

University of Central Arkansas

# 2009 Clery Annual Security Report



UCA Police Department

September 2009

*Protecting and Serving the Academic Community*

## CHIEF'S WELCOME & COMMAND STAFF

On behalf of the members of the University of Central Arkansas Police Department, I would like to extend to you our greetings. The safety and well-being of our students, staff, faculty, and visitors are our top priority. Each year, we publish this guide to provide you with essential information regarding the University's police and public safety services, programs, and policies as well as statistics about the occurrence of crime on and around our campus.

Along with the support of other departments, the men and women of the UCA Police Department are dedicated to maintaining a safe and pleasant environment to live, work, and learn. A truly safe campus, however, can only be achieved through the cooperation of all students, faculty and staff. This police-citizen partnership is vital to our overall community policing philosophy.

This publication is but a small part of our effort to keep our campus community informed. We encourage you to review it carefully and, in particular, the crime prevention tips that we have included. Personal safety is a responsibility of each and every one of us and we very much need your assistance to help keep our campus a safe environment.

The UCA Police Department is committed to providing the highest level of professional law enforcement and public safety services possible to our community. Your feedback will assist us in ensuring that this level of service is consistently attained. Your comments and suggestions are always welcome. Please contact me or any member of my senior staff, pictured below, if we can be of service to you. You may contact us at (501) 450-3111 or through our Web site at [www.ucapd.com](http://www.ucapd.com).

- **Larry K. James**  
*Chief of Police*



# UCAAlert

To receive a **TEXT** or **VOICE** message during an emergency on campus, sign up for the **UCAAlert** system by logging into URSA and submitting your phone numbers for *Crisis Notification Text (CNTX)* or *Crisis Notification Voice (CNV)*. See the instructions in the **Update UCAAlert Contact Info** channel on the URSA Home tab.



## Safe@UCA Info Line

**8 5 2 - I N F O**

(501) 852-4636

• **Available 24/7** •

Stay up-to-date on campus closures and information about emergencies that may occur on campus

## UCA PD Command Staff



**Major G. Glenn Stacks**  
*Deputy Chief of Police*



**Cpt. John Merguie**  
*Commander*  
Patrol Services Division



**Cpt. Justin Tapley**  
*Commander*  
Criminal Investigations



**Cpt. Chris Bentley**  
*Commander*  
Administrative Services



**Lt. Rhonda Swindle**  
*Commander*  
Professional Standards &  
Community Relations



**Lt. Jeremy Crabb**  
*Commander*  
Support Services Division

The University of Central Arkansas wishes you a safe and enjoyable experience while on campus. The following is a review of programs, services, staff, facilities, and policies made available to promote a safe and secure environment in the UCA community.

**Safety is the primary responsibility of each community member.** In order to promote a safe environment, it is important that students and staff lock their room doors, not prop open doors, walk at night in well-lighted areas and with friends, and report suspicious behaviors to appropriate university staff. We can work together to promote a safe environment, and make your stay an enjoyable one.

## **Table of Contents**

- 2—Chief’s Welcome
- 3—Clery Act Info
- 3—About UCA PD
- 4—Institutional Response to Crimes/Emergencies on Campus
- 4—Reporting Crimes/Emergencies On Campus
- 5—Crime Reporting/Awareness
- 5—Safety Programs & Services
- 5—Crime Prevention Tips
- 6—Campus Grounds & Environmental Crime Prevention Measures
- 7—Facility Security/Access
- 7—Resident Safety Policies
- 7—Hate Crimes Information
- 8—Crime Statistics
- 10—UCA Drug Free Schools and Communities Policy
- 11—Sex Crimes Information
- 11—Sex Offense Programs and Policies
- 13—UCA Sexual Harassment Policy
- 15—UCA Consensual Relationships Policy

## **Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act**

On November 8, 1990, President Bush signed the “Student Right to Know and Campus Security Act of 1990”. The Act applies to every institution of higher education that receives federal financial aid. Title II of the Act was known as the “Campus Crime Awareness and Campus Security Act of 1990”. It requires institutions of higher education to distribute to all current students and employees, and applicants for enrollment or employment, two types of information: (1) Descriptions of policies related to campus security, and (2) Statistics concerning specific types of crimes. Amendments enacted in 1998 renamed Title II, which is now known as the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act”. The amendments require the disclosure of crimes that are reported to police and campus officials other than police, along with a breakdown of locations of criminal activity to be specified as on-campus, non-campus, residence hall or public property.

## **UCA Police Department**

The UCA Police Department (UCAPD) is committed to providing quality service and protection to students, faculty, staff and visitors of the University of Central Arkansas. University police officers are law enforcement officers of the State of Arkansas and are professionally trained and certified by the Arkansas Commission on Law Enforcement Standards and Training. The Department employs 33 full-time employees including 25 sworn, full-time police officers who have full investigative and arrest authority on the campus, contiguous streets and highways, and throughout the state of Arkansas when conducting official business of the University pursuant to A.C.A. 25-17-305. The Department also maintains a 24-hour 911 Communications Center and a Parking and Traffic Services Office which provide additional public safety services to the academic community.

The UCAPD is a service-oriented agency employing the philosophy of community policing within its jurisdiction. This philosophy is based upon the concept that police officers and the campus community as a whole can work together in creative ways to solve problems related to crime prevention. The primary focus of community policing is to foster positive interactions between the police, students, and staff. UCAPD maintains and promotes respect for the individual rights and dignity of all persons and is dedicated to excellence in all of the services that are offered on a year-round basis. University officers are trained to understand the needs of students, faculty, staff and visitors. Police officers, equipped with two-way radios, patrol the campus by vehicle, foot and bicycle. Comments or suggestions are always welcome by contacting the UCA Chief of Police at 450-5727.

Arkansas law permits University Police officers to stop individuals suspected of criminal activity and question their identity, business and destination. In addition, University Police may make arrests or issue a summons for traffic or criminal violations which are referred to the City or County Prosecutor. All members of the campus community are encouraged to cooperate fully with police personnel for the safety and convenience of everyone involved. Resistance to detention or arrest may result in a more serious charge.

## **UCA PD Public Information Officer**

Lieutenant Rhonda Swindle, Professional Standards and Community Relations Commander, serves as the UCA Police Department’s Public Information Officer. Lt. Swindle is available to answer media inquiries and provide the public with information regarding UCAPD activities. Lt. Swindle also oversees the department’s community outreach initiatives.

## **UCA PD Clery Notification Methods**

The UCA Police Department Safety, Security and Health publication is the Department’s “student right to know” report. An updated hard copy is printed each year in August. Copies are available in the UCAPD lobby. Persons requesting copies may contact the UCAPD Support Services Division at (501) 450-3111. A digital version is available online either on the UCAPD Web site ([www.ucapd.com](http://www.ucapd.com)) or on the University’s main Web site at [www.uca.edu](http://www.uca.edu). The UCAPD Crime, Incident and Activity Report is updated monthly and is available by contacting the UCAPD Administrative Services Commander at (501) 450-5739. UCAPD also publishes a daily crime log and campus bulletins which can be accessed on the UCAPD Web site.

Each August, the Financial Services Division of the University mails a “statement of account” to each registered student. In this statement, information regarding the Safety, Security and Health publication and how it can be obtained is provided.

### **Institutional Response to Crime Reports**

Upon receipt of a call or other notification of a crime, a university police officer will be dispatched to handle the complaint. The officer will investigate each reported incident and prepare an initial report. Follow-up investigation will also be conducted by the UCAPD’s Criminal Investigations Division. The initial and follow-up police reports will be prepared for use by UCA authorities, city, county or federal prosecutors, and other law enforcement agencies. Members of the community are reminded that it is important to report incidents promptly so that an investigation can be conducted promptly and evidence preserved.

Offenses committed by students, faculty members, staff members, or visitors may be referred for criminal prosecution. Students, faculty members, and staff members also may be dealt with by the University through student or employee disciplinary proceedings which may impose sanctions up to and including expulsion of students and/or termination of employment.

