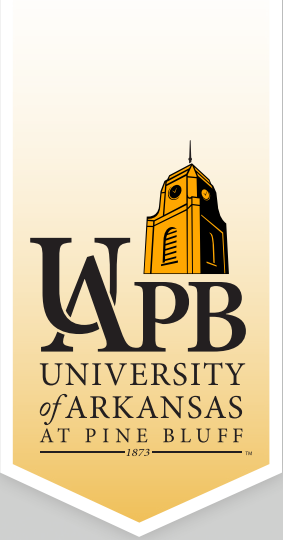


# the ROAR



Student  
Handbook  
2024-2025

## ALMA MATER

*State College, we greet thee with love and devotion;  
Our hearts and our treasures we bring to thy shrine.  
With arms that are strong from all harm we defend thee;  
Thy name shall we cherish, dear mother of mine.  
We walk through this wide world with peace and with courage.  
We gained while we sat at thy sanctified seat.  
We come when thou call us to battle dear mother,  
And cast all we have at thy glorified feet.*

### CHORUS

*Alma mater, we love thee, we love thee, dear mother;  
And all that we have we cast down at thy feet.  
In days of our childhood we romped in the wildwood;  
We waded the brooks, sipped the sweet morning dew.  
We heard of great treasures of wisdom and knowledge;  
Of wealth not for purchase of goodness and you.  
We entered the portals with some trepidation.  
We know not what fates awaited us there.  
Thou girded our loins with the strength of Gibraltar;  
We drank from thy fountain and breathed thy pure air.  
We breathed thy great spirit and learned more of wisdom, more  
Truth through the vistas of life can we see.  
Thy work of thy hand as it guided our footsteps;  
With faith thou did'st teach as we sat by thy knee.  
No more shall we wonder who gave thee thy powers,  
No one but our God can bestow such a gift.  
We step with thy heart-strokes today, and forever  
Thy flag to the breezes of heaven we lift.*

**John B. Watson**  
First President, AM&N College  
1928-1942

UNIVERSITY OF ARKANSAS AT PINE BLUFF

THE ROAR  
STUDENT HANDBOOK

"THE PRIDE IS BACK"

Prepared by

The Office of Student Life  
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(870) 575-8361

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Mr. Elbert Bennett  
Vice Chancellor for Student Affairs

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August 6, 2024

Dear UAPB Students:

It is with great enthusiasm and Golden Lion pride that I welcome each of you to the 2024-2025 academic year at the University of Arkansas at Pine Bluff (UAPB)! Whether you are a returning student or joining us for the first time, we are thrilled to have you as part of our vibrant and diverse community. As the Interim Chancellor, it is my honor to extend a warm welcome and thank you for choosing to become a part of the pride.



Our university is dedicated to providing a nurturing and stimulating environment that encourages academic excellence, personal growth, and community engagement. At UAPB, we strive to equip you with the knowledge, skills, and experiences necessary to succeed in your chosen fields and to become leaders who make a difference in the world.

*The ROAR Student Handbook* is a valuable resource designed to help you navigate your journey here at UAPB. It contains essential information about our campus policies, student services, academic programs, and extracurricular opportunities. I encourage you to familiarize yourself with its contents and to take full advantage of the support and resources available to you.

This academic year promises to be filled with opportunities for learning, growth, and connection. I encourage you to immerse yourself in all that UAPB has to offer—participate in student organizations, attend campus events, engage in community service, and build lasting relationships with your peers, faculty, and staff. As we embark on this new academic year, let us embrace the challenges and opportunities that lie ahead with determination and optimism. Together, we will continue to uphold the proud traditions of our institution while striving for excellence in all our endeavors.

On behalf of the entire UAPB community, I wish you a successful and fulfilling academic year. Remember that your time here is not just about earning a degree, but also about personal growth and making lifelong memories. We are here to support you every step of the way.

Once again, welcome to the University of Arkansas at Pine Bluff! Let’s make this year extraordinary!

Sincerely,

Andrea Stewart, DSW  
Interim Chancellor

1200 North University Drive, Mail Slot 4982 · Pine Bluff, AR 71601  
Office: (870) 575-8470 · Fax: (870) 575-4645 · Email: [chancellor@uapb.edu](mailto:chancellor@uapb.edu)  
[www.uapb.edu/chancellor](http://www.uapb.edu/chancellor)

*UAPB is an Equal Opportunity/Affirmative Action Institution*



UNIVERSITY  
*of* ARKANSAS  
AT PINE BLUFF  
1873

---

VICE CHANCELLOR FOR STUDENT AFFAIRS

August 5, 2024

Dear Golden Lions,

Welcome to the University of Arkansas at Pine Bluff! We are thrilled that you've chosen our campus to further your academic journey. The Division of Student Affairs is here to ensure you have a productive and fulfilling experience during your time at UAPB. We have collaborated with other university divisions and external stakeholders to foster a campus culture that promotes student success, leading to higher retention and graduation rates, and a richer academic experience for all students.

The ROAR Student Handbook is designed to help protect your rights as students and guide you through your time here. We encourage you to enjoy the campus environment and take full advantage of the resources available to help you reach your full potential. We expect you to embrace the challenges and opportunities of being a responsible member of our campus community.

The University of Arkansas at Pine Bluff is committed to being purposeful, open, just, structured, caring, and celebrative. We encourage you to actively engage in our community to make the most of your collegiate experience.

If you have any questions or need further assistance, please contact the Office of Student Affairs, located in the Administration Building, Room 209.

Wishing you the best in this academic year.

Sincerely,

A handwritten signature in blue ink that reads "Elbert Bennett". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Elbert Bennett  
Vice Chancellor for Student Affairs

## INTRODUCTION

The Division of Student Affairs publishes the UAPB student handbook. The ROAR provides students, faculty, and staff with an official record of the policies and procedures that may affect students. The guideline contained in this publication applies to the University of Arkansas at Pine Bluff campus only. It is the responsibility of each student to become aware of the contents of THE ROAR's contents and the documents referred to herein.

The University reserves the right to make changes in curricula, degree requirements, course offerings, and all policies at any time when, in the judgment of the faculty, the Chancellor, and the Board of Trustees, such changes are in the best interest of the University.

**Note: Curriculum changes will not affect full-time students who have declared and are pursuing a major. Providing enrollment continues without interruptions; these students shall continue to pursue the curriculum as identified in the degree plan existent at the time they declare their majors. However, changes in state certification requirements and state laws may alter curriculum offerings and requirements for graduation, regardless of when a student enters a given curriculum. (See University Catalog Page 21).**

The University of Arkansas at Pine Bluff is committed to affirmative action policy, which assures equal opportunity in education and employment to all qualified persons regardless of race, sex, age, religion, creed, disability, veteran status, national origin, or ancestry.

The University of Arkansas at Pine Bluff offers equal opportunity employment, admission, and educational opportunities. The University does everything reasonably possible to accommodate each student in attaining his or her academic objectives.

The University reserves the right to administratively interpret and/or alter any policy, regulations, or procedure stated or referred to herein through normal channels.

Final authority for all aspects of the content of THE ROAR, the UAPB students guide handbook, rests with the Office of the Vice Chancellor for Student Affairs.

## 1.0 GENERAL UNIVERSITY POLICIES AND INFORMATION

### 1.1 UNIVERSITY HISTORY AND DEVELOPMENT

#### 1.1.1 Historical Sketch

The University of Arkansas at Pine Bluff is a land grant, a residential institution founded in 1873 as Branch Normal College, a branch of the University of Arkansas. The University opened to students on September 27, 1875. UAPB is the second oldest institution in Arkansas and the oldest public institution with a black heritage. Since 1873, the institution has grown and changed its official name on two occasions: 1927-Arkansas Agricultural, Mechanical and Normal College (Arkansas AM&N, also known as Arkansas State College); and 1972-University of Arkansas at Pine Bluff.

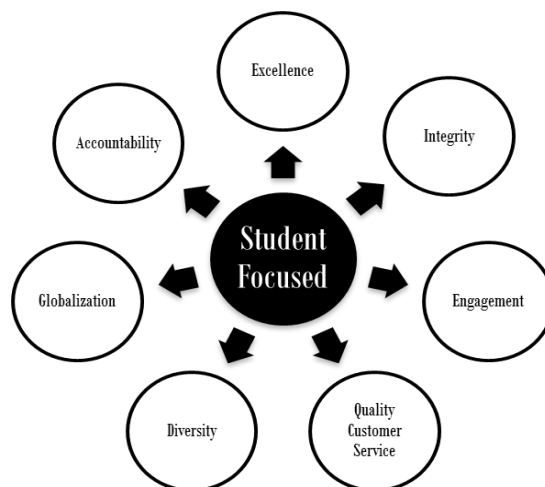
#### 1.1.2 Mission

##### 1.1.2.1 Mission Statement

The University of Arkansas at Pine Bluff is a public comprehensive HBCU 1890 Land-Grant institution. The University embraces its land-grant mission of providing cutting-edge research, teaching, outreach, and service programs that respond to the social and economic needs of the state and region. Its purpose is to promote and sustain excellent academic programs that integrate quality instruction, research, and student learning experiences responsive to the needs of a racially, culturally, and economically diverse student population. Ultimately, the University is dedicated to providing access and opportunity to academically deserving students and producing graduates who are equipped to excel through their contributions and leadership in the 21<sup>st</sup>-century national and global community.

##### 1.1.2.2 Vision

The University of Arkansas at Pine Bluff will be widely recognized as the University of choice for students, faculty, staff, and future employers of our students. UAPB will be renowned nationally and internationally for excellence in teaching, research, service, and outreach with exceptional academic programs and globally competitive students. As a pre-eminent land-grant institution, UAPB will enrich the lives of people in the Arkansas Delta and beyond.



### 1.1.3 1890 Institution

UAPB is the fourth oldest institution in the nation designed in 1890 under the Second Morrill Act. Land Grant Colleges have evolved into technical and scientific institutions, and in keeping with the provisions of the Morrill Acts, provide education in “classical studies” – arts, humanities, social sciences, business, education, and training in military science. UAPB is one of two land grant institutions and the only 1890 institution in Arkansas.

### 1.1.4 Accreditation

The University of Arkansas Pine Bluff is fully accredited by the Higher Learning Commission. It has program accreditation by the National Association for Schools of Music (NASM), National Association of Schools of Arts and Design (NASAD), American Association of Family and Consumer Sciences, International Association of Counseling Services, Council for the Accreditation of Educator Preparation (CAEP), Association of Technology, Management and Applied Engineering (ATMAE), the Commission on Collegiate Nursing Education (CCNE) *pending appeal decision*, and the Accreditation Council for Business Schools and Programs (ACBSP). The institution is a member of the American Council on Education (ACE), American Association of Colleges for Teacher Education (AACTE), Association of Public and Land-Grant Universities, Association of American Colleges (APLU), National Collegiate Honors Council, and the Council on Social Work Education (CSWE).

### 1.1.5 Chief Administrators

The University’s first chief administrator was J.C. Corbin, Principal, 1875-1902. Chief administrators during modern times are: Lawrence A. Davis, Sr., President/Chancellor, 1943-1973; Earl Evans, Acting President, 1959-1960; Johnny B. Johnson, Interim Chancellor, 1973-1975; Herman B. Smith, Jr., Chancellor, 1974-1981; Lloyd V. Hackley, Chancellor, 1981-1985; Johnny B. Johnson, Interim Chancellor, 1985-1986; Charles A. Walker, Chancellor, 1986- 1991; Carolyn F. Blakely, Interim Chancellor, 1991; Lawrence A. Davis, Jr., Chancellor, 1991-2012; Calvin Johnson, Interim Chancellor, 2012-2013 and Laurence B. Alexander, Chancellor, 2013-present.

### 1.1.6 Philosophy

“The end of education is to know God and the laws and purposes of His universe and to reconcile one’s life to these laws. The first aim of the right college is not to teach books, but the learning of books is only a means to this end. We develop power and courage and determination, and we go out to achieve Truth, Wisdom, and Justice. If we do not come to this, the cost of schooling is wasted.”

John B. Watson  
First President, AM&N College 1928-1942



### **1.1.7 University Seal**

The University Seal depicts the institution’s founding date of 1873 and the two official name changes; 1927-Arkansas Agricultural, Mechanical and Normal College (Arkansas AM&N), and 1972-University of Arkansas at Pine Bluff.

### **1.1.8 University Nickname**

Golden Lions

### **1.1.9 University Color**

Black and Gold

### **1.1.10 University Mascot**

The Golden Lion

## **1.2 University Traditions**

The life of every student is enriched by the traditions that have become a part of the University through the years. Some of the University of Arkansas at Pine Bluff’s traditions: Black History Month Celebration, Women’s History Month Celebration sponsored by the Office of Student Involvement, and Men’s Day is directed through the development of the Males of Color sponsored by the Basic Academic and Studies.

### **1.2.1 Band Concert**

Annually, the Music Department presents the University Band in Concert.

### **1.2.2 Black History Month**

During the month of February, Black History Month is observed to pay tribute to note African Americans who have made significant contributions to the progress of humankind as a whole and to African Americans in particular.

### **1.2.3 Chancellor’s Scholarship Gala**

This is a formal affair presented with elegance. The proceeds from this event support scholarship that provides financial support for students attending the University of Arkansas at Pine Bluff.

### **1.2.4 Chancellor’s Convocation/ Tower Talk**

An all-school assembly, originally established by President L. A. Davis, Sr., as the “family chat hour,” is held at the beginning of each semester.

### **1.2.5 Founders’ Week Celebration**

Each year, the University pauses on a Sunday close to April 25th (the date of the founding of the institution) to pay tribute to those whose services and sacrifices have made the University’s achievements possible. In addition to other activities, standing events include the Memorial Sunrise and Alumni Breakfast (a family breakfast), the Founders and Honors Awards Convocation, the Mary E. Benjamin Conference on Educational Access, and UAPB Jazz Concert, NPHC activities, and the Chancellor’s Scholarship Gala.

### **1.2.6 Founders and Honors Awards Convocation**

Traditionally held on the Thursday morning during Founders Week, the Convocation is held to pay tribute to those whose services and sacrifices have made the University’s achievements possible. In addition, students are recognized for academic achievement and their contributions to the University through scholarships and awards. Classes are dismissed so the campus community can attend this occasion.

### **1.2.7 Handel’s Messiah**

Every year the University choir performs Handel’s Messiah during the Christmas season. The Vesper Choir is assisted by the University Concert Band and by a string ensemble from the Arkansas Symphony Orchestra. The Messiah is considered to be the best oratorio in music history. Traditionally, the presentation of the Messiah marks the official opening of the Christmas season on the campus. The event is sponsored by the Department of Music.

### **1.2.8 Homecoming**

Annually, the University sets one weekend during The Fall Semester for the celebration of its Homecoming activities. Plans are made under the direction of the Homecoming Committee, which consists of faculty/staff and students, to extend the traditional UAPB hospitality to alumni, former students, guests, and friends.

The campus is beautifully decorated, and various student organizations and academic departments prepare floats for the annual Homecoming parade on Main Street in the city of Pine Bluff. Other events during Homecoming are NHC Step-Show, Miss UAPB Coronation, Senior Stunt Night, Bon Fire, Black & Gold Pride Assembly, HC Alumni Scholarship Golf Tournament, UAPB/AMN HC Assembly, AM&N/UAPB Letter-A Club Breakfast, and various class and student organization round-ups.

### **1.2.9 Lion Fever Day**

During the Spring Semester, high school students throughout the state of Arkansas and adjoining states are invited to the campus for a day of information and activities.

### **1.2.10 Spring Unity Fest**

An activity designed to bring together the University and the community through entertainment, food, games, vendors, information booths, novelty attractions and contests.

### **1.2.11 Vesper Choir Concert**

The Friday before Commencement, the University Choir performs its annual concert, which was traditionally held on the steps of the J.B. Watson Library.

## **1.3 TITLE IX POLICY FOR COMPLAINTS OF SEXUAL ASSAULT AND OTHER FORMS OF SEXUAL HARASSMENT**

### **NOTICE OF NONDISCRIMINATION UNDER TITLE IX**

The University of Arkansas at Pine Bluff does not discriminate based on sex in the education programs and activities that it operates and is prohibited from doing so by Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq., and the U.S. Department of Education’s implementing regulations, 34 CFR Part 106. The University’s nondiscrimination policy extends to admission, employment, and other programs and activities. Inquiries regarding the application of Title IX and 34 C.F.R. Part 106 may be sent to the University’s Title IX Coordinator, the U.S. Department of Education Assistant Secretary for Civil Rights, or both.

### **JURISDICTION AND SCOPE**

Sexual harassment, as defined in this policy (including sexual assault) is a form of sex discrimination and is prohibited. Title IX requires the University to respond to sexual harassment promptly and reasonably in the University’s educational programs and activities, provided that the harassment was perpetrated against a person in the United States. When a formal complaint is filed, the complainant must be participating in (or attempting to participate in) an education program or activity of the University. An education program or activity includes locations, events, or circumstances over which the University exercised substantial control over both the respondent and the context in which the sexual harassment occurs. Title IX jurisdiction

also includes property owned or controlled by a student organization that is officially recognized by a postsecondary institution.

This policy applies to allegations and complaints of sexual harassment, as defined herein. All other complaints of discrimination or misconduct that do not fall within the jurisdiction of Title IX may be made through other campus procedures.

This policy shall not be construed or applied to restrict academic freedom at the University. Further, it shall not be construed to restrict any rights protected under the First Amendment, the Due Process Clause, or any other constitutional provisions. This policy also does not limit an employee’s rights under Title VII of the Civil Rights Act.

### **1.3.1 REPORTING**

All complaints or reports about sex discrimination (including sexual harassment) that may violate this policy should be submitted to:

<b>Faculty/Staff</b>	<b>For Students</b>
<b>Title IX Coordinator</b>	<b>Deputy Title IX Coordinator</b>
University of Arkansas at Pine Bluff	Office of Affirmative Action
Office of Affirmative Action	Delta Residence Hall, Room 112
Delta Residence Hall, Room 112	P: 870-575-8555 or F#: 870-575-4650
P: 870.575.8052 or F#: 870.575.4650	e-mail: <a href="mailto:samuelssmithm@uapb.edu">samuelssmithm@uapb.edu</a>
e-mail: <a href="mailto:titleix@uapb.edu">titleix@uapb.edu</a> or <a href="mailto:davistn@uapb.edu">davistn@uapb.edu</a>	

**If you have a Title IX complaint or would like to report a Title IX incident, students are encouraged to visit [https://uapb-advocate.symplicity.com/titleix\\_report/](https://uapb-advocate.symplicity.com/titleix_report/) to fill out the complaint form.**

In addition, the U.S. Department of Education, Office of Civil Rights, may be contacted by phone at 800-421-3481 or by email at [ocr@ed.gov](mailto:ocr@ed.gov)

Any person may report sex discrimination, including sexual harassment whether the person is the alleged victim of sexual misconduct or a bystander that witnesses the incident. Any victim or bystander may file a report by using any of the following means: in person, by mail, by telephone, by electronic mail, or any other means whereby a verbal or written report is directed to the Title IX Coordinator . All reports can be sent to the Title IX Coordinator using the contact information above. Reports can be filed at any time (including non-business hours) by using the Title IX office telephone contact numbers, electronic mail addresses, ADVOCATE, or by mail to the office address listed for the Title IX Coordinator.

### **AMNESTY**

The University encourages reporting incidents of sexual misconduct and seeks to remove any barriers to reporting. The University recognizes that an individual who has been drinking or using drugs at the time of an incident may be hesitant to make a report because of potential consequences for their own conduct. Individuals who report prohibited conduct or participate as witnesses will not be subject to disciplinary sanctions for personal consumption of alcohol and/or other substances.

The University may initiate an educational discussion with individuals about their alcohol and/or drug use or may direct these individuals to services such as counseling for alcohol and/or drug use. Amnesty will not be extended for any violations of university policy other than alcohol/drug use. The use of alcohol, drugs, and/or legally prescribed medication does not justify or excuse behavior that constitutes prohibited conduct under this policy.



**FILING REPORT WITH LOCAL LAW ENFORCEMENT**

In some instances, sexual harassment may constitute both a violation of this policy and criminal activity. The University grievance process is not a substitute for instituting legal action. The University encourages individuals to report alleged sexual misconduct promptly to campus officials AND to law enforcement authorities, where appropriate. Individuals may file a report directly with local law enforcement agencies by dialing 911. Individuals may also contact any of the following for assistance in filing a report with local law enforcement:

<b>UNIVERSITY POLICE 1900 REEKER STREET PINE BLUFF, AR 71601 870-575-8102</b>	<b>DEPT. PINE BLUFF POLICE 200 EAST 8<sup>TH</sup> AVENUE PINE BLUFF, AR 71601- 870-543-5100</b>	<b>DEPT. JEFFERSON COUNTY SHERIFF 101 EAST BARRAQUE STREET PINE BLUFF, AR 71601 870-541-5351</b>
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**PRESERVING EVIDENCE**

It is important that evidence of sexual assault be preserved because it may be needed for prosecuting a criminal case. Victims and others should not alter the scene of an attack. The victim should not change clothes, bathe or shower, drink or eat anything, or brush his or her teeth before reporting the assault. Any items worn by the victim during the assault but are not currently being worn. Any materials encountered during the assault (i.e., bed sheets, blankets, etc.) should be placed in a paper bag and brought along with the victim to a local hospital emergency department that has kits to collect and preserve evidence of a sexual assault.

**EMPLOYEES' DUTY TO REPORT TO THE TITLE IX COORDINATOR**

To enable the University to respond effectively to proactively stop instances of sexual harassment, employees must, within 24 hours of receiving information regarding a potential violation of this policy, report information to the Title IX Coordinator. Any employee who fails to promptly report a matter to the Title IX Coordinator may be subjected to disciplinary action for failing to do so. There are two categories of employees who are exempt from this requirement: (1) licensed healthcare professionals and other employees who are statutorily prohibited from reporting such information and (2) persons designated by the campus as victim advocates.

**OFF-CAMPUS CONDUCT**

Reports filed as formal complaints involving incidents of sexual misconduct that have occurred off-campus will be evaluated to determine whether the matter falls within the University's jurisdiction under Title IX or should be referred to a different department or official within the University.

**CONFIDENTIALITY**

Except as compelled by law or as required to conduct a full and fair grievance proceeding in response to a formal complaint, the University will treat the information obtained or produced as part of the Title IX procedures as confidential. The University will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, or any individual who has been reported to be the perpetrator of sex discrimination, any respondent, any witness, except as may be permitted by the FERPA statute, 20 U.S.C. § 1232g, or FERPA regulations, 34 CFR Part 99, or as required by law, or to carry out the purposes of 34 CFR Part 106, including the conduct of any investigation, hearing, or judicial proceedings thereunder.

### **AVAILABILITY OF COUNSELING AND ADVOCACY**

Counseling and other mental health services for victims of sexual assault are available on campus and in the community. Students and employees may use the Health Services Center or Student Counseling, Assessment, and Development Center. Employees of the University may be able to seek help through the Employee Assistance Program. Community mental health agencies, such as the Southeast Arkansas Behavioral Healthcare Mental Health Facility and counselors and psychotherapists in private practice in the area, can provide individual and group therapy. Additionally, counselors and psychotherapists in private practice in the area can provide individual and group therapy. Coalition Against Spouse Abuse (CASA), Women’s Shelter or Domestic Violence and Rape Crisis Programs may assist with making referrals for individual counseling and support groups and in identifying non-counseling campus and community resources that may be of additional help and serve as a victim advocate upon request.

### **EDUCATION AND AWARENESS PROGRAMS**

The University’s Title IX Coordinator is responsible for planning and coordinating campus education and awareness programs about all forms of sexual harassment. Programs are presented regularly throughout the academic year in residence halls, fraternities, sororities, and for other student organizations, academic classes, employee training, and professional development, and in other settings that are likely to reach people throughout the campus community. Campus-wide education and awareness activities are also conducted during Sexual Assault Prevention and Awareness Week.

### **GRIEVANCE PROCEDURE**

Grievance procedures apply to all grievances regarding conduct that may constitute sexual harassment as defined in this policy (including sexual assault), and that falls within the University’s Title IX jurisdiction. All other grievances by students, employees, or third parties shall be addressed through other procedures. The University’s Title IX grievance process includes formal and informal procedures that encourage prompt resolution of complaints. In most cases, the complainant’s submission of a formal, written complaint to the Title IX Coordinator will initiate the formal grievance process. However, the Title IX Coordinator may also submit a formal complaint under the circumstances described below. The University will respond promptly to all formal complaints of sexual harassment.

### **BASIC REQUIREMENTS**

The University’s grievance process shall adhere to the following principles:

- All relevant evidence—including both exculpatory and exculpatory evidence—will be evaluated.
- Credibility determinations may not be based on a person’s status as a complainant, respondent, or witness.
- The Title IX Coordinator, investigator, hearing panel members, decision-makers on appeal, persons involved with the informal resolution, and any other persons that play a significant role in the Title IX grievance process shall not have a conflict of interest or bias for or against complainants or respondents generally or for or against an individual complainant or respondent.
- The respondent is presumed not to be responsible for the alleged conduct until a determination of responsibility is made at the conclusion of the grievance process.
- The time frames for concluding the grievance process shall be prompt, as set forth in more detail in the procedures below.
- The grievance process may be temporarily delayed, and limited extensions of time frames may be granted for a good cause. In such instances, written notice to the complainant and the respondent of the delay or extension and the reasons for the action will be provided. Good cause may include considerations such as the absence of a party, a party’s advisor, or a witness; concurring law enforcement activity; or the need for language assistance or accommodations of disabilities.

- Questions or evidence that constitute or seek disclosure of information protected under a legally recognized privilege will not be required, allowed, relied upon, or otherwise used. The University shall not consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity or assisting in the capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the University obtains that person's voluntary, written consent to do so for a grievance under this section.
- No party shall be restricted from discussing the allegations under investigation or gathering and presenting relevant evidence.
- A party whose participation in a hearing, investigative interview, or another meeting shall be provided with written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

### **INITIAL REPORT/INTAKE PROCESS**

***Initial Meeting with Complainant:*** Promptly upon receiving a report of conduct that could potentially be a violation of Title IX, the Title IX Coordinator (or designee) will contact the complainant to schedule an initial meeting to, as applicable:

- Provide a copy of this policy.
- Explain the process for filing a formal complaint and provide a copy of the Sexual Harassment Complaint Form on which the complainant may, if he or she agrees to disclose the information, provide details regarding the allegation, including the name of the accused individual and the date, location, and general nature of the alleged violation of policy
- Explain avenues for resolution, including informal and formal.
- Explain the steps involved in an investigation and hearing under this policy.
- Discuss confidentiality standards and concerns.
- Refer to law enforcement, counseling, medical, academic, or other resources as appropriate.
- Discuss, as appropriate, possible supportive measures available with or without filing a formal complaint.

If the complainant requests that no further action be taken and/or that no formal complaint be pursued, the Title IX Coordinator (and/or his or her designee) will inform the complainant that retaliation is prohibited and that honoring the complainant's request may limit the University's ability to respond to the incident fully. In the event the complainant stands firm on his or her request that no further action be taken, the Title IX Coordinator will evaluate whether to file a complaint under the criteria set forth below.

### **FORMAL COMPLAINT PROCESS**

**Form and Filing of Complaint:** A formal, written complaint initiates the formal grievance process and is available to any person participating in (or attempting to participate in) a university educational program or activity. The Title IX Coordinator (or an investigator designated by the Title IX Coordinator) will investigate the allegations in the formal complaint. Formal complaints can be filed in several ways. The complainant may utilize the form provided or may submit the complainant's own document that contains the complainant's signature (either physical or digital) and is filed with the University's Title IX Office by U.S. mail, in person, through ADVOCATE, the Title IX portal provided for this purpose, or by email. The formal complaint should set forth the allegations and request that the Title IX Office investigate the matter.

***Filing by Title IX Coordinator:*** The Title IX Coordinator may initiate the grievance process, even where the complainant declines to file a formal complaint if the Coordinator determines that the circumstances require the University to respond to and address the allegations formally. Circumstances to be considered

include, among others, a pattern of alleged misconduct by a respondent and whether the complaint has alleged use of violence, weapons, or other similar conduct. The Title IX Coordinator will also consider the complainant’s wishes with respect to supportive measures and the desired response by the University. Where a report is made anonymously and the Title IX Coordinator files the complaint, both the complainant and respondent will receive notice of the allegations with written details and identities of the parties if known.

***Consolidation of Formal Complaints:*** The Title IX Coordinator may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arising out of the same facts or circumstances.

***Dismissal of Complaint Prior to Resolution:*** A formal complaint must be dismissed by the Title IX Coordinator if the alleged conduct (1) does not constitute sexual harassment, as defined in this policy, even if proved; (2) did not occur in the University’s education program or activity; or (3) did not occur against a person in the United States. In addition, a complaint may be dismissed if, at any time during the investigation or hearing, a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled or employed by the recipient, or specific circumstances prevent the gathering of evidence sufficient to reach a determination as to the formal complaint or any allegations therein.

Upon dismissal of a formal complaint for any reason, the Title IX Coordinator will send simultaneous, written notice of and reason(s) for the dismissal to the parties. The dismissal decision may be appealed pursuant to the procedure for appeals set forth in this policy. Dismissal of a complaint under this Title IX policy does not preclude a complainant from pursuing a grievance through other appropriate campus procedures.

***Notice of Formal Complaint:*** Upon receipt of the formal complaint, the Title IX Coordinator will send simultaneous notifications of the filing of the complaint to the complainant and the respondent (if known). If, during an investigation, the Title IX Coordinator decides to investigate allegations about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator will provide notice of the additional allegations to the parties whose identities are known. The initial notice will contain the following:

- The allegations of the complaint that potentially constitute sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview (including the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment under this policy, and the date and location of the alleged incident, if known)
- A copy of the Title IX policy
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- A statement informing the parties that they have a right to have one advisor of their choice to assist.
- them throughout the proceedings who may be (but is not required to be) an attorney.
- A statement that the parties have the right to inspect and review all evidence collected during the complaint process.
- A statement that any party who knowingly makes false statements or submits false information during the grievance process will be subject to disciplinary procedures.

**Initial Meeting with Respondent:** If a formal complaint is filed, the Title IX Coordinator will promptly schedule an initial meeting with the respondent after the written notice of the formal complaint is sent, as described above. Prior to the initial meeting, the Title IX Coordinator shall provide written notice of the date, time, location, participants, and purpose of the meeting, with sufficient time for the party to prepare to participate. During the initial meeting with the respondent, the Title IX Coordinator (or designee) will, as applicable.

Provide a copy of this policy (if not previously provided)

- Explain avenues for resolution, including informal and formal.
- Explain the steps involved in an investigation and hearing under this policy.
- Discuss confidentiality standards and concerns.
- Discuss non-retaliation requirements.
- Inform them of any supportive measures already determined and being provided to the complainant that would directly affect the respondent.
- Refer to law enforcement, counseling, medical, academic, or other resources as appropriate.
- Discuss, as appropriate, possible supportive measures that can be provided to the respondent.

