exists for the less powerful to perceive a coercive element in suggestions relative to activities outside those appropriate to the professional relationship. It is the responsibility of supervisors and faculty members to behave in such a manner that their words or actions cannot reasonably be perceived as coercive.

All members of the university community are urged to report incidents of sexual harassment to the Department of Human Resources.

Sanctions for violations against individuals who violate this policy will be subject to a number of sanctions both by the university and by the state criminal justice systems. ASUN reserves the right to discipline students and organizations for sexual harassment and assaults that occur on or off campus.

Procedures for Reporting Sexual Assault

Victims of sexual harassment, sexual assault, domestic violence, dating violence or stalking are encouraged to report the incident to ASUN officials. ASUN officials are REQUIRED by university regulations to notify the Student Affairs Office of the report. The Student Affairs Office will call the Police. The victim is not required to cooperate nor to report. The police department makes decisions about filing charges against the assaulter.

Options:

- Individuals filing grievances, under this policy, against a university employee should contact the Office of Human Resources. This grievance process is outlined in the Sexual Harassment policy of the ASU Student Handbook.
- Individuals filing complaints against another student should contact the Office of Student Conduct. This process is also outlined in the Student Handbook.
- Individuals requesting a change in their academic situation should contact the academic affairs office. The chief academic officer will accommodate reasonable changes in the alleged victim's academic situation.

Procedures if Students are Sexually Assaulted

The Student Right to Know and Campus Security Act requires that students be provided information concerning campus sexual assault programs and the procedures which should be followed once an offense has occurred. The complainant is encouraged to go to a hospital emergency room to receive appropriate medical care and/or evidence collection. These important steps should be taken after a sexual assault:

1. **Do not** shower, bathe, douche, smoke, change clothing, urinate (if possible), brush your teeth or rinse your mouth, change bedding, or disturb the area where the assault occurred (if the assault occurred in your place of residence). **Remember**, it is important to preserve the evidence.
2. **Tell someone.** Call a friend, counselor, or anyone who can provide you with emotional support.
3. **Seek medical attention.** Go to a doctor or hospital as quickly as possible for evidence to be gathered and to be checked for injury.
4. **Write down** detailed information about the assault – where, when, who, etc. If the assailant is a stranger, try to remember his or her height, hair color, scars, and clothing.

Sexual Misconduct Grievance Procedure

The Sexual Misconduct Discrimination Grievance Procedure applies to all allegations of sexual discrimination. Sexual discrimination includes Sexual Harassment, Sexual Assault, and Sexual Violence.

Sexual Harassment is defined as unwelcome gender-based verbal or physical conduct that is severe, persistent or pervasive and occurs when:

- Submission to, or toleration of, such conduct is made a term or condition of instruction, employment, or participation in other university activities;
- Submission to, or rejection of, such conduct is used as a basis for employment or education decisions affecting the individual; or
- Such conduct has the effect of unreasonably interfering with an individual's education or employment performance or creating an intimidating, hostile, or offensive university environment.

Sexual Assault occurs when a person is subjected to an unwanted sexual act by force or threat without consent. Sexual assault includes rape, sexual contact such as touching or fondling, and the forced performance of sexual acts involving bodily contact between the parties.

Sexual Violence includes sexual assault but may also consist of an attempt to obtain a sexual act or sexual advances which do not result in a completed sexual act. Sexual violence includes all acts constituting sexual assault plus other acts such as exposure of sexual organs, gender based stalking, and gender based bullying. Gender based stalking or bullying may be carried out in person or through communications systems including telephones, e-mails, and texting,

Sexual acts occur without consent when they are perpetrated against a person's will or where a person is incapable of giving consent due to minority in age, intellectual impairment, or use of mind altering substances such as drugs or alcohol.

Report of Sexual Discrimination

Any employee, student, or visitor who believes he or she has been subjected to sexual discrimination should report the incident to the Title IX Coordinator utilizing the grievance form available on the Human Resources or Student Conduct web sites. Employees with supervisory responsibilities including deans, vice chancellors, department chairs, faculty, student conduct personnel, human resources, personnel, athletic administrators, coaches, and university police personnel must report incidents of sexual discrimination either observed by them or reported to them to the Title IX Coordinator. In the event the sexual discrimination allegation is against the Title IX Coordinator, the report form should be submitted to the Office of University Counsel. In order to ensure timely investigation and remedy, a sexual discrimination grievance should be activated within sixty (60) days from the time the events leading to the complaint occurred. All complaints are investigated; however, delay in reporting impedes the ability to achieve prompt resolution. All efforts will be made to honor a request for confidentiality but confidentiality cannot be ensured. Reports of sexual assault or sexual violence will be reported to law enforcement authorities.

Criminal investigations by any law enforcement agencies or investigations conducted under the Faculty, Staff, or Student Handbooks may occur simultaneously with a sexual discrimination grievances and do not affect the grievance process.

Title IX Coordinator's Response

Within forty-five (45) calendar days after receipt of a written grievance form, the Title IX Coordinator, or designee, will conduct a full and impartial investigation including interviewing the complainant, the accused, and any witnesses identified as well as reviewing any documentary evidence submitted by either party. As early as possible in the investigation, the Title IX Coordinator should determine whether temporary remedial measures are warranted such as suspension from employment with or without pay, suspension from classes, and issuance of a no contact directive, reassignment of job duties, or changing class or classroom assignments. If immediate action is required to protect the complainant, the Title IX Coordinator shall work with the appropriate administrator to implement temporary remedial measures.

The past sexual history or sexual character of a party will not be admissible by the other party in the investigation or any subsequent hearing unless the party was found to be responsible, the previous incident

was substantially similar to the present allegation, and the past actions indicate a pattern of behavior consistent with the current allegations.