### **Reporting Crime and Other Emergencies on Campus**

The UCAPD is located on campus at the intersection of Marian Ross Avenue and W. J. Sowder Street, between State and Hughes Hall. Persons needing EMERGENCY assistance at any time should call the UCA Police CommCenter by dialing 911 from campus office telephones, residence hall telephones, telephones at campus-owned houses or fraternity houses, or on cell phones. General assistance can be obtained by calling 450-3111. Assistance can also be summoned by pushing the call button on any blue light emergency telephone or elevator emergency telephone located throughout the campus. The Dispatcher instantly knows the location of the caller and will ask what type of assistance is needed.

The UCA Police Department’s lobby is open 24-hours a day. The on-duty Dispatcher is available to assist at the lobby window. A local access telephone and a library of free crime prevention, safety and health brochures are also available in the lobby. The web address for the UCAPD is [www.ucapd.com](http://www.ucapd.com). Contact information for each member of the UCAPD is located on the website.

UCAPD will respond as quickly as possible to any request for assistance, whether it is an emergency or not. Response time is based on current activity and the severity of the call. Crimes in progress, traffic accidents and medical assists have a higher priority than other types of calls.

It cannot be stated enough how important it is to promptly and accurately report crime, no matter where it occurs. If a crime is not promptly reported, evidence can be lost and/or a suspect could elude arrest. If a crime is not accurately reported, leads could be missed and an investigation could head the wrong direction. If you see a crime or emergency, promptly report it to UCAPD and answer questions as accurately as you can. The investigation can only be as good as the information received. If you see or receive knowledge of criminal activity or other emergencies, or if you are the victim of such, please contact UCAPD or any campus official.

### **Timely Warning Notice**

In the event of a serious crime which may create a future concern for the safety and security of persons or property, a voicemail public safety alert will be sent to over 200 key administrators, supervisors and residence hall staff indicating the nature of the emergency and action to be taken. In addition, the public safety alert will be posted to the UCAPD website, URSA website, UCA website, ADMIN-L e-mail distribution list to all administrators, faculty and staff members, Safe@UCA e-mail distribution list, and the Bear-mail distribution list to all students. It will also be released to the campus newspaper, radio station and other media as appropriate, and de-

pending on the circumstances, may be posted at all facility entrances and public bulletin boards. UCA Police has also established a 24-hour emergency information hotline at (501) 852-INFO (4636) to hear a recorded message about the status of the University and any current alert or safety information.

### **UCAAlert System**

The UCAAlert System is an emergency mass notification system for sending text and voice messages to the campus community in the event of a significant incident which necessitates the urgent dissemination of emergency information. Students, faculty and staff are encouraged to submit their phone numbers for the UCAAlert System by logging onto URSA (<http://ursa.uca.edu>) and following the instructions in the “Update UCAAlert Contact Information” channel on the Home tab.

### **Outdoor Warning Siren/Voice Announcement System**

A system of outdoor warning sirens with voice announcement capability is used to alert the campus community to take shelter in the event of an emergency. The system is tested on the first Wednesday of each month at 11:50 AM. Remember, when you hear the sirens: “Take shelter, stay alert.”

### **Safe@UCA Info Line**

UCA Police has established a 24-hour emergency information hotline. Call the Safe@UCA Info Line at (501) 852-INFO (4636) to hear a recorded message about the status of the University and any current alert or safety information. During emergency situations or closures the message will be updated periodically.

### **Safe@UCA E-mail Listserv**

The UCA Police Department has established an email listserv for members of the University community who do not have access to the Admin-I or Cub listservs. Parents, visitors, neighbors, or students who may not check their Cub accounts often are welcome to opt in to the Safe@UCA email listserv with their personal email address. Visit [www.ucapd.com](http://www.ucapd.com) to sign up.

### **Reporting of Off-Campus Offenses**

The UCAPD provides primary law enforcement services to all off-campus fraternity and sorority houses recognized by the University. Therefore, UCAPD handles all reports and crime statistics for those locations.

The UCAPD works closely with the Conway Police Department, Faulkner County Sheriff’s Department, and other local, state and federal law enforcement agencies in sharing information and investigating crimes that involve university affiliates and organizations. In the event of any reported criminal activity involving recognized off campus university event, the UCAPD will make every reasonable effort to obtain reports and information from the law enforcement jurisdiction responding to the reported crime. If no report was made, the UCAPD will make an informational report and contact the law enforcement agency in whose primary jurisdiction the event occurred. Other than the above events recognized by the University, the UCAPD does not regularly monitor student or staff activity.

### **Daily Crime Log**

A public log, as required by the Clery Act, is maintained at the UCAPD Communications Center that summarizes crimes that have occurred on campus or within the patrol jurisdiction of the UCA Police Department. The log includes the nature of the crime, the date reported, the date and time of occurrence, the general location of the crime, and the disposition of the complaint, if known. This information is posted to the UCA Police Department website at [www.ucapd.com](http://www.ucapd.com) on a daily basis (during regular business days). A listing of notable incidents (crime, arrests, traffic citations, emergency responses, etc.) is also available, upon request, at the UCAPD Communications Center on a daily basis.

## Crime Awareness

It is an unfortunate fact that criminal incidents of all types occur on college campuses. Many campuses around the country investigate and make public the nature of crimes, the quantity, and how they are investigated. The University of Central Arkansas subscribes to this approach and further believes that the public should know how active the university police are in crime prevention and detection.

Each month a complete accounting of reported criminal offenses and police activity is summarized and reported to the President and other key administrators and is available upon request. In addition, each month selected offenses used to gauge fluctuations in the overall volume and rate of crime (which are the same offenses required to be disclosed under the Campus Security Act) are reported to the Arkansas Crime Information Center and the Federal Bureau of Investigation in an identical summary as reported by city, county and other state law enforcement agencies. Each year, the Federal Bureau of Investigation publishes a book of crime statistics called "Crime in the United States" which includes accurate accounting of the criminal incidents which occurred on the UCA campus as well as other campuses within the state and the nation. Similarly, each year the Arkansas Crime Information Center publishes the crime statistics in a book called "Crime In Arkansas."

## UCA PD Web Site

UCAPD maintains a comprehensive Web site which includes incident logs, three years of crime statistics, a complete description of campus safety and security policies, crime prevention and victim assistance programs, crime alerts, and police department organization and contact information. The site can be accessed at [www.ucapd.com](http://www.ucapd.com).



## Safety Programs & Services

UCA offers a number of educational programs and safety services to promote safety on campus.

- Residence hall security programs are offered each fall semester to promote safety and security in the halls.
- UCA Police bike team officers patrol residence halls both day and night to provide a highly visible deterrent to crime and to enhance communication with students.
- Residence hall fire drills are conducted once each semester, and tornado and severe weather drills once per year to educate students on proper procedures in case of fire or severe weather emergencies.
- Residence halls frequently offer programs on sexual assault prevention, alcohol and other drugs, theft prevention, sexually transmitted diseases and other workshops to educate students about personal safety and health related issues.
- The UCA Police sponsors self defense classes periodically or on an as needed basis for groups to provide a means of learning effective and simple ways for students to defend themselves against an attack.
- The UCA Police Speakers Bureau provides crime prevention and awareness programs for campus community groups, faculty and staff, student and other organizations, and campus residents.
- UCA supports a system of "blue light" emergency telephones throughout the campus on walkways and in parking facilities to provide direct communication with the UCA Police Department.
- The UCA Police Department provides escort of cash transfers and of persons who desire the security of a police officer when traversing the campus or returning to their vehicle at night.

- Engravers are available through UCA Police which allows students to engrave belongings with personal identification numbers, making it easier to retrieve stolen property.
- On-site examinations of a physical facility and its surrounding property are conducted by UCA Police officers for the purpose of determining security status, identifying deficiencies, and defining and recommending the protection needed.
- University Health Service is available to treat minor injuries and illnesses.
- The UCA Police Department operates a 911 public safety answering point and receives directly all 911 calls made from campus or university owned or controlled properties enabling UCA Police to respond to any police, fire or medical emergency and dispatch appropriate services instantly.