**Right to Advisor:** Both parties will be advised that they may be accompanied by one advisor/support person to assist them throughout the Title IX process, which can be (but is not required to be) an attorney. The advisor is not allowed to speak or otherwise actively participate during the pre-hearing interviews or meetings. It is the party’s responsibility to obtain the services of an advisor, except that the University will make an advisor available to the parties during the hearing to determine responsibility upon request. A party who wants the University to provide an advisor for the determination hearing should make a request within 15 days after the party’s filing or receipt of the formal complaint. The advisor’s role at the hearing is further explained below.

**Emergency Removal:** If, after the Behavioral Intervention Team undertakes a safety and risk analysis, the University determines that the respondent poses an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment, it may remove the respondent from the University’s programs or activities. In such instances, the respondent will be provided with a written notice of the reasons for the removal. Within 5 days of receiving the notice, the respondent may challenge the decision by requesting a meeting with the Vice Chancellor for Student Affairs.

**Administrative leave:** Nothing in this policy precludes the University from placing a non-student employee respondent on administrative leave during the pendency of the grievance process.

**Supportive Measures:** Supportive measures, as defined in this policy, will be based on the facts and circumstances of each situation. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. They may include, but are not limited to, the following:

- Counseling
- Extensions of deadlines or other course-related adjustments
- Modifications of work or class schedules
- Campus escort services
- Mutual restrictions on contact between the parties
- Changes in working or housing locations
- Leaves of absence
- Increased security and monitoring of certain areas of the campus

The University will maintain as confidential any supportive measures provided to the complainant or respondent to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures.

**Informal Resolution:** At any time after a formal written complaint is filed but prior to reaching a determination regarding responsibility, the University may facilitate a resolution without a full investigation and adjudication. The complainant and respondent must give their voluntary, written consent to the informal resolution process. The informal resolution process will not be utilized to resolve allegations that an employee sexually harassed a student.

Prior to commencing the informal resolution process, the Title IX Coordinator or designee must provide the parties with a written notice that includes the following information:

- Notice of the allegations contained in the formal complaint, including dates, location(s), and identities of the parties
- Any agreed-upon resolution reached at the conclusion of the informal complaint process will preclude the parties from resuming a formal complaint arising from the same allegations.
- At any time before resolution agreement, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.
- Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

### **COMPREHENSIVE INVESTIGATION**

If the resolution of the allegations does not proceed through the informal process, the matter will proceed with a comprehensive investigation and resolution through the formal complaint processes. The Title IX Coordinator will be for overseeing the prompt, equitable, and impartial investigation during the formal complaint process. The burden of proof and the burden of gathering evidence sufficient to determine responsibility shall depend on the University and not the parties.

***Assignment of Investigator:*** if the Title IX Coordinator's designee is to conduct the investigation, the Title IX Coordinator will forward the complaint to the investigator and, share the investigator's name, and contact information with the complainant and the respondent.

***Conflicts of Interest and Bias:*** Immediately after the identity of the person who will conduct the investigation is determined and communicated to the parties, the investigator, the complainant, or the respondent may identify to the Title IX Coordinator in writing any real or perceived conflicts of interest or bias that the person charged with conducting the investigation (including the Title IX coordinator, where applicable) may have. The Title IX Coordinator will carefully consider such statements and will assign a different individual as an investigator if it is determined that a material conflict of interest or bias exists.

***Overview of Investigation:*** Upon receipt of the formal complaint, the Title IX Coordinator/Investigator will promptly begin the investigation, which shall include but is not limited to the following:

- Conducting interviews with the complainant, the respondent, and any witnesses (including expert witnesses, where applicable) and summarizing such interviews in written form
- Visiting, inspecting, and taking photographs at relevant sites
- Where applicable, collecting and preserving relevant evidence (in cases of corresponding criminal reports, this step may be coordinated with law enforcement agencies)
- Obtaining any relevant medical records pertaining to treatment of the complainant, provided that the complainant has voluntarily authorized the release of the records in writing to the investigator.

***Inspection and Access to Evidence:*** The parties may identify to the Investigator any evidence or witnesses they wish to be included as part of the investigation. Both parties will also have equal opportunity to inspect and review any evidence obtained during the investigation. The Investigator will complete the gathering of evidence as soon as practicable, which will ordinarily occur within approximately 30 days after the filing of the formal complaint.

After the gathering of evidence has been completed but prior to completion of the investigative report, the Investigator will provide to each party and party’s advisor, if any, any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and exculpatory or exculpatory evidence (whether obtained from a party or other source) so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. The evidence will be provided in electronic format or a hard copy. The parties will have ten calendar days to submit a written response to the evidence, which the Investigator will consider prior to the completion of the investigative report. The evidence will be made available for the parties to use at the hearing to determine responsibility.

***Investigative Report:*** The investigative report shall fairly summarize the relevant evidence and must include the following items and information that is relevant to the allegations in the formal complaint:

- The dates of the Title IX Coordinator’s initial receipt of a report of alleged sexual harassment against the complainant, intake meeting, and the filing of the formal complaint
- A statement of the allegation(s), a description of the incident(s), the date(s) and time(s) (if known), and location of the alleged incident(s)
- The names of all known witnesses to the alleged incident(s)
- The dates that the complainant, respondent, and other witnesses were interviewed, along with summaries of the interviews
- Descriptions or summaries of any physical or documentary evidence that was obtained (e.g., text messages, emails, surveillance video footage, photographs)
- Any written statements of the complainant, respondent, or other witnesses
- The response of university personnel and, if applicable, University-level officials, including any supportive measures taken with respect to the complainant and respondent

The Investigator shall provide a draft of the investigative report to the Title IX Coordinator for review before the report becomes final. An electronic or hard copy version of the final investigative report will be provided to each party (and each party’s advisor) concurrently. The investigative report shall be provided as soon as practicable after the parties have submitted their written responses to the evidence (if any) and at least ten calendar days prior to the determination hearing. The parties may provide a written response to the investigative report within 5 days of receiving it.

### **DETERMINATION HEARING**

Following the conclusion and distribution of the investigative report, a hearing will be conducted to determine the outcome and resolution of the complaint. The parties and their advisors, if any, will be notified by the Hearing Panel chairperson or Title IX Coordinator of the date, time, and location of the hearing, as set forth in the notice provisions below.

***Hearing Panel:*** Within three days of the release of the investigative report to the parties, the Chancellor or his/her designee may appoint a three-member Hearing Panel, which shall be composed of at least two faculty and/or staff members and may include one outside person who is not permanently employed by the University. The Chancellor or his/her designee will select one member of the Hearing Panel to act as the Chair. The Title IX Coordinator will provide a copy of the formal complaint and the investigative report, along with the parties’ written responses to the report, to each member of the Hearing Panel.

Promptly after the appointment of the members of the Hearing Panel, the Title IX Coordinator will provide concurrent written notice to the complainant and the respondent, setting forth the names of the individuals selected to serve as members of the Hearing Panel. The parties may challenge the participation of any decision-maker based on bias or a conflict of interest by submitting a written objection to the Chancellor or his/her designee within three calendar days of receipt of the notice. Any objection must state the specific reason(s) for the objection. The Chancellor or his/her designee will evaluate the objection and determine whether to alter the composition of the Hearing Panel. Failure to submit a timely and proper objection will constitute a waiver of the objection. Any changes in the Hearing Panel will be provided in writing to both parties prior to the date of the hearing.

**Submission of Witnesses Lists:** Within 5 calendar days of receipt of the notice of the Hearing Panel, both parties may provide to the Chair of the Hearing Panel a list of witnesses, if any, that they propose be called to testify and a brief description of each proposed witness’s connection to and/or knowledge of the issues in dispute. Absent good cause, a party cannot include a witness on the party’s pre-hearing witness list unless the witness was identified during the investigation. The Hearing Panel reserves the right to call relevant witnesses who may not have been included on a party’s witness list.

**Notice of the Hearing:** Not less than five days but not more than ten days after delivery of the notice of the initial composition of the Hearing Panel, the Chair of the Hearing Panel will provide a separate notice to the complainant, respondent, and any other witnesses whose testimony the Hearing Panel deems relevant, requesting such individuals to appear at the hearing to determine responsibility. The notice should set forth the date, time, and location for the individual who has requested presence. The Hearing Panel shall provide, in its notice to the parties, the names of the witnesses that the Hearing Panel plans to call. The hearing shall be conducted promptly but no sooner than ten calendar days after the release of the investigative report.

**Failure to Appear:** If any party fails to appear at the hearing if requested to do so, and such party was provided notice of the hearing as set forth above, then absent extenuating circumstances, the Hearing Panel will proceed to determine the resolution of the complaint. As explained below, a party’s failure to appear may impact the Hearing Panel’s consideration and weight given to the non-appearing party’s version of events based on another source, such as the formal complaint or a prior statement.

**Option for Virtual or Separate Presence:** Live hearings may be conducted with either all parties present in the same geographic location or, at the University’s discretion, any or all parties and witnesses may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other. Either party may request not to be in the same room as the other party. If any party makes such a request, then both parties will be required to attend the hearing from a location or room different from where the Hearing Panel is sitting. If the hearing is virtual, or there is a request for separate rooms at a physical location, the University will ensure that all participants are able to simultaneously see and hear the party or witness answering questions. Instructions will be provided for accessibility prior to the hearing date.

**Recordings:** An audio or audio-visual recording will be created of the live hearing and will be made available for inspection and review at any party’s request.

**Advisor’s Role at Hearing:** The complainant and respondent may be accompanied by an advisor during the hearing to determine responsibility. A party must identify his or her advisor (if any) at least 5 days prior to the hearing. The advisor’s role at the hearing shall consist of (1) providing private advice to the party he/she is supporting and (2) questioning the opposing party and other witnesses. The advisor can be anyone, including an attorney. A party may arrange for the party’s advisor of choice to attend the hearing at the party’s own expense. Alternatively, the University will select and provide an advisor to assist a party at the hearing to determine responsibility, without fee or charge, upon request. In either scenario, the advisor may



only participate in the hearing to the extent allowed under this policy. A party who wants an advisor to be provided by the University should notify the Title IX Coordinator at least 15 days after the filing or receipt of the formal complaint.

***Evidentiary Matters and Procedure:*** The parties, through their advisors, shall have an equal opportunity to question the opposing party and other witnesses, including fact and expert witnesses, and present other inculpatory or exculpatory evidence. Formal rules of evidence will not be observed during the hearing. The Hearing Panel will conduct the initial questioning of witnesses prior to the questioning by an advisor. The Chair of the Hearing Panel (acting alone or in consultation with other panelists) will make all determinations regarding the order of witnesses, the relevancy of questions, and the evidence to be considered or excluded during the hearing and decision-making process. The Hearing Panel may, in its discretion, choose to call the Investigator for the purpose of providing an overview of the investigation and findings.

***Witness Examinations by the Parties:*** Each party's advisor is permitted to question the opposing party and the other witnesses, so long as the questions are relevant and not duplicative of the questions posed by the Hearing Panel. The questions may include challenges to credibility. No other questioning or speaking participation by an advisor will be allowed. A party may not examine a party or witness directly; rather, a party must utilize the services of an advisor for the purpose of posing questions to another party or witness. A party not represented by an advisor may, however, submit a list of proposed questions to the Chair of the Hearing Panel and ask that the questions be posed to the opposing party or witness.

The decision-maker(s) cannot draw an inference about responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions. In a circumstance where a party or witness does not participate in a hearing, the panel should weigh the facts and circumstances in determining whether to consider and what weight to assign, any statements furnished outside the hearing process.

The Chair of the Hearing Panel will make determinations regarding the relevancy of questions before a party or witness answers. If a determination is made to exclude the question based on relevancy, the Hearing Panel Chair will provide an explanation of why the question was deemed irrelevant and excluded.

The Panel Chair may disallow the attendance of any advisor if, at the discretion of the Hearing Panel Chair, such person's presence becomes disruptive or obstructive to the hearing or otherwise warrants removal. Advisors will not be permitted to badger or question the opposing party or any witness in an abusive or threatening manner. Absent accommodation for a disability, any other individual may not accompany the parties during the hearing process except as set forth in this policy. University officials may seek advice from the University's Office of General Counsel on questions of law, policy, and procedure at any time during the process.

***Prior Sexual Conduct:*** Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

***Confidentiality and Disclosure.*** To comply with FERPA and Title IX and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, the grievance process is not open to the public. Accordingly, documents prepared in anticipation of the hearing (including the formal complaint, investigative report, evidentiary materials, notices, and prehearing submissions), recordings of the hearing, and documents, testimony, or other information used at the hearing may not be disclosed outside of the hearing proceedings, except as may be required or authorized by law.

***Decision of the Hearing Panel and Standard of Evidence:*** Following the conclusion of the hearing, the Hearing Panel will confer and determine whether the evidence establishes that it is more likely than not that, the respondent committed a violation of this policy. In other words, the proof standard will be the evidence's preponderance. This standard applies to complaints against both students and employees. In reaching the determination, the Hearing Panel will objectively and thoroughly evaluate all relevant evidence, both inculpatory and exculpatory, and reach an independent decision, without deference to the investigative report. The Hearing Panel's determination of responsibility shall be made by majority vote.

***Written Determination of Responsibility:*** As soon as practicable following the hearing, the Hearing Panel Chair shall complete a report of the decision-makers' findings. The Hearing Panel Chair will send simultaneous notification of the decision to both parties and their advisors, where applicable, with the following information:

- Identification of the allegations potentially constituting sexual harassment under the policy
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence and the hearing held
- Findings of fact that support the determination
- Conclusions regarding the application of the University's conduct standards to the facts
- A statement and rationale for the result as to each allegation, including a determination as to responsibility using the preponderance of the evidence standard
- Any disciplinary sanctions imposed on the respondent
- Whether any remedies designed to restore or preserve equal access to the University's education program or activity will be provided to the complainant (description of remedies is not included)
- Procedures and permissible bases for the parties to appeal

***Sanctions:*** If the Hearing Panel determines that, more likely than not, the respondent committed a violation of this policy, then the Hearing Panel will determine sanctions and give consideration to whether a given sanction will (a) bring an end to the violation in question, (b) reasonably prevent a recurrence of a similar violation, and (c) remedy the effect of the violation. Sanctions for a finding of responsibility will depend upon the nature and gravity of the misconduct, any record of prior discipline for a violation of this policy, or both. The range of potential sanctions is set forth in the definitions section of this policy.

Ordinarily, sanctions will not be imposed until the resolution of any timely appeal under this policy. However, if it is deemed necessary to protect the welfare of the victim or the University community, the Hearing Panel may recommend to the decision-maker on appeal that any sanctions be imposed immediately and continue in effect until such time as the appeal process is exhausted.

***Remedies:*** Where a determination is made that the respondent was responsible for sexual harassment, the Hearing Panel will determine any final remedies to be provided to the complainant, if any, and the Title IX Coordinator will communicate such decision to the complainant and the respondent to the extent that it affects him/her. Remedies must be provided in all instances in which a determination of responsibility for sexual harassment has been made against the respondent. Remedies must be designed to restore or preserve equal access to the University's education program or activity. Such remedies may include the same individualized services described above as "supportive measures;" however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

***No Retaliation:*** The Title IX Coordinator will take steps to prevent any harassment of or retaliation against the complainant, the respondent, or third parties, such as informing them about how to report subsequent

problems, following up with them to ensure that there are no subsequent problems, and providing training for the campus community.

## **APPEALS**

***Procedure for Appeals:*** Both the complainant and the respondent may appeal the Hearing Panel's determination. The appeal should be submitted in writing to the Title IX Coordinator within 5 days of receipt of the Hearing Panel's decision. The Title IX Coordinator will forward the appeal to the Chancellor. The appeal will be decided based on the written record and without deference to the decision of the Hearing Panel.

The Chancellor will designate an Appeal Panel comprised of at least two faculty and/or staff members. One of the members of the Appeal Panel can be an outside person who is not an employee. The Chancellor shall designate one of the panelists as the Chair of the Appeal Panel. The Chair of the Appeal Panel shall make any decisions concerning appellate jurisdiction under the permissible grounds for appeal described below.

The party appealing may use the Appeal Form, or the party may submit his/her own written and signed document. Acceptable means of notification include email, facsimile, hand-delivered notification, or postal delivery. The Title IX Coordinator will promptly inform the other party of the appeal.

***Grounds for Appeal:*** The appeal from the decision of the Hearing Panel must be for one of the following reasons: (1) a procedural irregularity that affected the outcome of the decision; (2) there is new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, and that could affect the outcome of the matter; (3) the Panel Member(s) had a conflict of interest or bias for or against complainants or respondents in general or against an individual complainant or respondent that affected the outcome.

***Responses:*** Within 5 days of receipt of the appeal, the other party may submit a written statement in response to the appeal which supports or challenges the dismissal or determination. The response should be submitted to the Title IX Coordinator, who shall provide a copy to the decision-maker and the appealing party.

***Decision on Appeal:*** As soon as practicable after receiving the parties' written submissions, the Appeal Panel will issue a written decision describing the result of the appeal and the rationale for the result. The decision on appeal may uphold the decision, modify it, or demand further factual development. The decision-maker on appeal will concurrently notify the complainant and the respondent of the decision, with a written copy provided to the Title IX Coordinator.

***Employees:*** All non-tenure-track faculty and staff members of the University without term contracts are at-will employees who may be terminated at any time, with or without cause. With regard to such faculty and staff, nothing in this Policy shall create an expectation of continued employment with the University or be construed to prevent or delay the University from taking any disciplinary action deemed appropriate (including suspension and immediate termination of employment) for any violation of state law, federal law, or University policy.

## **TIME PERIODS**

The University will make every reasonable effort to ensure that the investigation and resolution of a complaint occurs in a timely and efficient manner.

Any party may request an extension of any deadline by providing the Title IX Coordinator or his or her respective deputies with a written request for an extension that includes reference to the duration of the proposed extension and the basis for the request.

The Title IX Coordinator may also modify timelines in cases where information is not clear, judged to be incomplete, relevant parties are not available for interview, absence of an advisor, concurrent law enforcement activity, the need for language assistance or disability accommodation and/or other circumstances that may arise.

**RETALIATION PROHIBITED**

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, 34 C.F.R. Part 106, or this policy, or because an individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this part. Intimidation, threats, coercion, or discrimination, including changes against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment but arise out of the same facts or circumstances as a report or complaint of sex discrimination or a report or formal complaint of sex discrimination or harassment, for the purpose of interfering with any right or privilege secured by Title IX, 34 C.F.R. Part 106, or this policy, constitutes retaliation. However, the exercise of rights protected under the First Amendment does not constitute retaliation.

**FALSE REPORTS**

Willfully making a false report of sexual harassment or submitting false information during these proceedings is a violation of university policy and is a serious offense. However, a determination regarding responsibility alone is not sufficient to conclude that any party made a materially false statement in bad faith. Any person who willfully makes or participates in making a false or frivolous report of discrimination, harassment, retaliation, or sexual misconduct will be subject to disciplinary action. False reporting may also violate state criminal statutes and civil defamation laws.

**EXTERNAL REPORTING AGENCIES**

Although complainants are encouraged to resolve their grievances related to discrimination by utilizing this Complaint/Grievance Procedure, they may have the right to file a complaint directly with the following agencies.

Individuals who wish to file complaints with these external agencies should make contact as soon as possible and verify any applicable time limits and deadlines.

<b>Office of Civil Rights (OCR)</b> Office of Civil Rights (OCR) U.S. Department of Education 1999 Bryan St., Suite 1620 Dallas, TX 75201-6810 Toll-Free: 1-800-421-3481 Telephone: 214-661-9600 Fax: 214-661-9587 Email: <a href="mailto:OCR.Dallas@ed.gov">OCR.Dallas@ed.gov</a>	<b>NSF Grantees Only</b> National Science Foundation Office of Diversity and Inclusion 2415 Eisenhower Ave. Alexandria, VA 22314 Telephone: 703-292-8020 Fax: 703-292-9072 Email: <a href="mailto:programcomplaints@nsf.gov">programcomplaints@nsf.gov</a>
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### **EFFECTIVE DATE**

The University reserves the right to make changes and amendments to this Policy as needed, with appropriate notice to the campus community. However, the Policy in force at the time that a Complaint is filed will be the Policy used throughout the investigation, hearing, and any appeals.

### **RETENTION OF RECORDS**

For a period of at least seven years, the University will maintain the records of:

- Each sexual harassment investigation, including any determination regarding responsibility, any recordings or transcripts, disciplinary sanctions, and remedies provided to the complainant.
- Any appeal and the result therefrom
- Any informal resolution and the result therefrom
- All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. These materials will be made publicly available on the University's website.
- Records of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, along with documentation of the University's bases for its conclusion that its response was not deliberately indifferent.
- Documentation pertaining to terminations, expulsions, or educational sanctions may be retained indefinitely.

### **DEFINITIONS**

***Complainant:*** Any individual alleged to be the victim of conduct that could constitute sexual harassment. At the time of the filing of a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the recipient with which the formal complaint is filed. Any person may report sex discrimination, including harassment, whether the person reporting is the person alleged to be the victim of discrimination or harassment.

***Consent:*** Consent is clear, knowing, and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions if those words or actions create mutually understandable, clear permission regarding willingness to engage in (and the conditions of) sexual activity. If coercion, intimidation, threats, or physical force are used, there is no consent.

If a person is mentally or physically incapacitated so that the person cannot understand the fact, nature, or extent of the sexual situation, there is no consent. Incapacitation can be due to alcohol, drugs, or being asleep or unconscious. This policy also covers incapacity due to mental disability, involuntary physical restraint, or the taking of rape drugs. Possession, use, and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Brundage, etc., is prohibited, and administering one of these drugs to another person is a violation of this policy. More information on these drugs can be found at <http://www.911rape.org/>

Use of alcohol or other drugs will never function as a defense to a violation of this policy. An individual violates this policy if the individual initiates and engages in sexual activity with someone who is incapacitated, and (1) the individual knew the other person was incapacitated, or (2) a sober, reasonable person under similar circumstances as the person initiating the sexual activity would have known the other person was incapacitated.

There is also no consent when there is force, expressed or implied, or use of duress or deception upon the victim. Whether an individual has taken advantage of a position of influence over an alleged victim may be a factor in determining consent.

Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes overt threats, implied threats, intimidation, and coercion that overcome resistance or produce consent.

Coercion is an unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Under Arkansas law, the age of consent varies with the degrees of assault, the age of the actor, and the relationship of the actor to the other party. For specific information, please refer to Arkansas statutes (e.g., Arkansas Code Annotated § 5-14-125, Sexual Assault in the Second Degree).

Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity. In addition, previous relationships or prior consent cannot imply consent to future sexual acts.

***Dating Violence:*** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of the such relationship is determined based on consideration of the following factors: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship.

**Days:** Refers to working days, rather than calendar days, unless otherwise specified.

**Domestic Violence:** The term includes felony or misdemeanor crimes of violence committed by a current spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Arkansas, or by any other person against an adult or youth victim who is protected from that person’s acts under the laws of Arkansas. Under the Arkansas law on domestic abuse, “family or household members” means spouses, former spouses, parents and children, persons related by blood within the fourth degree of consanguinity, in-laws, any children residing in the household, persons who presently or in the past have resided or cohabitated together, persons who have or have had a child in common, and persons who are presently or in the past have been in a dating relationship together.

**Education Program or Activity:** Includes locations, events, or circumstances over which the University exercised substantial control over both the respondent and the context in which the sexual harassment occurred and includes any building owned or controlled by an officially recognized student organization.

***Formal Complaint:*** A document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the recipient investigate the allegation of sexual harassment. The phrase “document filed by a complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the University) that contains the complainant’s physical or digital signature, otherwise indicates that the complainant is the person filing the formal complaint.

**Party:** The complainant or respondent.

***Preponderance of the Evidence:*** A standard of proof where the conclusion is based on facts that are more likely true than not.

**Respondent:** An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**Sanctions:** The determination of sanctions to be imposed against a respondent who is found to have been responsible for violating this policy will depend upon the nature and gravity of the misconduct, any record of prior discipline for a violation of this Policy, or both. Sanctions against students may include, without limitation, expulsion or suspension from the University, disciplinary probation, expulsion from campus housing, mandated counseling, and/or educational sanctions. Sanctions against employees and other non-students may include, without limitation, a written reprimand, disciplinary probation, suspension, termination, demotion, reassignment, revision of job duties, reduction in pay, exclusion from campus or activities, and/or educational sanctions deemed appropriate.

**Sexual Assault:** The term “sexual assault” means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. A nonforcible sex offense includes incest (i.e., the nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law) and statutory rape (i.e., nonforcible sexual intercourse with a person who is under the statutory age of consent). A forcible sex offense is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. A forcible sex offense includes:

- **Forcible rape:** the penetration, no matter how slight, of the vagina or anus with any part of the body or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Forcible sodomy:** Oral or sexual intercourse with another person, forcibly and/or against that person’s will or not forcibly or against that person’s will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Sexual assault with an object:** Using an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person’s will or not forcibly or against that person’s will in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent or physical incapacity.
- **Forcible fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will or not forcibly or against that person’s will in instances where the victim is incapable of giving consent because of his/her youth or because his/her temporary or permanent or physical incapacity.

**Sexual Harassment:** Sexual harassment is conduct based on sex, constituting one of the following:

- 1) An employee of the University conditioning the provision of aid, benefit, or service of the institution on an individual’s participation in unwelcome sexual conduct.
- 2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University’s educational programs or activities; or
- 3) Any of the following:

- A. “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v) and this policy
- B. “Dating violence” as defined in 34 U.S.C. 12291(a)(10) and this policy
- C. “Domestic violence” as defined in 34 U.S.C. 12291(a)(8) and this policy
- D. “Stalking” as defined in 34 U.S.C. 12291(a)(30) and this policy

**Stalking:** Engaging in the course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

**Supportive Measures:** Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without a fee or charge to the complainant or respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University’s educational environment or deter sexual harassment.

## **Title IX Pregnant Students and Student Parents**

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal Financial assistance.” *Title IX, Education Amendments of 1972 (Title 20 U.S.C. §1681 1972 & 34 C.F.R. Part 106.*

Title IX bans discrimination and harassment against students because they are or were pregnant or have a pregnancy related condition.

- You have a right to reasonable changes in your classes, exams, or activities, such as: Breaks or absences, larger desk, virtual instruction, and avoiding chemicals.
- You are entitled to medically necessary time off, if you want it.
- You are entitled to time and space to pump with a dedicated lactation room separate from a bathroom. Lactation rooms are provided in JBJ rear lobby area and Infirmary.

If you need accommodations pertaining to pregnancy or related conditions, please contact:

Tonisha Davis  
Title IX Coordinator  
Ph: 870-575-8052  
Email: titleix@uapb.edu

## **1.4 DRUG-FREE WORKPLACE POLICY STATEMENT**

It is the policy of the University of Arkansas at Pine Bluff that the unlawful manufacture, distribution, possession or use of drugs, or any controlled substance while performing work for, or matriculating at, or on the properties of the University of Arkansas at Pine Bluff is prohibited. Any student, employee (including administrators, faculty and staff) or campus visitors, determined to have violated this policy, will be subject to appropriate disciplinary action up to and including expulsion, termination and/or referral for criminal prosecution. The use of alcohol while on the properties of the University of Arkansas at Pine Bluff is prohibited unless authorized by applicable policies of the University.



## **1.5 SMOKING POLICY**

The University is designated a smoke-free campus. The smoking policy at UAPB is as follows: Smoking is NOT ALLOWED on University property at any time.

## **1.6 HOVERBOARDS/ELECTRONIC SKATEBOARDS POLICY**

It is the policy of the University of Arkansas at Pine Bluff to prohibit the use, possession or storage of Hoverboards/electronic skateboards including self-balancing boards/scooters, and other similar equipment on the property or grounds at UAPB.

This policy shall apply to all persons present on property controlled by the University. University property shall include classrooms, residence halls, common areas, offices, administrative buildings, all open spaces on the campus, all dining rooms and snack bars, all hallways, stairwells, lounges, bathrooms, parking areas, sidewalks, controlled or administered by the University, and all sports areas on and off-campus in which events take place and all other property leased, rented, or licensed to the University.

Definition: Hoverboards/electronic skateboards including self-balancing boards/scooters, and other similar equipment are defined as a type of portable, rechargeable battery-powered scooter. They typically consist of two wheels arranged side-by-side, with two small platforms between the wheels, on which the rider stands. The device is controlled by the rider's feet.

## **1.7 BOARD POLICY 405.2 AUTHORIZATION TO OFFSET AMOUNTS DUE UNIVERSITY BY AN EMPLOYEE AGAINST AMOUNTS OWED BY UNIVERSITY TO THAT EMPLOYEE**

The University shall have the right to set off against amounts due and payable to an employee, including a student-employee, by the University those liquidated amounts due and payable by the employee to the University for any reason, with the University then paying the net amount remaining to the employee in full satisfaction of his or her wages or other amounts due, as follows:

1. If the amount owed by the employee to the University were the result of moneys advanced to the employee or misappropriation by the employee of money or personal property belonging to the University, the University may set off amounts owed to the University against all wages or other money owed to the employee.
2. In all other cases of setoffs against an employee's wages, the University may only set off amounts owed the University against those wages, which are above the statutory minimum hourly wages.
3. If the amounts owed to student employees constitute payments for work-study or are student loans under a program guaranteed or established by the U.S. Government, any set-off shall be subject to laws and regulations governing those programs.
4. The University may set off amounts owed to the University against all sums owed to an employee other than wages or student work-study or loan payments.

Subject to the above limitations, each Chancellor, through the business officers of that campus, may develop with an affected employee a repayment plan for successive offsets so that the entire amount owed to the University is not offset on a single occasion; provided, however, that no such plan shall be developed in the instance of any final settlement of accounts, such as where a final check for wages for a terminating employee may be involved.

This Board Policy shall be reflected in faculty, staff, and student handbooks. January 20, 21995 -Revised June 18, 198

## **1.8 STUDENT RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) PROCEDURE FOR DISSEMINATING STUDENT INFORMATION**

"Family Educational Rights and Privacy Act of 1974 (FERPA) - A federal law designed to protect the privacy of educational records, to establish the right of students to inspect and review their education records, and to provide guidelines for the correction of inaccurate and misleading data through informal and formal hearings."

In accordance with the Family Educational Rights and Privacy Act of 1974, certain information pertaining to students may not be released to a third party without the written consent of the student. Therefore, the University of Arkansas at Pine Bluff hereby designates the following categories of student information as public or "Directory Information".

The institution may disclose such information for any purpose, at its discretion:

**CATEGORY I Name, address, telephone number, dates of attendance, and classification.**

**CATEGORY II Previous institution(s) attended, major field of study, awards, honors (includes Dean's list), degree(s) conferred (including dates).**

**CATEGORY III Past and present participation in officially recognized sports and activities, physical factors (height/weight of athletes), date and place of birth.**

**NOTE: Information pertaining to the students' academic status is CONFIDENTIAL, and should not be released without the written consent of the student (Example: transcripts, grade reports, grade point average, ACT scores, class rank and academic status).**

Currently enrolled students may withhold disclosure of any category of information under the Family Educational rights and Privacy Act of 1974, as amended. To withhold disclosure, written notification must be received in the Office of Academic Records/Registrar's Office prior to the last day to complete registration. Forms requesting the withholding of "Directory Information" are available in the Office of Academic Records/Registrar's Office located in the Administration Building. The University of Arkansas at Pine Bluff assumes that failure on the part of any student to specifically request the withholding of categories of "Directory Information" indicates individual approval for disclosure.