After studying all the pertinent facts and documents, carefully examining any policies involved, and discussing the issue with the parties and witnesses, the Title IX Coordinator shall either:

- (1) Propose an informal resolution to the parties which, if accepted, shall be documented in writing and shall conclude the investigation or
- (2) Prepare a formal written report making a finding, based on the preponderance of the evidence, as to whether sexual discrimination occurred, and if so, recommending a remedy which will end the discrimination, prevent its recurrence, and remove its effects on the complainant and the university community. The report shall be transmitted simultaneously to the complainant and the accused and implemented immediately. If both parties agree with the report, the grievance shall be closed and the remedies continued. If either party does not agree with the finding of the Title IX Coordinator and desires to appeal, that party must submit, within five (5) working days of the date of the report, a written request to the Department of Human Resources for a hearing before the Sexual Discrimination Hearing Committee. The written request will detail the alleged error of the Title IX Coordinator and the requested remedy. The Department of Human Resources will provide the party not appealing with a copy of the request. Within five (5) working days of the date of the letter from the Human Resources Department, the party not appealing may submit a written response to the request for hearing countering any allegations in that document. Copies will be provided to the Title IX Coordinator for placement in the case file. Timelines may be extended by the Title IX Coordinator in extenuating circumstances.

Sexual Discrimination Hearing Committee Composition

The Sexual Discrimination Hearing Committee is composed of members selected by the Chancellor from the Academic Hearing Committee, the Student Conduct Hearing Committee, and the Staff Hearing Committee for that campus. The Sexual Discrimination Hearing Committee is composed of seven (7) members. When a student is the complainant, three (3) members of the committee shall be students, two (2) members faculty, and two (2) members staff; when the complainant is a staff member the committee shall be composed of three (3) staff members, two (2) faculty members, and two (2) students; when the complainant is a faculty member the committee shall be composed of three (3) faculty members, two (2) students, and two (2) staff. The committee elects a chair once convened. The Sexual Discrimination Hearing Committee shall have specific training on sexual discrimination. A member of Human Resources sits as an ex-officio, non-voting member of the Sexual Discrimination Hearing Committee, offering technical assistance on procedural and policy matters.

Sexual Discrimination Hearing Committee Functions

The Sexual Discrimination Hearing Committee reviews the findings of the Title IX Coordinator to determine, based on the preponderance of the evidence, whether institutional error has occurred and, if so, to recommend an appropriate corrective action. Institutional error occurs when no legitimate reason exists for the action taken. Decisions which require the exercise of judgment or discretion cannot constitute institutional error. The committee has twenty (20) working days to prepare a written response after it has received a complaint. All proceedings shall be in closed session.

Because the committee will have received the entire file from the Title IX Coordinator including all witness statements, the hearing will not include the grievant, the party complained against, or other witnesses unless either (1) the Committee requests their oral testimony or (2) either party requests to testify and/or present witnesses. In the event that oral testimony is requested, the grievant and the party complained against may be present and question the witnesses. If the grievance is one alleging sexual assault or sexual violence, the parties will not question the other. Instead, the party testifying before the committee shall be screened so that they may be heard by the other party but not seen. The non-testifying party shall have the opportunity to provide written questions to the committee to be asked of the testifying witness based on his or her testimony. The committee may also question any person testifying. Each party may have an advisor present during the testimony who may provide personal consultation but may not actively participate in the

hearing. The parties must disclose to the Chair of the Sexual Discrimination Hearing Committee the identity of any testifying witness or any advisor at least two (2) working days before any hearing. The Chair shall provide the list of witnesses to each party upon receipt. No audio or video recording is permitted.

In reviewing a case two options are open to the Committee:

- It may find no institutional error has occurred and recommend that no further action be taken.
- It may find that institutional error has occurred and recommend a remedy different than that proposed by the Title IX Coordinator.

Document Collection

When a sexual discrimination grievance proceeding has been closed, all material relating to that case shall be retained on file by the Title IX Coordinator for seven years. Care will be taken to ensure that no incomplete or inaccurate information pertaining to the grievance is retained in the file.

Sexual discrimination grievance proceedings are considered confidential and no person involved with the grievance may make the documents public except as required by law.

Sexual Assault Information

Sexual assault, including rape, acquaintance rape, date rape or gang rape is specifically prohibited on the ASUN campus or in connection with any of the programs and activities it sponsors. Students committing sex offenses, whether on or off campus, are subject to University disciplinary action as well as criminal action. Sex offense awareness and prevention programs are presented when requested. Guest speakers may also be brought to the campus for presentations open to the entire campus community. Materials including pamphlets covering sex offense awareness and prevention and similar materials are also available in Student Affairs.

Preventative Actions

Through these efforts, students are informed of preventive actions which they can take such as the following:

What women can do:

- Think ahead. Know your desires, limits and intentions ahead of time before you meet an acquaintance or go out on a date.
- Communicate your intentions clearly. Inform your date or acquaintance what your intentions and limits are. "No" means no, and "yes" means yes. Be clear, firm and specific. Polite approaches may be misunderstood or ignored.
- Be assertive. Men sometimes interpret passiveness as permission. Be direct and firm with someone who is sexually pressuring you.
- Avoid excessive use of alcohol. Alcohol interferes with judgment and communication. Most incidences of date rape involve the use of alcohol.
- Do not place yourself in vulnerable situations. Walk in well lighted areas and with friends. Keep your room door and windows locked. When dating a person for the first time, double date.
- Trust your intuition. If you sense you are in danger, leave the area or situations immediately

What men can do:

- Respect the wishes of the person. If she says "no", she means no. Do not read other meanings into her answer. Even if she initially gives permission, but then changes her mind, respect her wishes.
- Do not assume previous sex gives permission for future sex. Again, listen to what the person has to say.
- Do not assume women enjoy force or pressure to have sex. Women wish to be treated with care and respect. Force sex is nothing more than a violent and criminal act.

- Do not assume a woman who dresses in revealing clothes and acts provocatively wants to have sex.
- Realize that alcohol and drugs are not an excuse to have sex. You do not have the right to take advantage of a person who is intoxicated or incapable of saying "no."

