CLERY ACT ANNUAL SECURITY REPORT

NORTHWEST ARKANSAS COMMUNITY COLLEGE

2010

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Clery Act Annual Security Report of 2010

The NorthWest Arkansas Community College (NWACC) Annual Security Report of 2010 is provided to both current and prospective students and employees as part of the College's commitment to the safety and well-being of the NWACC community.

I) Development, Disclosure and Implementation of Security Policies

The Department of Public Safety (DPS) is the office designated to ensure that NWACC's security policies are actively implemented as prescribed. DPS prepares this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The Executive Director of Risk Management works in conjunction with the Director of Public Safety in an on-going basis to make certain that administration, faculty, staff, and students are aware of NWACC's security policies.

II) Campus Security Authorities

Campus security authorities (CSAs), as defined by the Clery Act, have an obligation to report allegations of Clery Act-defined crimes that they conclude are made in good faith. These crime allegations should be reported to the Department of Public Safety or to the local police. The Clery Act definition of a campus security authority includes NWACC personnel in addition to DPS officers. Any official of NWACC 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 is a campus security authority. NWACC's CSAs include the Director of Judicial Affairs, Judicial Consultation Team, Judicial Committee, Coordinator of Student Leadership and Advisors for Student Organizations. The Director of Judicial Affairs is responsible for overseeing CSAs, ensuring the collection of their crime reports and forwarding them to the Director of Public Safety for inclusion in the 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 CSAs for inclusion in the Annual Security Report.

III) Timely Warning

A policy regarding timely warnings at NorthWest Arkansas Community College is designed to get relevant information to College students, employees and visitors at any affected NWACC location as soon as possible when an emergency incident occurs. Timely warnings are instituted when any occurrences that would pose a threat to the College community take place. DPS maintains direct radio communication with local law enforcement requesting their cooperation in informing the College about crimes reported to them that may warrant timely warnings. Timely warnings are distributed in various ways depending on the nature of the situation and the information to be disclosed. Among the methods used are e-mails, text messaging, WENS notification system, press releases, warning posters, campus meetings, and announcements. Anyone with information warranting a timely warning should report the circumstances to the Department of Public Safety at 479-619-4229.

IV) The Daily Crime Log

NWACC DPS maintains a daily crime log that is available to the public in the Public Safety office. The daily crime log discloses all alleged criminal incidents, including non-Clery Act crimes, reported to the Department of Public Safety. The Clery Act requires that the daily crime log include specific categories of information which include; 1) the nature of the crime; 2) the date and time the crime occurred; 3) the general location of the crime; and 4) the disposition of the complaint, if known.

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

V) Statistics from Local Police

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

VI) Report to ED via the Web-based Data Collection

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

VII) Annual Security Report

The Annual Security Report of 2010 includes statistics for the previous three years (2007, 2008, and 2009) concerning reported crimes 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. The report also includes institutional policies concerning campus security, such as policies addressing sexual assault, and other matters. The Annual Security Report is published and distributed annually by October 1 to all enrolled students and all employees. In addition, a notice is provided, as appropriate, to all prospective students and employees. A copy of this report may be obtained by contacting the Department of Public Safety at 479-619-4229, or by accessing DPS website: http://www.nwacc.edu/publicsafety

A) Disclosure of Crime Statistics

1) DPS is responsible for collecting all crime reports from campus security authorities and local police 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 NWACC that are reported to DPS, local police agencies, or to a campus security authority are as follows:

ANNUAL CRIME REPORT

A=On Campus **B=Off Campus** **C=College Officials** **D=Hate Crimes**

	2007				**2008**				**2009**			
Required Reported Offenses	**A**	**B**	**C**	**D**	**A**	**B**	**C**	**D**	**A**	**B**	**C**	**D**
Murder	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
By Acquaintance	0	0	0	0	0	0	0	0	0	0	0	0
By Stranger	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses (non-forcible)	1	0	0	0	0	0	0	0	0	0	0	0
By Acquaintance	0	0	0	0	0	0	0	0	0	0	0	0
By Stranger	1	0	0	0	0	0	0	0	0	0	0	0
Robbery	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
Burglary	2	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
Additional Offenses (not required)												
Theft (larceny)	11	0	0	0	11	0	0	0	12	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Required Reported Arrests												
Liquor Law	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse	0	0	0	0	0	0	0	0	1	0	0	0
Weapon Possession	0	0	0	0	0	0	0	0	1	0	0	0
Additional Arrests (not required)												
DWI/DUI	0	0	0	0	0	0	0	0	0	0	0	0
Public Intoxication	1	0	0	0	0	0	0	0	2	0	0	0