## Theft Prevention Tips For Houses, Residence Halls or Apartments

- Always keep your door locked.
- In group residences, ask strangers to wait in the common areas while other friends are summoned.
- Lock your room door and windows when you leave (even if only for a minute) and take your keys with you.
- Offer assistance to strangers on your floor. If they have legitimate business, they will appreciate your help. If they do not, alert the residence hall staff and/or the UCA Police Department.
- When moving in or out of your residence, keep your room locked when you are out. Do not leave your car unlocked when loading or unloading.
- Do not leave coats, books, or other valuable items in common areas. Keep them in your room.
- If you see or hear something suspicious, call the police immediately. Dial 911 or 450-3111 or use a blue light or elevator emergency phone.
- Take your valuables home during vacation.
- Never keep large sums of money, jewelry or other valuables in your residence hall room.
- Get to know your neighbors and watch out for each other.

## Operation Identification

Operation ID is a nationwide program designed to discourage burglary and theft of valuables. It also provides a way for you to easily identify stolen property, and increases law enforcement's chances of recovery and conviction.

Most burglars steal valuables for resale. But if you mark all items permanently (name and/or numbers) the burglars may be unable to sell them. If a criminal knows all your valuables are marked, he or she may look for easier and more profitable victims.

How to participate in Operation Identification:

- Register your personal property online at [www.ucapd.com](http://www.ucapd.com). Or you may pick up a form at the UCA Police Department.
- Identifying marks should be placed on all of your textbooks by placing a mark on a predetermined page in your book. Be sure to use the same page on all of your books.
- If you have access to a video camera/recorder, tape your valuables and zoom in on serial numbers.
- Be sure to list the marked "owner applied" information, serial number, brand, and model of all property listed.

## Crime Prevention Tips For Your Personal Safety

- After dark, avoid unlighted, vacant or deserted areas. If you are being followed or see suspicious activity, move to a lighted building or area

and attract the attention of other people. Dial 911 or use a blue light or elevator emergency phone to contact the UCA Police Department.

- Avoid walking alone after dark. Call the UCA Police Department to request an escort on the campus or adjacent areas. Walk with a friend or in a group.
- Avoid jogging alone – day or night.
- Never hitch a ride from a stranger
- Be aware of your surroundings and other people who may be around you.
- Consider carrying a noise-making device (such as a whistle) with you.
- Consider waiting for the next elevator rather than entering an elevator alone with a stranger. Stand away from the elevator door to avoid being pushed inside. If you are assaulted while inside an elevator, hit the ALARM BUTTON and not the emergency stop button.
- Always have your keys in your hand and ready for use when you approach a locked door or vehicle.
- Look around your vehicle and in the back seat before getting in.
- Drive on well-traveled streets; keep your doors locked. Make it a habit to lock your doors as soon as you get into your vehicle.
- If your vehicle breaks down, stay inside and open your window only slightly. If someone stops to help, stay inside and speak to them through the window – ask them to call for help.
- Where possible, engrave your driver’s license or identification number on valuable items. An engraving tool is available for your use at the UCA Police Department.

### Obscene and Annoying Telephone Calls

- Hang up as soon as you realize the nature of the call.
- Use caller ID, your answering machine or voice mail to screen calls. Also, use an answering machine or voice mail to record an obscene or annoying caller for possible evidence.
- If you receive repeated calls, keep a log of the time and contents of the call(s). Listen for background noise that might help identify the location from which the call was initiated.
- Call the UCA Police Department for more assistance.

### What To Do In the Event You Are Assaulted

- Although your personal safety is maximized when you take precautions, you may still someday be the victim of a crime. Your reaction can affect whether or not you are physically harmed. You should think NOW about how you might react under a variety of circumstances. Are you prepared to scream and yell? Are you prepared to use physical force to resist?
- If you are faced with an armed criminal, cooperating with his or her demands may minimize the risk of injury. Avoid sudden movements and do what he or she demands.
- If you believe your life is in danger, use any defense you can think of (screaming, kicking, biting, running). Your objective should be to get away.

**If you have been the victim of a sexual assault or rape, CALL THE UCA POLICE IMMEDIATELY! Dial 911 or use a blue light emergency phone on the campus.**

### Reporting Offenses to Other Campus Officials

Victims of crime are encouraged to report the incident immediately to the University Police Department. Other campus offices/administrators to which offenses may be reported include:

*Dean of Students*  
Dr. Gary Roberts, 450-3146  
*Director of Counseling Services*  
Dr. Ernie Ness, 450-3138  
*Director of Housing and Residence Life*  
Mr. Rick McCollum, *Interim*, 450-3132  
*Director of Athletics*  
Dr. Brad Teague, 450-3150  
*Associate Vice President for Human Resources*  
Ms. Rita Fleming, 450-3181  
*University Provost*  
Dr. Lance Grahn, 450-3126  
*Director of Student Health Services*  
Ms. Candace Welcher, 450-3136  
*Director of Health & Wellness Center*  
Dr. Jean-Claude Martin, 450-3133

### UCA Staff

Other university staff has responsibility for promoting a safe and secure environment.

- Residence halls are staffed by professional live-in Hall Directors and several upper class Resident Assistants who live on residential floors. These individuals are responsible for enforcing residence hall and university policies, presenting programs on a variety of issues, handling students’ personal concerns, and responding to emergency situations. Residence hall staff are on call 24-hours a day. The Department of Housing and Residence Life office is open from 8:00 a.m. to 4:45 p.m., Monday through Friday. The telephone number is 450-3132.
- The University has four professional counselors who are available free of charge to assist students with their personal concerns. In addition, one counselor is “on call” at night to respond to personal crisis situations and emergencies. The daytime Counseling Center number is 450-3138. Nighttime emergencies should be reported to residence hall staff or UCA Police.
- Student Health Services Clinic is staffed by a physician and nurse practitioner. The clinic handles illnesses and injuries, and makes referrals to local physicians when necessary. Nighttime emergencies should be reported to residence hall staff or the UCA Police.

### Campus Grounds and Environmental Crime Prevention

The University of Central Arkansas is a public institution open to the general public during normal business hours. The UCAPD, Department of Physical Plant, Office of the Executive Vice President, and Student Government Association work hand-in-hand to provide the safest possible environment at the University of Central Arkansas. Each Fall semester, members of the executive administration, Student Government Association, Director of Physical Plant, Chief of Police and others conduct a night safety walk to review conditions on the campus. Such walks in the past have led to increased signage, lighting, trimming of greenery, etc. Additionally, UCAPD personnel routinely check to see that exterior lights are functional, blue light and elevator phones work, exterior doors are locked when appropriate, and any observable safety are corrected.

## Facility Security

Residence halls and campus facilities are continually being upgraded to enhance safety and security. Changes that have occurred on campus in recent years include:

- Increased lighting throughout the University.
- Installation of emergency phones, marked by a blue light, which are tied directly to the UCA Police
- Parking lot security gates
- Installation of cameras in public areas and parking lots

Changes that have occurred in residence hall facilities to promote safety and security include:

- Students who lose their key will have their room re-cored as quickly as possible after the key is reported missing.
- Installation of outside door locks cored to residents' room key, or computerized card access system, both of which restrict non-residents access to the residence halls during late night hours.
- Installation of security alarms on rear exit doors to minimize the propping open of doors.
- Installation of telephone call boxes at the entrance to each residence hall.

## Access to Campus Facilities

Students, faculty members, staff members, and visitors at the University of Central Arkansas have access to facilities on campus at appropriate times. Access to most academic and administrative buildings is provided at the beginning of the academic/work day by the Physical Plant. The buildings are secured at the end of each academic/work day by the UCA Police Department. Hours of access to each building are determined by use of the facility as indicated on both the academic and university calendars. Special events often require facilities to be available during times that they are not normally scheduled to be accessible. Access to some facilities is restricted to selected students, faculty members, or staff members. For example, certain classroom facilities at UCA are open only to students, faculty members, and staff members involved with classes taught there or in the operation of those facilities. Other facilities are open to all students, faculty and staff members and the general public. Most administrative offices and facilities, including the Torreyson Library, which are open to the general public have posted hours of operation. While the UCA Police Department does secure buildings at the end of each academic/work day, responsibility for opening and securing interior offices, classrooms and public spaces lies with each building administrator and appropriate staff.