The University of Arkansas at Pine Bluff may disclose educational records without written consent of students to the following groups who have a "legitimate educational interest":

- **Employees within the University of Arkansas at Pine Bluff who maintain educational records and those with legitimate educational interest, including faculty or staff who deal with the student and carry out education studies, and employees designated by them to assist in these tasks.;**
- **Any university employee, or person acting on behalf of the university, may have access to student records without the student's written consent if that person needs the access to carry out his/her employment responsibilities.;**
- **Officials of other colleges or universities in which the student seeks to enroll, with a notice of the disclosure being sent to the student's last known address;**
- **Organizations conducting studies approved by the University having educational value or concerning financial aid.**

- **Accrediting organizations approved by the University carrying out their accrediting functions;**
- **Verification agencies approved by the University such as the National Student Clearinghouse;**
- **Parents who submit to the Registrar a copy of the first page of their most recent federal income tax form, indicating that their child/student is a dependent as defined by the internal revenue service.;**
- **Persons in compliance with a judicial order or a lawfully issued subpoena, with a notice of the disclosure being sent to the last known address of the student;**
- **Persons in an emergency if, in the judgment of an official in charge of the records, knowledge of the information is necessary to protect the health or safety of the student or other person.**
- **In addition, the University would release education records if ordered by a subpoena.**
- **The disclosure is to state or local educational authorities auditing or enforcing Federal or**
- **State supported educational programs or enforcing Federal laws which relate to those programs;**
- **The disclosure is in connection with determining eligibility, amounts, and terms for financial aid or enforcing the terms and conditions of financial aid;**
- **The information disclosed has been appropriately designated as directory information by the school.**

### **Disciplinary Records**

Provisions of the Family Educational Rights and Privacy Act of 1974, as amended by the Higher Education Amendments of 1998, govern access to a student's disciplinary file. The student and/or those College officials who demonstrate a legitimate educational need for disciplinary information may have access to the student's disciplinary file. Parents, who provide proof that a student is a dependent as defined in Section 152 of the Internal Revenue Code of 1954, can have access to the student's disciplinary file without the written consent of the student. An example of such proof would be a copy of the last federal income tax return listing the student as a dependent. In this case, parents may also have access to a disciplinary file, even if the student has requested otherwise.

In addition, parent(s) may be notified if a student under 21 years of age is found responsible for a violation involving the use or possession of alcohol and drugs.

The Campus Security Act permits higher education institutions to disclose to alleged victims of any crime of violence (murder, robbery, aggravated assault, burglary, motor vehicle theft) the results of the conduct proceedings conducted by the institution against an alleged perpetrator with respect to such crime. The Campus Security Act also requires that the accused and the accuser must be informed of campus conduct proceedings involving a sexual assault.

Additionally, the Higher Education Amendments of 1998 permit disclosure of the final results of disciplinary cases in which a student has been found responsible for a violation involving violence or for a sex offense.

### **Parental Access to Children's Education Records**

At the post-secondary level, parents have a right to inspect their dependent child's education records. However, the University cannot assume the dependency status of all of our students and thus requires one of the following to release records to a student's parents:

- **Written consent of the student; and/or**

- **Submission of evidence that the parents declare the student as a dependent on their most recent Federal Income Tax form (IRS Code of 1954, Section 152).**

The Office of Academic Records/Registrar’s Office has been designated as the official office to verify enrollment, release transcripts, and grade reports, and certify any information pertaining to the student’s academic record.

## **1.9 TECHNICAL SERVICES APPROPRIATE/ACCEPTABLE USE POLICY**

Information technology (IT) has the ability to distribute and examine a vast array of material with unprecedented speed. One requirement, however, remains constant: all information technology use must fully respect the rights of the University IT community members. This policy is designed to guide faculty, staff, and students in the acceptable use of network and information systems provided by the University of Arkansas at Pine Bluff (UAPB). More importantly, it is meant as an application of principles of respect using UAPB computer resources, other computer users, and for the medium itself.

The UAPB community is encouraged to make innovative and creative use of information technologies in support of education and research. Consistent with other University policies, this policy is intended to respect the rights and obligations of academic freedom as well as to protect the resources of the University. The University campus network is an open network and therefore cannot protect individuals against the existence or receipt of material that may be offensive to them. Those who make use of electronic communications are warned that they may come across or be recipients of material they find offensive. Those who use email and/or make information about themselves available on the Internet should be forewarned that the University cannot protect them from invasions of privacy and other possible dangers that could result from the distribution of personal information.

IT and network facilities of the University are finite and limited. These facilities should be used wisely and carefully with consideration for the needs of others. When used inappropriately or unlawfully, these tools can infringe on the rights of others.

The current use of IT parallels familiar activities in other media and formats and existing University policies already provide guidance. Using electronic media in the place of standard written correspondence, for example, does not fundamentally alter the nature of the communication, nor will it alter the guiding policies. University policies, which already apply to freedom of expression, privacy, and related matters, apply to electronic expression as well. This IT Appropriate Use Policy addresses circumstances, which are new or at least unfamiliar in the IT arena and augments rather than replaces other applicable University policies.

The content of this document is subject to regular review based on input from UAPB Technical Services staff and the campus community. Suggestions for improvement should be directed to the Director of Technical Services.

This policy is subject to revision. Check the university’s website for updated policy and content.

### **1.9.1 Definitions**

UAPB IT Systems includes the computers, terminals, printers, networks, and related equipment, as well as data files or documents residing on disk, cloud solutions, tape, or other media, which are owned, managed, or maintained by Technical Services and/or faculty/staff of UAPB. For example, IT Systems include institutional and departmental systems, IT systems managed by UAPB Technical Services, and faculty research systems connected to the campus network, the campus telephone system, and the University’s

campus network (which is designed and managed by Technical Services). Privately owned equipment, such as laptops, iPads, PDA’s, and home computers are considered IT System if attached directly or remotely to the campus network and/or is used to access the UAPB campus network.

A User is any person, whether authorized or not, who makes any use of any UAPB IT System(s) from any location. For example, this definition includes persons who access IT facilities via an off-campus electronic network, as well as those who use UAPB’s VPN access to connect a personal machine to any other networked system or service. An IT User is a user with authorization to access a UAPB IT System(s). IT Users include UAPB students, faculty members, staff members, and alumni or alumnae with accounts on UAPB IT systems.

A System Administrator is an individual with the authority to determine who is permitted access to the UAPB Department system or server. For example, the UAPB Director of Technical Services is the UAPB campus network, System Administrator.

Network Security Officer (NSO) is an individual charged with maintaining the security of the UAPB campus network and, as such, has the authority to investigate security violations to ensure that security policy complies.

### **1.9.2 Purpose**

The purpose of IT is to further the research, education, and administrative function of UAPB. To achieve this purpose, these policies intend:

- 1.9.2. A** To ensure the integrity, reliability, and performance of UAPB IT systems and networks.
- 1.9.2. B** To ensure that the UAPB community of IT users utilize the campus IT facilities in a fair and equitable manner with respect for the rights of the community at large.
- 1.9.2. C** To ensure that IT systems and networks are used for their intended purposes.
- 1.9.2. D** To establish sanctions and processes for addressing violations.

### **1.9.3 Scope**

The IT Policy applies to all UAPB IT Systems owned, managed, or administered by UAPB faculty, staff, and students and any use of those systems. Many particular IT systems (UAPBs News and World Wide Web sites, campus email services, etc.) have service-specific policies, which apply in addition to this policy. The policies described herein are those that the University uses in the normal operation of IT facilities and networks. This document does not waive any claim that UAPB may have ownership or control of any hardware, software, or data created on, stored on, or transmitted through UAPB IT systems and networks.

### **1.9.4 Use of Information Technology Systems**

#### **1.9.5 Proper Authorization**

The use of UAPB IT systems is restricted to authorized UAPB faculty, staff, alumni, and students. The administrator of a campus system, server, and/or campus network component is the responsible authority, which grants authorization for the system and access.

#### **1.9.6 Appropriate/Acceptable Use**

UAPB IT Systems and networks may be used only for their intended, authorized purposes. For example, privately owned computers may not host sites for non-UAPB organizations across the IT manage UAPB network without specific authorization.

#### **1.9.7 Commercial Use**

Without specific UAPB administration authorization, activities using IT Systems and networks for non-UAPB commercial purposes are prohibited. This is not meant to restrict normal communications and

exchange of electronic data, consistent with the University’s education, clinical, and research roles, that may have incidental financial or other benefits for an external organization. For example, it is appropriate to discuss products or services with companies doing business with UAPB or to contribute to fact-focused discussions relating to commercial products.

### **1.9.7. A Vendor Contracts**

All use of UAPB IT Systems and networks must be consistent with all contractual obligations of the University, including limitations defined in software and other licensing agreements.

### **1.9.8 Privileges for IT Users**

#### **1.9.8. A Free Inquiry and Expression**

UAPB IT Users are afforded free inquiry and expression consistent with the purposes of the University.

#### **1.9.8. B Reasonable Confidentiality**

Systems Administrators will identify categories of data, which will be managed as confidential on a particular IT system and they will make all reasonable efforts to maintain confidentiality. However, limited risks do apply to the confidentiality of that data, for example, to technical limitations, software bugs, and system failures. System Administrators will take reasonable steps to inform IT Users of the limit to confidentiality for their respective IT Systems. IT Users are expected to become familiar with those limits and risks of confidentiality and to manage their confidential data accordingly. Confidentiality of data must comply with the State of Arkansas Freedom of Information Act..

**UAPB Information Technology (IT) USERS SHOULD HAVE NO EXPECTATION OF PRIVACY.**

### **1.9.9 Responsibilities for All Users**

#### **1.9.9. A Unauthorized Use**

Users must not permit or assist any unauthorized person in accessing IT Systems. For example, any non-UAPB organization or individual without appropriate authorization may not use UAPB IT Systems. Each campus user must have and use a unique login/password to the campus IT system. Multiple user logins or passwords violate this policy.

**1.9.9. B Security** Users must not defeat or attempt to defeat any UAPB IT System’s security, for example, by “cracking” or guessing user identifications or passwords, utilizing software that will probe a network user system or a sniffer gathering login/password data.

#### **1.9.9. C Unauthorized Data Access**

Users must not access or attempt to access data on a UAPB IT System they are not authorized to access. Users must not make any deliberate, unauthorized changes to data on an IT System. Users must not intercept or attempt to intercept data communications not intended for that user’s access, for example, network sniffing or wiretapping.

#### **1.9.9. D Concealed Identity**

Users must not conceal their identity when using UAPB IT Systems. Users must use their login ID and password.

#### **1.9.9. E Denial of Service**

Users must not deny or interfere with or attempt to deny or interfere with service to other users, on-campus or off-campus, using “resource hogging,” deliberate distribution of computer worms or viruses, or

modification of any IT system. Knowing or reckless distribution of unwanted mail or other messages is prohibited.

#### **1.9.9. F Copyright**

Users must observe intellectual property rights including, in particular, copyright laws as they apply to software, licensing, and electronic forms of information.

#### **1.9.9. G Modification of Data or Equipment**

Without specific authorization, users of UAPB IT Systems must not cause, permit, or attempt any destruction or modification of data or computing or communications equipment, including but not limited to alteration of data, reconfiguration of control switches or parameters, or changes in the firmware. “Specific authorization” refers to permission by the owner or Systems Administrator of the equipment.

#### **1.9.9. H Personal Account Responsibility**

Users are responsible for the security of their IT System accounts and passwords. Any user change of passwords must follow published guidelines. Accounts and passwords are assigned to single users and are not to be shared with any other person without authorization by the Systems Administrator. Changing another person’s password is considered a form of harassment and unethical behavior. Users are presumed to be responsible for any activity carried out under their IT System accounts.

#### **1.9.9. I Responsibility for Content**

Representatives of IT publish “official” information in a variety of electronic forms. A statement of the Certifying Authority publishing the information will normally identify such official information. A Certifying Authority is an IT department or individual who certifies the accuracy of an electronic document and IT appropriateness for the conduct of IT business.

Users also publish information in electronic forms on IT equipment and/or over UAPB networks. UAPB does not have any intention or opportunity to screen such private material and thus cannot assure IT accuracy or assume any responsibility for this material. Any electronic publication provided on or over UAPB equipment and/or networks that is not legitimately identified by a Certifying Authority is the private speech of an individual. Offensive content is to be reported to Technical Services for investigation.

#### **1.9.9. J Email Use**

##### **The University’s electronic mail facilities should not be used:**

1. To send unauthorized mass mailings of any type.
2. To send rude, obscene, harassing, or illegal material, or material that in any way conflicts with the regulations of the University.
3. To send any material that in any way conflicts with state or federal laws.
4. To perform an operation or activity that degrades the performance of the UAPBs IT system and/or network.

#### **1.9.9. K Threat and Harassment**

Users may not use a UAPB IT System to threaten or harass any person. A user must cease sending messages or interfering in any way with another user’s use of IT Systems if the aggrieved user makes a reasonable request for such cessation.

#### **1.9.9. L Removal of Equipment or Documents**

Without specific authorization from the System Administrator, users must not remove any University-owned or administered equipment or documents from an IT System.

### **1.9.9. M Foreign Devices**

Without specific authorization by the System Administrator, users must not physically or electrically attach any foreign device (such as an external disk, printer, network sniffer, sniffer software, network monitoring software, modem, wireless access points, routers, or video system to an IT System. Examples of Routers: Belkin, NetGear, Linksys, etc.

### **1.9.9. N Violations**

Users must not conceal or help to conceal or “cover up” violations by any party. Users are expected to report any evidence of any actual or suspected violation of this policy to the Systems Administrator of the facility most directly involved. In case of doubt, the report should be made to Technical Services. Medium

### **1.9.9. O Information Technology Rights**

#### **1.9.9. P Personal Identification**

Users of IT Systems must show identification, including University affiliation, upon request by a System Administrator, Technical Services, or other University authority.

#### **1.9.9. Q Access to Data**

Users must allow systems administration personnel access to data files on IT systems to make backups, diagnose systems problems, and investigate policy and/or campus network security violations.

#### **1.9.9. R Oversight Authority**

Technical Services is authorized to investigate alleged or apparent violations of UAPB IT policy or applicable law involving IT Systems and/or networks using whatever means appropriate. Technical Services will maintain a log and incident reporting of all such incidents. Any emergency action will be logged, and security incident appropriateness will be reviewed after the fact.

#### **1.9.9. S Enforcement Procedures**

The University may restrict the use of IT and network systems when faced with evidence of a violation of University policies or federal or local laws. The University reserves the right to limit access to its networks and IT systems. The University may limit access to material posted on University-owned IT systems that are deemed inappropriate or not in keeping with the educational, research, and community service missions of this University.

Systems Administrators are authorized to apply certain penalties to enforce applicable policies. Such penalties include temporary or elimination of access privileges, which may apply to networks and other IT services or facilities.

When a Systems Administrator believes it necessary to preserve the integrity of facilities, user services, or data, he or she may suspend any account, whether or not the account owner (the user) is suspected of any violation. The System Administrator will attempt to notify the user of any such action. If, in the opinion of the Systems Administrator, the violation warrants action beyond a System Administrator’s authority, he or she may refer the case to other authorities, such as the University disciplinary body appropriate to the violator’s status, or an employee’s supervisor.

## **EMAIL ACCOUNT POLICY**

### **1.9.10 Introduction**

E-mail is considered an official method for communication for the University of Arkansas at Pine Bluff because it delivers information in a convenient, timely, cost effective, and environmentally aware manner.



Furthermore, it ensures that students can be accessed through a standardized channel by faculty and other staff of the University as needed.

#### **1.9.10. A Policy**

This policy governs the creation, management and deletion of user accounts; granting and revocation of authorized privileges associated with a user-account; and authentication by which users establish their rights to use a given account. This policy applies to all accounts directly managed by the University of Arkansas at Pine Bluff.

#### **1.9.10. B Establishment and Usage**

Electronic Mail is a tool provided by the University and serves as a primary means of communication and to improve education and administrative efficiency. Users have the responsibility to use this resource in an efficient, ethical and lawful manner. Use of University Email Accounts indicates the user's agreement to be bound by this policy.

#### **1.9.10. C Creation of Accounts**

All current UAPB faculty, staff, students, and affiliates will be given a university email account. The account will be maintained until the user no longer has a current relationship with the University.

- Student Email account will be created within one week of the beginning of the semester when they enroll. All students taking classes on the University of Arkansas at Pine Bluff campus are required to obtain an official UAPB student e-mail which is the official email address to which the University will send email communications. This official address will be recorded in the University's electronic directories and records for that student.

#### **1.9.10. D Expectations Regarding the Use of Email**

Students are expected to check their UAPB official email on a frequent and consistent basis to remain informed of University-related communications. Checking e-mail daily is recommended.

Students are also expected to check the Spam folder periodically to determine if any misclassified messages (also known as false positives) are located there. Important messages may sometimes be in the Spam folder if the e-mail system misclassified the message. Misclassified messages in the Spam folder must be identified and marked as "Not spam" to reduce the chances of further misclassification.

Faculty members determine how e-mail is used in their classes, faculty can require students to check their e-mail on a specific or more frequent basis.

#### **1.9.9.10. E Expiration of Accounts**

Individuals may leave the University for a variety of reasons, which gives rise to differing situations regarding the length of email privileges or expiration of accounts. The policy governing those privileges are set forth below. Notwithstanding the guidelines below, the University reserves the right to revoke email privileges at any time.

**Students who leave before graduation** – Students who leave the University without completion of their degree or other program may keep their email privileges for 2 weeks following their withdrawal date.

**Expelled students** - If a student is expelled from the University, email privileges will be terminated immediately upon the directive of the Dean of Students Office.

**Graduating Seniors** – students who have graduated from the University will be permitted to retain their email privileges for **thirty days** and then the account will be disabled. Technical Services will not restore accounts or information from accounts for individuals who have permanently left the university.

#### **1.9.9.10. F Redirecting Email**

Users may elect to redirect (auto forward) messages sent to their University of Arkansas at Pine Bluff’s official email address. Users who redirect e-mail from their official address to another address (such as Google, Yahoo, AOL, or any e-mail server other than the official mailbox.uapb.edu) do so at their own risk. Having email lost because of redirection does not absolve a user from the responsibilities associated with communication sent to his or her official email address. The University is not responsible for the handling of email by outside vendors or unofficial servers.

## **ONLINE GAMING POLICY**

#### **1.9.9.11 Introduction**

Information Technology Services understands that many students would like to play online games. All of these games require open ports on our University firewall.

The ports for most popular games are open, but there is a moratorium on the opening of new ports for games due to security issues. To safeguard the university data and standard educational traffic can be supported, the University's IT department reserves the right to restrict access at its discretion.

#### **1.9.9.11. A Purpose**

This policy aims to describe the appropriate use and security of gaming consoles brought to campus by Students, Staff, or Faculty. All users of technology who connect to the UAPB network are expected to be familiar with each policy contained here and the consequences of violation as listed below.

Violation of these contained policies may result in the immediate suspension of computer account and network access pending investigation resolution. Depending on the frequency and/or severity, the offender may lose all computer accounts and network access in addition to facing the appropriate University judicial review.

This policy has been created to expand on the Acceptable Use Policy.

This policy is subject to change as new technologies and methods of implementing these technologies emerge.

#### **1.9.9.11. B Access**

This policy aims to describe the appropriate use and security of gaming consoles brought to campus by Students, Staff, or Faculty. All users of technology who connect to the UAPB network are expected to be familiar with each policy contained here and the consequences of violation as listed below.

#### **Policy on gaming console network connection:**

- Students living in the UAPB residence halls are permitted the use of networked gaming consoles on wired and wireless networks.
- The best way to connect your game console to the internet is through an Ethernet port with a wired connection. Wired connections have better performance and help prevent wireless network interference. Wired Ethernet connections are recommended for online multiplayer games or party/group play or chat. The UAPB wireless network does not support some online gameplay types and features for security purposes.

- The university is not responsible for any game-specific requirements on the network, hardware, software, operating system, game, or upgrades of any student-owned gaming consoles. Students must work with their device(s) manufacturer when issues arise.
- Information Technology Services will make one live port available to each current residential student. Information Technology Services will offer no troubleshooting or support for network or online computer games or gaming consoles beyond ensuring that the network port is live and traffic is not being limited unintentionally.
- The university is not responsible for how students use these devices. However, the UAPB IT department may be notified if these devices are misused. If such a circumstance does arise, the owner/user of the console will be asked to desist from using the University network, and the console will not be allowed on the network.

**Policy on gaming support of gaming consoles:**

- Only basic, required firewall port access will be allowed for network gaming. Any request for specific or special firewall port access online will be considered on a case-by-case basis, with low priority
- The university network supports most gaming consoles and streaming devices.

## **WIRELESS POLICY**

### **1.9.9.12 Introduction**

The Wireless Usage Policy applies to all computers, laptops, local area networks, wireless, servers, systems, and application software packages used on campus. It also applies to all staff, faculty, and students at UAPB. The purpose of this policy is to ensure the security, reliability, and utilization of the wireless network.

Wireless Network and Internet access are available at the University of Arkansas at Pine Bluff campus. Due to the nature of wireless communication, wireless networking requires increased cooperation between faculty, staff, and students to maximize the benefits of this technology.

### **1.9.9.11. A Purpose**

The purpose of this policy is to inform users of the acceptable use of regulations related to UAPB's wireless network. This policy has been put in place to protect the staff, faculty, and students and to prevent inappropriate use of wireless network access that may expose UAPB to multiple risks, including viruses, network attacks, and various administrative and legal issues.

This policy has been created to expand on the Acceptable Use Policy by including specific information regarding the use of wireless networking and data access on campus.

This policy is subject to change as new technologies and methods of implementing these technologies emerge.

### **1.9.9.11. B General Use**

It is the intention of IT to provide a high level of reliability and privacy when using the wireless network. Wireless access points distributed around the campus to provide and maintain availability. Wireless access points provide a shared bandwidth, and so as the number of users increases, the available bandwidth per user decreases. As such, users are asked to be considerate of other users and refrain from running high bandwidth applications and operations such as downloading large music files and videos from the internet. The level of user traffic and accessibility determines network reliability.

The level of security and regulation of bandwidth is according to user role and location. UAPB cannot guarantee the confidentiality of any information stored on any device connected to the UAPB Wireless Network; therefore, the wireless network should not be used to transmit critical and sensitive information, such as social security and credit card numbers. Individuals assume full responsibility for their actions.

#### **1.9.9.11. C Coverage**

The UAPB Wireless Network is located throughout most of the campus. IP tunneling is unavailable at this time, and so users may need to reconnect when traveling from building to building. The availability of IP tunneling is subject to change as the requirements of users continue to be assessed. Technical Services Director and Network Administrator approve all wireless access points across campus.

#### **1.9.9.11. D Access**

Access to the UAPB Wireless by Students will need to authenticate after joining the SSID by opening a browser to be directed to the login page. By connecting to the UAPB wireless networks, you agree to the terms of use addressed in this policy and the Acceptable Use Policy at the login screen.

#### **1.9.9.11. E Security**

Wireless Networks are insecure and can be unsafe. The security features of Open WEP (Wired Equivalency Protocol) are imperfect and allow for eavesdropping or "sniffing" of wireless traffic to potentially capture all traffic that is not encrypted with a third-party product.

Eavesdropping on any UAPB network communication (wired or wireless) is illegal and a violation of the UAPB Acceptable Use and Wireless Usage policies. All violations will result in disciplinary action.

All computers connected to the UAPB network, whether owned by the employee, student, or UAPB, is strongly recommended be running approved anti-virus software with the latest virus updates.

For security and network maintenance purposes, IT may monitor individual equipment or wireless network traffic at any time. UAPB reserves the right to audit networks and systems periodically to ensure compliance with this policy.

Technical Services has the power to disconnect any device from the wireless network that violates the practices outlined in this policy or any other linked policy. It is the responsibility of the user to be aware of the information described in such systems.

#### **All Authorized Users, Guests, and Students are responsible for the following:**

- Adhering to established networking guidelines and policies.
- The implementation of antivirus and firewall type of security software, patches, and protocols on any equipment used to access the UAPB Wireless Network.
- Compliance with all university policies and procedures and with local and state legislation on the security of sensitive and confidential data on campus networks.
- Reporting known violations of the wireless network and all related equipment to IT.

#### **Violations**

Any violations of the rules put forth in this policy may result in the following disciplinary actions being taken by the University:

- Restricting a person's access to some or all of the university resources.
- Criminal prosecution under state and federal laws.

## SYSTEM PASSWORDS PROTECTION

### Introduction

UAPB system accounts and passwords are the property of the University of Arkansas at Pine Bluff. No one shall disclose a University of Arkansas at Pine Bluff system password that has been assigned to them.

### UAPB Email/Active Directory Password Standard

To safeguard UAPB electronic information resources, the UAPB Technical Services Department has instituted a password standard for the UAPB Windows Active Directory (AD). This standard applies to your Windows-based computer, Outlook email and calendar (including Outlook Web Access), and VPN services. The password standard will be enforced whenever new passwords are created.

Do not share AD passwords.

### UAPB Password Standards

- Passwords must contain a minimum of 12 characters.
- Password characters must be from at least three (3) of the following categories:
- English uppercase letters (A - Z)
- English lowercase letters (a - z)
- Base 10 digits (0 - 9)
- Non-alphanumeric (!, @, #, \$, %, ^, &, \*, (, ), -, +, <, >, ?)
- The passwords must be complex and not easily guessable or obtainable.
- Do not use simple words. e.g., "password," "welcome," or "hello."
- Passwords must not match or contain first or last name, the user's samAccountName (Account Name) value, or the entire display Name (Full Name) value.
- Previous passwords must not be reused.
- Do not use commonly used words or phrases
- Passwords must be changed every 180-calendar days.

### Strong passwords have the following characteristics:

- Contain both upper and lower case characters (e.g., a-z, A-Z)
- Have digits and punctuation characters as well as letters, e.g., 0-9, !@#\$%^&\*()\_+|~-=\`{}[]:;'\<>?/)
- Are more than eight alphanumeric characters long and is a passphrase (Ohmy1sturbedmyt0e).
- Are not a word in any language, slang, dialect, jargon, etc.
- Are not based on personal information, names of family, etc.
- Passwords should never be written down or stored online. Try to create passwords that can be easily remembered. One way to do this is to create a password based on a song title, affirmation, or phrase. For example, the phrase might be: "This May Be One Way To Remember," and the password could be: "TmB1w2R!" or "Tmb1W>r~" or some other variation.

Accounts will be "locked out" after 10 unsuccessful authentication attempts within 5 minutes. Please use the REACT self-service tool to reset your AD account. There is a one-time registration process to complete to use the REACT self-service tool.

### Password Resets

Please use the REACT self-service tool located on the university's website.

## **1.10 CAMPUS EMERGENCY PROCEDURES**

Students should review and familiarize themselves with the following emergency procedures in order to safeguard their health and welfare during a campus emergency.

### **1.10.1 Medical Emergency Procedures**

#### **A. For situations that are life-threatening:**

1. Call 911 for immediate assistance and provide the following:
  - a. Identify self as a member of the UAPB faculty, staff, or student body;
  - b. Identify the exact location of the victim; and
  - c. Describe the victim's illness or injury.
2. Contact the University police and give the following information.
  - a. Identify self and give location;
  - b. Identify the victim by name and other information as requested;
  - c. University police will call 911 to confirm the validity of the previous call and as a back-up to make sure the first call was received and is valid; and
  - d. University police will direct paramedics or other emergency care providers to the scene of the medical emergency.
3. Apply multi-media first aid if necessary.
4. Contact the Health Center if during operating hours and comply with the following:
  - a. Identify self and give the location of the emergency;
  - b. Identify the victim, giving the name and other information requested;
  - c. Describe the situation, and
  - d. Call 911 back if the situation warrants off-campus emergency medical.
  - e. Health Center nurse will go to the scene to provide assistance.
5. Health Center staff members will remain with the victim until paramedics, Health Center personnel, or both medical care providers arrive.
6. Health Center staff members will complete an emergency referral form and give it to the victim (if a student) in need of medical attention.
7. Residence Specialist will file an incident with the Residential Life Office no later than 9:00 a.m. the following workday, a copy forwarded to The Dean of Student Life.

For non-life-threatening medical situations, the Health Center staff member, Residence Specialist, or other staff member contacted should do the following:

1. Go to the scene of the accident, Injury/incident
  2. Assess the situation; and
  3. Render assistance
8. For non-life-threatening medical situations, the individual should:
1. Contact the Health Center if during normal hours of operation;
  2. Identify oneself, the victim, and give location;
  3. Describe the situation and provide other information requested; and

4. Escort the victim; if ambulatory, to the Health Center. If the student is not ambulatory, a member of the Health Center staff will go to the scene of the incident.

## **1.10.1 CAMPUS SAFETY AND SECURITY**

### **1.10.2 Clery Act- to review the Clery Act, please visit:**

[http://www.uapb.edu/administration/student\\_affairs/police\\_and\\_public\\_safety.aspx](http://www.uapb.edu/administration/student_affairs/police_and_public_safety.aspx)

### **1.10.3 Closed Circuit TV Security System**

For safety and security enhancements, the University has surveillance cameras throughout the campus. These cameras provide Campus Police and other designated offices on-site surveillance areas on campus, such as parking lots, building entrances, and streets. The campus has over 150 cameras, giving Campus Police real-time onsite surveillance throughout the campus. The recorded images can be retrieved and reviewed for investigative and other official purposes.

### **1.10.4 Wall Mounted Emergency Blue Light Phone System**

The University has emergency phones in various locations across campus. These emergency phones dial directly to Campus Police, giving them instant notification of the caller’s location in the event of an emergency. The individual activating the system will be able to communicate with Campus Police through a speakerphone located in the unit.

Currently, these emergency phones are located in nine (9) different areas, including the Student Union, Administration Building, Harold Complex, Hunt Hall, Stadium, Academic Center I, JBJ Housing Complex, and the Library. Please note that these Blue Light Emergency Phones are for emergencies only. Individuals tampering or playing with these phones will be subject to disciplinary action.

### **1.10.5 RAVE Alert – The RAVE Alert**

The system is utilized to broadcast EMERGENCY NOTIFICATIONS to students and employees in the event of an emergency. Users can register to receive EMERGENCY NOTIFICATION by selecting sign up for Rave alerts on the UAPB Home page or by going to [www.getrave.com/login/uapb](http://www.getrave.com/login/uapb).