A = On Campus: Offenses or arrests that occurred on property owned or controlled by the College and used for educational purposes, and/or property owned or controlled (long–term) by a recognized student organization and reported to the DPS.

B = Off Campus: Offenses or arrests that occurred on property owned or controlled by the College and used for unrelated purposes, or where such control was short–term and where the offense was reported to either the DPS or local officials.

C = College Officials: Offenses reported to College officials other than the DPS and not investigated by the DPS.

D = Hate Crimes: Offenses listed under A, B, and C that meet the definition of hate crime as defined in the "Hate Crimes Statistics Act".

Clery Act Definitions of Reportable Crimes

Murder and Non-Negligent Manslaughter is defined as the willful (non-negligent) killing of one human being by another.

Negligent Manslaughter is defined as the killing of another person through gross negligence.
Sex Offenses – Forcible is defined as any sexual act directed against another person, forcibly and/or against that person's will; or not forcible or against the person's will where the victim is incapable of giving consent.

Sex Offenses – Non-forcible are incidents of unlawful, non-forcible sexual intercourse. Only two types of offenses are included in this definition; incest and statutory rape.

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

Aggravated Assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary is the unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft is the theft or attempted theft of a motor vehicle.

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

Liquor Law Violations are defined as the violations of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Included in this classification is the furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating still; furnishing liquor to a minor or intemperate person; underage possession; using liquor by a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on train or public conveyance; and attempts to commit any of the above.

Illegal Weapons Possession is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Included in this classification: manufacture, sale, or

possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.

Drug Law Violation is defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics- manufactured narcotics which can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Hate Crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation, or ethnicity/national origin.

- Race. A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).
- Gender. A preformed negative opinion or attitude toward a group of persons because those persons are male or female. Gender bias is also a Clery Act-specific term, not found in the FBI's Hate Crime Data Collection Guidelines.
- Religion. A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).
- Sexual orientation. A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).
- Ethnicity/national origin. A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (e.g., Arabs, Hispanics).

B) Disclosure of Policy Statements

1) Procedures for reporting crimes and other emergencies

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

Medical Emergency – Dial 911
Other types of Emergency – Dial 911
Violations of Local, State or Federal Law – Call DPS
Department of Public Safety – (479) 619-4229
Associate Vice President for Learner Support Services – (479) 619-4373
Director of Judicial Affairs – (479) 619-4234

Community members, students, faculty, staff, and guests should report all crimes and public safety related incidents to NWACC's DPS in a timely manner. Crimes should be reported to the DPS to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community,

when appropriate. It is the responsibility of DPS to investigate and follow up on all reports of criminal activity on campus. In some cases DPS officers are assisted in their investigations by other area law enforcement agencies. If assistance is required from other police agencies or fire departments, DPS 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 Department of Public Safety. 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 College Judicial System, 3) pursuing the alleged violation through both the criminal justice system and the College Judicial System, or 4) taking no action. Reported violations of College regulations will be investigated and, where appropriate, adjudicated by the student conduct judicial procedures.