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

Resources for Victims of Sexual Assault

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

If you believe you are a victim of sexual assault, you can and should seek out help and assistance from the following ASUN employees:

Who to contact to report an incident of sexual assault at ASU-Newport:

ASUN Campus Police(870) 512-7866
 Student Affairs(870) 512-7838

Local Law enforcement agencies:

Newport Police.....(870) 523-2721
 Jonesboro Police(870) 935-5551
 Marked Tree Police.....(870) 358-2024

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

Unity Health – Harris Medical Center

1205 McLain
 Newport, AR 72112
 (870) 523-8911

St. Bernard’s Regional Medical Center

224 East Matthews
 Jonesboro, AR. 72401
 (870) 972-4288

Medical Center of NEA

4800 E. Johnson Ave.
 Jonesboro, AR 72401
 (870) 936-1000

Arkansas Coalition Against Sexual Assault

Toll Free 1-866-63-ACASA (22272)

Arkansas Coalition Against Domestic Violence

800-799-SAFE

Teen Dating Abuse Helpline

866-331-9474

National Sexual Assault Hotline

1-800-656-HOPE

National Center on Domestic and Sexual Violence

Web: www.ncdsv.org

National Coalition Against Domestic Violence

Web: www.ncadv.org

National Center for Victims of Crime

Web: www.ncvc.org

National Sexual Violence Resource Center

Web: www.nsvrc.org

Rape Abuse Incest National Network (RAINN)

Web: www.rainn.org

Sanctions for Academic Misconduct

Sanctions for Academic Misconduct may be imposed by the faculty member or instructor discovering the Academic Misconduct except in the case of dismissal from a particular program which shall be made by the department chair or program director/academic dean, or suspension or expulsion from the college, which shall be made by the Vice Chancellor. The following sanctions may be imposed for Academic Misconduct:

- A failing grade on the paper or project;
- Rewriting or repeat performance of course work;
- A failing grade for the class;
- Dismissal from the class;
- Dismissal from a particular program;

A student may not avoid academic sanctions by withdrawing from a class, a program, or the college.

Note: Departments (e.g., Nursing, Surgical Technologist, High Voltage Lineman Technology, Cosmetology, and Driver Training) may add to these guidelines in order to enforce academic integrity and professional ethics to meet their special needs (e.g., clinical, computer, laboratory experiences).

Sex Crimes Prevention Act

The federal Campus Sex Crimes Prevention Act (CSCPA) of 2000 (Public Law 106-386, is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. The federal law requires institutions of higher education to advise the campus community where law enforcement agency information provided by the State concerning registered sex offenders may be obtained. The Campus Police Department shall provide this information at 870-512-7866.

Registered Sex Offender Procedure Statement

Sex offender registrations are handled through each city police department. Campus Police receives notifications if any sex offender moves into an area near one of the ASUN campuses. Information about current sex offender registry can be viewed by visiting www.acic.org.

Campus Security Authorities

Campus Security Authorities (CSA's), as defined by the Clery Act, have an obligation to report allegations of Clery Act-defined crimes that they conclude are made in good faith. These crime allegations should be reported to the Campus Police or to the local police. The Clery Act definition of a campus security authority includes ASUN's personnel in addition to campus police officers. Any official of ASUN who has significant responsibility for student and campus activities, including but not limited to, student discipline, student activities, and campus judicial proceedings, and understands the functions and responsibilities of a CSA's is a campus security authority. ASUN's employees with supervisory responsibilities include deans, vice chancellors, department chairs, faculty, student conduct personnel, human resources, campus police, security personnel, advisors to student organizations and intramurals, student activities staff, or someone with significant responsibility for student and campus activities. The Vice Chancellor for Student Affairs is responsible for overseeing CSA's on each campus. The Vice Chancellor for Student Affairs is also responsible for the collection of crime reports from Campus Police. Campus Police are responsible for compiling crime reports for inclusion in the ASUN Annual Security Report. The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many individuals may be hesitant about reporting crimes to the police, but may be more inclined to report incidents to other campus-affiliated individuals. Crimes may be reported confidentially to CSA's for inclusion in the Annual Security Report.

Federal Statistical Reporting Obligations

Certain campus officials have a duty to report sexual discrimination for federal statistical reporting purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the annual Campus Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. Mandated federal reporters include: student/conduct affairs, campus law enforcement, local police, residence life staff, student activities staff, human resources staff, advisors to student organizations and any other official with significant responsibility for student and campus activities. The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the victim and may be done anonymously.

Federal Timely Warning Reporting Obligations

Victims of sexual discrimination should also be aware that university administrators must issue immediate timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. The university will make every effort to ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger. The reporters for timely warning purposes are exactly the same as detailed in the above paragraph.

Emergency Notification Procedure

The procedure regarding emergency response notification at ASUN is designed to get relevant information to ASUN students, employees and visitors at any affected ASUN location as soon as possible after an

emergency incident occurs that involves a threat to health and safety. Emergency response notifications are instituted when any occurrences that would pose a threat to the college community take place. Campus Police or a designee will confirm if there is a significant emergency or dangerous situation and determine necessary notifications. Campus authorities will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the campus emergency notification system.

Notifications will provide information on the nature of the emergency and the appropriate action one should take. Notifications are distributed in various ways depending on the nature of the situation and the information to be disclosed. ASUN may also utilize emails; text messaging; voice messages; bullhorn; certain faculty and staff offices; or other means of verbal contact by public safety and/or other personnel available to alert members of the ASUN community. Anyone with information warranting an immediate notification should report the circumstances to the Campus Police at 870-512-7866.

When appropriate, emergency information will be disseminated to the larger community through local and state media sources including newspaper, radio, and television, as well as through ASUN's website (www.asun.edu). The ASUN Director of Marketing and Communications is responsible for the coordination of such efforts and may be contacted at 870-512-7723.

Evacuation Procedure

ASUN's campus consists of several buildings. If an emergency evacuation is required, you will be notified by your class instructor and follow the emergency plan posted in the area you are currently located in. On an annual basis, the institution will conduct an emergency evacuation drill. Each classroom has emergency evacuation procedures posted in the room. Please ensure you are familiar with these evacuation procedures.

In the event of a required evacuation of an entire ASUN campus or portions thereof, Campus Police and members of the Physical Plant staff will be positioned in key locations on each campus to facilitate the safest and most expedient exit from campus. Depending on the location of the emergency, parking lots not affected will be evacuated as safely as possible. Parking lots affected by the incident will remain in place until they can be evacuated safely. A full evacuation of an ASUN campus would be initiated only in a rare and extreme situation due to the problems inherent with evacuating 200-300 vehicles. Notification to evacuate will be initiated through activation of ASUN's emergency notification system and other means as necessary.