### **1.10.6 Missing Person Protocol**

In the interest of student safety, the University of Arkansas at Pine Bluff considers a student to be considered missing if the student’s absence interrupts their usual pattern of behavior (i.e., not attending class, not eating meals in the cafeteria, and not sleeping in their dorm room) and there is concern that the missing student is a victim of unusual circumstances or foul play.

Students who are under the age of eighteen years of age are considered minors. In the event that such persons are determined missing, the University will notify a custodial parent or legal guardian in addition to the student’s designated contact. With students who are over the age of 18 years of age, the University will contact the person who the student has acknowledged as the designated contact. All students will be given the opportunity each academic year to designate an individual or individuals to be contacted by the University in the event that they have been determined to be missing. This designation will remain in effect unless changed by the student.

Any individual who has reason to believe a student is missing should notify campus police at 870-575-8102, and fill out the missing person form at [https://uapbadvocate.symplicity.com/missing\\_person/index.php/pid067230?](https://uapbadvocate.symplicity.com/missing_person/index.php/pid067230?)

### **1.10.7 Annual Security Report-Campus Sex Crime Prevention Act**

For more information, please visit

[http://www.uapb.edu/administration/academic\\_affairs/academic\\_records/guidelines\\_and\\_policies.aspx](http://www.uapb.edu/administration/academic_affairs/academic_records/guidelines_and_policies.aspx) or  
[http://www.uapb.edu/administration/student\\_affairs/police\\_and\\_public\\_safety.aspx](http://www.uapb.edu/administration/student_affairs/police_and_public_safety.aspx)

## **1.11 EARLY EDUCATION SERVICES**

The UAPB Child Development Center is a state-licensed early education program providing services for children 18 months to 4 years of age. The Center has been designated a Better Beginnings Level Three program, which is reserved for programs that voluntarily exceed minimum standards and operate at the highest level of quality recognized in the State. The center serves as a laboratory for experiential learning for students majoring in Human Development and Family Studies and other disciplines on the UAPB campus, as well as Southeast Arkansas College Early Childhood Education students. The program conducts evaluations in health and human development to continue to build the evidence base for best practices. The early childhood services are available for students, faculty, and staff as well as the general public on a first-come, first-serve basis. The fee for infant care is \$95.00 per week, and the fee for toddlers is \$85.00 per week. The preschool program is \$85.00 per week. We do accept voucher funding.

The Child Development Center offers federal and state scholarships for infants and toddlers and for children who are three and four years old prior to the State Education Department’s cutoff date for kindergarten. These slots are provided by the Administration for Children and Families (Office of Head Start), Arkansas Better Chance (ABC), and state voucher funding. Families qualify for these slots based on their household income. Applications may be picked up in the Child Development Center located directly behind the Adair-Greenhouse Human Sciences building or the main Human Sciences office. The hours of operation are 7:30 a.m. to 3:30 p.m., Monday-Friday for Preschool services and 7:30 a.m. to 5:30 p.m. for Early Head Start services. With approved funding from the Division of Child Care and Early Childhood Education (DCCECE), the Center will extend a Summer Care Program on a first come first serve basis to families currently enrolled.



## 1.12 UNIVERSITY POSTAL SERVICES

### Student Mail Center Pickup Location and Business Hours

The UAPB Mail Center is located on the **First Floor of the L.A. Davis Building**.

#### Customer Service Window Hours of Operation:

- **Monday through Friday:** 8:30 a.m. to 4:45 p.m.
  - **Closed:** Weekends and whenever the University is closed.
- 

#### Your UAPB Address

*This is the address you provide when someone needs to send you mail:*

**First and Last Name] XXXX** (last four digits of your UAPB ID)

1301 North L.A. "Prexy" Davis Dr.

Pine Bluff, AR 71601

*Please use this format without nicknames to ensure prompt delivery of your mail and package(s).*

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#### FAQs

##### How do I know if I have mail?

Students will not have physical mailboxes. The Mail Center will notify you via your UAPB email when mail is ready for pickup at the customer window. *We encourage you to stop by if you believe you have mail.*

##### How do I pick up my packages(s)?

We now offer package pickup through our new Smart Lockers. Packages too large for the lockers will be available at the customer service window.

##### Steps to use the lockers:

1. You will receive an email from *no-reply@pb.com* with a QR code.
2. At the Kiosk, scan the QR code or enter the passcode included in the email.
3. Retrieve your package and gently close the locker.

##### Can another student pick up my mail?

Yes, but you must email [uapbmail@uapb.edu](mailto:uapbmail@uapb.edu) with the name of the person you are authorizing. Do not give them your UAPB ID; they will need their own ID to pick up your mail. Without email authorization, no one may pick up another student's mail.

##### Where is my mail or package?

First, confirm that the carrier has delivered it to the University Mail Center. Then, contact us at 870-575-7158 or [uapbmail@uapb.edu](mailto:uapbmail@uapb.edu) with your tracking number(s). We will assist you in every way possible. Please note that we are not affiliated with USPS, UPS, FedEx, or Amazon. If your mail is not on campus, you must contact your carrier for more information.

##### Same-Day Deliveries:

For supplies or food ordered through "same-day" delivery services, you must meet the driver personally. Mail Services does not accept items from **Uber Eats**, **DoorDash**, or **direct deliveries from Walmart**.

## **1.13 UAPB TV & KUAP RADIO**

UAPB TV is located in the Rust Technology Building and KUAP Radio is located on the second floor of the Hathaway Fine Arts Building above the auditorium.

### **Hours of Operation:**

UAPB TV

7:00 AM-6:00 PM

Lab Hours are available

KUAP

10:00 AM-3:00 PM

Lab Hours are available

### **Services Provided**

TV Studio and Radio Station Lab Services

- The TV Studio and KUAP Radio station provide assistance to Multimedia Communication students working with television and radio equipment for class assignments. Multimedia Communication students are required to have a current Student ID and must have passed the television practicum course in order to check out television equipment.

## 1.14 GENERAL OFFICES (Prefix 575-...)

### Administrative Personnel

Chancellor.....	8470
Vice Chancellor for Academic Affairs.....	8475
Vice Chancellor for Enrollment Management & Student Success.....	8364
Vice Chancellor for Finance & Administration.....	8970
Vice Chancellor for Student Affairs.....	8503
Director of Development and University Relations.....	8702
Director of International Agriculture.....	8195
Director of Admissions and Academic Records.....	8488
Registrar.....	8485
Controller.....	8265

### Divisional Deans

School of Agriculture/Home Economics.....	8529
School of Business and Management.....	8575
School of Arts and Science.....	8210
School of Education.....	8256
Division of Continuing Education.....	8320
University College.....	8335

### Associate Officers in Administration

Dean of Student Life.....	8361
Dean Student Activities.....	8866
Associate Dean for Student Activities.....	7065
Associate Dean for Residential Life.....	7257
Director of Alumni Affairs.....	8499
Director of Continuing Education.....	8315
Director of Financial Aid.....	8502
Director of Fitness Center.....	8507
Director of Health Services.....	8508
Director of Student Union.....	8925
Head Librarian.....	8411

### Departmental Offices

Agriculture Administration.....	8535
Art.....	8236
Business and Economics.....	8575
Biology and Chemistry.....	8974
Elementary/Early Childhood Education.....	8240
English.....	8624
Health, Physical Ed. & Recreation.....	8655
History and Political Science.....	8187
Home Economics.....	8817
Mathematics & Physics.....	8761
Military Science (Division).....	8445
Music.....	8905

Philosophy & Humanities.....	8625
Secondary Education.....	8240
Special Education & Psychology.....	8240
Speech & Dramatic Arts.....	8431
Sociology.....	8188

### - A -

Admissions.....	7090
Agriculture Administration.....	8538
Agriculture Extension.....	8530
Agriculture Economics & Research.....	8537
Alumni Affairs.....	8499
Anthropology.....	535-4509
Appliance Repair.....	8831
Art Department.....	8236
Archaeology.....	535-4509
Arkansawyer.....	8502
Athletic Director.....	8675
Associate Dean of Student for Activities....	7060
Audio Visual Aids.....	8326
Auto Mechanics.....	8831

### - B -

Band Room.....	8919
Baptist Student Union.....	535-8545
Basic Academic Services.....	8355
Basketball.....	8678
Biology.....	8840
Bookstore.....	8856
Business & Economics.....	8575

### - C -

Career Services.....	8461
Carpentry Shop.....	8831
Cashier.....	8274
Chemistry.....	8974
Choir Room.....	8909
Computer Center.....	8771
Controller.....	8266
Cooperative Education.....	8461
Cooperative Extension.....	8131

### - D -

Dean of Students.....	8361
Development & University Relations.....	8702
Disability Students.....	8089

### - E -

Elementary/Early Childhood Education.....	8240
English, Speech & Drama.....	8624

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Nursing.....8220

**-F -**

Farm Manager.....8158  
 Financial Aid.....8970  
 Fisheries Biology.....8141  
 Food Service.....8953  
 Football.....8655  
 Fitness Center.....8504

**G -**

Greenhouse (Farm) (Agronomy).....8148  
 Greenhouse (Farm) Horticulture).....8157  
 Gymnasium.....8655

**-H -**

Health, Physical Education and Recreation.....8655  
 History & Political Science.....8188  
 Honors College.....8049  
 Humanities.....8625  
 Human Sciences.....8817

**-I -**

IDs (Student Identification Card).....8102  
 Industrial Education.....8880  
 Infirmary.....7106

**-L -**

Learning Resources Center.....8323  
 Library.....8411  
 LION'S Office.....8362  
 Living Learning Center (Harrold).....8875

**-M -**

Mathematics & Physics.....8761  
 Maintenance.....8831  
 Music Department.....8905  
 Military Science.....8445

**-N -**

National Defense Student Loans.....8283  
 Nursing Education.....8220  
 Nursery School.....8809

**-O-**

Office Student Involvement & Leadership.....8866

**-P -**

Personnel.....8400  
 Physical Plant.....8831  
 Post Office.....8230  
 Poultry House.....8156  
 Purchasing.....8736  
 Post Office.....8230

## **2.0 ACADEMIC REGULATIONS AND GUIDELINES**

### **2.1.A CHANGES IN UNIVERSITY ACADEMIC POLICIES**

The University reserves the right to change the regulations for admission to, instruction in, and graduation from the University and to change other regulations affecting the student body at any time. New regulations go into effect whenever proper authorities determine they are needed and apply both to prospective students and to those matriculating at the time.

Curriculum changes, however, will not affect full-time students who have declared and are pursuing a major. Providing enrollment continues without interruption, and these students shall continue to pursue the curriculum as identified in the catalog existent at the time they declared their majors. Changes in state certification requirements and state laws, however, may alter curriculum offerings and requirements for graduation, regardless of when a student entered a given curriculum.

### **2.1.B CLASS ATTENDANCE STATEMENT**

These statements apply to each student enrolled at UAPB.

1. Attendance is the responsibility of the student. Students are expected to regularly attend all classes in which they are enrolled. Attendance in online classes is defined as regular engagement/interaction within the online environment (completion of assignments, participation in discussions, etc.).
2. Instructors will provide each student with the attendance requirements in writing, in the course syllabus and verbally explain them to students on the first day of class. Students who enroll after the first day of instruction should review the course syllabus and ask the instructor any questions pertaining to the information within the document.
3. The student is responsible for informing instructors in advance when an absence will occur. If this is not possible, it is the responsibility of the student to contact the instructor as soon as possible.
4. For school-sanctioned events such as field trips, band, choir, athletics and similar events, the coordinator of the event should send a letter to the Provost and Vice Chancellor for Academic Affairs seeking approval for the respective students to be absent from classes for the event. The letter should identify the type of event for which excused absences are being requested and include a listing of all student participants. Following approval, the list and the letter of request with the Provost and Vice Chancellor for Academic Affairs’ approval should be presented by all student participants to their respective instructors. The coordinator of the event will submit a copy of the approved letter and the list of student participants to the Dean of Students’ Office, where it will be kept on record.
5. When a student is absent three days longer due to an illness or other issue, the student should review the Emergency Excuse Policy located in section (X) and, if appropriate, complete the Emergency Excuse Request and Procedure form located on the Student Life webpage. Upon verification, the Dean of Students will work with the Provost and Vice Chancellor for Academic Affairs and notify instructors of the extended absence. Only the Dean of Students office will request/collect medical excuses/documentation for the student’s personal file. Only the excused absence request will be forwarded to instructors. Excuse requests should be submitted within two weeks of the absence.
6. Class participation may be used, at the instructor’s discretion, as one metric in determining a student’s final grade for the course.

## 2.2 CENSUS VERIFICATION PERIOD

The Arkansas Department of Higher Education defines an enrollment verification census period. This period begins on the first day of class and extends for five class periods during the summer sessions and eleven class periods during the fall and spring semesters. Students who do not attend class at least one time during the first 11 days of the fall and spring semester or the first 5 days of a summer session are cited for non-attendance during the enrollment verification period and may be administratively dropped from the course and not allowed re-enrollment.

## 2.2 MAKE-UP POLICY: EXAMS, QUIZZES, AND ASSIGNMENTS

Contingent on the provision of a documented excuse, students who miss exams, quizzes, or assignments due to illness, family and/or personal emergencies, death in the family, participation in school-sponsored activities (e.g. athletics, traveling with the vesper choir, band, theatre group, recruitment etc.) or any event subject to an excused absence, shall be permitted to make-up the assignment or the exam that was missed soon after the student returns to class. The student must provide credible/verifiable documentation.

It is the responsibility of the student to make arrangements with the Instructor to make up the work on return to class. The Instructor is required to provide the make-up within five working days after the student returns from an excused absence. Ideally, the make-up work should be comparable both in format (e.g. short essay, multiple choice, etc.) and content. However, in those instances when matching formats may not be feasible, the Instructor must ensure that the make-up work is comparable both in content and rigor to the work given to the rest of the class. Furthermore, the make-up work must not be punitive (like giving a comprehensive exam when the exam missed was over a few selected chapters). Students will not be asked or required to wait until the end of the semester to make-up for missed exams for which they had excused absence.

In some rare extenuating circumstances, students may not have an excuse readily available. For example, a student may be involved in a car accident on the way to school and will not have a police report to present, or a student may have suffered from the flu but self-medicated at home and may not have a doctor’s excuse. Under those circumstances, it is the responsibility of the student to inform the Instructor about the personal emergency on the same day or as soon as practicable. The Instructor will evaluate the credibility of the request for make-up and then work with the student accordingly to resolve the issue.

## 2.3 INCOMPLETE GRADE (“I”)

1. Incomplete grades indicate that the student has not met specific requirements in a course and not that the student needs to repeat the entire course.
2. The instructor will report an “I” only for a student who is passing, who can complete the assignments without additional instruction, and who can present a valid reason for not completing the work during the semester.
3. The student must petition the instructor, in writing, for an incomplete grade, “I”, on or before the day of the final examination. **The student must fulfill the necessary requirements of the course by the end of the semester immediately following the semester in which the “I” was incurred unless an extension is granted by the Provost and Vice Chancellor for Academic Affairs.**
4. The instructor must complete AA Form 11B (Report of “I” Grade) and file a copy in the department chairperson’s office along with a copy of the student’s petition. This form must include the signature of the instructor, the specific requirements to be completed, and a pre-calculated grade in the event that the student does not fulfill the necessary assignments for the completion of the course.

5. The instructor, or the departmental chairperson, in the absence of the instructor, is responsible for reporting the final grade change to the Office of Academic Records. The instructor should secure an “Incomplete” grade report form from the departmental chairperson or the Office of Academic Records and submit the form personally to Academic Records. Students are not permitted to have access to Change of Grade forms. If the grade is not changed by the instructor by the end of the following term in which the “I” was incurred, the departmental chairperson will submit the “Change of Grade” form with the pre-calculated grade as indicated on the accompanying AA form 11B to Academic Records.

**NOTE:** A student should not re-register for a course in which a grade of “I” was awarded; however, the student might be required to attend additional make-up sessions pending the discretion of the instructor.

### **ADDENDUM TO “I” GRADE POLICY**

In the event of documented extenuating circumstances, as defined by federal law (including, but not limited to, Section 504 of the Rehabilitation Act of 1973, Title VII of the Civil Rights Act of 1964, Subchapter 2 of Chapter 126 of the Americans with Disabilities Act of 1990 as amended in 2008) that prevents a student from meeting with specific requirements for a course, a student may petition for a grade of “I”, whether or not the student is passing the course. Documentation of the extenuating circumstances must be submitted for verification and approval to the Dean of Students. Final approval of the “I” grade due to extenuating circumstances resides with the Provost and Vice Chancellor for Academic Affairs.

In the event of documented extenuating circumstances, as defined by federal law noted above, that prevent a student from meeting the requirements for a course in which a grade of “I” was received, a student may petition the Provost and Vice Chancellor for Academic Affairs to extend the “I” grade for an additional semester. Additional extensions may be granted at the discretion of the Provost and Vice Chancellor for Academic Affairs in compliance with federal law while maintaining the academic integrity of the student’s degree program. Documentation of the extenuating circumstances must be submitted for verification and approval to the Dean of Students before a petition for an extension of the “I” grade will be considered. The student must petition the instructor, in writing, for an incomplete grade, “I”, on or before the day of the final examination (unless approved by the Provost and Vice Chancellor for Academic Affairs).

#### **2.4 Academic Jeopardy, Probation, Suspension, and Readmission Policy**

To remain in good academic standing, students must maintain a 2.00 cumulative grade point average. Students are in **academic jeopardy** when their cumulative grade point average falls below 2.00, **but above** the average commensurate with the ‘hours attempted range’ as specified in **Table 1**.

The University places students on **academic probation** when their cumulative grade point average falls **below** the average commensurate with the ‘hours attempted range’ as specified in **Table 2**. The course load for students on academic probation may not exceed 13 credit hours.

The University places students on **academic suspension** when their cumulative grade point average falls below the average commensurate with the ‘hours attempted range’ as specified in **Table 2 for two consecutive semesters**. The period of academic suspension is one semester. Students are not eligible to transfer credits taken during a Fall or Spring term at another institution back to UAPB while on academic suspension.

**Table 1.**

<b>Hours Attempted</b>	<b>Cumulative GPA</b>
<b>0 – 16</b>	<b>1.50</b>
<b>17 – 32</b>	<b>1.65</b>
<b>33 – 48</b>	<b>1.75</b>
<b>49 – 64</b>	<b>1.83</b>
<b>65 – 80</b>	<b>1.90</b>
<b>81 – 96</b>	<b>1.96</b>
<b>97 and above</b>	<b>2.00</b>

**Table 2.**

<b>Hours Attempted</b>	<b>Cumulative GPA</b>	<b>Maximum Hours</b>
<b>0 – 16</b>	<b>1.50 - 2.00</b>	<b>13.00</b>
<b>17 – 32</b>	<b>1.60 - 2.00</b>	<b>13.00</b>
<b>33 – 48</b>	<b>1.70 - 2.00</b>	<b>13.00</b>
<b>49 – 64</b> <b>13.00</b>	<b>1.80 - 2.00</b>	
<b>65 – 80</b>	<b>1.90 - 2.00</b>	<b>13.00</b>
<b>81 – 96</b>	<b>1.90 - 2.00</b>	<b>13.00</b>
<b>97 and above</b>	<b>2.00</b>	<b>13.00</b>

Students, placed on academic probation for the prior term (regardless of the **recalculated GPA** illustrated on the transcript due to **(repeated courses not passed)**), that earned less than a **term GPA of 1.50** in the subsequent term will be placed on academic suspension.

Students appealing academic suspension must meet with the Student Academic Appeals Committee for review and reconsideration of enrollment. Students placed on academic suspension are informed of appeal dates and locations prior to registration. If allowed to re-enroll by appeal, students must earn a **2.00 term GPA**. If denied by the committee, students may petition the Provost and Vice Chancellor for Academic Affairs for final disposition.

Students, who have finished their first period of academic suspension, will be required to report to the Student Success Center prior to registering. These students will be on academic probation and limited to a maximum academic load of 13 credit hours.



## 2.5 GRADING SCALE

Grade	Grade Points	per hour
A (90-100) Excellent.....	4	
B (80-89) Good.....	3	
C (70-79) Fair.....	2	
D (60-69) Poor but Passing.....	1	
I.....	(Incomplete)	
W.....	(Withdrawal)	
F.....	(Failure)	
X.....	(Audit, carries no credit)	
R.....	(Repeated, carries no credit)	
UF.....	(Unofficial Withdrawal/Failure)	

### Grade Point Averages

1. Term: To compute the term grade point average, divide the total term points by the total credits **attempted** for the term. Do not include "W" (withdrawn) grades.
2. Cumulative: To compute the cumulative grade point average; divide the total overall points by the total credits **attempted overall**. Do not include "W" (withdrawn) grades.
3. For the purposes of ranking, and to determine the student's cumulative grade point average, the University computes all transfer credits (pass or fail).

## 2.6 UNDERGRADUATE ACADEMIC TERM HONORS

Chancellor's List.....	4.00
Dean's List.....	3.50-3.99
Honor Roll.....	3.25-3.49

For term honors, the minimum grade point average earned for the term is 3.25, with a **minimum of 12 credit hours earned**, exclusive of remedial courses. **Any student making a grade of "D", "F", or "I" is not included on the Chancellor's List, Dean's List, or Honor Roll.**

Annual honors citations are based on **cumulative grade point averages and academic load. Honors are not recognized for non-degree-seeking or special students.**

## 2.7 UNDERGRADUATE HONORS RECOGNIZED DURING COMMENCEMENT

Students receiving baccalaureate degrees with high scholastic averages receive the following citations:

Summa Cum Laude.....	3.75-4.00
Magna Cum Laude.....	3.50-3.74
Cum Laude.....	3.25-3.49

The University uses the student's total academic life, including transfer credits if applicable, in computing the grade point average for honors. The Chancellor's Medallion is awarded to the most outstanding honor graduate in each school.

## 2.8 STUDENT ADVISEMENT

Each student is required to seek guidance on course selections and to review policies and degree requirements each registration period with an academic advisor. Academic advisors are available to assist students in a timely and accurate manner; however, meeting requirements for graduation is the responsibility of the student. Golden Gateway is used to facilitate student advisement.

## **2.9 REPEATING COURSES**

When a student repeats a course, the highest grade earned in the course will be used when computing the student's average. A student may repeat for credit to improve his grade point average in any course in which the final grade is "D" or less.

## **2.10 SCHEDULE CHANGE (DROPPING AND ADDING)**

1. A student wishing to make a schedule change must get approval from the academic advisor and the departmental chairperson. A student dropping a course must secure approval from the instructor, the academic advisor, and the departmental chairperson.
2. Closed course petition cards must be approved for admittance to courses that are closed for capacity. Students must obtain permission from the Instructor and the Chairperson of the department in which the course is offered. Their departmental chairperson or advisor is also required to sign the petition.
3. Students are required to pay a fee as indicated on the schedule of tuition and fees for each course change. Instructors are not permitted to report grades for a student who attends a class in which that student is not officially enrolled. Students who stop attending class and do not officially withdraw from or drop the course will receive a final grade of "UF".
4. A student may drop one or more courses in accordance with established term dates as published in the academic calendar and receive a final grade of "W".
5. Schedule changes for students enrolled in online courses only
  - a. Schedule changes may be made via Golden Gateway anytime during the registration period.
  - b. After the close of registration, only drops are permissible and cannot be done via Golden Gateway. Please email or fax a statement to the Registrar's Office/Academic Records (870-575-4608).
  - c. The following information must be submitted for each class to be dropped.
    - Course Title
    - Course Number and Section
    - Instructor
    - Your UAPB ID Number
    - Your UAPB E-mail Address
    - Your Signature and Current Date (Specifically required)

**Note: If you are dropping all of your classes, you must request to be withdrawn for the specific term in which you are enrolled (i.e., Fall 2014, Summer I, etc.). See Section 2.11, Withdrawal From the University.**

## **2.11 WITHDRAWAL FROM THE UNIVERSITY**

### **2.11.1 General Withdrawal**

Students who complete the registration process and decide to withdraw later must complete the following steps prior to exiting the University:

1. Secure the official withdrawal form from the Office of Student Success Center.
2. Obtain a signature from their academic advisor or chairperson.
3. Obtain a signature from the Office of Student Financial Services.
4. Obtain signature from Provost and Vice Chancellor for Academic Affairs.
5. Return official withdrawal forms to the Office of Academic Records.

**Note: International students must also secure clearance from the UAPB Designated School Official after a signature from Student Financial Services.**

Students **enrolled in online courses only or those** away from the campus must submit a letter requesting withdrawal from the University. The withdrawal notification must be submitted to the Office of Academic Records by letter or by fax. Students who fail to withdraw officially will receive failing grades in all courses, which may jeopardize their future eligibility to receive financial aid. They also will be charged fees and tuition in accordance with the fee schedule in effect per the Refund Policy.

### **2.11.2 Withdrawal for Medical Reasons**

Students with certain physical, psychological, or emotional health conditions may be subject to involuntary withdrawal from the university with an order to leave the campus. This may be imposed when there is clear and convincing evidence that:

1. The student’s current state of physical health poses a substantial danger to the health or well-being of other members of the university community; or
2. The student is suffering from a mental disorder and, as a result of that disorder, engages or threatens to engage in behavior which:
  - a) poses a substantial danger or risk of causing harm to the student or others;
  - b) poses a substantial danger or risk to university property, or to the property of another member of the university community; or engages in conduct that substantially impedes or disrupts the authorized activities of other members of the university community.

Students involuntarily withdrawn from the university must be cleared through the Division of Student Affairs by the Dean of Students before being re-admitted.

## **2.12 TRANSCRIPT REQUEST**

Students may request their transcript in one of two ways:

### **Electronically:**

For your convenience, you can request your transcript online ([via our third party vendor](#)) and pay with a credit card or debit card. This is the only way to send electronic transcripts for students who attended Fall 1993 and after.

Visit [www.uapb.edu](http://www.uapb.edu), click the arrow in the Find Info For menu and select alumni. Select Transcript Requests from the menu on the left.

### **Written Request:**

Students must submit a written request containing their social security number OR UAPB ID#; date of birth; year of graduation OR last term of attendance; any former names used; and the address of the recipient. The fee is \$4.00 per copy. Requests should be mailed to Academic Records, Mail Slot 4983, 1200 North University Drive, Pine Bluff, AR 71601.

## **2.13 STUDENT ACADEMIC GRIEVANCE PROCEDURES**

It is the policy of the University that a student may have a prompt and formal resolution of his or her grievance and that resolution is accomplished under orderly procedures. Final grade disputes occurring during the Spring or Summer terms may be delayed until the return of the nine-month faculty in August. Final grade disputes occurring during the Fall term may be delayed until campus opens in January.

### **2.13.1 Disputed Grades**

A student’s grade should represent the instructor’s good faith judgment of the student’s performance in the course based on the informed use of appropriate measurement and evaluation instruments. If a student

disagrees with a grade he/she has received, the following procedure should be followed until the problem is resolved. These steps must be followed in order and appropriate documentation of each step (including notation of the date, time, location, length, content, and final outcome of the discussion) must be provided in order to proceed to the next step.

1. The student should discuss the disputed grade with the instructor of the course. This should normally take place during the instructor's posted office hours.
2. If the dispute is not resolved in step one, the student should request a meeting with the chairperson of the department offering the course. The instructor of the course will also attend the meeting.
3. If the dispute is not resolved in step two, the student should request a meeting with the dean of the school offering the course. The instructor of the course and the instructor's chairperson will also be present.
4. If the dispute is not resolved in step three, the student should request a meeting with the Provost and Vice Chancellor for Academic Affairs. The instructor of the course, the instructor's chairperson, and the dean of the school offering the course will also be present. The decision of the Provost and Vice Chancellor for Academic Affairs is final and no further appeal is possible.

### **2.13.2 Other Academic Grievances**

A student may have a grievance against an instructor, which goes beyond a dispute over the grades received in a course. Such grievances might involve allegations that the instructor is demeaning to the student, practicing extortion, not meeting his/her classes, or is generally incompetent. \*For such non-grade-oriented grievances, the following procedure should be followed until the problem is solved. These steps must be followed in order and appropriate documentation of each step (including notation of the date, time, location, length, content, and final outcome of the discussion) must be provided in order to proceed to the next step.

1. The student should make the grievance known to his/her instructor
2. If the grievance is not resolved in step one, the student should request a meeting with the chairperson of the department offering the course. The instructor will not be present at this meeting, but a follow-up meeting will be scheduled with the instructor and the chairperson.
3. If the grievance is not resolved in step two, the student should request a meeting with the dean of the school offering the course. The chairperson and the instructor of the course will also be present at this meeting.
4. If the grievance is not resolved in step three, the student should request a meeting with the Provost and Vice Chancellor for Academic Affairs. The dean of the school offering the course will schedule a follow-up meeting with the instructor, the instructor's chairperson, and the dean of the school in which the student is enrolled.
5. If the grievance is not resolved in step four, the student should request a meeting with the Chancellor. The Provost and Vice Chancellor for Academic Affairs will also attend this meeting. The Chancellor will schedule a follow-up meeting with the instructor, the instructor's chairperson, the instructor's dean, and the Provost and Vice Chancellor for Academic Affairs. The Chancellor also has the option of empowering a panel of professors to review the allegations made by the student, render a judgment, and recommend an action for the Chancellor to implement. The decision of the Chancellor will be final.

*\*Note that all allegations of discrimination because of race, national origin, sex, or other protected categories (or related retaliation) should follow the process in the University Non-Discrimination policy (see section 1.3).*

### **2.14 ACADEMIC RIGHTS IN THE CLASSROOM**

1. Without fear of penalty, the student shall be free to take reasonable exceptions to data and views offered in the classroom.

2. The student’s course grade should represent the instructor’s good-faith judgment and his/her best use of measurement and evaluation skills in assessing the student’s performance in the course.
3. The student has a right to expect reasonable efforts to protect against improper disclosure of confidential information.
4. The student has the right to expect accurately and clearly stated information which will enable him/her to determine the following:
  - a. the general requirements for establishing and maintaining an acceptable academic standing;
  - b. his/her own academic relationship with the University and any special conditions which apply, and
  - c. the requirements for all courses taken as well as for graduation.
5. The student has the right to be governed by educationally justifiable regulations.
6. The student has the right to a classroom environment free from distractions and annoyances.

### **2.15 CLASSROOM FREEDOM AND RESPONSIBILITY**

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society. As members of the academic community, students should develop the capacity for critical judgment and engage in a sustained and independent search for truth. Free inquiry and free expression are indispensable to the attainment of these goals. Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students should exercise these freedoms with responsibility. Students are free to take reasonable exception to the data or view offered in any course of study and to reserve judgment about matters of opinion. Students are, however, responsible for learning the course content required for successfully completing the course.

### **2.16 UNIVERSITY POLICY ON DISRUPTIVE BEHAVIOR**

Academic excellence demands that students maintain appropriate behavior and decorum in the classroom at all times. The University of Arkansas at Pine Bluff will not tolerate disruptive behavior by students.