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

a) Making timely warnings

If it is determined that a specific danger to the campus community, or specific segments of the campus community exists, an appropriate notification to the community of that danger will be made. This determination will be jointly made by NWACC's Director of Public Safety or his designee and one or more of the following: Vice President for Student Learning & Learner Support Services, Executive Director of Public Relations, Director of the Physical Plant, College President, or Administrator in Charge of the campus facility or designee at the off-site location as determined by existing College emergency procedures.

b) Reporting crimes on a voluntary, confidential basis

Confidential reporting is available to witnesses or victims of a crime who do not want to pursue action within the College system or the criminal justice system. With the witness's or victim's permission, the Director of Public Safety or a designee of DPS 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 College can keep an accurate record of the number of incidents involving students, employees and visitors; determine whether there is a pattern of crime with regard to a particular location, method, or assailant; and when necessary, alert the campus community to potential danger. Confidential reports made to the DPS or CSA's are counted and disclosed in the annual crime statistic survey for the institution. It is the policy of the College 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 *Crime Incident Report Form* which excludes the victim's name. This form is available at the Department of Public Safety Office or on the DPS website (http://www.nwacc.edu/publicsafety). Any information received will be reported to DPS for crime reporting notifications, campus crime statistics reporting, and campus education programs.

c) Preparing the annual disclosure of crime statistics

Information is collected from NWACC's DPS, CSAs and other local law enforcement agencies in preparing for the annual disclosure of crime statistics. The Director of Public Safety is responsible for the

collection, reporting, and disseminating of annual crime statistics from the local police agencies and CSAs for inclusion in the annual crime report.

d) Titles of persons or organizations to whom crimes should be reported

NWACC's Department of Public Safety Officers
Associate Vice President for Learner Support Services
Director of Judicial Affairs
Coordinator of Student Leadership
Advisors of Student Organizations
Executive Director of Human Resources

2) Policies concerning security of, and access to, campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities

NWACC has on-campus security 24 hours a day 7 days a week. Facilities are open to members of the College community and escorted or authorized visitors. Tours may be scheduled through the Office of Admissions. Visitor parking is allowed in designated areas or by temporary permit only. To obtain parking permission, please call the Department of Public Safety at 479-619-4229. Administrative buildings are closed and locked at 4:30 p.m. Academic facilities close and are locked at either 9:00 p.m. or after the last class scheduled in the facility. Service buildings (i.e., library, student center) are open during posted hours. NWACC does not have on-campus or off-campus residences.

Some facilities have varied hours at different times of the year. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility. Emergencies may necessitate changes or alterations to any posted schedules. DPS conducts daily security surveys to verify that all facilities on campus are secured.

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

3) Policies concerning campus law enforcement, specifically including:
a**) Enforcement authority of security personnel, b) working relationship with state and local police agencies, and c) arrest authority of security personnel**

NWACC's Department of Public Safety has primary responsibility for maintaining a reasonably safe campus. Specifically, DPS is responsible for crime prevention, law enforcement, parking control, emergency response, policing of special events, and various other community services on campus. DPS provides a full range of campus services 24 hours a day, 365 days a year. Some of these services include investigating reports of crimes, conducting follow-ups as necessary, and filing criminal charges or referring the matter (as appropriate) to another department. DPS 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, the DPS may also refer the individual to the Judicial Consultation Team. All officers of the NWACC's DPS meet state mandated training requirements and are certified by the Arkansas Commission on Law Enforcement Standards.

Major offenses such as rape, murder, aggravated assault, robbery, and auto theft are reported to the local law enforcement. 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.

4) Policies and procedures encouraging accurate and prompt reporting of all crimes to campus police and local police

NWACC is committed to providing a safe and secure environment for our students, faculty, staff, and guests. With the support of all members of 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 the campus police and the appropriate police agencies as soon as they have knowledge of such an event.

5) Policy encouraging pastoral and professional counselors, if allowed by institution, to inform clients of voluntary, confidential crime reporting procedures

There are no provisions made for pastoral counselors or professional counselors to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

6) Type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. DPS and NWACC's Risk Management Department conduct an annual Safety Fair in conjunction with emergency preparedness programs.

The Director of Public Safety compiles and makes available campus crime statistics annually to all students and staff. When time is of the essence, information about potentially dangerous situations will be released to the College community through security alerts posted throughout campus, through computer memos sent over the College's electronic mail system text messaging or WENS broadcasting system.