## Resident Safety Policies

A number of policies have been implemented to promote safety and security on campus and in the residence halls:

- Non-residents are not permitted in the residence halls unless they are a guest of a resident, or have other legitimate purpose for visiting a hall.
- Alcohol and drugs are banned from campus. Students are not permitted to possess or consume alcohol or non-prescription drugs in the residence halls or other parts of the university campus.
- Weapons, firearms, and explosive devices are not allowed on campus or in the residence halls (see UCA Firearms Policy for additional information).
- UCA enforces a 10:00 p.m., quiet hour policy outside the residence halls.
- Residence hall exterior doors are normally locked at night. Residents must use their room key or computerized access card to enter their building when doors are locked.
- Academic classroom buildings are normally locked after the last class or scheduled event.
- Non-students who come onto campus and violate university policies may be subject to a disciplinary hearing which could result in a ban from campus.

## Hate Crimes

"Hate violence" as defined in the statute means "any act of physical intimidation or physical harassment, physical force or physical violence, or the threat of physical force or physical violence, that is directed against any person or group of persons because of the ethnicity, race, national origin, religion, sex, sexual orientation, disability, or political/religious beliefs of that person or group". Incidents of hate violence should be reported to the UCAPD or any of the campus officials with significant responsibility for student and campus activities as defined within this publication. The University does not condone hate violence and is charged with ensuring that the rights guaranteed by state law and the U.S. Constitution are protected for all people regardless of their ethnicity, race, national origin, religion, sex, sexual orientation, disability, or political/religious beliefs.

## Crime Statistics

Pursuant to federal legislation, the University of Central Arkansas must annually distribute statistics on certain crimes occurring on the campus which includes homicide, rape, sexual offenses, robbery, aggravated assault, burglary and motor vehicle theft as well as data on the number of arrests for liquor law violations, drug abuse violations and weapons possession. The University of Central Arkansas Police Department also maintains primary jurisdiction over all off-campus fraternity houses.

Criminal activities, if any, at off-campus student organizations (those recognized by the campus) are required to be monitored and reported from information collected from local police agencies. This is required under The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

The tables on pages 8 and 9 detail the crime statistics for the UCA campus for the years 2006, 2007 and 2008, as required.

UCAPD 2008 Campus Security Act Report	2008				2007				2006				On Campus Residential Only		
	On-Campus Property	Non-Campus Property	Public Property	TOTAL	On-Campus Property	Non-Campus Property	Public Property	TOTAL	On-Campus Property	Non-Campus Property	Public Property	TOTAL	2008	2007	2006
Murder/Non-Negligent Manslaughter	2	0	0	2	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
Sex Offenses, Forcible	2	0	0	2	1	0	0	1	1	0	0	1	2	1	1
Sex Offenses, Non-Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	1	0	1	1	0	0	1	0	0	0
Aggravated Assault	2	0	0	2	4	0	0	4	2	0	0	2	1	1	1
Motor Vehicle Theft	8	0	0	8	6	0	0	6	4	0	0	4	0	0	0
Arson	0	0	0	0	1	0	0	1	1	0	0	1	0	1	1
Burglary	39	0	0	39	39	0	0	39	52	2	0	54	34	35	49
Liquor Law Arrests *	30	8	18	56	44	6	34	84	54	4	10	68	13	32	39
Liquor Law Violations Referred for Disciplinary Action *	196	4	10	210	97	2	2	101	159	1	4	164	184	81	134
Drug Law Arrests	50	3	32	85	30	0	25	55	34	0	8	42	21	22	23
Drug Law Violations Referred for Disciplinary Action	45	1	9	55	48	1	3	52	84	2	2	88	28	28	65
Illegal Weapons Possession Arrests	7	0	0	7	5	0	3	8	2	0	0	2	2	2	0
Illegal Weapons Possession Violations Referred for Disciplinary Action	2	0	0	2	4	0	1	5	5	3	0	8	2	3	5
* DWI and Public Drunkenness is not a part of the total liquor law violations															
On-Campus: (1) 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 (2) 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 students, and supports institutional purposes (includes parking lots, sidewalks, common areas, and all academic and administrative buildings on the main campus).															
Non-campus: (1) any building or property owned or controlled by a student organization recognized by the institution; and (2) 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: all public property that is within the same reasonably contiguous geographic area of the institution, such as a 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, contact UCAPD for an exact description of all areas- sidewalks and parking facilities are on campus).															
Residence Halls: on campus residence halls and University owned or controlled Apartments. This number represents a subtotal of the total on campus incidents listed in this report.															

2008 Hate Crimes	RACE				Gender				Religion				Sexual Orientation				Ethnicity				Disability			
	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP
Murder/Non-Negligent Manslaughter	0	0	0	0	0	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	0	0	0	0	0	
Sex Offenses, Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Sex Offenses, Non-Forcible	0	0	0	0	0	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	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	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	0	0	0	0	0	
Arson	0	0	0	0	0	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	0	0	0	0	0	
Other - Involving Bodily Harm	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
OC = ON CAMPUS NC = NON-CAMPUS PP = PUBLIC PROPERTY RF = RESIDENTIAL FACILITY																								
Statistics under Residential Facilities (RF) are also counted in the On-campus (OC) crime category. The law requires institutions to break out the number of On-Campus crimes that occur in Residential Facilities.																								
2007 Hate Crimes	RACE				Gender				Religion				Sexual Orientation				Ethnicity				Disability			
	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP
Murder/Non-Negligent Manslaughter	0	0	0	0	0	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	0	0	0	0	0	
Sex Offenses, Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Sex Offenses, Non-Forcible	0	0	0	0	0	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	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	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	0	0	0	0	0	
Arson	0	0	0	0	0	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	0	0	0	0	0	
Other - Involving Bodily Harm	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
OC = ON CAMPUS NC = NON-CAMPUS PP = PUBLIC PROPERTY RF = RESIDENTIAL FACILITY																								
Statistics under Residential Facilities (RF) are also counted in the On-campus (OC) crime category. The law requires institutions to break out the number of On-Campus crimes that occur in Residential Facilities.																								
2006 Hate Crimes	RACE				Gender				Religion				Sexual Orientation				Ethnicity				Disability			
	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP	OC	NC	RF	PP
Murder/Non-Negligent Manslaughter	0	0	0	0	0	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	0	0	0	0	0	
Sex Offenses, Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Sex Offenses, Non-Forcible	0	0	0	0	0	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	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	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	0	0	0	0	0	
Arson	0	0	0	0	0	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	0	0	0	0	0	
Other - Involving Bodily Harm	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
OC = ON CAMPUS NC = NON-CAMPUS PP = PUBLIC PROPERTY RF = RESIDENTIAL FACILITY																								
Statistics under Residential Facilities (RF) are also counted in the On-campus (OC) crime category. The law requires institutions to break out the number of On-Campus crimes that occur in Residential Facilities.																								

## Crime Statistics (continued)

### Other Locations

UCA maintains relationships with five (5) other campuses or locations where a very small number of students may complete more than 50% of their coursework toward a degree. These institutions/locations and Web sites on which Clery crime statistics and other security information can be obtained are as follows:

- University of Arkansas at Fort Smith  
<http://www.uafortsmith.edu/About/CampusCrimeStatistics?skin=prospect> OR  
<http://www.ope.ed.gov/security/>
- Arkansas Tech University  
<http://www.atu.edu/securityact/> OR  
<http://www.ope.ed.gov/security/>
- Mid-South Community College  
<http://www.midsouthcc.edu/aboutus/consumer.pdf> OR  
<http://www.ope.ed.gov/security/>
- Baptist Hospital School of Nursing  
<http://www.ope.ed.gov/security/>
- St. Vincent Infirmary  
This is not a Title IV institution and Clery crime statistics are not available.