When the student is judged to have engaged in disruptive behavior, the instructor shall initiate the following procedures:

1. Instructor will request the student to discontinue the disruptive action.
2. If the behavior continues, the instructor will instruct the student to leave the classroom. University Police will be called to remove the student if he or she does not leave.
3. An incident report will then be completed by the instructor and filed with the Dean of Students and a copy sent to the Provost and Vice Chancellor for Academic Affairs and the Vice Chancellor for Student Affairs.
4. Upon receipt of the incident report, including the student’s comments, the Dean of Students shall investigate the matter and take appropriate disciplinary action.
5. The accused student must secure written permission of the Dean of Students in order to return to class. The instructor will be informed of the disciplinary action.
6. Disciplinary action can include being administratively dropped from the class.

### **2.17 ADDRESS CHANGES**

All students are required to maintain a correct residence and mailing address. **Students are required to change their address via Web-Advisor. If assistance is needed, please contact the Office of Academic Records.**

## 2.18 CLASSIFICATION OF A STUDENT FOR TUITION PURPOSES

For the purpose of assessing tuition, students are classified as residents or non-residents. An Arkansas resident is one who is domiciled in Arkansas. Domicile is a technical legal concept and is the place where a person resides with an unqualified intention of remaining permanently and with no present intention of leaving. Residence in Arkansas for the purpose of obtaining an education at an institution in the state does not establish a domicile.

## 2.19 JOHN B. WATSON MEMORIAL LIBRARY

### Fall and Spring Hours of Service

Monday-Thursday.....	7:30 a.m.-11:00 p.m.
Friday.....	7:30 a.m.-5:00 p.m.
Saturday.....	8:30 a.m.-4:30 p.m.
Sunday.....	3:00 p.m.-11:00 p.m.

### Summer Hours of Service

Monday-Thursday.....	7:30 a.m.-10:00 p.m.
Friday.....	7:30 a.m.-5:00 p.m.
Saturday.....	8:30 a.m.-4:30 p.m.
Sunday.....	2:00 p.m.-10:00 p.m.

The library is open from 8:00 a.m. until 5:00 p.m., Monday through Friday, when the University is not in session. The library will not render service on the following official University holidays: Labor Day, Thanksgiving, Christmas/New Year’s, Martin Luther King’s Birthday, Friday of Spring Break and Independence Day.

To check out library materials, students must have a current University of Arkansas at Pine Bluff student identification card.

### 2.19.1 COMMENCEMENT PARTICIPATION

Seniors with limited outstanding requirements may, with proper approval, petition to participate in Commencement. In order to participate in Commencement, a student must:

- be enrolled in all remaining required courses by the last day to add/drop a course for that semester;
- have the minimum cumulative GPA required for the respective major;
- have satisfied the senior comprehensive exam/portfolio requirement; and
- have exited or are on track to exit University College (predicated on courses currently enrolled).

A student who fails or withdraws from one required course (a lecture with a concurrently required lab constitutes one course for the purpose of this policy) during that last semester may be allowed to participate in Commencement.

Grades from institutions other than the University of Arkansas at Pine Bluff may not be available in time to confirm participation eligibility. Students approved to enroll at another institution must submit an official transcript to the Registrar’s Office at least five business days prior to Commencement. CLEP scores must be received in the Registrar’s Office at least five business days prior to Commencement.

If a student wishes to participate in a Spring commencement ceremony, he/she must be able to complete all requirements by the end of the following summer term. If that cannot be accomplished, then the student will participate in the following Fall/Spring commencement ceremony. Students should work with their advisors to formally submit a Commencement Participation Request Form.

Participation in Commencement Exercises is not a conferral of a degree. The degree will be conferred at the conferment following the completion of all requirements and not before. Students should complete the Commencement Participation Request form to officially petition participation in Commencement.

### **2.19.2 SENIOR ASSESSMENT**

The Senior Comprehensive Examination has been used as a university assessment measure since 1990. In lieu of the Senior Comprehensive Examination, some academic units prefer to require Senior Projects. Therefore, two options are recommended for senior assessment measures: 1) Senior Comprehensive Examination, and 2) Senior Projects. All prospective graduating seniors will be required to attain a passing score of 70 percent prior to graduation.

The Senior Comprehensive Examination Subcommittee offers the following recommendations that will lead to a policy change:

- Require all departments to select one of two assessment measures from prospective graduating seniors. Departments have the option to determine Senior Projects in lieu of the Senior Comprehensive Examination. A minimum score of 70 percent must be attained in order to successfully pass the Senior Comprehensive Examination or senior project. A standardized test recognized by an accrediting body may substitute for a senior comprehensive exam. Accrediting bodies using standardized tests have explicit criteria regarding passing scores. Any department that uses a standardized test will use the criteria recognized by the accrediting agency to determine a passing performance;
- A rubric or standardized measure must be developed for each senior project;
- Introduce and discuss senior comprehensive examination or senior project during freshman year and/or when students are transferred into their respective majors (pre-tests are to be administered during entry and mid-levels);
- Allow students to take one make-up senior comprehensive examination within two weeks if they fail to attain a passing score of 70 percent (makeup exams will only be given for extenuating circumstances and/or with prior approval). This stipulation also applies to Senior Projects.
- If the student fails the senior comprehensive exam or senior project on the second attempt, the student will not complete the degree program in that term. Completion of an intervention plan, designed by the department or program specifically for the student will be required prior to the student attempting the senior comprehensive exam or senior project a third time. No fourth attempt to pass the senior comprehensive exam or senior project will be offered.
- Senior comprehensive examinations required by departments or programs must be updated every two years, and changes must be provided to the Office of Assessment. This stipulation also applies for Senior Projects.
- Require all departments to develop a senior comprehensive examination study guide;
- Departments must assume responsibility for senior comprehensive examination reviews and senior project preparations for students who transfer or change his/her major; and

### **2.19.3 ACADEMIC INTEGRITY**

Academic integrity is the foundation of a successful academic career and it is a prerequisite for any student who wants to receive a quality education that will serve as a basis for professional and personal success after graduation. In order for the University to succeed in its educational mission students, faculty, and staff must adhere to the highest standards of honesty, trust, fairness, respect, and responsibility in all of their dealings with each other. This concept demands that any student work presented truly represents the student’s own honest effort and is the product of his/her own intellect and abilities. Students and faculty, alike, are required to avoid any acts, which may subvert or compromise the integrity of the educational process, including the awarding of grades. These acts include, but are not limited to:

- Submitting as one’s own work the words, ideas, or arguments of another person without appropriate attribution and documentation according to the style sheet used in the discipline.
- Submitting substantially the same course work to one instructor, which has already been submitted to an instructor for credit in another class (self-plagiarism) with noted exceptions allowed in some areas.
- Using any materials, devices, or sources of information not authorized by the instructor during an examination, project, or assignment.
- Copying from another student’s paper during an examination or allowing another person to copy from you.
- Collaborating during an examination with any person by giving or receiving information without specific permission from the instructor.
- Collaborating on homework, take-home examinations, or out of class assignments when students have been told to work independently by their instructor.
- Submitting altered, fabricated, or falsified data as experimental data from laboratory projects, survey research, or other field research.
- Falsifying or inventing the sources or facts in a research paper or other assignment.
- Altering the answers, markings, comments, or grades on a paper or test in an effort to change the grade earned on a test or assignment.
- Sabotaging another student’s work.
- Altering grades or any other official records of the University without following established procedures.
- Falsifying or committing forgery on any university form or document, including materials intended to document excused absences.
- Doing course work for another student or getting another person to do course work for you. This includes the copying of homework assignments, taking examinations for someone else or allowing someone else to take examinations for you, and the purchase of another person’s work to submit as your own.
- Stealing, buying, or otherwise illicitly obtaining information about a not-yet-administered examination.

**Penalties for actions, which violate Academic Integrity**

Students who violate University rules on academic integrity will be subject to disciplinary sanctions (see below). Egregious violations may result in dismissal from the University for one academic year or permanently. Since all violations of academic integrity harm the individual, all students, and the integrity of the University, policies on academic integrity will be strictly enforced.

Violations include, but are not limited to:



## University of Arkansas at Pine Bluff “The ROAR”

- Submitting as one’s own work the words, ideas, or arguments of another person without appropriate attribution and documentation according to the style sheet used in the discipline: “*F*” on assignment.
- Submitting substantially the same course work to one instructor which has already been submitted to an instructor for credit in another class (self-plagiarism) with noted exceptions allowed in some areas: “*F*” on assignment.
- Using any materials, devices, or sources of information not authorized by the instructor during an examination, project, or assignment: “*F*” on assignment.
- Copying from another student’s paper during an examination or allowing another person to copy from you: “*F*” on examination.
- Collaborating during an examination with any person by giving or receiving information without specific permission from the instructor: “*F*” on examination.
- Collaborating on homework, take-home examinations, or out of class assignments when students have been told to work independently by their instructor: “*F*” on work.
- Submitting altered, fabricated, or falsified data as experimental data from laboratory projects, survey research, or other field research: “*F*” on assignment.
- Falsifying or inventing the sources or facts in a research paper or other assignment: “*F*” on assignment.
- Altering the answers, markings, comments, or grades on a paper or test in an effort to change the grade earned on a test or assignment: “*F*” on assignment.

### **Critical Violations**

- Sabotaging another student’s work: *academic suspension*.
- Altering grades or any other official records of the university without following established procedures: *academic suspension*.
- Falsifying or committing forgery on any university form or document, including materials intended to document excused absences: *academic suspension*.
- Doing course work for another student or getting another person to do course work for you. This includes the copying of homework assignments, taking examinations for someone else or allowing someone else to take examinations for you, and the purchase of another person’s work to submit as your own: *academic suspension*.
- Stealing, buying, or otherwise illicitly obtaining information about a not-yet-administered examination: *academic suspension*.

### **Reporting Violations of Academic Integrity**

Any instructor that alleges a student has committed a violation of academic integrity has the responsibility of documenting, reporting and proposing sanctions.

### **Administration by Provost/Vice Chancellor for Academic Affairs**

The Provost/Vice Chancellor for Academic Affairs will have the administrative authority and responsibility for the administration of student discipline for academic violations. The Provost/Vice Chancellor for Academic Affairs will work with faculty members, administrators, Dean of School, and Academic Integrity Review Committee.

**Procedures:**

When a violation of academic integrity is suspected:

1. The instructor has the responsibility of informing the student of the charge or allegation of violating academic integrity standards and of proposed sanctions as appropriate for the alleged violation. The instructor will inform the student of his/her right to appeal all decisions. The specification of what occurred to bring the allegation must be submitted in writing to the student. After reviewing the allegation and proposed sanction with the student, the instructor will give the student one week to affirm or deny charges and specifications.
2. If the student does not affirm the allegation or submit a written request for appeal within one week, the silence will be interpreted as affirmative, and the prescribed sanction will be applied.
3. If the student affirms the allegation and proposed sanction, the signed document is forwarded to the following persons for their signature: Chairperson of the department where the violation occurred, the Dean of the student's academic school, the Academic Integrity Review Committee Chairperson and the Provost/ Vice Chancellor for Academic Affairs.
4. If the student denies the allegations, the instructor will submit the documents to the following persons for their signature: Chairperson of the department where the violation occurred, the Dean of the students' and faculty member's school, the Academic Integrity Review Committee Chairperson, and the Provost/ Vice Chancellor for Academic Affairs for an independent review and due process procedures.

**Proposed Sanctions and Procedures**

With all imposed sanctions, the student will be given due process as defined by the University of Arkansas at Pine Bluff. The student will be advised of his/her rights to an academic hearing by the Academic Integrity Review Committee.

The Chain of Command for Appeals:\*

1. Instructor
2. Department or Division Chairperson where violation occurred
3. Dean of School where violation occurred
4. Academic Integrity Review Committee
5. Provost/ Vice Chancellor for Academic Affairs

\*The Dean of the school in which the student is enrolled and the Provost/Vice Chancellor for Academic Affairs will be copied on all correspondence.

**Procedural Steps for Progressive Violations:**

- For the *first violation*, the student will be given an “F” for the assignment and given a written warning that is placed in the student’s file but will not be indicated on his/her record. The student will be required to complete training related to academic integrity. Workshops on Academic Integrity will be offered by the John Brown Watson Memorial Library and information is taught in University courses.
- For the *second violation*, the student will receive an “F” for the course and a letter will be placed in the student’s academic file.
- For a *third violation or first critical violation*, the student will be suspended from the University for one academic year, given an “XF” on his/her transcript, and a letter will be placed in the student’s academic file. The student may appeal to have the “XF” removed after one year of successful course work after readmission to the University and without any reports of new academic violations.
- For a *fourth violation or second critical violation*, the student will be expelled from the University for repeated violations of academic integrity. The student will be given an “XF” on his/her transcript, and a letter will be placed in the student’s academic file noting the offenses.

The student academic appeal procedure, as outlined in the student handbook, The ROAR, will be followed.

These academic sanctions are in addition to any legal penalties associated with the infractions.

## **2.20 DIVISION OF ENROLLMENT MANAGEMENT AND STUDENT SUCCESS**

The Division of Enrollment Management and Student Success (EMSS), located in room 206 Caldwell Hall, coordinates the recruitment, enrollment, and retention efforts for all students at UAPB. The Office provides orientation for new students, advising and referral for financial aid, academic and professional development, and academic tutoring in several campus locations.

### **Student Success Center**

Located in Caldwell Hall, Suite 209, the Student Success Center (SSC) is a comprehensive one-stop-shop for academic support services on campus. SSC programs and initiatives are open to all university students, both on and off campus. Students receive assistance through Center resources or referrals to other support services. The Center assists students as they adapt to university life, complete their degrees, and transition from high school to college and career by engaging in activities that develop professional skills.

### **Center programs and retention services include:**

- **Pride Success Academy (Formerly Conditional Admit Program):** This required program is for conditionally admitted students who did not participate in the LIONS program. It includes participation in activities such as tutoring services to help students succeed in college.
- **Living Learning Center (LLC):** Located in the Harrold Housing Complexes, the Center addresses students' educational, recreational, and social needs.

- **Peer Tutoring:** Student peer tutors are available in the Harrold Complex, John Watson Memorial Library, and the Athletic Academic Center.
- **NetTutor Online Tutoring Services:** A 24/7 professional tutoring service that helps all learners progress confidently in the classroom and beyond.
- **SSC Computer Center:** Located in Caldwell Hall Suite 208, the Center has six computers, a printer, and a copier for student use from 8:00-5:00 p.m. Monday through Friday.
- **“Navigating the Yard” Workshop Series:** This series covers topics to help students transition to college life and achieve academic and professional goals.
- **GradReady:** An online workshop portal available 24/7, offering numerous topics to enhance college students' knowledge and success. Students may access GradReady by selecting the following link: <https://uapb.gradready.com>
- **Textbook Scholarships:** Applications are accepted at the beginning of the fall and spring semesters for up to \$500 per semester. Eligibility requirements include a 2.5 cumulative GPA, full-time enrollment, and exhausted financial aid options. The general scholarship application link is: <https://uapb.academicworks.com>
- **Students Taking Academic Responsibility (STAR):** An academic recovery program for students admitted or returning to UAPB through an appeal process. Participants complete a Student Success Plan contract to support achieving a minimum 2.00 GPA and completing all credits attempted.
- **Early Alert Program:** Faculty and staff referrals through Watermark Student Success and Engagement Software inform the Center about at-risk students. The Center assists these students through informal counseling, tutoring, academic advisor involvement, and referrals to other resources.
- **Destination Graduation:** This senior completion program helps students near graduation with small balances that may prevent their persistence. In return, students agree to participate in professional and career development programs and services.
- **Transfer and Non-Traditional Student Program:** This program assists students transitioning to the University, including pre-enrollment advising, adapting to campus, and accessing support services.
- **Pride Assist Emergency Aid:** Provides help to students at risk of dropping out due to unexpected financial emergencies unrelated to enrollment. Examples include childcare, gas, food, housing, medical bills, and utilities.
- **National Society of Leadership and Success (NSLS):** NSLS provides a leadership program that helps students achieve personal growth, career success, and positive community impact. Membership is by invitation during the Fall and Spring semesters.
- **Sophomore Series:** This program empowers sophomores to excel through engaging academic and professional development opportunities, promoting success and deeper university engagement.

- **First Six Weeks of Pride:** Interactive learning experiences at the beginning of the fall semester promote leadership development, community awareness, and healthy living, focusing on a positive transition to college life.
- **Supplemental Instruction (SI):** An academic assistance program utilizing peer-assisted study sessions. Students compare notes, discuss readings, develop organizational tools, and predict test items in sessions facilitated by SI tutors.
- **Peer Mentoring:** Provides support and guidance to first-year students, pairing them with upperclassmen. Mentors and mentees participate in programs and activities fostering peer relationships and helping students meet educational goals.
- **Student Success Coaches:** Coaches are assigned to students by classification. They help students with academic concerns, develop action plans, and connect them to campus and community resources.
- **Workforce Innovation and Opportunity Act (WOIA):** UAPB is a training provider for WOIA, a program helping job seekers access employment, education, training, and support services. Students in eligible majors may apply for assistance to remove barriers to success.
- **Student Loan Guarantee Foundation of Arkansas Scholarship (SLGFA):** Funding for students who have stopped out for a year or more, SLGFA, provides up to \$5,000 per semester and \$10,000 per academic year for eligible students. Recipients must meet specific criteria, including Arkansas residency, 2.50 GPA, no higher education enrollment for a year or more, and be within 30 hours of degree completion.
- **Inside Track Student Success Coaching:** In collaboration with InsideTrack, Ed Advancement, and Thurgood Marshall College Fund (TMCF), this initiative provides one-on-one success coaching for students at TMCF member HBCUs. The program aims to remove barriers to college enrollment and success, improve retention and graduation rates, and expand enrollment.
- **Oli Chatbot:** In collaboration with Mainstay, "Oli" is a 24/7 text messaging chatbot service providing immediate responses to student inquiries. It sends regular reminders and engages students with tailored activities to support their academic needs. Students are encouraged to utilize "Oli" for a more informed and connected experience at UAPB.
- **WaterMark Student Success and Engagement Software:** This software helps the Student Success Center connect with students, predict persistence risk, and increase engagement. It allows faculty, advisors, and staff to send early alerts and engage students at pivotal moments through a web-based system accessible remotely. All faculty, staff and students may access the Student Success and Engagement software at the following link: <https://uapb.avisapp.com>

For more information, contact the:

- **Student Success Center:** Center Director - 870-575-8368, Assistant Director - 870-575-8366, Academic Support Coordinator– 870-575-8373, Living Learning Center Coordinator - 870-575-8875
- **Website:** [www.uapb.edu/success](http://www.uapb.edu/success)

- **Email:** studentsuccess@uapb.edu
- **Twitter:** @UAPBssc
- **Instagram:** @UAPBsuccess
- **Facebook:** /UAPBsuccess

**Student Success Center Location:** Caldwell Hall, Suite 209

### **3.0 FINANCE AND ADMINISTRATION**

Official communication to students from the Office of Student Financial Services will be through the student’s UAPB email account. Students are encouraged to check email on a regular basis to receive important information such as policy and procedure updates, financial aid notifications, and requests for information. The Golden Gateway should be used regularly to obtain information related to financial aid and student account activity.

#### **3.0.1 FINANCIAL OBLIGATIONS**

Students must make satisfactory financial arrangements and be in good standing in order to complete registration, receive grades, or re-enroll. Payment for charges or satisfactory financial arrangements must be made for each term no later than the last day for course cancellation adjustments as published in the Academic Calendar each semester unless otherwise indicated. Satisfactory financial arrangements include payment in full via cash, check, credit card (can be made online), financial aid, or enrollment in an installment payment plan administered by a third-party or a combination of the above. It is a student’s responsibility to officially drop classes for which they no longer wish to attend and to also officially withdraw from the university if they decide they no longer wish to be enrolled at the university.

Before a student can view grades, receive transcripts, or re-enroll, the student account balance must be satisfied in full. It is a student’s responsibility to officially drop classes for which they no longer wish to attend and to also officially withdraw from the university if they decide they no longer wish to be enrolled at the university. If applicable, any adjustment to institutional charges will be reflected on the student’s account in accordance with the University’s Refund Policy.

*\*Should a payment be due, change notifications and web updates will be provided as necessary.*

#### **3.0.2 CHECK CASHING**

No certified checks, personal checks, money orders or cashier’s checks are cashed for students. Personal checks written to the school for payment must be made payable to the University of Arkansas at Pine Bluff or UAPB. All personal checks must be permanent and not temporary. The checks must have the check writer’s name, address, and phone number printed along with the Driver’s License Number and/or State ID Number

#### **3.0.3 REFUND POLICY**

Any student who officially withdraws from UAPB during a **Fall** or **Spring Semester** shall be entitled to a refund as follows:

- 100% adjustment before the first day of class
  - 90% adjustment from day 1 through day 11 of the semester
  - 80% adjustment from day 12 through day 21 of the semester
  - 70% adjustment from day 22 through day 32 of the semester
  - 60% adjustment from day 33 through day 43 of the semester
  - 50% adjustment from day 44 through day 54 of the semester
  - 40% adjustment from day 55 through day 64 of the semester
- \*INCLUDES WEEKENDS AND HOLIDAYS

Any student who drops a class and continues to be enrolled at the University of Arkansas at Pine Bluff during a FALL or SPRING SEMESTER shall be entitled to individual course refunds as follows:

1. Up to and including FIVE (5) CLASS DAYS-100%.
2. The SIXTH (6th) DAY THROUGH THE TENTH (10th) CLASS DAY –50%
3. The ELEVENTH (11TH) CLASS DAY AND AFTER –**NO REFUND**

### **3.0.4 ROOM and BOARD**

After the student has taken occupancy (i.e. picked up keys), the student cannot cancel without financial obligation. Students who desire to occupy their assigned rooms before the designated time will be charged a fee of \$ 25.00 per night, payable in advance.

## **3.1 FINANCIAL AID**

Official communication to students from the Office of Student Financial Services will be through the student's UAPB email account. Students are encouraged to check email on a regular basis to receive important information such as policy and procedure updates, financial aid notifications, and requests for information. The Golden Gateway should be used regularly to obtain information related to financial aid and student account activity.

### **3.1.2 Application Process and Important Dates**

UAPB encourages all students to apply for financial assistance to help fund the cost of their education. Students may apply for merit-based assistance such as scholarships, for need-based assistance such as grants, loans or work programs and for non-need based loans. When a student is awarded federal student aid for the first time, a financial aid offer is sent via the U. S. Postal Service to the student's address on file at UAPB. Subsequent to this, award information will be available online via UAPB's website on the Golden Gateway. No future mailings will be sent.

All students applying for federal student aid must complete the Free Application for Federal Student Aid (FAFSA). Applicants must reapply for financial aid each year beginning October 1. Students are encouraged to complete the FAFSA as soon as possible to be considered for federal student aid and such federal campus-based aid that is limited in funding. Following are the steps students should take when applying for financial aid:

1. Obtain a FSA ID at <https://studentaid.gov> for the student and the student's parent(s) (now referred to as a contributor(s) if parent information is required on the FAFSA. The FSA ID is an electronic access code needed to submit the FAFSA, make corrections or request duplicate copies on the web without signatures; the FSA ID will also allow the FAFSA to be signed electronically. A student must provide approval and consent for a contributor to complete the FAFSA with their information.
2. Complete the FAFSA at <https://studentaid.gov>. Students can submit the FAFSA from any computer or cell phone with internet access. Filing online is the fastest way to file. Students who apply early and provide all required financial aid and admissions documents each year may be considered for

maximum campus-based federal aid such as federal work-study and FSEOG. Early completion may also ensure financial aid is awarded prior to the beginning of the semester when payment is due. A FAFSA cannot be completed later than June 30th each academic year of the student’s enrollment. When completing the FAFSA, income information should be used from the prior, prior tax year (2 tax years prior to the academic year of enrollment). Federal income tax information that has been filed is now imported to the FAFSA after consent has been given by the contributors through Direct Data Exchange (DDX).

3. Once the University receives the results of the FAFSA, additional documents may be needed and will be requested at that time via email. Students are encouraged to respond to requests for information and documents from UAPB as soon as possible; receipt of documents within two weeks of the request will help minimize substantial delays in processing. Financial aid not finalized by will affect the student’s ability to make satisfactory payment arrangements with financial aid and may jeopardize their enrollment.
4. Once eligibility for financial aid has been determined, financial aid will be offered on an offer letter listing the type and amount of any aid the student is eligible to receive. In order to accept or reject the awards offered, fully admitted students, and returning students, must access the award information online via the Financial Aid section of the Golden Gateway. Initial offer letters will only be mailed to new students prior to the beginning of the period of enrollment. Any subsequent notifications (initial and subsequent for returning students) are available online on the Golden Gateway.

It is the responsibility of the student to ensure the degree plan in his/her major course of study is followed in order to meet the requirements for receipt of federal student aid. If a discrepancy exists between the student’s registered hours of record when compared to a student’s degree plan hours recognized in the financial aid system, a student should petition for a review of the courses. To begin this process, access the Title IV Confirmation Form online on the Financial Aid page under Special Forms. Reviews cannot be done after the academic year ends.

Federal student aid regulations limit the number of times a student may repeat a course and receive federal financial aid for that course. As such, a student may only repeat a course for which a passing grade has already been received, one time, and have it count as federal student aid enrollment. Once eligibility for the repeat has been exhausted, if the course is taken again, the credit hours will not count toward enrollment for federal student aid. Federal student aid will be applied to a student’s account each semester only after it has been determined the student began class attendance. The amount of federal aid credited to a student’s account will be based on the enrollment status determined by class attendance reports, during the 11th class day reporting period (5th day reporting in summer sessions), submitted by the Registrar’s office.

### **3.1.3 Available Financial Aid**

The following federal Financial Aid is available for eligible students:

- Federal Work Study Program (FWS)\*
- Federal Supplemental Educational Opportunity Grant (FSEOG)
- Federal Pell Grant
- TEACH Grant
- William D. Ford Federal Direct Loans (Subsidized, Unsubsidized, and Plus)

For more information, contact the Office of Student Financial Services, or visit the Federal Student Aid website at [www.studentaid.gov](http://www.studentaid.gov).



### 3.1.4 Satisfactory Academic Progress (SAP) Policy

Academic success is important and necessary for students to receive federal Title IV financial aid. At the end of each semester (fall, spring, and summer), a student’s academic record will be reviewed to verify satisfactory academic progress has been made toward earning a degree. Satisfactory academic progress requires a student to meet a grade point average requirement, course completion (pace) requirement, and maximum time frame requirement for degree completion. The policy applies to all students—continuing, transferring, and re-entry. All three requirements of the policy must be met to achieve satisfactory academic progress as indicated below:

#### **\*Minimum Grade Point Average**

Students must maintain at least the following minimum cumulative grade point (GPA) averages:

Undergraduate Students: The minimum GPA requirement is based on the number of attempted hours.

<b>Hours Attempted</b>	<b><u>1 – 29</u></b>	<b><u>30 – 59</u></b>	<b><u>60 and above</u></b>
<b>Minimum Cumulative GPA</b>	<b>1.50</b>	<b>1.75</b>	<b>2.00</b>

Graduate Students: All Graduate students must maintain a minimum cumulative GPA of 3.0.

#### **\*Pace or Successful Completion of Course Work Attempted**

To be considered as progressing successfully, students must complete at least 67% of all attempted credit hours. Successful completion of a course is defined as a passing grade. Grades of W (withdrawn), F (failed), UF (unofficial withdrawal), or I (incomplete) are not considered successful completion. The pace is calculated using the following formula:

$$\frac{\text{Cumulative number of hours student successfully completed}}{\text{Cumulative number of hours student attempted}}$$

#### **\*Maximum Time Frame**

The following is the maximum number of hours a student may attempt in completion of his/her degree and remain eligible for federal Title IV financial aid:

Undergraduate Students -- **180 hours**

Graduate Students -- **54 hours**

All coursework attempted, including periods when students do not receive federal Title IV aid will be considered in determining the maximum time frame students have to complete a degree and in the calculations of the cumulative grade point average and pace.

- **Transfer Hours:** All transfer work transcripts by the UAPB Academic Records office will be counted in the determination of the cumulative grade point average, in the ratio to determine the successful completion of course work (pace), and in the determination of the maximum time frame.
- **Repeated Coursework:** If a student repeats a course, the highest grade earned will be used to calculate his/her grade point average. All hours attempted, including repeated course hours, will be used to determine the student’s pace and maximum time frame. Only one repeat per course with a passing grade will be eligible for financial aid.
- **Academic Clemency:** The Office of Student Financial Services must count all prior work attempted in determining eligibility for federal financial aid, including hours forfeited through the Academic Clemency Policy.

#### **Financial Aid Warning**

If a student fails to meet satisfactory academic progress standards, the student will be placed on financial aid warning status and be permitted to receive federal financial aid for one additional semester. Students

are strongly encouraged to take advantage of all academic services available to improve their academic progress during this semester. If satisfactory progress standards are not met at the end of the warning semester, the student will NOT be eligible to receive federal financial aid for the next semester.

### **Financial Aid Termination**

If a student fails to meet satisfactory academic progress standards after the warning semester, federal financial aid eligibility will be terminated. Federal financial aid eligibility will also be terminated when a student fails to complete it within the maximum time frame. Students will be responsible for all charges during semesters for which he/she registers for classes and does not receive federal financial aid.

### **Financial Aid Appeal**

Students who have extenuating circumstances may appeal the termination of federal financial aid. Examples of extenuating or mitigating circumstances include illness under a doctor’s care, illness or accidents requiring hospitalization or the prolonged illness of a dependent, death of an immediate family member, or other life-altering events. The appeal may not be based on the need for assistance or lack of knowledge of the academic requirements. The appeal must be submitted in writing and include why the student failed to meet the standards with an explanation of what has changed that will now allow the standards to be met. Supporting documentation of the extenuating circumstance is required.

The appeal deadline is provided to unsatisfactory students via email notification each semester and typically requires an appeal submission no later than 10 business days before classes begin and must be complete; incomplete forms will not be reviewed and will automatically be denied unless proper documentation is submitted. The decision of the Financial Aid Appeals Committee is final; there is no further avenue of appeal. An appeal can be:

- Denied: Students who are denied will not be eligible to receive federal financial aid.
- Approved on Probation: Students on probation are eligible to receive federal financial aid for one additional semester. The student must meet the satisfactory academic progress standards at the end of the semester, or financial aid eligibility will be terminated.
- Approved on an Academic Plan: Students on an academic plan are eligible to receive federal financial aid and are required to adhere to prescribed performance standards in order to continue eligibility while on the plan for a specified period of time. Academic progress will be evaluated at the end of each semester while receiving federal financial aid under the academic plan.

Students who do not successfully complete the Academic Plan will have federal financial aid terminated and will be notified at the conclusion of the evaluation. Eligibility may be regained upon meeting the requirements of the SAP policy.

The appeal form can be found on the UAPB Student Financial Service’s Office Financial Aid web page under **Special Forms**.

### **Reinstatement of Financial Aid**

After federal financial aid termination, students may be eligible for reinstatement of financial aid after the student enrolls in courses at his/her own expense and meets the terms of the Satisfactory Academic Progress policy.