Emergency Operations Plan

https://files.asun.edu/federal_compliance/Emergency_Operations_Plan.pdf

Statistics from Local Police

Campus Police submit an annual request to the local law enforcement agencies requesting specified crime statistics reported to local police agencies that occurred on or near campuses and on College controlled or affiliated property to be reported for inclusion in the annual crime report. Documentation of the request is maintained by Campus Police regarding the College's efforts to obtain the statistics and documentation of any noncompliance on behalf of the police as well as the statistics from all the appropriate police agencies with jurisdiction for ASUN.

Report to ED via the Web-based Data Collection

Per request by annual letter, the United States Education Department (ED) sends a request to Campus Police to submit the crime statistics portion of the Annual Security Report via the Campus Safety and Security Survey web-based system. The Supervisor of Campus Police is the Campus Safety Survey Administrator (CSSA). The CSSA or his designee enters and submits the College's crime statistics through this survey. ASUN's Campus Police statistics are available to the general public: <http://ope.ed.gov/security> or the Campus Police's website at www.asun.edu/campuspolice.edu.

Preparing the Development, Annual Disclosure of Crime Statistics Report

The Clery Report is compiled by the ASUN Campus Police. Crime and arrest statistics for the report are compiled from police reports from the files of ASUN's Campus Police, Newport Police Department, Jonesboro Police Department, and Marked Tree Police Department. Judicial referral statistics are provided by ASUN's Office of Student Affairs. Inquiries are made to ASUN's administrators, directors and department heads requesting information if a crime was reported to anyone in their area and not reported to the police. Every attempt is made to ensure that the information provided is accurate.

Disclosure of Crime Statistics

- 1) Campus Police is responsible for collecting all crime reports from campus security authorities and local law enforcement for inclusion in the annual security report.
- 2) Crime statistics for the three most recent calendar years concerning the occurrence on campus, in or on non-campus buildings or property, and on public property surrounding ASUN that are reported to Campus Police, local law enforcement agencies, or to a campus security authority are as follows:

2022 Campus Security Act Report – Arkansas State University-Newport Jonesboro									
Reported Offenses Of	2020			2021			2022		
	On Campus	Non-Campus	Public Property	On Campus	Non-Campus	Public Property	On Campus	Non-Campus	Public Property
Murder (includes non-negligent manslaughter)	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Larceny – Theft	0	0	0	0	0	0	0	1	0
Simple Assault	0	0	0	0	0	0	0	0	0

Intimidation	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of property	0	0	0	0	0	0	0	1	0
Any other Crime involving bodily injury	0	0	0	0	0	0	0	0	0
Number of arrest made for the following crimes									
Liquor Laws	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	1	0
Illegal Weapons Possession	0	0	0	0	0	0	0	0	0
Number of Law Violations Referred for Disciplinary Actions									
Liquor Violations	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Violations	0	0	0	0	0	0	0	0	0
Crimes Against Women									
Domestic Violence	0	0	0	0	0	1	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

2022 Campus Security Act Report – Arkansas State University-Newport Adult education Jonesboro									
Reported Offenses Of	2020			2021			2022		
	On Campus	Non-Campus	Public Property	On Campus	Non-Campus	Public Property	On Campus	Non-Campus	Public Property
Murder (includes non-negligent manslaughter)	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Larceny – Theft	0	0	0	0	0	0	0	1	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of property	0	0	0	0	0	0	0	1	0
Any other Crime involving bodily injury	0	0	0	0	0	0	0	0	0
Number of arrest made for the following crimes									
Liquor Laws	0	0	0	0	0	0	0	0	0
Drug Laws	0	1	0	0	0	0	0	1	0
Illegal Weapons Possession	0	0	0	0	0	0	0	0	0
Number of Law Violations Referred for Disciplinary Actions									
Liquor Violations	0	0	0	0	0	0	0	0	0

Drug Violations	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Violations	0	0	0	0	0	0	0	0	0
Crimes Against Women									
Domestic Violence	0	0	0	0	0	1	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

2022 Campus Security Act Report – Arkansas State University-Newport Marked Tree									
Reported Offenses Of	2020			2021			2022		
	On Campus	Non-Campus	Public Property	On Campus	Non-Campus	Public Property	On Campus	Non-Campus	Public Property
Murder (includes non-negligent manslaughter)	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	1	0	0
Arson	0	0	0	0	0	0	0	0	0
Larceny – Theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of property	0	0	0	0	0	0	0	0	0
Any other Crime involving bodily injury	0	0	0	0	0	0	0	0	0
Number of arrest made for the following crimes									
Liquor Laws	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession	0	0	0	0	0	0	0	0	0
Number of Law Violations Referred for Disciplinary Actions									
Liquor Violations	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Violations	0	0	0	0	0	0	0	0	0
Crimes Against Women									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

2022 Campus Security Act Report – Arkansas State University-Newport Newport
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Reported Offenses Of	2020			2021			2022		
	On Campus	Non-Campus	Public Property	On Campus	Non-Campus	Public Property	On Campus	Non-Campus	Public Property
Murder (includes non-negligent manslaughter)	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Larceny – Theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of property	0	0	0	0	0	0	0	0	0
Any other Crime involving bodily injury	0	0	0	0	0	0	0	0	0
Number of arrest made for the following crimes									
Liquor Laws	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession	0	0	0	0	0	0	0	0	0
Number of Law Violations Referred for Disciplinary Actions									
Liquor Violations	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	1	0	0
Illegal Weapons Possession Violations	0	0	0	0	0	0	0	0	0
Crimes Against Women									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

2022 Campus Security Act Report – Arkansas State University-Newport Adult education Truman									
Reported Offenses Of	2020			2021			2022		
	On Campus	Non-Campus	Public Property	On Campus	Non-Campus	Public Property	On Campus	Non-Campus	Public Property
Murder (includes non-negligent manslaughter)	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses	0	0	0	0	0	0	0	0	0

Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Larceny – Theft	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of property	0	0	0	0	0	0	0	0	0
Any other Crime involving bodily injury	0	0	0	0	0	0	0	0	0
Number of arrest made for the following crimes									
Liquor Laws	0	0	0	0	0	0	0	0	0
Drug Laws	0	0	0	0	0	1	0	0	0
Illegal Weapons Possession	0	0	0	0	0	0	0	0	0
Number of Law Violations Referred for Disciplinary Actions									
Liquor Violations	0	0	0	0	0	0	0	0	0
Drug Violations	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Violations	0	0	0	0	0	0	0	0	0
Crimes Against Women									
Domestic Violence	0	0	0	1	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

Reported Offenses of Hate Crimes

2022 Hate Crimes ASUN Campus	Race			Gender			Religion			Sexual Orientation			Ethnicity			Disability		
	OC	NC	PP	OC	NC	PP	OC	NC	PP	OC	NC	PP	OC	NC	PP	OC	NC	PP
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/ Damage Vandalism	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

2022 Hate Crimes ASUN Campus	Race			Gender			Religion			Sexual Orientation			Ethnicity			Disability		
	OC	NC	PP	OC	NC	PP	OC	NC	PP	OC	NC	PP	OC	NC	PP	OC	NC	PP

Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/ Damage Vandalism	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

2022 Hate Crimes ASUN Campus	Race			Gender			Religion			Sexual Orientation			Ethnicity			Disability		
	OC	NC	PP	OC	NC	PP	OC	NC	PP	OC	NC	PP	OC	NC	PP	OC	NC	PP
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/ Damage Vandalism	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Geographic Locations Defined:

On Campus (OC)= any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes; and property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by student, and supports institutional purposes (includes parking lots, sidewalks, common areas, and all academic and administrative buildings on the main campus).

Non-campus (NC) = any building or property owned or controlled by a student organization recognized by the institution; and any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to the institution’s educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution (includes religious student centers, farm and all buildings not on the main campus).

Public Property (PP) = all public property that is within the same reasonably contiguous geographic area of the institution, such as sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution’s educational purposes (includes streets running through or next to campus).

Hate Offenses = The school must report by category of prejudice the following crimes reported to local police agencies or to a campus security authority that manifest evidence that the victim was intentionally selected because of the victim’s actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability, as prescribed by the Hate Crime Statistics Act (28 U.S.C. 534) occurred.

Quick Reference Emergency Numbers

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:

<p>Who to contact to report an incident at ASU-Newport:</p>	<p>ASUN Campus Police: (870) 512-7866 Student Affairs: (870) 512-7835 Marked Tree Campus (870) 358-8614 Jonesboro Campus (870) 217-1347</p>
<p>Local Law enforcement agencies:</p>	<p>Newport Police (870) 523-2721 Jonesboro Police (870) 935-5553 Marked Tree Police (870) 358-2024</p>
<p>Agencies and contacts in the ASUN area that can provide assistance:</p>	<p>Unity Health - Harris Hospital, Inc. 1205 McLain Newport, AR 72112 (870) 523-8911</p> <p>St. Bernard’s Regional Medical Center 224 East Matthews Jonesboro, AR. 72401 (870) 972-4288</p> <p>Medical Center of NEA 4800 E. Johnson Ave. Jonesboro, AR 72401 (870)-936-1000</p>

Procedures for Reporting Crimes and Emergencies

Students, faculty or staff of all campuses encountering emergencies or violations of institution regulations or local, State or federal law should report these incidents to one of the following:

- | | |
|--------------------|----------------|
| ASUN Campus Police | (870) 512-7866 |
| Newport Police | (870) 523-2721 |
| Jonesboro Police | (870) 935-5551 |

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

Responses to these reports will vary according to the situations. Emergencies will receive immediate action to resolve the situation. Reported violations of local, state or federal law will be investigated by the Campus Police. Information acquired in this investigation will be used in selecting an appropriate course of action. Options for action include: 1) pursuing the alleged violation through the criminal justice system, 2) pursuing the alleged violation through the University Judicial System, 3) pursuing the alleged violation through both the criminal justice system and the University Judicial System, or 4) taking no action. Reported violations of University regulations will be investigated and, where appropriate, adjudicated by the appropriate student conduct judicial process.

Campus Police incident reports involving students are forwarded to the Division of Student Affairs for review and potential action. Incident reports are available in the Campus Police office. Campus Police Officers will investigate a report when it is deemed appropriate and additional information obtained via the investigation will also be forwarded to the Division of Student Affairs.

Timely Notification Warnings

In the event that a situation arises, either on or near campus, that in the judgment of the Campus Police, in consultation with other administrative offices as appropriate, constitutes an ongoing or continuing threat to members of the ASUN community, the department will issue a "timely warning" notice, commonly referred to as a "Campus Safety Alert." These notifications may vary depending on the nature of the crime. One or more of the following methods will be used to notify students, faculty and staff:

- Text message through the Rave Alert system
- Alerts on the ASUN website www.asun.edu
- Signs placed in and around campus buildings
- Emails to ASUN email addresses
- Announcements made through each campus paging system
- Media alerts

If community members report crimes or serious incidents to other ASUN administrators, those administrators should notify the Campus Police. The department will collaborate with these administrators to issue a Campus Safety Alert, if warranted.

Campus Incident Reporting

ASUN community members are encouraged to notify Campus Police of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus. Campus Police has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, Campus Police has a responsibility to respond to such incidents to determine if the situation does, in fact, pose a

threat to the community. If so, federal law requires that the institution notify the campus community or the appropriate segments of the community that may be affected by the situation.

Emergency Drills and Evacuation Procedures

ASUN notifies the campus communities of emergency response processes at least once per calendar year. These notifications are designed to inform students, faculty, and staff as to what is to be done in the event of an emergency on campus.