### University Statement on Alcohol and Drugs

The university is committed to the maintenance of a drug and alcohol free work place and the encouragement of a standard of conduct for employees and students that discourages the unlawful possession, use or distribution of controlled substances and alcohol on its property or as a part of any of its activities. Therefore, the unauthorized or unlawful possession, use, manufacture, or distribution of controlled substances or alcohol on property of the university or as a part of any of the university's activities is expressly prohibited. Off-campus activities sponsored by recognized student organizations must abide by all local and state laws.

### UCA Drug Free Schools and Communities Policy

This policy is mandated by and complies with the provisions of the Drug Free Schools and Communities Act Amendments of 1989 (Public Law 101-226).

The Vice President for Student Services will be responsible for providing a copy of the "Drug Free Schools and Communities Policy" to all students on an annual basis. The Director of Personnel will provide a copy of this policy to all faculty and staff.

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

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory failure, depression and death. If combined with other depressants, much lower doses of alcohol will produce the effects just described. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and liver. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater

risk than other youngsters of becoming alcoholics. A number of serious health risks have been linked to the use and abuse of specific drugs. The short-term (acute) effects are easily recognized; nausea, vomiting, slurred speech, and impaired coordination. Extremely heavy consumption of alcohol, in a short period of time, may result in death. Long term (chronic) use can lead to a host of serious health problems.

### Cocaine

Cocaine use can lead to nasal stuffiness and tender, bleeding nasal membranes, seizures, heart and respiratory failure, paranoia, and dependence (addiction).

### Marijuana

Marijuana use can lead to major lung diseases, (e.g., emphysema, bronchitis); impairment of the immune system that fights off infection and disease; and reduction of the male hormone, testosterone.

### Counseling and Treatment Programs

There are a number of groups, offices, agencies, and hospitals in central Arkansas that offer drug treatment and rehabilitation services/programs. Information regarding these programs can be located in the Yellow Pages of the telephone directory under the headings "Alcoholism Information and Treatment Centers" and "Drug Abuse and Addiction Information and Treatment." The UCA Counseling Center (Student Health Center suite 327, 450-3138) can provide referrals for those with alcohol and other drug problems. The UCA Health & Wellness Center, (Student Health Center suite 308, 450-3133) provides information and Alcohol/Drug Awareness programming.

### Statement of Disciplinary Action

Students violating the university policy on alcohol or drugs are subject to sanctions up to and including expulsion from the university and referral for prosecution. Students who use or possess hard drugs or large quantities of marijuana are typically suspended from the University. Any student allowed to remain in the University will, at a minimum, be required to successfully complete a university sponsored alcohol and drug education course. Employees violating any criminal drug statute while in the work place will be subject to discipline up to and including termination.

### Other Policies Regarding Alcohol, Tobacco, and Other Drugs at UCA

Off Campus Social Events Policy (see page 22). Alcoholic Beverage and Party Planning Policy (see page 24). UCA Housing Policy with regard to Offenses Subject to Disciplinary Action (see page 49).

### Biennial Review of Program

The Drug-Free Schools and Communities program will undergo a biennial review by the Health and Wellness Promotion Committee. This committee makes recommendations to the Vice President for Student Services.

### Applicable Legal Sanctions for Alcohol and Drugs

**Manufacture or delivery of controlled substance** - It is unlawful for any person to manufacture, deliver, or possess with intent to manufacture or deliver, a controlled substance. Penalties for the manufacture or delivery of a controlled substance can range from three (3) years to life in prison, and fines up to \$250,000, depending on the quality and type of drug. In addition, real and personal property used in the manufacture, delivery, or importing of controlled substances may be forfeited to the government.

**Manufacture or delivery of a counterfeit substance** - It is unlawful for any person to create, deliver, or possess with intent to deliver, a counterfeit sub-

stance purported to be a controlled substance. Penalties for the creating and/or delivery of a counterfeit substance can range from one (1) to twenty (20) years in prison, and fines up to \$15,000 depending on the type of drug being counterfeited.

**Possession of a controlled or counterfeit substance** - It is unlawful for any person to possess a controlled substance or counterfeit substance. Penalties for possession of a controlled or counterfeit substance can range from one (1) to ten (10) years in prison, and fines up to \$10,000 depending on the type of drug (or counterfeit) possessed.

**Minor in possession of alcohol (mandatory suspension of driving privilege)** – Under a new provision of Arkansas law, any person under twenty-one (21) years of age who has purchased or is in possession of intoxicating liquor, wine, or beer, in violation of the “Minor in possession of alcohol” statute, will be subject to a mandatory driver’s license suspension for 60 days by the Office of Driver Control, whether or not the person was in or about a vehicle at the time of arrest.

**Underage DUI law** - The State of Arkansas has an "Underage DUI Law" (Act 863 of 1993) in which it is an offense for a person under the age of 21 with a blood alcohol content of .02 to .07 (approximately one (1) or two (2) beers or hard drinks of liquor) to operate a motorized vehicle. Penalties for a first offense can result in (1) suspension of driver's license for not less than 90 days or more than 120 days; (2) a fine of not less than \$100 nor more than \$500; (3) assignment to public service work; and/or (4) attendance at a state sponsored alcohol and driving education program.

**Driving while intoxicated** - A person who drives a motorized vehicle while influenced or affected by the ingestion of alcohol, a controlled substance, or any intoxicant, commits the offense of driving while intoxicated. Penalties for such offense may include: (1) suspension of license for 120 days for the first offense (and additional days for subsequent offenses); (2) imprisonment for no less than 24 hours and no more than one year for the first offense (with additional imprisonment for subsequent offenses); (3) fines of no less than \$150 and no more than \$1,000 for the first offense (with stiffer fines for subsequent offenses); (4) payment of an additional \$250 in court costs, or as an alternative to payment, public service work as deemed appropriate by the courts; and (5) a requirement to complete an alcohol education program as prescribed and approved by the Arkansas Highway Safety Program, or an alcoholism treatment program as approved by the Office on Alcohol and Drug Abuse Prevention. A blood alcohol level of .04 may be considered with other competent evidence in determining guilt or innocence. A blood alcohol level of .08 or more shall give rise to a presumption of intoxication.

**Public intoxication** - A person commits the offense of "Public Intoxication" if (1) he appears in a public place manifestly under the influence of alcohol or a controlled substance to the degree that he is likely to endanger himself, other persons or property, or that he unreasonably annoys persons in his vicinity; or (2) he consumes an alcoholic beverage in a public place. Public intoxication is a Class C misdemeanor, and can result in (1) a fine of up to \$100, and/or (2) imprisonment in the county jail (or other authorized institution) for up to 30 days.

**Contributing to delinquency of a minor** - A person commits the offense of "contributing to the delinquency of a minor" if, being an adult, he knowingly purchases or provides alcoholic beverages for a minor. Such an offense is a Class A misdemeanor, and can result in (1) a fine of up to \$1,000 and/or (2) imprisonment in the county jail (or other authorized institution) for up to one full year.

**Federal penalties and sanctions for illegal possession of a controlled substance** - 21 U.S.C. 844(c) - **First conviction: up to one (1) year imprisonment and fined at least \$1,000 but not more than \$100,000, or both. After first prior drug convictions: at least 15 days in prison, not to exceed two (2) years and fined at least \$2,500 but not more than \$250,000, or both. After two or more prior drug convictions: at least 90 days in prison, not to exceed three (3) years and fined at least \$5,000 but not more than \$250,000, or both. Special sentencing provisions for possession of crack cocaine: mandatory at least five (5) years in prison, not to exceed 20 years and fined up to \$250,000, or both if: (a) first conviction**

**and the amount of crack possessed exceeds 5 grams, (b) second crack conviction and the amount of crack possessed exceeds 3 grams, (c) third or subsequent crack conviction and the amount of crack possessed exceeds 1 gram. 21 U.S.C. 953(a) (2) and 881 (a)(7) - Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one (1) year imprisonment (See special sentencing provisions re: crack.) 21 U.S.C. 881(a)(4) Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance. 21 U.S.C. 844(a) - Civil fine of up to \$10,000. 21 U.S.C. 853(a) - Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to one year for first offense, up to five years for second or subsequent offenses. 19 U.S.C. 922(g) - Ineligible to receive or purchase a firearm. Misc. - Revocation of certain Federal licenses and benefits, (e.g., pilot license, public housing, etc.) are vested within the authorities of individual Federal agencies.**

### Campus Sex Crimes Prevention Act

The “Campus Sex Crimes Prevention Act” (amends 42 United States Code 14071), requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in the State at which the person is employed, carries on a vocation, volunteers services or is a student. Information that is relevant and necessary to protect the public and to counteract the danger created by a particular offender will be released by the University of Central Arkansas Police Department to persons deemed appropriate by the Chief of the UCA Police Department. This information will be available at the University of Central Arkansas Police Department. Individuals wishing to learn additional information about registered sex offenders may go to the Arkansas Crime Information Center Sex Offender Registry web site at [www.acic.org](http://www.acic.org).