Information regarding NWACC's safety and security programs and procedures is included in each new student orientation program 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.

7) Description of the programs designed to inform students and employees about the prevention of crimes

NWACC's DPS crime prevention program is based upon the dual concepts of eliminating or minimizing criminal opportunities whenever possible and encouraging students and employees to be responsible for their own security and the security of others. Educational programs regarding campus crime and emergency procedures are conducted periodically during the year. 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 DPS.
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.

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

The mutual agreements between NWACC's DPS, the Bentonville Police Department, and the Arkansas State Police provide for reciprocal service to protect the community in the event of a critical incident. When an NWACC student is involved in an off-campus offense, DPS officers may assist with the investigation in cooperation with local, state, or federal law enforcement. Bentonville Police Department officers routinely work and communicate with DPS officers on any serious incidents occurring on-campus or in the immediate neighborhood and business areas surrounding campus. NWACC operates no 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. DPS officers have direct radio communications with the Local Law enforcement agencies to facilitate rapid response in any emergency situation.

9) Policy regarding the possession, use, and sale of alcoholic beverages and enforcement of State underage drinking laws

This policy is mandated by and complies with the provisions of the Drug-Free Schools and Communities Act Amendments of 1989. NWACC is committed to the maintenance of a drug and alcohol free work place and to 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 by students or employees on property of the College or as a part of any of the College's activities is expressly prohibited. The Student Conduct Code states, "Possession, use, manufacture, or distribution of alcohol or illicit drugs is prohibited." This policy applies to students on all College property and at College sponsored events held off campus. Off-campus activities sponsored by recognized student groups must abide by all local and state laws. Violation of this policy will result in College sanctions ranging from probation to expulsion.

10) Policy regarding the possession, use, and sale of illegal drugs and enforcement of Federal and State drug laws

This policy is mandated by and complies with the provisions of the Drug-Free Schools and Communities Act Amendments of 1989. NWACC is committed to the maintenance of a drug and alcohol free work place and to 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 by students or employees on property of the College or as a part of any of the College's activities is expressly prohibited. The Student Conduct Code states, "Possession, use, manufacture, or distribution of alcohol or illicit drugs is prohibited." This policy applies to students on all College property and at College sponsored events held off campus. Off-campus activities sponsored by recognized student groups must abide by all local and state laws. Violation of this policy will result in College sanctions ranging from probation to expulsion.

11) Description of drug or alcohol-abuse education programs, as cross referenced in HEA materials

NWACC conducts annual educational programs on drug and alcohol abuse. Educational materials are provided in the Advising Center and Student Information Center. Annually, the College distributes to all students and personnel information on procedures for reporting criminal actions, policies concerning campus security, criminal and drug enforcement policies and educational programs, crime prevention programs, and statistics concerning criminal activities on campus. All trainings and educational programs are available for faculty, staff, and students.

Information regarding NWACC's drug or alcohol abuse policies and procedures is included in each new student orientation program and new employees are given this information during their orientation. The same information is made available upon request to all prospective students and job applicants.
Several offices, agencies, and hospitals in the Bentonville area offer drug treatment and rehabilitation services or programs. Information about these can be located in the yellow pages of the telephone directory under the heading, "Alcohol and Drug Information and Treatment Centers." Community resources are also listed in the NWACC Student Handbook.

12) Sexual assault programs to prevent sex offenses and procedures if an offense occurs, specifically including:

a) Description of relevant educational programs

Sexual assault, including rape, acquaintance rape, date rape or gang rape is specifically prohibited on the NWACC 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 College disciplinary action as well as criminal action.

Sex offense awareness and prevention programs are presented periodically. Guest speakers may also be brought to the campus for presentations open to the entire campus community. Materials including pamphlets covering sex offense awareness and prevention and similar materials are also available in the Student Center.