Reporting Crimes on a Voluntary and Confidential Basis

Confidential reporting is available to witnesses or victims of a crime who do not want to pursue action within the ASUN system or the criminal justice system. With the witness's or victim's permission, the Campus Police Officer can file a report on the details of the incident without revealing their identity. The purpose of a confidential report is to comply with the witness's or victim's wish to keep the matter confidential, while taking steps to ensure their or other's future safety. With such information, the University can keep an accurate record of the number of incidents involving students, employees and visitors; determine whether there is a pattern of crime with regard to a particular location, method, or assailant; and when necessary, alert the campus community to potential danger. Confidential reports made to the Campus Police or CSA's are counted and disclosed in the annual crime statistic survey for the institution. It is the policy of ASUN to encourage the reporting of crimes even if the victim does not wish to file a complaint. If a crime is reported to the CSA and the victim chooses not to report it to the police, then the employee, student or visitor is required to complete a Campus Incident Report Form and exclude the victim's name. Any information received will be reported to Campus Police for crime reporting notifications, campus crime statistics reporting, and campus education programs. The form is available on the Campus Police Portal page. https://portal.asun.edu/ICS/Campus_Police/Incident_Report_Form.jnz

Reporting of Crimes to Campus Police and Local Law Enforcement

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

Procedures Concerning Security and Maintenance of Campus Facilities

ASUN is an open campus and maintains on-campus security. Facilities are open to members of the ASUN community and visitors. Tours may be scheduled through the Office of Admissions. Visitor parking is allowed in any on campus parking lot. The Administrative building is open from 8:00 a.m. to 4:30 p.m. Monday through Friday. Academic facilities close and are locked after the last class scheduled in the facility. Service buildings (i.e., library, student center) are open during posted hours. ASUN does not have on-campus or off-campus residence halls.

Some facilities have varied hours at different times of the year. In these cases, the facilities will be secured according to schedules. Emergencies may necessitate changes or alterations to any posted schedules. Campus Police conducts daily security checks to verify that all facilities on campus are secured. Campus Police conduct routine patrols of all campuses which are staffed by Campus Police Officers. The Marked Tree campus is patrolled by the Marked Tree City Police Department on a daily basis.

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

Campus Police Authority and Relationship with Outside Agencies

ASUN's Police Department has primary responsibility for maintaining a reasonably safe campus. Specifically, Campus Police is responsible for crime prevention, law enforcement, parking control, emergency response, policing of special events, and various other community services on campus. Campus Police provide a full range of campus services. Some of these services include investigating reports of crimes, conducting follow-ups as necessary, and filing criminal charges or referring the matter (as appropriate) to another department. Campus Police Officers have complete police authority to apprehend and arrest anyone involved in illegal acts on-campus and areas immediately adjacent to the campus pursuant to A.C.A. 25-17-305. If minor offenses involving college rules and regulations are committed by a student, Campus Police may also refer the individual to the Office of Student Affairs. All of ASUN's Campus Police meet state mandated training requirements (ACT 452 of 1975 of the state of Arkansas as a certified law enforcement officer) and are certified by the Arkansas Commission on Law Enforcement Standards.

Major offenses such as rape, murder, aggravated assault, robbery, and auto theft are reported to the local law enforcement. Joint efforts are coordinated with these local agencies and the Arkansas State Police to investigate these crimes. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted in the appropriate local, state, or federal court.

Recording of Student Off-campus Criminal Activity, Including Student Organizations

When an ASUN student is involved in an off-campus offense, Campus Police officers may assist with the investigation in cooperation with local, state, or federal law enforcement. Local law enforcement agencies routinely work and communicate with Campus Police officers on any serious incidents occurring on-campus or in the immediate neighborhood and business areas surrounding all of ASUN's campuses. ASUN operates no on-campus or off-campus housing, or off-campus student organization facilities. However, many students live in the neighborhoods in the surrounding area. Local law enforcement agencies have primary jurisdiction in all areas off-campus. Although ASUN does not have a written memorandum of understanding with any local law enforcements regarding any of its campuses for the purpose of investigation of alleged criminal offenses, Campus Police officers have direct radio communications with the local law enforcement agencies to facilitate rapid response in any emergency situation.

On-campus Student Housing- Missing Student Notification

According to the Handbook for Campus Safety and Reporting, ASUN does not have to complete this portion of the report since the institution does not have campus housing.

Page161-If your institution has any on-campus student housing facilities, you are required to comply with HEA missing student notification regulations. (Please see "Definition of an On-campus Student Housing Facility" in Chapter 2.) HEA missing student regulations apply only to students who reside in on-campus housing.

Fire Safety Report and Fire Log

According to the Handbook for Campus Safety and Reporting, ASUN does not have to complete this portion because it does not maintain any on-campus student housing facilities.

Voter Registration Procedure

Arkansas State University-Newport (ASUN) prides itself in the democratic process and educates its students of the importance of exercising their right to vote. In compliance with the 1988 Higher Education Act, Arkansas State University-Newport has implemented the following voter registration procedures:

- **Offer Voter Registration Forms at Enrollment and Class Registration**
Provide paper voter registration forms to each degree- or certificate-seeking student who attends campus in person. Additionally, the Arkansas Voter Registration link is emailed to all students to download in an effort to ensure all students have an equal opportunity to register to vote, whether on campus or online only.
- **Provide College Events Access for Voter Registration**
Secretary of State and/or county voter registration personnel are invited to attend campus-wide Community Resource Fairs, so they can spend time registering voters.
- **Encourage Faculty to Invite Groups to Speak to Classes**
Voter Registration groups can address classes regarding the importance of voter registration. More importantly, they have the opportunity to pass out and collect voter registration forms. ASUN faculty are encouraged to facilitate and set aside class time to assist with this process.
- **Hold Voter Registration Campus Event**
Establish and promote a campus-wide voter registration event, partnering with History faculty to assist with the process. Additionally, any ASUN student can pick one up a form in the Dean of Students Office and/or their campus' Financial Aid Office.
Voters are encouraged to register at least 29 days before an election to ensure that they receive their voting materials. Registration forms are available at most post offices, libraries, city and county offices, Department of Motor Vehicles, etc., **or an on-line voter registration request form is available from the Secretary of State** at the following website:
<http://www.sos.arkansas.gov/elections/Pages/voterRegistration.aspx>

Registration Deadlines in Arkansas

- You must submit your application to an official voter registration agency or mail it no later than 30 days prior to an election in which you wish to vote. The postmark on a mail-in application will be considered the submission date.
- If you completed your application at a voter registration drive, the organizers must submit it to the county clerk or Secretary of State's office within 21 days of the date on the application or no later than 30 days prior to the next election.
- If you submit your application close to an election registration deadline, you are strongly advised to follow up on your registration status with your county clerk before Election Day.
- If an election deadline is looming, there is one method of application that will ensure your eligibility: apply in person with your county clerk.
- If you have not received verification from your county clerk, be sure to confirm your registration BEFORE Election Day.