### Sex Offense Programs and Policies at UCA

**EDUCATION PROGRAMS**—The following are educational programs and resources UCA makes available to promote awareness of rape, acquaintance rape, and other sex offenses.

**Sponsored programs** — Programs on sex offenses are generally offered in the fall as part of “Residence Hall Safety & Security Week,” sponsored by the Housing Department and “Greek Safety & Risk Management Program,” sponsored by Greek Services.

**Optional programs** — Programs on sex offenses are traditionally offered throughout the academic year by the following offices, departments, and groups:

Counseling Center outreach programs  
Residence hall programs  
Greek speakers/programs

**Literature** — Literature on rape and sex offenses is available at the Health & Wellness Center and University Counseling Center in the Student Health Center. Literature on these and other subjects is also available in the lobby of the UCA Police Department.

### Definitions for Sex Offenses

**Sexual Assault** - is a generic term that is defined as any involuntary sexual act in which a person is threatened, coerced, or forced to engage against his/her will to include (but not limited to rape, acquaintance rape, date rape, and gang rape).

**Arkansas legal definition of rape** - A person commits rape if he/she engages in sexual intercourse or deviant sexual activity with another person: (a) by forcible compulsion; (b) who is incapable of consent because he/she is physically helpless; or, (c) who is less than fourteen years old (the assailant must be two years older than the victim for this to apply).

**Acquaintance rape** refers to a rape committed by a non-stranger who is known to the victim, and can include a friend, acquaintance, family member, neighbor, classmate, or co-worker.

**Date rape** refers to a type of acquaintance rape where the victim has consented to accompany or go on a date with the perpetrator.

**Gang rape** is a rape that involves more than one perpetrator.

The Arkansas statute on 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/she will be injured if he/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.

### Preventing a Sex Offense

There are many steps men and women can take to prevent a sex offense from occurring.

#### What can women 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 passivity 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, and do not allow yourself to be alone for any period of time.

Trust your intuition. If you sense you are in danger, leave the area or situation immediately and find a friend.

#### What can men 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. Forced 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.

### University Disciplinary Action

Students committing sex offenses, whether on or off campus, are subject to university disciplinary action as well as criminal action. The accused student and victim shall be notified in writing of a hearing. The hearing may be conducted by a student judicial board, or an administrative hearing officer, as determined by the university.

Disciplinary sanctions are commensurate with severity of the offense. Sanctions range from disciplinary warning to expulsion (permanent removal) from the university. Other possible sanctions include (but are not limited to) probation, removal from residence halls, suspension, loss of privileges, denial of participation in activities, counseling, and/or education projects. Individuals

should consult the "Standards of Student Conduct" section of this handbook for more specific information on disciplinary sanctions and procedures. Faculty and staff members committing sex offenses are subject to appropriate disciplinary measures, up to and including termination.

### Procedures for Occurrence of a Sex Offense

A student who is a victim of a sex offense is strongly encouraged to do the following:

**Tell someone**. Talk to a friend, relative, faculty member, resident assistant, or anyone who cares. Do not keep it to yourself. Residence hall staff and university counselors are available to provide support, refer you to appropriate persons or agencies, and inform you of your options.

**You are encouraged to immediately report the offense to the UCA Police (or local city police if the offense occurs off campus) to gather and preserve evidence, in case you wish to pursue criminal or civil charges. If you wait to report an offense, evidence will be lost. The decision to file charges is up to you. Please be aware that information reported to any police official is public information, and is available to local media upon completion of any investigation. It is, however, the general practice of journalists not to release names of victims of sex offenses.**

**Preserve evidence. Do not shower, wash, change clothes, douche, urinate, brush teeth, or place anything in your mouth. Do not disturb items in the area where the offense occurred. Keep people away from the scene so evidence is not disturbed.**

**Seek medical attention. It is recommended that you go directly to the Conway Regional Medical Center for a health exam and to gather evidence. The exam is free if you report the offense to law enforcement officials within 24 hours. Take along extra clothing, toothpaste and tooth brush to clean up after the exam.**

### Procedures for Occurrence of a Sex Offense

A student who is a victim of a sex offense is strongly encouraged to do the following:

**Tell someone**. Talk to a friend, relative, faculty member, resident assistant, or anyone who cares. Do not keep it to yourself. Residence hall staff and university counselors are available to provide support, refer you to appropriate persons or agencies, and inform you of your options.

**You are encouraged to immediately report the offense to the UCA Police (or local city police if the offense occurs off campus) to gather and preserve evidence, in case you wish to pursue criminal or civil charges. If you wait to report an offense, evidence will be lost. The decision to file charges is up to you. Please be aware that information reported to any police official is public information, and is available to local media upon completion of any investigation. It is, however, the general practice of journalists not to release names of victims of sex offenses.**

**Preserve evidence. Do not shower, wash, change clothes, douche, urinate, brush teeth, or place anything in your mouth. Do not disturb items in the area where the offense occurred. Keep people away from the scene so evidence is not disturbed.**

**Seek medical attention. It is recommended that you go directly to the Conway Regional Medical Center for a health exam and to gather evidence. The exam is free if you report the offense to law enforcement officials within 24 hours. Take along extra clothing, toothpaste and tooth brush to clean up after the exam.**

### Counseling and Other Services

There are a number of services available at UCA and in the local area to assist victims of sex offenses.

**UCA Counseling Center** (Student Health Center suite 327 - 450-3138) provides short term counseling for a variety of personal problems. Service is free to students, faculty and staff at the university.

**Counseling Associates, Inc .** (2515 College Ave - 336-8300 or 1622 North Donaghey - 327-7706 - for emergencies call 1-800-844-2066) - Provides short and long term counseling for a variety of personal problems. A fee is charged on a sliding scale, dependent upon income.

**Rape Crisis Inc .** (Located in Little Rock - 663-3334) - Provides individual, advocacy and victim/survivor group services. Service is free to rape and sexual assault victims.

**Conway Regional Medical Center** (2301 College Ave - 329-3831) - Provides medical exam for rape victims. Exam is free if offense is reported to law enforcement officials within 24 hours.

**Faulkner County Victim Witness Assistance Program** (Faulkner County Courthouse located at the corner of Robinson and Locust - 450-4928) - Provides advice and assistance to Faulkner County victims who file reports with law enforcement officials. Victims need not prosecute to receive assistance. Service is free to victims.

**UCA Police** (Corner of W. J. Sowder Street and Marian Ross Avenue- 450-3111 - for emergencies, dial 911) Investigates and assists in the prosecution of sexual assault crimes that occur on the UCA campus.

**UCA Police Victim Assistance Services:** Provides advice and assistance to victims of crime. Victims need not prosecute to receive assistance.

**City of Conway Police Department** (1105 Prairie Street - 450-6120 - for emergencies dial 911) Provides assistance in investigating and prosecuting sexual assault crimes in the Conway area.

**Faulkner County Sheriff's Department** (Faulkner County Courthouse located at the corner of Robinson and Locust - 450-4914 - for emergencies dial 911) Provides assistance in investigating and prosecuting sexual assault crimes in Faulkner County area (outside the Conway city limits).