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

<u>What women can do:</u>

- 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

<u>What men can do:</u>

- 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.

b) Procedures students should follow if sexually assaulted, specifically including: i) procedures regarding whom to contact, ii) the importance of preserving evidence, and, iii) to whom the offense should be reported

The Student Right to Know and Campus Security Act requires that students be provided information concerning campus sexual assault programs and the procedures which should be followed once an offense has occurred. Although it may be difficult, it is always best to report a sexual assault (rape, attempted rape, or acquaintance rape) to a College official or the local police (911) as quickly as possible. 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, change clothes, 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.

Any of the following campus departments may be contacted for information and assistance:

Department of Public Safety: (479) 619-4229
Associate Vice President for Learner Support Services: (479) 619-4373
Director of Judicial Affairs: (479) 619-4234

Individuals may also report a sexual assault to any of the local hospitals or the Arkansas Coalition Against Sexual Assault (ACASA) at (479) 527-0900 or online at: http://www.acasa.us.

13) Information on a student's option to notify appropriate law enforcement authorities, including campus and local police, and a statement that NWACC personnel will assist the student with notification, *if desired*

Sexual assault victims are entitled to certain rights which shall be recognized and accorded to all campus student services personnel. Among these are:

- The right to be informed of their option to notify proper law enforcement authorities, including on-campus and local police, and the option to be assisted by campus authorities in notifying such authorities.
- The right to have an incident of sexual assault investigated and adjudicated by the campus judicial system; and the right to full and prompt cooperation and assistance in the campus disciplinary process.

14) Notification to students of on-and-off campus sex offender victim services

Guidance and assistance for reporting the assault may be received from the Office of Judicial Affairs. If the assault is reported within 72 hours of its occurrence and you cooperate with the police in providing information and evidence, the State of Arkansas pays for the medical examination. Also, if the offense is reported to the police, Victims Compensation can pay for the treatment of other injuries that occurred during the rape. Under any circumstances medical evaluation is important because of the possibilities of Sexually Transmitted Diseases and pregnancy.

The NWACC Student Handbook includes available community resources. Off-campus counselors for mental health or victims of sex offenses can be found in the yellow pages of the telephone book under the heading "Counseling," “Counseling Centers,” or “Counselors.”

15) Notification that the institution will assist victim with changes in academic and living arrangements if desired and if available

If a student has been the victim of a sexual assault, NWACC will change the victim's academic schedule after the alleged sex offense if those changes are requested by the victim and they are reasonably available. NWACC does not provide on or off campus housing and does not assist with living arrangements.

16) Procedures for disciplinary action for alleged sex offenses, including a clear statement that - a) accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and b) both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding alleging a sex offense

The NWACC Student Code of Conduct, found in the Student Handbook contains the procedures for campus disciplinary action. When students file a sexual assault complaint against another student of the college, there are two alternatives to resolve the complaint: mediation and hearing. The mediation process will be undertaken only if all parties agree to it. If mediation is not desired, or the complaint is not able to be resolved through mediation, a hearing is scheduled. In a hearing, the complainant and the respondent are entitled to the same opportunities to have others present during the proceeding as representatives and witnesses, and both parties are informed of the hearing outcome in accordance with federal laws. A complete explanation of the hearing and appeals process can be found on the college website: http://www.nwacc.edu/documents/Catalog.pdf or in the Student Handbook, page 3, “Due Process and Student Conduct Violations.”

17) Sanctions that NWACC may impose following a final determination of a sex offense disciplinary proceeding

Possible sanctions imposed for disciplinary purposes against the perpetrators of sexual assault in the event of a finding of ‘in violation’ include, but are not limited to, expulsion, suspension, disciplinary probation, educational sanctions, and counseling.

18) Advising campus community where law enforcement agency information provided by State concerning registered sex offenders may be obtained

The federal Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. The

federal law requires institutions of higher education to issue a statement advising the campus community where information concerning registered sex offenders may be obtained.

Persons convicted of certain sex offenses are required by law to register with the State of Arkansas. NWACC's Department of Public Safety maintains a folder of all registered sexual offenders. To view this folder, visit the DPS office between the hours of 8:00AM and 4:30PM. In addition, a current listing of all registered sex offenders in Arkansas is available at: http://www.acic.org/ . The web site can be searched by city, county, zip code, or name.