NOTE: If you have just moved to Arkansas, there is no waiting period required to register. You may pick up a voter registration form from the school main office or by downloading the form from the following web site

<http://www.sos.arkansas.gov/elections/Pages/voterResources.aspx>

If you are a college student attending college OUTSIDE of your home county:

You must decide which county you consider "home." If you intend to return to live in your home county, then list your parents' address as your residence. If you do NOT intend to return there, then list your college address as your residence. Remember: you must keep your residence address CURRENT on your voter registration. This requirement often persuades college students to use their parents' address, which may be less likely to change repeatedly

Withdrawal from ASUN

A student is considered officially withdrawn on:

1. The date (from ASUN records) the student began the official withdrawal process
2. The date the student provides official notification of intent to withdraw, in writing or orally

Financial aid recipients who are withdrawing from ASUN are required to complete the online financial aid withdrawal form (or paper form) through the Dean of Enrollment Services office.

A student may withdraw from ASUN at any time from the first class day to the official last day to withdraw as indicated in the ASUN Academic Calendar. The official last day to withdraw is approximately two weeks before the first day of final examinations for the fall or spring terms or the equivalent date for summer sessions. Official dates and deadlines for withdrawing are specified in the ASUN Academic Calendar.

A student is allowed to rescind his notification, in writing, to the Dean of Enrollment Services and continue the term. If the student subsequently drops, the student's withdrawal date is the original date of notification of the intent to withdraw.

In the event a student decides to rescind his or her official notification to withdraw, the student must provide a signed and dated written statement that he/she is continuing his or her program of study and intends to complete the current period of enrollment. Title IV assistance will continue as originally planned. If the student subsequently fails to attend or ceases attendance without completing the period of enrollment, the student's withdrawal date is the original date of notification of intent to withdraw.

After receiving official notice of a student's withdrawal the Financial Aid Office Staff

1. Determines the student's withdrawal date
2. Calculates the percentage of the payment period or period of enrollment completed
3. Determines the amount of Title IV aid originally awarded and whether it was "disbursed" or "could have been disbursed."
4. Determines the original tuition, fees and/or book charges by looking at the student's account. Even though ASUN's refund of tuition and fees schedule allows a 100% refund of charges, for purposes of the Return to Title IV policy, all **original** charges are used in the R2T4 calculation.
5. An R2T4 worksheet on the "FAA Access to CPS" site is completed using the above data.
6. A copy of the worksheet is maintained in the Financial Aid Office and electronically scanned and made part of the student's record.
7. ASU-Newport Financial Aid staff notifies the student by email and/or letter of any amount of Title IV aid that must be returned, as soon as possible but no later than 30 days after determining the student withdrew.
8. If the student owes a federal grant repayment, in addition to what ASU-Newport has returned to the federal programs, the student is notified in writing and the amount is reported by the Financial Aid Office staff as an overpayment.

The student is responsible for all ASU-Newport charges and federal overpayments resulting from an R2T4 calculation.

Please note: Withdrawal from classes may affect the students future eligibility for financial aid due to satisfactory academic progress requirements and R2T4 balances owed.

FERPA Requirements

The Family Educational Rights and Privacy Act (FERPA) sets limit on the disclosure of Personally Identifiable Information (PII), from school records and defines the rights of the student to review the records and request a change to the records.

With exceptions such as those noted in this section, FERPA generally gives postsecondary students the right to:

- review their education records,
- seek to amend inaccurate information in their records, and
- provide consent for the disclosure of their records.

These rules apply to all student education records the school keeps, including admissions records (only if the student was admitted) and academic records, as well as any financial aid records pertaining to the student.

Students' & Parents' Rights to Review Educational Records

A school must provide a student with an opportunity to review his or her education records within 45 days of the receipt of a written request. A school is required to provide the student with copies of education records or make other arrangements to provide the student access to the records if a failure to do so would effectively prevent the student from obtaining access to the records.

Student Record Fees for Copies

While the school may not charge a fee for retrieving the records, it may charge a reasonable fee for providing copies of the records, if the fee would not prevent access to the records.

Student Parent Right

While the rights under FERPA have transferred from a student's parents to the student when the student attends a postsecondary institution, FERPA **does permit** a school to disclose a student's education records to his or her parents if the student is a dependent student under IRS rules. However, the Institution must establish that the student's parents do meet the requirements as outlined by the IRS rules.

IRS Definition of a Dependent Student

Note that the IRS definition of a dependent is quite different from that of a dependent student for FSA purposes. For IRS purposes, students are dependent if they are listed as dependents **on their parent's income tax returns**. (If the student is a dependent as defined by the IRS, disclosure may be made to either parent, regardless of which parent claims the student as a dependent.)

Prior written consent to disclose the student's records

Except, under one of the special conditions described in this section, a student must provide written consent before an education agency or school may disclose PII from the student's education records.

Written Consent

Written consent must:

- state the purpose of the disclosure
- specify the records that may be disclosed
- identify the party or class of parties to whom the disclosure may be made, and
- be signed and dated

If the consent is given electronically, the consent form must:

- identify and authenticate a particular person as the source of the electronic consent, and

- indicate that person’s approval of the information contained in the electronic consent.

FERPA Exceptions

The FERPA regulations include a list of exceptions where the school may disclose PII from the student’s file without prior written consent.

Disclosures to School Officials

Some of these disclosures may be made to officials at your school or another school who have a legitimate interest in the student’s records (transfer student). Typically, these might be admissions records, grades, or financial aid records. Disclosure may be made to:

- School officials, including teachers, within the school whom the school has determined to have legitimate educational interests.
- Officials of another postsecondary school or school system where the student receives services or seeks to enroll (transfer student).
- Third-party servicers that our school has contracted with who perform a Title IV, HEA function are considered school officials under FERPA. A school official may disclose personal information from your student education records to a servicer.