Many churches also provide personal counseling services. Please check with your minister or pastor for available services.

#### **OTHER ASSISTANCE AVAILABLE**

There are other services available at the university of assist victims of sex offense.

**Room/hall change** - A victim can make an on-campus room or hall change (as long as space is available) if necessary for appropriate personal safety. The victim should contact his/her hall director or the Director of Housing to request a change.

**Academic assistance** - The University will work with the victim, within reason, to address any academic problems resulting from an assault.

**University directive** - Depending on severity of the offense, the university may direct an accused not to have any contact with the victim, until the matter is resolved.

#### **UCA Sexual Harassment Policy**

Sexual harassment by any faculty member, staff member, or student is a violation of both law and university policy and will not be tolerated at the University of Central Arkansas. Sexual harassment of employees is prohibited under Section 703 of Title VII of the Civil Rights Act of 1964 and sexual harassment of students may constitute discrimination under Title IX of the Education Amendments of 1972.

The university considers sexual harassment a very serious issue and shall subject the offender to dismissal or other sanctions following the university's investigation and substantiation of the complaint and compliance with due process requirements.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when:

1. submission to such conduct is either explicitly or implicitly made a condition of an individual's employment with the university or a factor in the educational program of a student.
2. submission to or rejection of such conduct by an individual is used as the basis for an employment or academic decision affecting such individual;
3. such conduct has the purpose or effect of unreasonably interfering with an individual's right to achieve an educational objective or to work in an environment free of intimidation, hostility or threats stemming from acts or language of a sexual nature.

NOTE: Other forms of harassment based upon race, religion, national origin, sex, or age may have the same impact as sexual harassment. In the absence of other policies addressing these specific issues, the university encourages the use of the steps and procedures in this policy in reporting other types of harassment and will generally conduct investigations of those complaints in the same manner.

Although sexual harassment most frequently occurs when there is an authority differential between the persons involved (e.g. faculty member and student, supervisor and staff member), it may also occur between persons of the same status (e.g. faculty and faculty, student and student, staff and staff). Both men and women may be victims of sexual harassment and sexual harassment may occur between individuals of the same gender.

Because of the unique situations which exist between students, faculty, supervisors, and staff, relationships in the workplace and on campus should at all times remain professional. In particular, due to the professional power differential between faculty and students, faculty are encouraged to remain professional in all relationships with students.

Sexual harassment may create a hostile, abusive, demeaning, offensive or intimidating environment. It may be manifested by verbal and/or physical actions, including gestures and other symbolic conduct. Sexual harassment is not always be obvious and overt; it can also be subtle and covert. A person who consents to sexual advances may nevertheless be a victim of sexual harassment if those sexual advances were unwelcome. Previously welcomed advances may become unwelcome. Examples of sexual harassment may include, but are not limited to, the following:

Non-sexual slurs about one's gender

Contrived work or study assignments and assigning more onerous or unpleasant tasks predominately to employees or students of one gender  
Repeated unwanted touching, patting or pinching  
Repeated inappropriate social invitations or requests for sexual favors  
Repeated unwanted discussions of sexual matters  
Use of sexual jokes, stories, analogies or images which are not related to the subject of the class or work situation  
Touching, fondling or deliberate brushing against another person  
Ogling, leering or prolonged stares at another's body  
Display or use of sexual graffiti or sexually-explicit pictures or objects  
Sexually suggestive jokes, comments, e-mails, or other written or oral communications.

Individuals who are aware of or have experienced an incident of sexual harassment should promptly report the matter to one of the university officials designated to receive these complaints. No person shall be subject to restraints, interference or reprisal for action taken in good faith to report or to seek advice in matters of sexual harassment.

In the course of a complaint investigation the university will attempt to maintain confidentiality for all parties involved. However, there can be no guarantee of confidentiality and anonymity based upon the course and scope of the complaint investigation.

A grievant whose complaint is found to be both false and to have been made with malicious intent will be subject to disciplinary action which may include, but is not limited to, demotion, transfer, suspension, expulsion or termination of employment.

## **PROCEDURES FOR SEXUAL HARASSMENT CLAIMS**

Employees or students of the university who believe they have been subjected to sexual harassment are encouraged to use the following procedures to resolve their complaint.

The university will make every effort to adhere to the prescribed time frames of the informal and formal resolution processes. However, in the event that individuals involved are unavailable or of other unanticipated occurrences, the Affirmative Action officer, with the concurrence of the president, may adjust the time frames. Any changes will be immediately communicated to the complainant and respondent by the Affirmative Action officer and where possible their needs will be accommodated.

## **INFORMAL INVESTIGATION AND RESOLUTION**

1. Individuals who believe they have been subjected to sexual harassment (complainant) should report the incident promptly to their immediate supervisor or academic dean or to a departmental supervisor higher up in the chain of command or directly to the Affirmative Action officer, legal counsel or assistant vice president for human resources.

The person to whom the complaint is made shall immediately contact the Affirmative Action officer, legal counsel or assistant vice president for human resources. One or more of these administrators will determine the course of the informal investigation and resolution. The department involved and/or the supervisor to whom the complaint was made may be asked to assist in the informal investigation.

2. If, following investigation, an informal resolution of the matter which is satisfactory to the complainant, the person against whom the complaint is made (respondent) and the university (represented by the Affirmative Action officer, the legal counsel or assistant vice president for human resources) is reached, it shall be considered closed and all parties involved shall be so advised in writing by the Affirmative Action officer, legal counsel or assistant vice president for human resources. If a satisfactory resolution has not been reached within ten (10) working days from the date of the complaint, the complainant, university or respondent may initiate formal complaint/investigation procedures.

## **FORMAL INVESTIGATION AND RESOLUTION**

1. If the sexual harassment complaint has not been resolved through informal procedures and the complainant, university or respondent wish to pursue the matter further, he/she must file a written complaint. The written complaint must be filed with the Affirmative Action officer, legal counsel or assistant vice president for human resources within twenty (20) working days of the termination of the informal procedures. The complainant and respondent shall be entitled to have, at the individual's own expense, an advisor, who may or may not be an attorney, to assist in preparing the formal complaint.

2. The Affirmative Action officer will notify the parties involved of the sexual harassment complaint, provide copies of the complaint and advise the parties of the procedures for a formal investigation and hearing within three (3) working days of receipt of the formal written complaint. The respondent will then be given five (5) working days to respond in writing to the complaint.

3. Within ten (10) working days of receipt of the formal written complaint the Affirmative Action officer shall refer the complaint and the respondent's response, if any, to the Sexual Harassment Complaint Committee.

4. Within five (5) working days of the Committee's receipt of the complaint, the Committee will meet separately with the complainant and the respondent. The purpose of these preliminary meetings is to inform the Committee about the case, to insure the complainant and respondent are fully aware of their procedural rights and to decide upon the nature of the investigation. Throughout the proceedings the respondent and complainant shall have the right to be accompanied by an advisor, who may or may not be an attorney. Attorneys will not be provided at university expense. The legal counsel may be present but shall act only in an advisory capacity to the Committee.

5. Within five (5) working days of the conclusion of the Committee's preliminary meetings with the complainant and respondent the Sexual Harassment Complaint Committee will hold a formal meeting on the matter. Strict judicial rules of evidence shall not be applied. The committee members may receive any evidence they consider to be relevant.

6. The respondent and complainant, and their advisors, shall have the right to be present at any time testimony is presented and to be provided copies of all evidence considered by the Committee. Neither the respondent nor complainant shall have the right to cross-examine witnesses. Advisors shall not have the right to address or question committee members or witnesses.

7. A written record of the minutes of the proceedings and recommendations of the Committee shall be presented to the president within five (5) working days of the Committee's final meeting.

8. A copy of the minutes and recommendations of the Committee shall be presented to both the complainant and the respondent at the time they are forwarded to the president.

9. Within ten (10) working days of receipt of the Committee's recommendation, the president shall make a final decision concerning what action if any, to take including disciplinary action after considering the recommendation of the Committee, and will notify the complainant and respondent.