### **Notifications**

FAFSA filers who fail to meet minimum satisfactory academic progress standards will be notified of their status through an email sent to their UAPB e-mail address; the status is also on the Golden Gateway.

Students who do not regain eligibility for financial aid through the appeal process will be notified of the decision and reason(s) for the decision in a letter sent to their UAPB e-mail address.

### **3.2 SCHOLARSHIPS**

There are several types of scholarships available for students to consider. Visit the web page for the Office of Recruitment under the Admissions tab at [www.uapb.edu](http://www.uapb.edu) for specific scholarship information. Various scholarship listings may be found in the University Catalogue also. Most institutional scholarships require full-time enrollment and pay for specified charges such as tuition. These scholarships are not refundable to the student if the full award is not used.

Awards received from public funds, such as UAPB scholarships and other Arkansas state financial aid programs, are subject to the Arkansas State Stacking Policy. The policy disallows total financial aid awarded, including awards and resources from outside organizations, to exceed the budget amount referenced in the financial aid offer letter. Pell grants are excluded from this policy.

### **3.3 RETURN OF TITLE IV FUNDS**

The law specifies how the University of Arkansas at Pine Bluff (UAPB) must determine the amount of Title IV program assistance a student earns if the student withdraws from school. The Title IV programs that are covered by this law and offered at UAPB are the Federal Pell Grants, Federal Supplemental Educational Opportunity Grant, TEACH Grant and William D. Ford Federal Direct Subsidized, Unsubsidized, and PLUS Loans.

The institution has 45 days from the date the institution determines that the student withdrew to return all unearned funds for which it is responsible. The school is required to notify the student if they owe a repayment via written notice. The school must advise the student or parent that they have 14 calendar days from the date the school sent the notification to accept a post-withdrawal disbursement. If a response is not received from the student or parent within the permitted time frame or the student declines the funds, the school will return any earned funds that the school is holding to the Title IV programs. A post-withdrawal disbursement must occur within 120 days of the date the student withdrew.

When a student withdraws, the amount of Title IV program assistance a student has earned up to that point is determined by a specific formula. If the student received (or UAPB or the student’s parent received on the student’s behalf) less assistance than the amount that the student earned, the student might be able to receive additional funds in a post-withdrawal disbursement. Post-withdrawal disbursement from grant funds is applied to a student’s account to pay any outstanding balance from tuition, fees, room and board, and other charges authorized by the student. If a post-withdrawal disbursement is a result of loans made to the student or parent, authorization must be given to apply the disbursement to the student’s account. Any funds from either a grant or loan that result in a credit balance after charges are paid may be given to whom the credit is owed (student or parent), if authorized. If the student received more assistance than the student earned, the excess funds must be returned by the university and/or the student.

The amount of assistance the student earned is determined on a prorata basis. For example, if the student completed 30% of the semester, the student earned 30% of the assistance the student was scheduled to receive for that semester.

Once the student has completed more than 60% of the semester, the student has earned all the assistance that he/she was scheduled to receive for that period; however, there are some Title IV funds that the student may have been scheduled to receive that cannot be disbursed to the student once the student withdraws because of eligibility requirements. For example, if the student is a first-time, first-year undergraduate student and has not completed the first 30 days of the semester before he/she withdraws, the student will

not receive any Federal Direct loan funds that would have been received had the student remained enrolled past the 30th day.

If a student receives (or UAPB or the student's parent receives on the student's behalf) excess Title IV program funds that must be returned, UAPB must return a portion of the excess equal to the lesser of:

- Student's institutional charges multiplied by the unearned percentage of the student's funds, or.
- The entire amount of excess funds.

The funds will be returned in the following order, up to the amount disbursed from each source:

1. Unsubsidized Direct Loans (other than Direct PLUS Loans)
2. Subsidized Direct Loans
3. Direct PLUS Loans (parent or graduate)
4. Federal Pell Grants for which a return of Title IV funds is required
5. Iraq and Afghanistan Service Grant, for which a return of Title IV funds is required
6. Federal Supplemental Educational Opportunity Grants (FSEOG) for which a return of Title IV funds is required
7. TEACH Grants for which a return of Title IV fund is required

The amount of aid that is unearned is considered an overpayment of Title IV funds. It is the student's responsibility to repay the total amount of the overpayment. During this time, the student will remain eligible for Title IV aid for a maximum of 45 days if the student either:

- Repays the overpayment to UAPB in full
- Makes satisfactory arrangements to repay with UAPB

UAPB must notify the student within 30 days that repayment of federal funds is owed; the student then must respond within 45 days. After the 45 days, the student's portion of the repayment may be referred to the U.S. Department of Education as an overpayment. The student will then become ineligible for federal aid.

### **Withdrawal Determinations**

- The official withdrawal date for a student is the date the Student Success Center receives written notification of the student's intent to withdraw.
- A grade of UF is given to students who stop attending class and who do not officially withdraw from the class. A grade of UF in each class in a semester is considered an unofficial withdrawal from the University. As a school that is not required to take attendance, the University will assume the last date of enrollment was the mid-point of the semester (50% point) unless documentation of a different date is provided.
- The withdrawal date for a student who withdraws without providing notification, due to circumstances beyond the student's control, will be determined upon review of valid documentation the school receives related to the events causing the student to cease attendance.
- If a student dies while enrolled, the withdrawal date will be at the latest, the date the student dies, unless notification is received that the withdrawal process began prior to the student becoming deceased.
- The withdrawal date for an administrative withdrawal is not pre-determined. The date is established at the conclusion of a thorough review of events and sufficient documentation supporting the need to administratively withdraw the student
- Students who withdraw from Distance Education programs will be withdrawn as of the date of the student's signature on the notification of their intent to withdraw.

### **Withdrawing from the Summer Payment Period (Semester)**

The summer mini sessions (Summer I and Summer II) are combined into one payment period and treated as one semester. Because one or more courses do not span the entire payment period, the summer semester is considered a module. In this case, the determination of a withdrawal is treated differently than a Fall or Spring semester without modules. During summer enrollment, if a student withdraws from current courses (Summer I), but is also registered in a course(s) starting later in the payment period (Summer II), we are required to determine the amount of Title IV funds earned and return any unearned funds, unless the student provides in writing at the time of withdrawal, he or she will attend Summer II (merely registering for Summer II is not accepted as confirmation to attend Summer II). Should a student not provide written notification they will attend Summer II, the student is not considered to have withdrawn and will be eligible to receive the aid for which he/she was eligible to receive before ceasing attendance.

In deciding whether a student is determined to have withdrawn from the summer payment period (semester), requiring a Return to Title IV calculation, the following questions and responses are applicable:

1. After beginning attendance in the summer semester (payment period), did the student cease to attend or fail to begin attendance in a course he or she was scheduled to attend? If the answer is no, this is not a withdrawal. If the answer is yes, go to question 2.
2. When the student ceased to attend or failed to begin attendance in a course, he or she was scheduled to attend, were they still attending any other courses? If the answer is yes, this is not a withdrawal; however, other regulatory provisions concerning recalculation may apply. If the answer is no, go to question 3.
3. Did the student confirm attendance in a session beginning later in the semester (Summer II)? If the answer is yes, this is not a withdrawal unless the student does not return. If the answer is no, this is a withdrawal, and the Return of Title IV Funds requirements apply.

## **3.4 PARKING AND TRAFFIC FINES**

Each vehicle driven on campus must be registered, and an official permit must be properly displayed. The use of a vehicle on campus is a privilege that may be suspended or revoked. Traffic regulations are enforced by Campus Police, who are empowered to issue traffic tickets. Fines are payable in the Cashier's Office. Restricted parking areas are marked with signs and/or painted curbs. Speed limits are posted on all campus streets. Pedestrians shall, at all times, have the right away.

All tickets and such notices are official notices of the University and must be presented for payment to the Cashier's Office when received. Additional tickets may be issued each day until the situation is corrected, and each ticket constitutes a separate offense. The owner or registrant of the vehicle is liable for any violation of regulations, regardless of who is driving. Fines not paid will be considered a financial obligation to the University and will be placed against your student account and treated as any other obligation.

## **4.0 STUDENT AFFAIRS**

### **4.1 STUDENT IDENTIFICATION CARD**

All students are required to possess and carry a valid student identification card which is used for student and campus-related activity, including mail, health services, the library, the bookstore, the dining hall, to gain admission to events/activities sponsored by the University or student organizations, to establish the student's right to use University facilities, and to identify oneself when requested by University authorities and officials. The card remains the property of the University and may be reclaimed if used by any person other than the student whose name appears on the I.D. Card. It must be surrendered when the student

withdraws or is dismissed from the University or upon request by University authorities. Students are required to carry their I.D. Cards with them at all times.

Identification cards for new students are made during freshman registration, and the cost is included in the matriculation fee. I.D. Cards for returning students are validated upon payment of fees during registration. Replacement I.D. Cards may be obtained from University Police for a fee of \$15.00 each. The fee must be paid to the Cashier’s Office, and the receipt for payment must be presented at the time of the replacement I.D. Card is reproduced. Returning and continuing students and any new student who requests a replacement I.D. Card must pay for the replacement. Student identification cards may be obtained by contacting the University Police at 1900 Reeker or at 870. 575-8104.

## **4.2 L.A. DAVIS STUDENT UNION**

The heart of the campus, the L.A. Davis Student Union Building, is in the center of the institution’s estate. It is the main student center for advocating for inclusivity and equity, fostering respect, and affirming the identities of all individuals; educating students in leadership and social responsibility, offering firsthand experiences in global citizenship, and providing gathering spaces to encourage formal and informal community interactions that build meaningful relationships.

### **4.2.1.A General Regulations for the Student Union**

1. Employees in the Office of Student Involvement and Leadership and L.A. Davis Student Union have the right and responsibility to enforce the LA Davis Student Union policies.
2. The violation of any policies of the L.A. Davis Student Union by any individual may subject the individual and /or the organization the individual may be representing to any one or combination of outcomes as follows: ejection from the facility; suspension or removal of rights to part or entire facility or activity for a stated period.
3. Unauthorized intoxicants, drugs, firearms, and gambling in any form are prohibited.
4. Concourse walk paths and corridors shall be kept open for the safe passage of guests.
5. Alcohol is not permitted in the L.A. Davis Student Union in the accordance with laws of the State of Arkansas and policy and procedures of the University of Arkansas System.
6. Any sound-making devices may not be played at a volume level that would cause discomfort to guests.
7. No animals are allowed in the L.A. Davis Student Union except for animals classified as guides.
8. Bicycles, use of skateboards, roller skates, blades, or scooters is not to be used inside the L.A. Davis Student Union.
9. Food and beverages are not permitted in areas that are marked no food and drinks allowed.
10. The use of electronic devices for cooking, heating, or preparing purposes, such as hotplates, crockpots, etc., is not permissible in this area.
11. All Disc Jockey (DJ) Services are to be approved through the Office of Student Involvement & Leadership before services are rendered. Students are not allowed to set up speaker systems inside or outside the student union without the permission of the building manager. All music played within the area of the student union must be clean radio versions of music.

## **4.3 THE OFFICE OF STUDENT INVOLVEMENT & LEADERSHIP**

The mission of the Office of Student Involvement & Leadership (OSIL) is to engage students in promoting positive social change through transformative learning, community engagement, and leadership development. This office host over 80+ active student organizations and clubs. OSIL also provides administrative oversight organizations and programs funded partially or fully by student activity fees:

Student Government Association, L.A. Davis Student Union Programming Board, UAPB Royal Court, and student publications: *Arkansawyer Newspaper*, and *Lion Yearbook*.

This office organizes an array of programming throughout the year, such as the L.A. Torrence Institute for Excellence in Student Leadership, Chancellor's Distinguished Speaker Series, UPROAR New Student Week, Welcome Week, Spring Unity Fest, and student activities for Homecoming and Founders' Week. leadership retreats, Speaker's Series, Homecoming activities, social justice actives, and many more.

For more information to get involved, please contact our office 870.575.8866 or email osil@uapb.edu.

### **4.3.1 STUDENT ACTIVITY FEES**

The student activity fee that is assessed each semester per student is allocated to the Office of Student Involvement and Leadership for equitable allocation including a variety of programs and events to enrich student opportunities outside of the classroom.

#### **Programs/Activities funded by student fees include:**

**4.3.1.A** Funds to Support Registered Student Organizations

**4.3.1.B** Student Government Association Programming/Official Functions

**4.3.1.C** UAPB Royal Court Programming/Official Functions

**4.3.1.D** Union Programming Board Programming/Official Functions

**4.3.1.E** Office of Student Involvement & Leadership Programming/Official Functions

**4.3.1.F** UAPB student publications include the *Lion Yearbook*, *The Arkansawyer*, and *The ROAR*

In addition to the administration of the student activity fee, the Office of Student Involvement and Leadership provides a variety of services to meet the needs of registered student organizations as well as all students. For more information, call 870.575.8866.

#### **4.3.1.1 UNEXPENDED BALANCES OF INACTIVE REGISTERED STUDENT ORGANIZATIONS**

If a Registered Student Organization that are previously registered with the University and is no longer active on campus and has an expended balance remaining in their organizational agency (organization/department account registered through the Controller's Office) account, the organization can be penalized under the sanctioned defined by the Office of Controllers and Office of Student Involvement and Leadership. If a Registered Student Organization fails to officially re-register with the Office of Student Involvement and Leadership for two (2) consecutive years, it University agency account will be closed. Any unexpended balance remaining in the agency account will be used to fund programs and materials for Registered Students Organizations as University approved.

### **4.3.2 STUDENT ORGANIZATIONS AND ACTIVITIES**

The Office of Student Involvement & Leadership is a vigorous portion of students' experience here at UAPB. A percentage of college learning takes place in the classroom. Students may choose to participate in a wide range of activities, organizations, or student resource groups. The best place to learn about all the student-centered programs is in the Office of Student Involvement & Leadership Suite 211 within the Student Union building. We are committed to providing an environment with intellectual growth, inside and outside the classroom experience. There are many opportunities and benefits to being active within the organizations listed. Through these co-curricularlar activities, students can develop leadership and communication skills, interact with other leaders, administrators, and faculty/staff, increase his/her awareness of available campus resources and enhance his/her development while at college. Extra-curricular activities contribute to the development of leadership outside of the classroom. The Office of Student Involvement and Leadership offers rigorous student development for higher expectations of

students’ behavior; scholarly logic; diverse and multicultural programs; and recreational activities to promote social interaction as well as wellness.

**Higher Expectations of Students’ Behavior** – A student lounge with access to a broadband technology network, a study lounge, a quiet area, a Computer Lab, a seminar room for meetings, a game room, and restaurant areas. Building an environment of aesthetical appearances helps to build a learning culture, leadership abilities, and scholarly practices.

**Scholarly Logic** – An intellectual application of programs has been included through Lecture Series, Leadership Institute, Leadership Training and Development, Seminars, Public Forums, Debates, and Lyceum Series. These types of events have added rigor to inculcate an atmosphere of scholarly performance and accomplishments. The program also encourages students to engage in intellectual interactions and critical thinking.

**Diverse and Multicultural Programs** – The integration of cultural and diverse programming between the Office of Student Involvement and Leadership and the Office of International Programs and Studies has aligned events to promote student engagement and relations intended to reflect all cultures especially non-traditional and minority students. Such events allow students to learn about other cultural differences and to get to know faculty, staff, and administrators alike that are of diverse backgrounds. Monthly activities are scheduled to enhance the balancing of academic and social activities.

**Participation in the Social and Intellectual Life Programs** – It requires participation in extracurricular activities such as cultural, and civic events, and collegial participation in a social atmosphere conducive to intellectual exchange, development, and involvement in the university community. There are a wide variety of student organizations and clubs representing many fields of interest registered at the University. The Office of Student Involvement and Leadership extends to community agencies, schools, and organizations. These involvements build a service learning community as well as a networking establishment.

The student organizations offer students many choices for involvement: Honors, Special Interest, Departmental/Professional, Governing Boards, University Related, Hometown, Residence Hall, Activity and Service, Social Fraternities and Sororities, and Religious clubs.

Students who desire to participate in activities, join an organization, pursue special interests, or assist in the planning of campus events should contact the Office of Student Involvement and Leadership or an officer or advisor of the respective organization.

All organizations **must** be approved on the basis of their potential for providing a worthy supplement to the academic training of students. One goal of the University is to have each student actively participate in at least one organization and reward him/her with the opportunity to become prepared for life after college. All organization financial accounts, unless otherwise stated, **must** be registered within the Office of the Controller and approved by the Office of Student Involvement & Leadership. Organizations not adhering to this policy will be subject to sanctions. The expenditure of funds should be receipted by the Cashier or at the cashier window. No advisor or organization member will be allowed to take money onsite. Please follow the guidelines within the Office of the Controller.

#### **4.3.2.A Faculty/Staff Advisor Criteria**

The following criteria must be met to be a faculty/staff advisor for a Registered Student Organization:

1. Full-time faculty/staff member.
2. Part-time faculty/staff member approved by the Office of Student Involvement and Leadership. Additional advisors may be considered under special circumstances.



3. Advisors approved by the Office of Student Involvement and Leadership must actively participate in the organization and regularly attend meetings of the organizations.

#### **4.3.2.B Faculty/Staff Advisor Responsibilities**

The faculty/staff advisor plays a vital role in the development of student organizations on campus. The success of most student organizations is related directly to the participation and guidance of the faculty advisor. The following responsibilities are applicable to all advisors and are provided to serve as a guide.

1. Advisors should be familiar with the constitution, objectives, and purposes of the student organization.
2. Advisors are expected to provide the necessary guidance to the organization they advise and plan with the officers the activities scheduled by the group.
3. Advisors should be sure that all activities conform to general University policy.
4. Advisors should make sure that all deadlines and the proper procedures are followed in conducting the organization's business.
5. Advisors should ensure that all activities, programs, and other forms of entertainment are in good taste and reflect favorably upon the University. Programs and activities should not be scheduled or presented unless the advisor has full knowledge of the activity or presentation.
6. Advisors should make sure all activities are scheduled on the University master calendar.
7. Advisors or designated chaperones must be present at all meetings, events or activities scheduled by the organization, whether on-or-off campus.

#### **4.3.3 CHARTERING NEW ORGANIZATIONS**

Students interested in forming a campus student organization should pick up a New Interest Student Organization Packet. Packets must be obtained and submitted to the Office of Student Involvement and Leadership (OSIL), located in the L.A. Davis Student Union Building, suite 218. This office will consider the proposal for charter and approve or disapprove it. The temporary head officers of the proposed organization and the campus advisor(s) will be notified of the action taken. Interested organizations submitting their information within the academic school year will be considered during the next academic year. The following guidelines will be used to evaluate the proposed organization:

1. Purpose of the organization.
2. The group's concern for the academic and social standards of UAPB.
3. Provisions for democratic operational procedures.
4. The maintenance and utilization of good business principles.
5. The stated intent of the group is to operate within the policies of UAPB, which govern student organizations.
6. Whether or not the membership plans to use the proposed organization as a vehicle, which will enable them to fulfill the basic purpose and philosophy of the University.
7. Provision for self-expression and self-development.
8. Un-chartered organizations will not be allowed to operate until they have received approval from appropriate certifying authorities. The University has adopted a non-discriminatory policy for membership in organizations regarding race, creed, color, and national origin.
9. A minimum of seven (7) interested/potential full-time students are required to request interest of chartering organizations on campus

#### **4.3.4 REGISTRATION OF NEW AND RETURNING STUDENT ORGANIZATIONS**

An updated list of registered organizations is prepared each academic year by the Office of Student Involvement and Leadership. Therefore, the election of officers is highly encouraged to be held in April of each academic year or at the beginning of the returning school year. All organizations are required to register with OSIL by completing the appropriate registration packet (i.e., officers, faculty/staff advisor

consent) by the primary deadline, May 1<sup>st</sup>, or the secondary deadline, September 10. Any organization that fails to register or submit its dates will be declared inactive for that academic year and will be denied the privilege to function. Any student on probation-academic disciplinary must be relieved of the responsibilities of office by the organization. In addition to the above, each organization is required to submit a summary of activities to the Office of Student Involvement and Leadership (OSIL) for the next academic year. On or before September 10<sup>th</sup>, a roster of members from each organization should also be submitted. Organizations should be registered 5-7 business days prior to functioning. These include, but are not limited to, the following: scheduling events, performing as an active organization on or off campus, and receiving beneficial information to the organization.

#### **4.3.4.A RENEWING YOUR ORGANIZATION EACH YEAR**

At the end of the academic school year, the Registered Student Organization (RSO) Registration Packet is emailed to **all** registered organization presidents and advisors. Each organization is required to complete the information for renewal and to remain active the following year.

##### **Update officer/member/advisor information using the enclosed forms.**

1. Any officer currently listed with the Office of Student Involvement & Leadership can initiate the renewal process.
2. Add or edit members and officers to reflect the current officer slate.
3. Your officers must be registered full-time for classes before you can update them with the Office of Student Involvement & Leadership. In addition, they must meet the other co-curricular requirements (2.5 cumulative GPA and not on academic or conduct probation). Organization members are required to maintain a 2.0 Cumulative grade point average. Organizations may require a higher cumulative GPA, which will be compliant with University policies.
4. All Fraternity/Sorority and Society Organizations members must meet the co-curricular requirements (2.5 cumulative GPA and not on academic or conduct probation). Complete this registration packet and return it to the Office of Student Involvement & Leadership.
5. Student Government Association, Class Officers, and Miss UAPB Organization must abide by the requirements as stated in the handbooks and guidelines adhering to its position.
  - a. RSO Information page – must have a minimum of five total signatures (including officers + members). **ALL** officers must sign (even if there are more than five officers). Please use an additional page if needed.
  - b. Non-discrimination statement (president and advisor(s) must sign)
  - c. End-of-year report (may also email to osil@uapb.edu)
  - d. Your advisor(s) should complete the Advisor Information Sheet (may also email to osil@uapb.edu). Only primary advisors will be contacted and are permitted to sign off on on-campus events. Please use additional pages for the Office of Student Involvement & Leadership to be aware of supplementary advisory team members.

If your RSO constitution has changed in the past year or if it has been over three years since you have submitted a copy, email it to osil@uapb.edu.

Guidelines for constitutions can be obtained in the Office of Student Involvement and Leadership.

#### **4.3.4.B Calendar of Student Activities from Registered Student Organizations**

Student Organization’s activities are essential to the development and growth of students on campus. To assist in an easier process, a physical signature from the advisor is required prior to the organization submitting the list of proposed activities for the year. Calendars (list of organization’s events) are due during the requested time for re-registration for new and returning student organizations. The student organization will be notified of the event/activity request. After receiving the status from the Office of Student Involvement & Leadership, the organization will have until September 30 (Fall) to finalize all activity

requests for the year. All requests/proposals should be submitted completely by using the "Student Activities Calendar form." After September 30, calendars or activities will be strictly limited or declined due to scheduling conflicts. February 15 (spring) is the deadline to submit a revised student activity calendar request form on behalf of the organization. Accommodations may be provided for special meetings, etc.

Granted permission will be provided by the Dean of Student Involvement & Leadership.

#### **4.3.4.B Membership Policy**

Membership in an organization is open to the entire student body. The following membership criteria must be met by all student organizations:

1. **A minimum of five** members is required to remain an active, registered student organization, though exceptions can be made with the approval of the Dean of Student Involvement and Leadership.
2. Officers must be regularly enrolled as full-time students. To be eligible to serve as an officer in any registered student organization, a student must have and maintain at least a 2.500-grade point average and must not be on disciplinary or academic probation either at the time he/she petitions for the office or during his/her term of office.
3. After an election, the names of the new officers must be sent to the Office of Student Involvement and Leadership within five days.
4. Officers must be full-time students enrolled in at least twelve hours each semester during their term in office.
5. The organization's advisor(s) are responsible for validating its officer's eligibility.

#### **4.3.4.C Inactive Membership for Student Organizations:**

Organizations with less than five members will remain on inactive status until the membership quota is determined. Please abide by the policy below.

1. Student Organizations that are within the inactive status, fail to meet the Office of Student Involvement & Leadership guidelines for organizations must not:
  - a. Participate in any campus activities on/off campus as a group or individually, locally, statewide, or nationally.
  - b. Function as a group on-campus/off-campus (this includes community service projects, natural projects, and all other projects in the name of the chapter).
  - c. Permit outside chapters to host activities on campus if an on-campus chapter of that particular Fraternity/Sorority or organization entity falls within the penalty due to the failure to meet standards for the inactive guidelines within the Office of Student Involvement and Leadership.
  - d. The Dean of Student Involvement and Leadership will grant special permission within these regulations.
2. Only **one** interest meeting per semester will be allowed to solicit membership intake for the recruitment of new members.

#### **4.3.4.D Privileges and Responsibilities**

1. The following privileges are granted to registered student organizations.
2. The right to use the name of the University in arranging and publicizing approved events.
3. The right to use the services of the OSIL in planning and scheduling events.
4. The use of classrooms and other University facilities for meetings and activities.
5. The right to use University media for publicity.

The following responsibilities shall be exercised by all approved and registered student organizations:

1. Identify and recommend advisors to the Office of Student Involvement and Leadership.

2. Manage itself within the framework of established University policies governing student organizations. All activities must have advanced approval from the Office of Student Involvement and Leadership.
3. Be accountable for thorough financial planning.
4. Cooperate with the organization's faculty/staff advisor and the OSIL to maximize organizational effectiveness.
5. Have faculty/staff advisor(s) at all meetings, activities, and other social gatherings.
6. Submit a roster of active members to the Office of Student Involvement and Leadership.

#### **4.3.4.D Maintaining Approved Status**

The Office of Student Involvement and Leadership will review annually the operation of each organization. If an organization fails to abide by its stated goals, the Office of Student Involvement and Leadership may recommend withdrawing recognition to the Dean of Student Involvement and Leadership. Should it become apparent that an organization is abusing privileges or failing to accept responsibilities as stated under “Privileges and Responsibilities,” it shall be notified in writing by the Office of Student Involvement and Leadership of the exact nature and extent of the abuse(s) or failure(s).

#### **4.3.4.E REQUIREMENTS FOR INDIVIDUAL MEMBERSHIP**

1. All members must maintain a 2.5 GPA in order to be active in your organization. If your organization has established a higher GPA than 2.5 to be active in the organization, this office will abide by your GPA standards.
2. Members should be free of disciplinary sanctions.

#### **4.3.4.F Requirements for joining a Service Sorority, Society, or Fraternity**

1. Students must have completed 15 semester hours. A transfer student must have completed 15 semester hours at UAPB.
2. Students must have an overall cumulative grade point average of 2.5 and above (Effective Fall 2025, 2.75 will be the required GPA).
3. Students must be enrolled as full-time (12 hours) students at the time of membership intake.
4. Students be registered with the Office of Career Services
5. Students apply to the society, sorority, or fraternity they desire to join.
6. After receiving students' applications, the society, sorority, or fraternity will interview these applicants and vote to accept or reject their applications as prospective members.
7. The society, sorority, or fraternity must notify the applicants via letter or electronic mail if they are accepted or rejected and a membership intake period follows.
8. Each prospective member must be cleared by OSIL. If an organization initiates a person without approval, that organization will be suspended immediately.
9. Each new member shall participate in leadership workshops offered throughout the academic school year.

#### **4.3.4.G Requirements for Joining A NPHC (National Pan Hellenic Council) Social Sorority or Fraternity:**

1. Students must have completed 30 semester hours. A transfer student must have completed 15 semester hours at UAPB.
2. Students must be enrolled full-time (12 hours) at the time of membership intake
3. Students must have a cumulative grade point average of 2.5 at UAPB; however, some sororities and fraternities require a grade point average of higher and above. (Effective Fall 2025, 2.75 will be the required University GPA).
4. Students must be in good standing at the University and **must not** be on disciplinary probation at the time of membership intake.
5. Students be registered with the Office of Career Services

6. Students must apply to the society, sorority, or fraternity he/she desire to join; however, some sororities or fraternities require an invitation to join before making an application.
7. After students receive applications, the sorority or fraternity will proceed with the process of accepting or denying them to move forward within their process; applicants will vote to accept or reject them as prospective members.
8. The sorority or fraternity must notify the applicants if they are accepted or rejected, and a membership intake process follows.
9. The Office of Student Involvement and Leadership must clear each prospective member. If an organization initiates a person without approval, that organization will be suspended.
10. Each new member shall participate in leadership workshops offered throughout the academic school year.

#### **4.3.4.H MEMBERSHIP INTAKE PROCEDURES FOR FRATERNITIES, SORORITIES, AND SOCIETIES**

1. Each organization shall submit to the Office of Student Involvement and Leadership a list of all their members including their ID Number and cumulative grade point average prior to membership intake.
2. Every fraternity, sorority, or society shall present a list of candidates for membership intake to the Office of Student Involvement and Leadership, and all prospective members must be cleared by The Office of Career Services (Registration Verification) and Dean of Student Life (Probationary sanctions) prior to initiation or acceptance into the membership intake program.
3. A list of those prospective members cleared shall be submitted to the advisor of each organization from the Office of Student Involvement and Leadership.
4. Each prospective member will receive a list of the active members in the organization to which they are seeking membership.
5. Each organization shall inform their prospective members and submit to the Office of Student Involvement and Leadership the maximum amount of money prospective members are expected to pay and spend for the membership intake.
6. After students receive applications, the sorority or fraternity will proceed with the process of accepting or denying them to move forward within their process; applicants and vote to accept or reject them as prospective members.
7. The sorority or fraternity must notify the applicants if they are accepted or rejected, and a membership intake process follows.
8. Any fraternity or sorority releasing a student from its membership intake process shall give written notice to the Office of Student Involvement and Leadership no later than forty-eight hours after the time the membership intake program was broken.
9. Any fraternity or sorority who has a prospective member to quit is responsible for submitting the prospective member's name to OSIL within forty-eight hours, with a statement regarding the reason.
10. Each organization shall present a list of persons initiated into their organization at least three days after their initiation into the organization.
11. No membership intake activities should be held between 11 p.m. and 6 a.m., Monday through Friday (or at least authorized by the Dean of Student Involvement and Leadership).
12. No membership intake activities should be held during spring break, mid-terms or Saturdays and Sundays unless special permission is given by OSIL. Override to this notice should be approved by the Dean of Student Involvement and Leadership.
13. In addition, there should be no membership intake process held during the summer.
14. Running and exercising by prospective members are forbidden.
15. Physical abuse and hazing are prohibited by state law and University policy.
16. Membership intake activities must not in any way infringe upon the individual rights of the student.

17. All membership intake activities must take place on the campus unless special permission is requested by the organization and approved by OSIL.
18. An advisor must be present at all meetings and activities on or off campus that are pre-approved.
19. No activity regarding prospective members shall be held in the residence halls.
20. Only financial and academically active undergraduate members enrolled at UAPB may participate in membership intake activities.
21. Each organization shall turn in the Current Member Anti-Hazing Form before membership intake begins.
22. Membership Intake New Initiate Hazing Compliance Form must be submitted 24 hours after the final meeting.

#### **4.3.5 REGISTERED STUDENT ORGANIZATIONS**

Please check with the Office of Student Involvement & Leadership for the updated list of organizations. Organizations vary by year.