Disclosures to Government Agencies

Disclosures may be made to authorized representatives of the U.S. Department of Education for audit, evaluation, and enforcement purposes. **“Authorized representatives”** includes employees of the Department:

- Employees of the Office of Federal Student Aid, the Office of Postsecondary Education,
- Office for Civil Rights, and
- National Center for Education Statistics, as well as firms that are under contract to the Department to perform certain administrative functions or studies.

In addition, disclosure may be made if it is in connection with financial aid that the student has received or applied for during the enrollment at ASUN. Such a disclosure may only be made if the student information is needed to determine the amount of the aid, the conditions for the aid, or the student’s eligibility for the aid, or to enforce the terms or conditions of the aid.

Release of Personally Identifiable Information

A school may release PII on an F, J, or M nonimmigrant student to U.S. Immigration and Customs Enforcement (formerly the Immigration and Naturalization Service) in compliance with the Student Exchange Visitor Information System (SEVIS) program without violating FERPA.

FERPA Student Complaint

The right to file a complaint with the U.S. Department of Education concerning alleged failures by ASUN is to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
6000 Independence Avenue, SW
Washington, DC 20202-4605

FERPA Requirements Policy

ASUN will defer its system policy for FERPA requirements.

ASU System Policy

Effective Date: July 1, 2010

Subject: Family Educational Rights and Privacy Act

1. Purpose

Arkansas State University will comply with the Family Educational Rights and Privacy Act (FERPA).

2. Definitions

Arkansas State University. Arkansas State University (ASU) means all the campuses within the Arkansas State University System, now and in the future.

Student. Student means an individual who attends or has attended classes at ASU. This policy does not apply to the records of applicants for admission who are not accepted to ASU nor does it apply to applicants who are accepted but choose not to attend ASU.

Education Record. Education records are those records, files, documents, and other materials which contain information directly related to a student and are maintained by ASU or a person acting for ASU.

Directory Information. Directory Information is designated to be the student's name; local and permanent physical addresses; electronic mail addresses; telephone listings; photographs and electronic images; date and place of birth; major field of study; participation in officially recognized activities and sports; weight and height of members of athletic teams; dates of attendance; degrees and awards received; and the most recent previous educational agency or institution attended by the student.

3. Arkansas State University Family Educational Rights and Privacy Act Policy

The Family Educational Rights and Privacy Act requires that institutions of higher education strictly protect the privacy rights of all students who are or who have been in attendance. Information contained in the student's education records can be shared only with those persons or entities specified within the Act. The law also provides that students have the right to review their education records for the purpose of making any necessary corrections. The Office of the Registrar maintains a copy of the full text of FERPA, posts electronic information on FERPA, and processes all FERPA requests and challenges. Arkansas State University will utilize the following process to implement the provisions of the Family Educational Rights and Privacy Act.

4. Process

A. Disclosure of Education Records

I. Disclosure with Student Consent. A student may consent in writing to disclosure of education records. The student's written consent must be signed, dated, and specify which records are to be disclosed, to whom, and for what purpose. The consent must be delivered to the office of the Registrar. The student may retract the consent in writing at any time. Proper proof of identity may be required by the Registrar's office before consent is retracted.

II. Disclosure without Student Consent. ASU may disclose education records without the student's written consent to any school official within the institution with a legitimate educational interest. School officials include administrators, supervisors, faculty members, instructors, support staff, members of the Board of Trustees, persons with whom ASU has contracted for special tasks, and university committee members. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. School officials of ASU are considered to be within the institution for the purposes of FERPA and may exchange education records without student consent so long as they have a legitimate educational interest.

Disclosure without student consent may also be made to other persons and entities as allowed by FERPA.

Faculty sponsors of registered honor societies may have access to student education records for the sole purpose of determining eligibility for membership on the basis that they are acting in an official university capacity that is integral to the educational function of ASU.

The parents of students may exercise rights under FERPA if the student is claimed as a dependent by the parents for income tax purposes. Dependency must be proven by submission of a copy of income tax returns.

B. Disclosure of Directory Information

Directory information may be disclosed to any person or entity without student consent unless the student submits a completed request for non-disclosure of directory information form to the Office of the Registrar.

If a student elects not to allow disclosure of directory information, ASU cannot share information regarding the student with any person or entity including prospective employers, licensing agencies, government agencies, the media, and others. The student may retract the directory information non-disclosure in writing at any time. Proper proof of identity may be required by the Registrar's office before the directory information non-disclosure is retracted.

C. Inspection, Review, and Correction of Education Records

Students have the right to inspect and review their education records except for specific exclusions contained within the Family Educational Rights and Privacy Act. A student should contact the Office of the Registrar to arrange for inspection, review, and correction of an education record. The Registrar may charge a fee for copies of any education records.

D. Ownership of Education Records

Education records are the property of ASU. Education records, including transcripts and diplomas, will not be released to any student who has a delinquent financial obligation to the University.

(Adopted by the Arkansas State University Board of Trustees on December 11, 2009, Resolution 09-94.)

FERPA Requirements Procedure

ASUN will not disclose the contents of a student's educational record without prior written consent unless the ASU System policy allows for the disclosure. Students may allow other individuals access to their educational record by completing the **Permission to Release Student Record Information** form.

In order to send any component of a current or former student's educational record the Office of Admissions/Registrar must receive a completed **Transcript Request** form. All transcript requests must be made in person or in writing to the Office of Admissions/Registrar. Transcripts are provided free of charge unless ten or more are ordered at one time. Transcripts will not be issued if the student has been placed on a financial or academic hold.

Additionally, students may notify the Office of Admissions/ Registrar in writing that public information relating to them may not be released. Restricting the release of public information directly affects publications, programs, and news releases concerning student activities, honors, and awards. The appropriate form is available in the Office of Admission/Registrar.

Additional Information and Requests

If you need additional information with regard to ASUN's Annual Security Report outside of the information provided in this document and on the ASUN website, please contact the Department of Safety at 870-358-8614 or email at safety@asun.edu. You may also write to:

ASUN Department of Safety
7648 Victory BLVD
Newport, AR 72112