#### **Sexual Harassment Complaint Committee:**

1. Charge: To serve as the formal committee conducting investigations and making recommendations according to the guidelines of the University of Central Arkansas Sexual Harassment Policy.

2. Procedure: The operating procedures of the committee will be consistent with the formal investigation and resolution process as described in the policy.

3. Membership: The Affirmative Action officer, who will serve as the non-voting chair, the director of the counseling center as a voting member and six (6) voting members, randomly drawn from appropriate categories from a thirty-two (32) person membership pool.

The Faculty Senate, the Non-Tenure-Track Faculty Senate, the Staff Senate and the Student Government Association will each select eight (8) members (four (4) male and four (4) female) for the membership pool. A new pool will be established each September and new members will be selected throughout the year as necessary to replace members who separate from the university or who are otherwise unable to serve.

Upon receipt of a written complaint, the chair will arrange for the complainant and the respondent to draw members for the committee from the corresponding pools. The complainant will first draw one member, next the respondent will draw one member and the chair will draw two members each from the appropriate categories.

For example, if the complainant is a student and the respondent is a tenure-track faculty member, the complainant will draw one member from the student pool, the respondent will draw one (1) member from the faculty pool and the chair will draw two (2) members from the student pool and two (2) members from the faculty pool. If the complainant and respondent are both staff members, each will draw (1) member from the staff pool and the chair will draw four members from the staff pool.

4. Meetings: on call.

5. Reporting: To the president.

#### **UCA Consensual Relationships Policy**

Basic functions of a university are the discovery and transmission of knowledge, activities which are founded upon the free and open exchange of ideas. For productive learning and the work that supports it to occur, members of the campus community -- faculty, staff and students -- should pursue their responsibilities guided by a strong commitment to principles of mutual trust, respect and confidence, as well as professional codes of conduct. Relationships between faculty, staff and students may involve power differentials that can carry risks of conflict of interest, breach of trust, abuse of power, and breach of professional ethics. Trust and respect are diminished when those in "positions of authority" are perceived as abusing their power. Those who abuse their power in such a context violate a duty to the university community, undermine professionalism and hinder fulfillment of the university's educational mission.

A. Definitions - For purposes of this policy only:

1. Employees are all faculty and staff of the university.

2. Faculty are all full and part-time employees of the university who teach, graduate students with teaching responsibilities, and other instructional personnel.

3. Staff are all full and part-time employees of the university not included in the definition of faculty.

4. Students are all full or part-time students of the university.

5. A consensual relationship is any dating, romantic, or sexual relationship.

6. "Position of authority" includes, but is not limited to, situations in which an individual is responsible for the evaluation or supervision of instructional personnel, non-instructional personnel, or students.

For purposes of this policy, it is recognized that there are occasions when individuals holding classifications of student, faculty or staff in their regular duties will fall into more than one classification due to certain situations. For example, if a staff member is enrolled in a course and a consensual relationship develops within an instructional context, the staff member will be considered a student for purposes of the requirements of this policy.

## B. Guidelines

It should be understood by all members of the campus community that consensual relationships that occur in the context of educational or employment supervision and evaluation are generally deemed unwise because they present serious ethical concerns.

Employees, whether faculty or staff, shall not engage in consensual relationships with students whenever the employee has a "position of authority" with respect to the student in such matters as teaching or in otherwise evaluating, supervising, or advising a student as part of a school program or employment situation.

Even in instances in which the employee, especially a faculty member, has no direct professional responsibility for a student, the employee should be sensitive to the perceptions of other students that a student who has a consensual relationship with a faculty member may receive preferential treatment from the faculty member or the faculty member's colleagues. Consensual relationships between faculty members and students occurring outside the instructional context may lead to difficulties particularly when the faculty member and student are in the same academic unit or in units that are academically allied. The faculty member may face serious conflicts of interest and should be careful to distance himself/herself from any decisions that reward or penalize the student involved. Further, relationships that the parties view as consensual may appear to others to be exploitive.

Supervisors, whether faculty or staff, shall not engage in consensual relationships with employees when the supervisor has a "position of authority" with respect to the employee. Other faculty and staff may be affected because it places one in a position to favor or advance another's interest and implicitly makes obtaining benefits contingent on the relationship.

## C. Procedures

When a consensual relationship exists or develops between an individual having a "position of authority" with respect to another within the university, the person with the greater position shall immediately terminate the "position of authority" and report it to an appropriate supervisor. The supervisor shall make suitable arrangements for the objective evaluation of the student's academic or employee's job performance and for the protection of individual and university interests.

## D. Noncompliance with policy

Faculty and staff who fail to remove themselves from a "position of authority" over a student or employee with whom a consensual relationship exists will be deemed to have violated an ethical obligation to students, employees, colleagues, and the university. Credible allegations of a faculty or staff member's failure to avoid or terminate a relationship involving a "position of authority" while in a consensual relationship obligates the immediate or other appropriate supervisor to conduct a prompt and thorough inquiry to determine whether there is any validity to the allegation. Where it is concluded that a relationship involving a "position of authority" exists, the immediate or other appropriate supervisor shall terminate the "position of authority" and may impose sanctions against the parties involved.

## E. Sanctions/Appeal

Persons in violation of this policy shall be subject to sanctions depending upon the severity of the offense ranging from verbal warnings to termination or expulsion from the university. Should it be determined that disciplinary action is appropriate, the action to be taken shall be determined in the case of faculty by the provost after consultation with the dean and chair, in the case of staff by the appropriate vice president after consultation with supervisory personnel, or the president in the event a vice president or one reporting directly to the president is involved, and in the case of students by the appropriate vice president after consultation with the dean of students.

Persons who knowingly make false allegations that an improper relationship exists shall be subject to comparable sanctions.

The imposition of any sanction imposed under this policy is subject to review pursuant to applicable provisions of the Faculty, Staff and Student Handbooks.

This page is left blank intentionally.

This page is left blank intentionally.

This page is left blank intentionally.

# 2009 Clery Annual Security Report

## UCAAlert

To receive a **TEXT** or **VOICE** message during an emergency on campus, sign up for the **UCAAlert** system by logging into URSA and submitting your phone numbers for *Crisis Notification Text (CNTX)* or *Crisis Notification Voice (CNV)*. See the instructions in the **Update UCAAlert Contact Info** channel on the URSA Home tab.



### Safe@UCA Info Line

**8 5 2 - I N F O**

(501) 852-4636

• Available 24/7 •

Stay up-to-date on campus closures and information about emergencies that may occur on campus

## IMPORTANT PHONE NUMBERS

### On Campus Numbers:

UCA Police Department	450-3111
Switchboard Operator	450-5000
President's Office	450-3170
Dean of Students	450-3146
Counseling Center	450-3138
Housing & Residence Life	450-3132
Human Resources	450-3181
University Provost	450-3126
Student Health Services	450-3136
Health & Wellness Center	450-3133

Conway Police Department	450-6120
Faulkner County Sheriff's Office	450-4914
Arkansas State Police	618-8100
Conway Fire Department	450-6167
MEMS Ambulance	301-1407
Faulkner County Victim/Witness Assistance Program	450-4928
Counseling Associates	336-8300
Rape Crisis, Inc. (located in Little Rock)	663-3334

**Safety is the primary responsibility of each community member.** In order to promote a safe environment, it is important that students and staff lock their room doors, not prop open doors, walk at night in well-lighted areas and with friends, and report suspicious behaviors to appropriate university staff. We can work together to promote a safe environment, and make your stay an enjoyable one.

## THE UNIVERSITY OF CENTRAL ARKANSAS POLICE DEPARTMENT

W.J. Sowder & Marian Ross Ave.  
UCA PO Box 4994  
Conway, AR 72035

### Emergency 9-1-1

**CommCenter (501) 450-31111 (24 hrs)**

**Chief of Police (501) 450-5727**

**Fax (501) 450-3641**

**Safe@UCA Info Line (24 hrs) (501) 852-INFO**