##### **4.3.5.A Department Clubs and Professional Societies**

1. Accounting & Finance Association
2. American Chemical Society (ACS)
3. Animal Science Club
4. Aquaculture/Fisheries Club
5. Arkansawyer (Mass Communications)
6. Association for Computing Machinery (ACM)
7. Biology Club
8. Black Law Student Association-Pre-Law Division
9. Educators Rising
10. George “Doc” Jones Forensic Association
11. Hall Woodruff Art Guild
12. Health, Physical Education & Recreation Club (HPER)
13. Human Development & Family Studies Club
14. Human Sciences Club
15. Investment Club
16. Lambda Alpha Epsilon (Criminal Justice)
17. Marketing Club
18. Minority Association of Pre-Medical/Health Stud (MAPS)
19. National Association for the Advancement of Colored People (NAACP)
20. National Association of Black Journalists
21. National Association of Black Social Workers
22. National Association of Colored Women’s Club, Inc. (L.I.F.T.)
23. National Society of Black Engineers (NSBE)
24. National Society of Minorities in Agriculture, National Resources & Related Sciences (MANRRS)
25. National Society of Minorities in Hospitality Club
26. Political Science Club
27. Psychology Club
28. Regulatory Science Club
29. Science Technology, Engineering & Mathematics Academy Club (STEM)
30. Social Work Club
31. Student-Arkansas Education Association
32. Student-Athlete Advisory Committee Organization (Department of Athletics)
33. Student Nurses Association
34. The Transfer Student (T-Stu)
35. The Fashion Network

36. UAPB Collegiate 4-H Club
37. Vesper Choir

#### **4.3.5.B Governing Boards**

1. Residence Hall Association
2. International Student Association
3. National Pan-Hellenic Council (NPHC)
4. Student Government Association (SGA)
5. Student Government Association Election Board
6. Union Programming Board (UPB)
7. Graduate Student Association

#### **4.3.5.C Honor Societies**

1. Alpha Chi (National College Honor Society)
2. Alpha Kappa Mu (National Scholarship Honor Society)
3. Carolyn F. Blakely Honors Program
4. Chi Alpha Sigma (Athletic)
5. Delta Mu Delta Honor Society (Business)
6. Kappa Delta Pi (Education)
7. Kappa Omicron Nu Honor Society
8. Phi Alpha Theta (History)
9. Pi Mu Epsilon (Math)
10. Psi Chi (Psychology)
11. Sigma Tau Delta (English)
12. Tau Iota Mu (Biology)

#### **4.3.5.D Religious Organizations**

1. Baptist Collegiate Ministry (BCM)
2. Chi Alpha Christian Fellowship
3. The Yard Voices of Praise
4. Wesley Foundation @ St. James
5. Word of Faith

#### **4.3.5.E UAPB Royals**

1. Miss University of Arkansas at Pine Bluff
2. Mister University of Arkansas at Pine Bluff
3. Miss Freshman
4. Mister Freshman
5. Miss Sophomore
6. Mister Sophomore
7. Miss Junior
8. Mister Junior
9. Miss Senior
10. Mister Senior

#### **4.3.5.F National Pan-Hellenic Council Fraternities & Sororities**

1. Alpha Kappa Alpha Sorority, Inc.
2. Alpha Phi Alpha Fraternity, Inc.
3. Delta Sigma Theta Sorority, Inc.
4. Kappa Alpha Psi Fraternity, Inc.
5. Omega Psi Phi Fraternity, Inc.

6. Phi Beta Sigma Fraternity, Inc.
7. Sigma Gamma Rho Sorority, Inc.
8. Zeta Phi Beta Sorority, Inc.

#### **4.3.5.G University Classes**

1. Freshman Class
2. Sophomore Class
3. Junior Class
4. Senior Class

#### **4.3.5.H University Service Societies**

1. Vikette Society
2. Vikings Bi Fidelity Society

#### **4.3.5.I University Music-Based Fraternities/Sororities**

1. Kappa Kappa Psi National Honorary Band Fraternity
2. Mu Alpha Mu Choral Sorority
3. Mu Alpha Nu Choral Fraternity
4. Phi Mu Alpha Sinfonia Fraternity
5. Sigma Alpha Iota Music Fraternity
6. Tau Beta Sigma National Honorary Band Sorority

#### **4.3.5.J Special Interest Organizations**

1. Black Essence Modeling Team
2. Black Male Achievers
3. Critical Purpose
4. Essence of a Woman
5. Health Awareness Peer Educators
6. Total Equality Advocates (T.E.A.)
7. Twisted Kreations Modeling Team
8. UAPB Show Stoppers

#### **4.3.6 Intramural Sports**

Students participating in Intramural sports must have and maintain an accumulative grade point average of 2.0 and must not be on disciplinary probation in the Office of the Dean of Students. For more Information Regarding Intramural Sports, visit the L.A. Davis Student Union.

#### **4.3.7 MEMBERSHIP INTAKE PROCESS FOR APPROVED REGISTERED STUDENT ORGANIZATIONS**

Information regarding membership intake for approved organizations must follow the guidelines provided by the Office of Student Involvement & Leadership. For more information, please contact the office by calling 870.575.8866, emailing osil@uapb.edu, or stopping by the Office of Student Involvement & Leadership Suite 211 in the Student Union Building.

#### **USE OF FACILITIES for Registered Student Organizations**

The Office of Student Involvement and Leadership approves activities to ensure the maximum and most appropriate utilization of facilities. Every reasonable effort will be made to honor all requests.

Any UAPB-registered student organization may use University facilities for open or closed meetings, membership intakes, or performances subject to campus scheduling procedures.



Registered student organizations may schedule social activities (requiring a fee), as well as regularly scheduled organizational meetings, and activities such as forums, public service, etc., on the calendar at one time, which require the confirmation that the space is being reserved for their use each semester in advance. They may schedule additional activities up to three (3) weeks in advance if space is available.

Examples of activities that must be scheduled are regular meetings, fundraisers, receptions, luncheons, banquets, open houses, special meetings, parties, dances, rush activities, movies, rehearsals, contests, step shows, talent shows, etc.

All scheduled activities involving food-related items must complete a food waiver form to be placed on file prior to hosting the event. Copies of the forms can be found in the Office of Student Involvement and Leadership or by contacting UAPB Dining Services.

### **Student Organization Policy for Facilities**

If any student or student organization is found abusing these privileges by obtaining a facility for an off-campus organization or person(s), they will be charged a rental fee or lose their privileges to use campus facilities.

When the University officials announce the campus to be closed by official notification, all activities/events must be canceled/rescheduled to another date and approved by the Office of Student Involvement & Leadership.

### **SCHEDULING PROCEDURE FOR USE OF FACILITIES BY STUDENT ORGANIZATIONS**

In the interest of minimizing conflicts, all meetings and special events (i.e., dances, concerts, speakers, workshops, etc.) sponsored by registered student organizations must be placed on the Event Management System (EMS)-Student Organization Portal under the direction of the Office of Student Involvement and Leadership. All student organization activities should receive prior approval before the organization schedules the activity.

Once approved, the information is to be submitted by the organization’s advisor using the EMS Student Organization portal. Using the portal will alert approval from the Office of Student Involvement & Leadership > building manager > facilities management > Campus Police. Within your EMS reservation, you should be notified of any updates recommended by each approving department. Please follow-up within the following areas above if you have not received notification. It is the organization’s responsibility to follow-up on the status of their request by reviewing the EMS submitted by the organization.

All modifications, such as cancellations or updates, should be made in advance using EMS. Proposing alterations closer to the event may disable the organization the inability to do so, due to the timing of preparation from Facilities Management or building manager.

## **4.3.8 EVENTS SPONSORED BY UAPB STUDENT ORGANIZATIONS ON CAMPUS**

### **4.3.8.1 On Campus Events**

The procedural policies that follow govern the requirements for sponsoring events:

1. Permission to sponsor an event will be normally granted to those organizations whose advisor(s) have signed the form stating that they will be present from the start of the event and remain on duty until the event ends.
2. None of the above will begin until the advisor or chaperone or some other authorized person of the organization and the appropriate Campus Police are present.

3. No person will be admitted to a dance, party, or any social engagement without a valid I.D. card from UAPB. Special permission will be granted by the Dean of Student Involvement and Leadership.
4. Any social event such as parties, dances, shows, or any occasion within the nature should be held on Friday and Saturday nights. On-campus events must be scheduled to end no later than 2:00 a.m. on Friday and 1:00 a.m. on Saturday unless special permission is granted by the OSIL. Requests for any other night must have the approval by the Office of Student Involvement and Leadership with the understanding that the event or activity occurring on a weeknight must be over by 10:00 p.m., unless special permission is granted by the Dean of Student Involvement and Leadership.
5. All students must present valid I.D. cards before entering a on-campus social or dance sponsored by an organization, unless that organization has a special clearance by the Office of Student Involvement and Leadership.
6. Students are responsible for their guests. Therefore, any student who desires their guests to attend social activities with them must be responsible for the proper conduct of his or her friend.
7. Calendar dates assigned will not be passed on to another group without the consent of the Office of Student Involvement and Leadership.
8. Registered Student Organizations are not permitted to host activities on or after the day of classes, day of study, mid-term examination week, Spring Break, Finals Examination Week, or conflicting events scheduled by the University or preapproved organization activities.

#### **4.3.9 POSTING OF MATERIALS RULES AND REGULATIONS FOR RSOs.**

1. All persons interested in distributing posters, flyer information, signs, etc., must first receive clearance from the Office of Student Involvement and Leadership. The Office of Student Involvement and Leadership must stamp all posters, flyers, announcements, etc. Each flyer and/or poster announcement must be stamped by OSIL. Failure to follow these procedures will result in the posted information being removed. Most campus bulletin boards are available. (Always check with the building manager or his designee for the particular building).

**4.3.9.A** Approved signs may be placed on stakes and driven into the ground away from sidewalks and pathways.

**4.3.9.B** Freestanding approved signs on a table or outside are permissible. (No portable signs).

**4.3.9.C** Signs, banners, and billboards are not prohibited on University buildings.

**4.3.9.D** All posters, memos, bills, notices, etc., should be attached to the bulletin boards with tacks or tape, no staples. Materials must not be posted directly to:

- i. Walls
- ii. Doors
- iii. Windows
- iv. Chalk/Dry Erase Boards
- v. Shrub, trees, plants, or on any landscaped area
- vi. Fence, Chain, or its supporting structure
- vii. Brick, concrete, masonry structure, or any other finished surfaces on the campus

**4.3.9.E.** Materials for distribution on University property must not contain:

- vi. Writings that are explicit, slanderous, or in violation of federal, state, or local laws.

**4.3.9.F** Materials, which attempt to exploit for commercial purposes the name, image, or reputation of the University of Arkansas at Pine Bluff through the sale of subscription copies or the sale of advertising space is prohibited.

**4.3.9.G** Materials for distribution on University property should contain:

- a. The name of the organization, date, time of the event, location, and contact information, such as the email and or phone numbers of other individuals responsible for hosting the event.

**4.3.9.H** Materials should not overlap or cover other advertising. A poster larger than 11X14 should not be posted on bulletin boards.

**4.3.9.I** Persons or organizations that advertise or post signs are responsible for the removal of the material when the date for posting has expired. Signs must be removed from the campus bulletin boards later than forty-eight (48) hours following an event.

**4.3.9.J.** Advertisements for events, activities, and recruitment within organizations should be posted for a minimum of 5 business days within the event.

#### **4.3.10 OFF-CAMPUS TRAVEL FOR STUDENT ORGANIZATIONS**

The "Notification of Off-Campus Travel of Students" form must be submitted to the Dean of Student Life before permission is granted for travel. Forms can be secured from the Office of the Dean of Student Life office or the UAPB website under Dean of Student Life forms. A copy of the approved document must be sent to the Dean of Student Involvement and Leadership to approve Registered Student Organizations (only).

##### **4.3.10.1 Off-Campus Events**

1. Permission to sponsor an event will be granted to those organizations whose advisors sign forms stating that they will be present from the start of the event and remain on duty until the event ends.
2. No event will begin until the advisor or chaperone and Police Officers/security team are present.
3. Off-campus events must conform to the laws of the City of Pine Bluff.
4. The Dean of Student Involvement and Leadership must approve all off-campus event sites.
5. If the event is held at a private Facility/Club, a statement from the owner indicating that security will be on duty and will be hired by the owner must be submitted to the OSIL.
6. Dance/parties of any kind should be held on Friday and Saturday nights.
7. A copy of the security/police mandating the event should be given to the Office of Student Involvement & Leadership, along with the space request form, prior to hosting the event.
8. A certificate of insurance is required before approval of the off-campus activities.
9. Security Officers must be bonded and licensed with proof of identification. This information must be approved prior to hosting an event.

##### **4.3.11 GENERAL ORGANIZATIONAL POLICIES**

1. A student organization may not conduct any activity on the university campus unless official registration has been granted. Requests for dates will be addressed to the Office of Student Involvement and Leadership.
2. The Vice Chancellor of Academic Affairs must approve all school assemblies and class dismissals for programs/assemblies.
3. At a registered student organization event, if an altercation occurs, the event will end immediately due to safety precautions. If the event is not ended immediately, that organization will be disciplined.
4. No organization will bargain, lease, sell, or buy any property or service without institutional approval.
5. Organizations are expected to render programs and services, which will enhance the total program of the organization community. Disorganized money-raising affairs, public programs for persuading, and publicity with little regard for educational value are not allowed.
6. The University of Arkansas at Pine Bluff is the institution organizations owe their greatest loyalty. Any organization, which is found guilty of illegal relationships or encouraging violation of school regulations, forfeits its right to function on the University campus.

7. Students who are placed on academic probation when their cumulative grade point average falls below that corresponding to the particular semester hour credit range outlined in the University Catalog, will be declared inactive (with no participation) until the cumulative average is raised.
8. Any organization using a Disc Jockey at on-campus events must have approval from the Office of Student Involvement and Leadership.
9. Registered student organizations are required to update their constitution every three years and turn it into the Office of Student Involvement and Leadership.
10. No organization should perform or chant (outside of ceremonial hymnals) at Commencement, Founders' Day, Convocation, etc.
11. All student organizations should have accounts registered through the Office of Controller for finances and expense concerns. All organizations must abide by the University Policies for organizations registered within the office accounts. Permitted organizations will be responsible for this policy.

#### **4.3.12 REGISTERED STUDENT ORGANIZATIONS STANDARDS OF CONDUCT**

##### **4.3.12.A. Disciplinary Actions, Penalties, and Procedures**

All student organizations and groups of the university community are responsible for being in compliance with the standards of conduct of the university and with federal, state, and local laws. Upon satisfactory proof that the organization did not discourage or did not take reasonable steps to prevent violations of university standards of conduct or federal, state, and local laws, the organization will be subject to disciplinary action. Student organizations and their members should respect all members of the entire University community. The University may report alleged violations of University regulations by Student Organizations to the Student Organization's governing body or affiliated organizations and may work collaborative with those entities to come to a mutually agreed upon resolution.

Individual student misconduct that occurs during the participation in an activity sponsored or engaged in by a Student Organization does not eliminate the individual student's responsibility under the misconduct provisions of the Code of Student Life. Individual students are held accountable for actions taken while participating in a Student Organization's activity. This does not eliminate the accountability of the Student Organization for its actions. The University holds Student Organizations accountable for acts taken by the organization that violate the misconduct provisions outlined in the Code of Student Life Section I, Student Standards of Conduct, in addition to any violations of Student Organizational regulations outlined within other University or departmental-related policies.

The following infractions and/or other acts committed by an organization or its members which violate University regulations will result in disciplinary action that may consist of warning, probation, removal of certain privileges, suspension, and/or expulsion: hazing, organizations fighting each other, disorderly conduct, interference with University activities by other organizations or persons, poor academic performance, social misconduct, discrimination or inappropriate activities. When the University is not in session, and an organization violates one of the above rules, that organization will be punished for its actions.

The following administrative procedures will be used to address alleged misconduct by Student Organizations:

##### **Filing a Complaint**

- Any academic or administrative official, faculty member, staff member, student, or community member may file a verbal or written complaint with the Office of Student Involvement and Leadership against a Student Organization for a violation of the Student Code of Conduct.

- The University of Arkansas at Pine Bluff’s ability to investigate reported incidents and enforce the University’s policies depends on the accuracy and specificity of the information provided. Complainants, victims, and reporters are encouraged to provide as much specific detail (i.e., names, dates, times, location, nature of the behavior, etc.) as possible so that appropriate action may be taken. Reporters have the option to submit a report anonymously, though officials prefer contact information be provided for necessary follow-up. Should contact information not be provided, the University of Arkansas at Pine Bluff’s ability to investigate and address the behaviors reported may be limited. To the extent possible, identity may be kept confidential. All individuals are encouraged to contact law enforcement immediately if they feel unsafe or threatened.
- While action on a complaint of a violation is pending, the status of the Student Organization shall not be altered except for reasons outlined below or as otherwise provided for in University policy.

### **Presumption of Non-Responsibility – Standard of Proof**

- Subject to all other provisions of the Code or University policy, any Student Organization charged with an infraction under this Code shall be presumed “not responsible” for a violation until determined to be “responsible” by a preponderance of evidence; for a Student Organization to be found responsible for a violation, the evidence must indicate that it is more likely than not that the violation occurred.

### **Preliminary Investigation**

When the Office of Student Involvement & Leadership receives information that a Student Organization has allegedly violated University policies or local, state, or federal law, the Office of Student Involvement and Leadership will contact the Dean of Student Life to investigate the alleged violation, collaboratively. After completing a preliminary review of the complaint, within seven (7) business days, or as soon as possible thereafter, the Dean of Students or designee may dismiss the allegation or may proceed with the Student Organizational conduct process as outlined below and notify the Office of Student Involvement or department/division the Student Organization reports to directly of actions to be taken.

Proceeding with the Student Organizational conduct process may involve:

- The DOS or Designee reserves the right to impose an Interim Action at any point as described below which will remain in effect pending full investigation and resolution through the Student Conduct process.
- A Charge Plus Sanction Communication Letter that is the result of a collaborative review by an Office of Student Accountability and the Student Organization’s affiliated and/or governing organization.
- An Administrative Hearing with an Office of Student Accountability Hearing Officer

Prior to the filing of formal charges, the Office of Student Involvement and Leadership shall notify the Student Organization’s president and primary and/or chapter advisor of record of the allegations and shall request an investigative meeting. Prior to the meeting, the Office of Dean for Student Life will instruct the chapter president or other officer designated by the chapter advisor to gather information regarding the allegation(s). As part of the preliminary review, the Office of Dean for Student Life requires that the Student Organization conduct interviews with officers and other individuals, including members of the Student Organization who might have pertinent information relating to the alleged misconduct by the Student Organization and are deemed relevant to the inquiry by the Office of Student Involvement and Leadership. Additionally, the Office of Dean for Student Life requires the Student Organization to arrive at the investigative meeting prepared to explain how the Student Organization has responded to the incident(s) in question and what plans have been developed to deter future violations. Notwithstanding the findings of the Student Organization, the Office of Dean for Student Life the right to formally address the matter as it deems necessary.

### **Charge Plus Sanction Communication**

When appropriate, and/or in collaboration with the Office of Student Involvement & Leadership, the Office of the Dean of Student Life may utilize communications which notify the Student Organization of the charges as well as the prescribed Sanction(s). Student Organizations receiving such communications will be afforded a hearing upon request. If a Student Organization does not request a hearing within five (5) business days, as described in the communication, the Student Organization will be deemed to have accepted responsibility for the charge and to have agreed to the Sanctions as outlined in the communication.

### **Pre-hearing Conference**

- If the preliminary investigation indicates that there is reasonable cause to believe that misconduct has occurred on the part of a Student Organization, the Office of the Dean of Student Life may levy formal charges.
- These charges will be specifically outlined in a letter addressed to the president of the Student Organization, with a copy to the Student Organization’s advisor. This letter shall be emailed to the Student Organization’s president of record and the Student Organization’s advisor of record, as maintained and supplied by the Office of Student Involvement & Leadership or the department/division that the group directly reports to.
- The letter shall also include a time, date, and place for a pre-hearing conference to be held no sooner than five (7) days from the date of the letter. If the designated representative of the Student Organization fails to attend the scheduled pre-hearing meeting, a reminder communication will be forwarded to the Student Organization’s president and advisor. This communication will inform the Student Organization of a second scheduled appointment.
- If the Student Organization fails to attend its second appointment, the Hearing Officer will proceed with the Administrative Hearing in the Student Organization’s absence. The hearing in absence will not be held fewer than seven (7) days from the date of the original charge communication. The purpose of the pre-hearing conference is to explain the rights, responsibilities, and conduct procedures to the accused Student Organization. The pre-hearing conference provides an opportunity for the Student Organization to discuss the charges. The Student Organization must be represented at this conference by one or more of its officers. The advisor may attend the pre-hearing conference in an advisory capacity only; however, one of the student officers must be designated as the official spokesperson for the Student Organization.

### **Administrative Hearings**

The purpose of an Administrative Hearing is to determine whether the Student Organization is “responsible” or “not responsible” for violating the Student Code of Conduct. No later than seven (7) days from the date of an Administrative Hearing, a decision will be made based on available information, with or without the attendance of the Student Organization, provided that efforts have been made to notify the Student Organization of the Administrative Hearing. In the event the Student Organization fails to attend its pre-hearing conference, the presumption of the Office of Dean of Student Life and the Hearing Officer will be that the Student Organization denies responsibility for all allegations. Hearings in the absence of a Student Organization will be conducted and decided by a Hearing Officer.

When a Student Organization is found “responsible” and Sanctions are deemed appropriate, Sanctions will be imposed by the Hearing Officer. If a Student Organization fails to attend a hearing, the president of record and the Student Organization’s primary advisor of record will be notified in writing of the outcome of the hearing. The Office of Student Involvement and Leadership will send a copy of that written notification to the Office of Student Involvement & Leadership or University department in which the Student Organization is housed or to which the Student Organization reports. In situations where a Student Organization is found “not responsible” for the charged violations, but the Hearing Officer concludes that

the Student Organization would benefit from an educational conversation with appropriate University officials, the Hearing Officer may require a Student Organization to participate in such a conversation.

### **Administrative Action**

When, in the sole discretion of the University, an allegation against a Student Organization gives reasonable cause to believe that the Student Organization represents a threat to the safety, security, or welfare of the University community, causes a significant disruption to the University of Arkansas at Pine Bluff community, and/or is an obstruction to accomplishing the University's mission, immediate administrative action may be warranted. Under such circumstances, the Dean of Student Involvement and Leadership or their designee has the authority to immediately suspend all or some activities of the accused Student Organization. Any restrictions outlined will be clearly presented to the Student Organization in the form of an Administrative Action Letter. All Administrative Actions are subject to review by the Vice Chancellor for Student Affairs. Student Organizations that request a review must do so within three (3) business days of issuance of the Administrative Action notification. In the case of Administrative Actions, the University will make reasonable efforts to implement the procedures outlined above for considering a complaint as quickly as is feasible under the circumstances.

### **Appeal Procedures**

The decision rendered in a hearing shall be final, subject only to the Student Organization's right of appeal pursuant to the Student Code of Conduct

### **Student Conduct Records for Student Organizations**

- Records maintained for Student Organizations are matters of public record. All information pertaining to individual students is protected by 35 FERPA and subject to redaction prior to release.
- Student Conduct records for individual students are confidential and are not made available to unauthorized persons except upon consent of the student or as otherwise provided by law, including the Family Education Rights and Privacy Act (FERPA).
- Student Conduct records for all Student Organizations are retained for seven years after the date on the conduct decision letter, at which point the record is archived, with the exception of cases that involve administrative actions, which are maintained indefinitely

### **Authorized Student Conduct Sanctions**

Sanctions assessed will list the length of time for the Student Conduct standing, the specific privileges to be forfeited and length of privilege revocation (unless indefinite), and any and all other conditions established as a part of the Sanction. Student Conduct Sanctions are fashioned in a manner that will redirect the Student Organization's inappropriate behavior, encourage responsible judgment and ethical reasoning, protect the community's property and rights, and affirm the integrity of the institution's Conduct standards. The Dean of Student Involvement & Leadership, or their designees, as applicable, is authorized to impose any one or a combination of Sanctions appropriate to address the Student Organization's misconduct. Generally, the Sanction of Revocation of University Registration will be implemented in matters where a Student Organization's actions:

Threaten or harm the safety or property of the individual, members of the individual's organization, or other persons or entities; and/or

- Persistently disrupt the University community; and/or
- Include multiple serious violations of the Student Code of Conduct.
- However, other types of serious violations may warrant a temporary or indefinite revocation of registration rights as well.

### **Student Conduct Sanctions**

- *University Censure:* A University Censure is a warning. A Student Organization may be placed on University Censure for a specified period of time.

- *Conduct Probation:* This Sanction is imposed when a Student Organization’s actions are found to be serious, but not serious enough to warrant Revocation. The Student Conduct authority shall indicate the length of the probationary period. In the event of a further violation of this Code while on Conduct Probation, the DOS or designee will generally seek the penalty of Revocation.
- *Revocation of University Registration:* A process whereby the University revokes the rights and privileges of a Registered Student Organization (RSO). Rescission involves removal of registration privileges for a specified period of time (temporary or indefinite) and may carry with it conditions that must be met prior to the Student Organization’s reinstatement to campus. During the period of Rescission, the Student Organization may not formally or informally gather past or current members on campus, register as an RSO, utilize any University of Arkansas-owned property, or recruit new members. Failure to abide by this condition may result in arrest for trespassing and/or further Student Conduct Sanctions. A Student Organization’s return to campus after a Rescission requires that the Student Organization apply to the DOS for reinstatement at the close of the imposed period. The DOS determines whether the Student Organization has met the conditions imposed and is otherwise eligible for return. These records are maintained indefinitely.
- *Educational Sanctions:* All consequences of conduct hearings are intended to be educational. In this context, however, the term “educational Sanctions” specifically describes those tasks, assignments, or experiences that a Student Organization is obligated to complete as a result of a Hearing Officer’s decision. Educational Sanctions may be imposed in combination with or as a condition of any other Student Conduct Sanction. Educational Sanctions may, for example, require the Student Organization to attend a workshop, lecture, or meeting, to perform community service, or to conduct training for the Student Organization’s members.
- *Removal of Activity Privileges:* This option may be exercised if it is believed by the Hearing Officer that restricting or removing specified activities or privileges might be an effective 36 educational Sanction. This approach may be particularly useful when the violation is related to a University activity, such as a fight during an intramural game or an alcohol violation at a University-sponsored event.
- *Restitution:* Restitution is one likely response to situations that involve medical expenses or destruction, damage or loss of property incurred as a result of a violation of the Code. When restitution is required, the Hearing Officer obligates the Student Organization to compensate a party or parties for a loss suffered as a result of the violation(s). If the Student Organization is unable to make monetary restitution within the required reasonable time period, the Hearing Officer may arrange alternative means such as commensurate service and/or replacement. vii. *Removal from a Living Unit:* In imposing this Sanction, the Hearing Officer may require a Student Organization to vacate a particular residence hall, Greek living unit, or all University facilities.

### **4.3.13 HAZING**

#### **4.3.13.A. General Application**

No student of any school, college, university or other educational institution in Arkansas shall engage in what is commonly known and recognized as hazing or encourage, aid, or assist any other student in the commission of this offense.

#### **4.3.13.B. Definition**

**Hazing is defined as follows:**



Actions taken and situations created in connection with initiation into or affiliation with an organization, extracurricular activity, or sports program. Hazing includes any willful act by one (1) student alone or acting with others which is directed against any other student that encourages, aids, or assists any person in hazing or knowingly acquiesce in the commission of hazing. Hazing is defined as:

- Behavior that is done for the purpose of intimidating the student, attacking by threatening him or her with social or other ostracism or of submitting student to ignominy, shame, or disgrace among his or her fellow students, and acts calculated to produce such results that are designed or with the effect of producing mental or physical discomfort, embarrassment, harassment, or ridicule or interfering with academic achievement.
- Playing abusive or truculent tricks to frighten or scare another individual.
- Behavior that is done for the purpose of humbling the pride, stifling the ambition, or impairing the courage of a student to discourage him or her from remaining enrolled or provides reasonable cause for the student to leave the institution rather than submit to such acts.
- Such activities may include but are not limited to the following:
  - Excessive or involuntary use of alcohol
  - Paddling or physical abuse in any form
  - Creation of excessive fatigue
  - Kidnapping
  - Degrading or humiliating games and activities

#### **4.3.13.C. Failure to Report**

No person shall assist any person in committing the offense of hazing, willfully agree in the commission of the such offense, or fail to report his/her knowledge of the presence and practice of hazing in this State promptly to an appropriate administrative official of the school, college, university, or other educational institution in Arkansas. Any act of omission or commission shall be deemed hazing under the provisions of the Section.

#### **4.3.13.D Possible Charges**

The offense of hazing is a Class B misdemeanor

#### **4.3.13.E Possible Punishment**

Upon conviction of any student of the offense of hazing, he/she shall, in addition to any punishment imposed by the court, be expelled from the school, college, university, or other educational institution he is attending.

#### **4.3.13.F Disclaimer**

Nothing in this Act shall be construed as in any manner affecting or repealing any law of this State respecting any other criminal offense.

### **4.3.14 STUDENT GOVERNMENT ASSOCIATION**

Student Government Association is the Official voice of the student body. For more information regarding student concerns or becoming a member of the SGA, please contact the Student Government Association located in the Student Union building, second floor.

### **4.3.15 STUDENT ELECTIONS**

Student elections for the Student Government Association, Student Senate, and UAPB Royal Court are conducted in the Spring semester of each academic year. Freshman officers are elected in the Fall.

Election information is shared through campus communications and student portals.

Candidates are responsible for meeting and maintaining the standards outlined in the Qualifications for Officers.

Applicants for Class Officer positions must match the classification of their academic hours for the following academic year of service.

Transfer students must have at least 15 credit hours from UAPB before applying for an SGA office or Royal Court position.

For more information about being engaged and involved, please contact the Office of Student Involvement & Leadership at 870.575.8866 or [osil@uapb.edu](mailto:osil@uapb.edu), and [sgaelections@uapb.edu](mailto:sgaelections@uapb.edu).

#### **4.3.16 STUDENT GOVERNMENT ASSOCIATION CONSTITUTION**

*We, the Student Body of the University of Arkansas at Pine Bluff, in order to establish an official and representative student organization to address student concerns, promote effective representation and responsible student participation in university governance, advocate for academic excellence and quality education, and provide an official voice for student opinion, do hereby adopt and establish this Constitution for the Student Government Association of the University of Arkansas at Pine Bluff.*

##### **4.3.16.A.1 Article I—Name, Purpose, and Duties Section I – Name**

The name of this organization shall be known as the Student Government Association of the University of Arkansas at Pine Bluff, and hereafter may be referred to as the “Student Government” or “SGA”.

##### **Section II – Purpose and Duties**

The Student Body shall establish a Student Government Association which shall govern and represent the interest of the Student Body. The Student Government Association is the highest-ranking student organization at the University of Arkansas at Pine Bluff and is officially chartered to speak on the behalf of the student body to the University Administration, as well as all internal and external organizations. The Student Government Association shall be accountable to Student Body.

The following items constitute the purpose and duties of the SGA:

- 4.3.16.A.1.1** To provide an official and representative student organization.
- 4.3.16.A.1.2** To serve as representatives of the University of Arkansas at Pine Bluff.
- 4.3.16.A.1.3** To promote effective, transparent representation and responsible student participation in the overall policy and decision-making processes of the University.
- 4.3.16.A.1.4** To promote academic excellence and quality education.
- 4.3.16.A.1.5** To provide the official voice through which student opinions and concerns may be expressed.
- 4.3.16.A.1.6** To develop and promote University spirit and cooperation among the students, faculty, administration, and community.

#### **Article II-Membership and Terms of Office**

##### **Section I- Membership**

All students, by virtue of their active registration at the University of Arkansas at Pine Bluff, are members of the Student Body and are granted all the rights and privileges of this Constitution.

## **Section II – Holding an Official Position**

All persons elected or appointed to an SGA position are subject to all rules and regulations that may be enacted by this organization.

## **Section III- Terms of Office**

New SGA Officials and class officers, with the exception of freshmen, shall be elected in the spring general election by a popular vote of the student body administered no earlier than the 1st of March and later than the 30th of April. The term of office shall be from their swearing in to the end of Founder’s Week.

## **Section IV- Membership Impeachment**

SGA Officials and class officers may be impeached and removed from office for violations of this constitution, breaches of the university code of student conduct, or failure to execute duties of their office.

All cases of impeachment, for the purpose of removal, shall originate in the Student Senate. The Chief Justice of the Supreme Court will preside in the place of the Senate President when the President or Vice President of the SGA is being impeached. When sitting for that purpose, all members shall take the affirmation to be impartial jurors. No member may be impeached without the concurrence of two-thirds (2/3) of the Senate. Removal of any member of the three branches of government shall result from embezzlement, felony, fraud, malfeasance in office, conduct detrimental to the best interest of the SGA, and action contrary to or in violation of the letter and spirit of the constitution.

## **Section V- Office Space**

Office space in the L.A. Davis Student Union is provided each school year for elected Student Government Association officials. The period of occupancy shall be May 1, starting the semester elected through April 28th of the following year. Upon the completion of the official’s term in office, the officer must account for his/her assigned inventory and return all keys to the OSIL. Any items not returned may result in fees charged to the student’s account.

### **4.3.16.B Term of Office**

**May 1 – April 28**

### **4.3.16.C Article III-Composition**

**The SGA shall be divided into the following three branches:**

1. Executive
2. Legislative
3. Judicial

### **4.3.16.D Article IV-Legislative Branch**

## **Section I – Composition of the Legislative Branch**

### **Section I – Membership**

The Senate will be composed of 32 Senators:

- 3 students per class (Freshman, Sophomore, Junior, Senior)
- 1 student per residential hall (Hunt, Lewis, Douglas)
- 4 students per residential complex (Harrold Complex, Johnny B. Johnson, Delta, and the combined)

- 1 representatives from each academic school (Arts & Sciences, Business & Management, Education, Agriculture, Fisheries & Human Sciences, University College)

### **Section II – Qualifications**

Each senator must be a member of the class, hall, or department he or she represents. He or she must be a full-time student and, with the exception of freshmen, have a cumulative grade point average of 2.75 He or she must become familiar with Robert's Rules of Order and is required to attend a Parliamentary Procedure Workshop conducted by the election board prior to assuming office.

### **Section III - Election and Term of Office**

With the exception of freshmen class senators, who will be elected during the fall election, class senators will be elected in the spring general election by popular vote of the members of their class. Department Resident Halls and Academic School senators will be elected (or appointed by the department chair [academic dean or housing director) in their respective departments during the spring semester. Each senator will serve for one academic year.

### **Section IV – Meetings**

The Student Senate shall hold at least one meetings per month. Special meetings will be held when requested by one-third (1/3) of the senators, by the presiding officer, by the President of the SGA, or by petition of 25% of the number of electors voting in the last Presidential Election. All meetings will be open to the public. Senators are mandated to attend every student senate meeting. No more than three unexcused absents will be accepted. Failure to comply will resort in immediate removal from office.

A Senate quorum will be determined by a majority (51%) of seated senators at the meeting. A seated senator is defined as a duly elected or appointed member of the Student Senate.

### **Section V – Powers**

The Student Senate shall have the following list of powers, but such a listing is not in limitation of the general grant of legislative powers therein.

1. The Senate shall have the authority to enact, amend or repeal statutes of Student Government by a majority vote. The Senate shall also have the authority to enact non-binding resolutions, conclusions, memorials, and its own Rules of Procedure.
2. The Senate shall have the authority to enact, and repeal, by a two-thirds vote, statutes governing the election of all Student Government officers.
3. The Senate may propose, by a two-thirds vote, any constitutional amendment.
4. The Senate must approve, by a majority vote, the executive appointments of the Student Government Association President. The Student Government Association President must inform the Student Senate President in writing within one business day of the initial appointment.
5. Failure to act on any Presidential Executive appointment within twenty business days shall be deemed approval of such the appointment.
6. The Senate may override, by a two-thirds vote, a veto by the Student Body President (Student Government Association President).
7. The Senate shall have the power to impeach any person within Student Government except those expressly prohibited by the Constitution, Statutes, and University of Arkansas at Pine Bluff Administrative Policy.
8. To elect a Senate Auditing Committee, composed of three (3) senators, who will audit and assist oversight of Executive Branch budget and the SGA Treasurer.
9. The Senate shall establish its own meeting times, rules and procedures. The Senate shall assemble in open meetings at frequent intervals for the deliberation of legislation and the business of the

- student body. No officer may hold an office in any other branch, agency, or department of Student Government during his/her term of office in the legislative branch.
10. The Senate shall provide for the compilation and publication of all legislation.
  11. Approve the SGA budget as submitted by the Student Government Association President.
  12. The Senate shall have the authority to appoint any committee necessary to the operation of the Senate, and to appoint and remove any committee chair. No member of the Senate may chair more than one standing committee.
  13. To refer to the students any question it deems necessary by a majority vote via referendum with the exception of Constitutional Amendments.
  14. The Senate shall elect a Senate President Pro Tempore no later than the first meeting of the Senate in the fall term and all other executive officers of the Senate at the beginning of each term as provided by bylaw or statute.
    - a. The duties of the Student Senate President Pro Tempore, the highest elected official in the Senate, is to preside over the senate in the absence of the SGA Executive Vice President, and other duties as set forth in statute or Senate bylaws.
  15. Establish bylaws for conducting business, submitting legislation, debate time and rules, and other regular business that may come before the Senate.
  16. To pass bills by majority vote. A legislative bill is a form of action that carries with it the power to sanction, establish or change permanent structures, dictate the appropriation of the funds, or modify SGA statutes, rules, and or other governing structures. Bills may not supersede or contradict this Constitution.
  17. To pass resolutions by a majority vote. A resolution is a formal request of action. A resolution may set aside funds for a specific project or budget area, make a specific policy request to University Administration, establish temporary government structures, or request specific action by SGA officers or committees.
    - i. A resolution shall terminate at the end of each academic year.
    - ii. A resolution may establish standing or ad hoc committees.
    - iii. A resolution may not supersede or contradict this Constitution.

#### **Section VI – Organization and Procedures**

1. The student Senate shall be presided over by the Student Government Association's Vice President, and he/she shall be known as the President of the Senate.
2. Senate shall elect a President Pro Tempore to preside in the absence of the SGA Executive Vice President.
3. Bills may be introduced by any member of the Senate.
4. The Senate shall employ Robert's Rules of order when conducting its meetings.
5. The Senate agenda shall be published no later than 12 hours before the start of the meeting.
6. The Senate chair shall remove any Senator being disruptive from a meeting of the Senate subject to a majority consent of the Senate.
7. All Senators should sign up for a membership on at least one (1) Senate committee by the second (2nd) Senate meeting.
8. All legislation recommendations coming out of the committee must have a written majority report. If the committee recommendation is not unanimous, a minority report must also be presented to the Senate.

#### **4.3.16.E Article V Executive Branch Section I Executive Branch Offices**

The Executive Branch shall consist of the Offices of the Executive Board, Board of Elections, Royal Court Organization, and Class Officers.

#### **Section II – Executive Officers Section III**

##### **– President**

The President:

1. Serve as the official representative of the student body.
2. Shall appoint a Chief of Staff and Director of Public Relations for the executive cabinet
3. Shall appoint the Chief Justice and Election Board Commissioner to lead the student supreme court and election board, respectively
4. Shall serve as an ex-officio member of all student committees.
5. Shall meet with class officers at least three (3) times per semester (President's Council).
6. Shall nominate and, with the advice and consent of the Senate, appoint justices to the Supreme Court.
7. Shall make recommendations to the administration concerning any phase of student life.
8. Shall nominate to the student for approval student representatives to serve on non-SGA, university committees, and other committees. Approved nominations will be submitted to the Vice Chancellor of Student Affairs.
9. Have the power to veto any legislation within five (5) school days of being passed by the Senate. The President or other Executive Officer shall attend the following Senate meeting to report and answer questions on the veto
10. Shall be responsible for the execution of all legislation passed by the Senate.
11. Shall have the power to issue Presidential Proclamations, which shall be the opinion of the SGA President concerning any issue.
12. Is required to deliver a report at each Senate meeting for which he or she is in attendance. This report must include updates on legislative action taken by the Senate.
13. Shall draw up and advise a budget along with the aid of the finance committee to be submitted to the Senate no later than the first Senate meeting of the fall semester.
14. May call for a referendum of the student body, subject to the approval by two-thirds of the Senate.
15. Make an annual report of activities of the Student Government Association to a meeting of the students once per semester and at least a bi-annual report to the Senate.
16. May advocate for UAPB students in the Arkansas General Assembly.
17. Shall hold full body meetings or otherwise communicate with the entire student body, for the purpose of University updates to the student community.
18. Shall have the authority to call the Senate into a special session, if a minimum of twenty-four (24) hour notice is given.  
Election.
19. Shall have any other authority or powers specified by Senate legislation, University policy, or other enactments that do not conflict with this Constitution or University policy.

##### **Section IV – Vice President**

The Vice President shall have the responsibility to:

1. Perform the duties of the President in his/her absence assume the office of President should the President be unable to perform his or her duties.
2. Act as presiding officer of the Senate but not vote except in the case of a tie.
3. Appoint chairs of Senate Committees.
4. Serve as ex-officio member of all Senate committees.
5. Be responsible for coordinating and promoting University relationships.
6. Promote and encourage academic and cultural enrichment activities on the University campus.

7. Shall have any other authority or powers specified by Senate legislation, University policy, or other enactments that do not conflict with this Constitution or University policy.
8. Sign all bills, proposals, and resolutions, which require the President's signature, brought before the Senate before submission to the SGA President.

#### **Section V- Treasurer**

The Treasurer shall serve as the Chief Financial Officer of the Student Government Association and be responsible for carrying out the following duties:

1. Prepare any Executive Branch budget requests.
2. Develop guidelines for processing purchasing activities with the SGA Budget Officer and advisor.
3. Form the SGA Office of the Treasurer and serve as a resource for SGA on processing requisitions, in-house invoices, and access purchasing forms, and develop a time-oriented purchasing system along with Administrative Budget Officer.
4. Keep and maintain an accurate record of all SGA transactions.
5. Research ways to optimize budgets and reduce costs.
6. Host or participate in the annual leadership workshops for campus organization treasurers.
7. Assist with managerial and clerical duties prescribed by the President.
8. Assist any SGA entity in budgeting their funds or preparing budget requests.
9. Shall have any other authority or powers specified by Senate legislation, University policy, or other enactments that do not conflict with this Constitution or University policy.

#### **Section VI – Executive Secretary**

The Executive Secretary shall serve as Chief Operations Officer of the Student Government Association. The duties of the Executive Secretary are to:

1. Maintain records of meetings of SGA and all affiliated bodies.
2. Ensure all public notices are sent out according to statute (add statute for 24- hour meeting or 4-hour emergency meeting.)
3. Ensure all meetings are properly recorded and transcribed into meetings to be sent out to proper members within the proper timeline (7 business days from the meeting).
4. Supervise the collection, storage, and maintenance of all records created or received by SGA and its entities.
5. Respond to, track, and maintain records of all correspondence from the students, administration, faculty, staff, and other entities.
6. Create and manage SGA public relations group.
7. Establish the Office of the Secretary, made up of secretaries of all SGA organizations, to coordinate recording meetings, transparency, public relations, and all other communications with the SGA.
8. Shall have any other authority or powers specified by Senate legislation, University policy, or other enactments that do not conflict with this Constitution or University policy.

#### **Section V- Executive Cabinet**

The Executive Cabinet shall consist of the SGA President, Executive Vice President, Executive Secretary, Executive Treasurer, Chief of Staff, and Director for Public Relations. The Executive Council shall convene as an advisory council for the Executive Board, which consists of the President, Vice President, and Executive Secretary, and Executive Treasurer.

#### **Section VI- Royal Court**

1. The University of Arkansas at Pine Bluff Royal Court shall consist of Miss UAPB, Mister UAPB and the Elected Mister and Miss Representative from each respective class.

2. Miss and Mister UAPB candidates must have a minimum of seventy-five (75) semester hours successfully completed and possesses a minimum accumulative grade point average of 3.0 at the time of filing and must maintain that GPA throughout their tenure.
3. Candidates for class representatives to the Royal Court shall meet the qualifications of other officers from their respective class as established in Article XI Section IV.
4. The Royal Court members serve as ambassadors and represent the university at official functions.
5. The *Royal Expectations Handbook* will set protocols and rules for the Royal Court.
6. Protocols and rules established in The *Royal Expectations Handbook* shall not contradict or supersede this Constitution.

#### **Article – XI – Class Officers**

The Class Officers of the Student Government shall be the President, Vice President, Secretary, and Treasurer. These officers shall assist the Executive Cabinet of the Student Government Association.

#### **Section I- Class President**

1. Preside over all class meetings.
2. Attend all President's Council meetings.
3. Appoint chief of staff for board assistance
4. To make recommendations to SGA concerning their class.
5. Make nominations of class representative to serve on university and external committees.
6. Make an annual report of activities of their class.
7. To hold full class meetings for the purpose of University updates to the student community.
8. Serve as the official spokesperson for their respective class

#### **Section II- Class Vice President**

1. Act as Senate proxy as required.
2. Perform duties of the Class President in his or her absence.
3. Be responsible for coordinating and promoting school pride among his/her class.
4. Promote and encourage academic and cultural enrichment activities on the University campus.

#### **Section II- Class Secretary**

1. Keep a journal of proceedings of all Executive Council and Executive Staff meetings.
2. Work with the SGA Office of the Secretary to ensure its mission.
3. Handle correspondence of his or her class.
4. Coordinate all public affairs functions pertaining to a class business.

#### **Section III- Class Treasurer**

1. Shall be responsible for all collections and payments from his/her class funds and develop an in-house accounting system utilizing Microsoft Excel and keep an accurate record of all financial transactions.
2. Work with the Office of the Treasurer to ensure proper financial accountability procedures are followed.
3. Prepare and make a financial report for the class at each meeting.

#### **Section IV- Qualification for Class Office**

1. Senior Class Officers must have a minimum of seventy-five (75) semester hours, with the expectation that he/she will have Senior Status by Summer Session I with a minimum of at least ninety (90) hours. A minimum cumulative GPA of 2.75 is required at the time of filing to be maintained throughout the term.



2. Junior Class Officers must have a minimum of forty-five (45) hours at the time of filing, with the expectation that he/she will have Junior Status by Summer Session I with a minimum of at least sixty (60) hours. A Minimum cumulative GPA of 2.75 is required at the time of filing to be maintained throughout the term.
3. Sophomore Class Officers must have a minimum of fifteen (15) hours at the time of filing, with the expectation that he/she will have Sophomore Status by Summer Session I with a minimum of at least thirty (30) hours. A minimum cumulative GPA of 2.75 is required at the time of filing to be maintained throughout the term.
4. Freshmen Class Officers must be first-time freshmen. Advanced freshmen who have already acquired college credit hours through either concurrent/dual enrollment or through a summer program (STEM, LIONS Program, etc.) and have an established GPA must adhere to the minimum GPA requirement of 2.75.

#### **Section IV- Succession**

- a. In the event the Student Body President resigns is impeached, or is unable to perform the powers and duties of the office, the Student Body Vice President shall become the President.
- b. In the event that the office of the Student Body Vice President, Executive Secretary, or Executive Treasurer becomes vacant for any reason, the Student Body President shall nominate and, with the advice and consent of the Senate, appoint a new Vice President.
- c. In the event of a vacancy in the office of Student Body Vice President at the time of vacancy of the office of Student Body President, the order of succession shall be the Student Senate President Pro-Tempore, Executive Secretary, then Executive Treasurer.

#### **4.3.16 F- Article VI- Judicial Branch Section I- Name and Purpose**

The judicial power of Student Body shall be vested in the Student Supreme Court, hereinafter may be referred to as The Supreme Court. The Supreme Court shall have jurisdiction over all cases and controversies, excluding those delegated to other entities by the University Board of Trustees, involving the Student Body and Student Government Association, including the power to declare any act of the Student Government Association unconstitutional. Any decision or ruling made by the Student Supreme Court may be appealed to the Vice Chancellor for Student Affairs.

#### **Section II – Qualifications of the Chief Justice and Associate Justices**

1. Candidates for Chief Justice must have a minimum of forty-five (45) semester hours and a minimum cumulative average of 2.75. He or she must attend the leadership workshop prior to assuming office.
2. Candidates for Associate Justice must have a minimum of fifteen (15) semester hours successfully completed and possess a minimum cumulative grade point average of 2.75. He or she must attend the leadership workshop prior to assuming office.

#### **Section III – Membership and Organization**

The Student Supreme Court shall consist of one (1) Chief Justice, four (6) Associate Justices, and one (1) non-voting faculty member.

1. The Chief Justice shall be nominated by the newly elected President to serve for one (1) year and confirmed by a simple majority vote of the Senate.
2. The Chief Justice shall have full voting rights as a Justice.
3. If the Chief Justice cannot be present at a meeting of the Student Supreme Court, the Chief Justice shall designate another Justice to chair the meeting.
4. A vacant seat shall be defined for a Justice as removal from office, resignation, or graduation.

5. All vacancies of the Student Supreme Court shall be filled as soon as practicable through appointment by the SGA President with the advice and consent of the Senate.
6. A quorum of the Student Supreme Court shall consist of five (5) of the seated Justices.
7. The Student Supreme Court shall be the highest court of appeal within the jurisdiction of the SGA. The Supreme Court and the lower courts shall take action upon all appeals within one (1) week after the appeal has been received.
8. Two classes of cases shall come directly to the Supreme Court.
  - A. All new cases affecting the SGA and the lower courts, excluding impeachment proceedings.
  - B. All cases which are appealed from lower courts.
9. All Supreme Court cases or lower court cases challenging constitutional issues shall be opened to the public.
10. All disciplinary cases shall be opened or closed at the discretion of the person or persons involved.
11. All individuals convicted by the Student Supreme Court or lower courts shall have the right to appeal upon producing new evidence to support the appeal, not exceeding two (2) appeals.
12. The Student Supreme Court shall convene by a petition of the study body with twenty-five (25) percent of the number of students who voted in the last SGA general election.
13. This Constitution is the Supreme Law of the SGA, and the judges shall be bound by the Constitution.

#### **Section VI - Powers and Duties**

1. The Chief Justice of the Supreme Court shall preside over the Senate during impeachment procedures of the President and Vice-President of SGA.
2. The Supreme Court shall interpret the constitutionality of all legislation passed by the Senate when such legislation is questioned.
3. The Supreme Court shall have the power to grant advisory opinions on any question certified to it by any member of the Executive Cabinet or the Senate.
4. In resolving any legal issues, individual students shall be allowed no more than three representatives.

#### **Section VII – Rights of Students**

5. All hearings of the Student Supreme Court shall be conducted in an impartial manner. The defendant shall have the following rights
  - a. The right to a written notice of the charges against him or her.
  - b. The Right to a pre-hearing interview.
  - c. The right to a written notice of the date, time, and location of any Student Supreme Court hearing in regards to the case.
  - d. The right to speak in his or her defense.
  - e. The right to have no more than three representatives.
  - f. The right to submit evidence in his or her defense.
  - g. The right to call and question witnesses.
  - h. The right to attend or not attend his or her pre-hearing interview and/or hearing
6. The complainant shall have the following rights:
  - a. The right to speak at the Student Supreme Court hearing.
  - b. The right to submit evidence to support the complaint.
  - c. The right to call and question witnesses.
  - d. The right to attend or not attend the hearing.

#### **Article VII - Qualifications of Executive Officers Section I - President of SGA**

A candidate of the Office of President must have a minimum of seventy-five (75) semester hours successfully completed and possesses a minimum accumulative grade point average of 3.0 at the time of filing and must maintain that GPA throughout their tenure as an officer. A candidate must have served at least one year on the UAPB SGA as an Executive Officer, Senator, SGA Executive Committee member, Union Programming Board member, Class Officer, or leadership position in a university RSO. If elected, he or she shall attend a Parliamentary Workshop prior to assuming office.

## **Section II - Vice President**

A candidate for the Office of Vice-President must have a minimum of forty-five (45) semester hours successfully completed and possesses a minimum cumulative grade point average of 3.0 at the time of filing and must maintain that GPA throughout their tenure as an officer. A candidate must have served at least one year on the UAPB SGA as an Executive Officer, Senator, SGA Executive Committee member, Union Programming Board member, Class Officer, or leadership position in a university RSO. If elected, he or she shall attend a Parliamentary Workshop prior to assuming office.

## **Section III – Treasurer**

A candidate for the Office of Treasurer must have a minimum of forty-five (45) semester hours successfully completed and possess a minimum cumulative grade point average of 3.0 at the time of filing, and must maintain that GPA throughout their tenure as an officer. A candidate must have served at least one year on the UAPB SGA as an Executive Officer, Senator, SGA Executive Committee member, Union Programming Board member, Class Officer, or leadership position in a university RSO. If elected, he or she shall attend a Parliamentary Workshop prior to assuming office.

## **Section VI – Miss and Mister UAPB**

A candidate for Miss and Mister UAPB shall have a minimum of seventy-five (75) semester hours and a minimum accumulative grade point average of 3.0 at the time of filing and must maintain that GPA throughout their tenure.

## **Section VII - Executive Secretary**

A candidate for the Office of Secretary must have a minimum of forty-five (45) semester hours successfully completed and possess a minimum cumulative grade point average of 3.0 at the time of filing, and must maintain that GPA throughout their tenure as an officer. A candidate must have served at least one year on the UAPB SGA as an Executive Officer, Senator, SGA Executive Committee member, Union Programming Board member, Class Officer, or leadership position in a university RSO. If elected, he or she shall attend a Parliamentary Procedure Workshop prior to assuming office.

## **Section VIII**

### **All officers must:**

7. Be a regularly enrolled full-time student at the University of Arkansas at Pine Bluff.
8. Be eligible to serve for two full semesters.
9. Failure to maintain the required GPA while presiding as SGA Executive officer or class officer will be subject to a probationary period up until mid-term grades or posted.
10. If by midterms he or she fails to comply, are subject to being inactive.

## **Section IX**

Candidates for any Executive Office who are transfer students must have successfully completed 15 hours and met all other qualifications pertaining to the desired position the previous semester at the University of Arkansas at Pine Bluff.

Workshop prior to assuming office.

#### **4.3.16.G- Article VIII Elections**

##### **Section I- Election**

1. An election board consisting of nine students and one University advisor shall be appointed by the Election Board Commissioner with the approval of the Senate. The commissioner should make an appropriate attempt to interview and select two board members for each classification.
2. Each student appointed to the election board must be familiar with the Constitution and election procedures, have a minimum cumulative grade point average of **2.75** and be a full-time student.
3. No member of the Election Board can be a candidate for an executive office or campaign for any candidate seeking executive offices.
4. The Election Board shall make all necessary arrangements for registration, setting up voting booths, and developing a method of early voting prior to any election.
5. The Election Board shall investigate and certify all candidates prior to campaigning. The Student Senate investigates complaints of fraudulent electoral practices. The Senate must approve regulations made by the Election Board.
6. The Election Board must develop a system for the protection and counting of ballots.
7. The Election Board must provide a parliamentary procedures workshop for all SGA officers prior to taking office.

##### **Section II- Executive Officers, Class Officers, and Miss and Mister UAPB**

1. Candidates for Executive Office shall have one week to file for candidacy with the Election Board. The exact date of the election shall be set by the Election Board but is preferred to be held in April for spring elections and September for fall elections, if necessary.
2. All candidates must be cleared through the Office of Student Involvement and Leadership.
3. Candidates can be disqualified for the following reasons:
4. Failure to meet the constitutional requirements for the office he/she is seeking.
5. Failure to be financial with his/her current class dues.
6. Failure to obey Election Board regulations as provided at the Candidate Orientation Meeting.
7. Attempting to commit or committing fraudulent acts, which would include filing after the deadline has expired, tampering with voting machines, and demonstrating behavior deemed "undesirable" by the Election Board.
8. All candidates will receive a notice of eligibility in writing no later than eight (8) days after the closing date for filing and must attend the Candidate Orientation/Rules and Regulations meeting.
9. Voting shall be by ballot.
10. A majority vote is required for election of all officers. If a candidate received a majority vote for an office, there shall be a run-off election no later than four (4) days following the regular Election Day, between the two candidates who received the two highest numbers of votes.
11. Any appeal of an election held under the supervision of the SGA must be made, in writing, to the Election Board within twenty-four (24) hours from the time that final results are announced. This appeal Any appeal of the Election Board will then be forwarded to the Student Senate for recommendation.
12. No person is eligible to become a candidate for two SGA offices simultaneously.
13. Election of freshmen class officers shall be held no later than the month of September after the beginning of the fall semester of each academic year. Other class elections shall be held no later than the month of April.

14. Freshman class officers will be sworn in during the fall semester. Candidates who fail to be sworn in at the time designated by the Office of Student Involvement and Leadership will be removed from office.

### **Section III- Senate Elections**

With the exception of freshmen class senators, who will be elected during the fall election, class senators will be elected in the spring general election by popular vote of the members of their class. Resident Hall/Department senators will be elected (or appointed) in their respective departments during the spring semester.

The Election Board will determine rules and specific timelines for election or appointment of department Senate representatives, within the required time for seating of elected positions.

### **Article Amendments and By-Laws**

#### **Section I**

Any by-law to this Constitution may be presented by a member of the Senate at the regular meeting where it shall require an affirmative two-thirds (2/3) vote of the Senate.

This Constitution may be amended by a two-thirds (2/3) margin.

The Chief Justice may make clerical amendments to this Constitution as they see fit, provided the amendment does not alter the power or authority of any branch, office, or entity of SGA.

#### **Section II- Initiative**

The general SGA membership shall have the authority to initiate the amendment process. To initiate the process, a member must present a petition signed by 35% of the number of students who voted in the last regular SGA executive election. An initiated amendment must pass by a 3/5 majority of the students voting on the amendment to be considered valid.

The general membership shall have the authority to initiate a referendum regarding an issue by obtaining the signatures of thirty-five (35%) of the number of students who voted in the last general executive election. All petitions must include a title and a short statement of purpose. A majority vote is necessary for the passage of all-non- Amendment initiatives. The Dean of Student Involvement & Leadership, or designee, must validate signatures.

The short title and purpose of each petition shall be reviewed by the Student Supreme for constitutionality and to ensure the short title and purpose serve the same end. The specific process shall be spelled out in the SGA statutes.

*The University of Arkansas at Pine Bluff reserves the right to make administrative changes to this constitution due to negligence of office.*

## **4.4 UNIVERSITY /FOLLETT #216 BOOKSTORE**

The University/Follett #216 Bookstore is located on the main floor of the L.A. Davis Student Union Building. The facility provides a variety of student supplies and personal items, as well as required textbooks and classroom materials. The Bookstore is open during the Fall and Spring semesters for the following hours:

**Monday-Friday from 8:00 a.m. – 5:00 p.m.  
and during the summer Monday-Friday from 8:00 a.m. – 3:00 p.m.**

**Monday-Friday from 8:00 a.m. – 5:00 p.m.  
and during the summer Monday-Friday from 8:00 a.m. – 3:00 p.m.**

## **4.5 RESIDENTIAL LIFE**

All single students under 21 years of age are encouraged to live in campus housing so long as housing is available unless living with parents or immediate relatives. All students must have their current residence shown on the registration card in the Office of the Registrar. Rules and Regulations governing students living on campus are covered in more detail in the Guide to University Living, available from the Residence Hall Specialist, the Associate Dean for Residential Life, or the Dean of Student Life.

### **4.5.1 Room Deposits and Applications**

A room deposit of \$75.00 must be on record in the Business Office. It is refundable under the provisions stated in the housing contract. Applicants for on-campus housing must submit a housing application/contract. This application is available on the UAPB website under Residential Life.

### **4.5.2 Room and Board Charges**

It is the policy of the University that student's contract room and board for the entire academic year. Residence hall accommodations are operated on a room and board plan; all students living in the residence hall must have a meal plan.

### **Additional Information**

Students whose contracts are canceled by the University for Disciplinary Reasons or student who withdraws from the residential hall without prior approval will not be refunded any portion of the room, but board charges will be prorated. Students who withdraw from the University will be charged prorated room and board.

### **4.5.3 Room Assignments**

Every effort is made to honor room and roommate requests; however, roommate requests not submitted and completed at the same time or received after May 1 cannot be guaranteed. The University reserves the right to reassign rooms when deemed necessary. No change of rooms is allowed without the approval of the Residence Hall Specialist.

### **4.5.4 Room Care and Inspections**

Rooms shall be kept in a neat and orderly manner at all times, and the University reserves the right to enter and inspect rooms at any time. A warning will be issued if the room is not neat and orderly. If maintenance is required to clean the room, a charge will be levied. The building and room furnishings are to remain as placed by the University. No defacing object is permitted to be attached to walls, doors, or furnishings in any manner.

### **4.5.5 Damages-Charges-Fines**

All of these are payable in the cashier's office.

### **4.5.6 Room Damages**

Charges will be assessed for damages to the University property. In the event charges cannot be assessed to an individual, they will be charged to all persons occupying a room. Occupants of rooms are responsible for damages therein.

#### **4.5.7 Non-Room Damages**

Damages to public areas will be assessed to all persons concerned in the event individual charges cannot be assessed. General damages may be assessed equally to all residence hall residents if those persons responsible for damages cannot be identified.

#### **4.5.8 Residential Life Staff**

The Residential Life staff consists of full-time professionals, part-time, and students. They are there to assist you in developing your academic, social, and personal growth at the University. The primary goal of residential life programming is to provide residents with an atmosphere conducive to educational growth outside of the classroom. The staff believes that students are not an interruption of work but rather the purpose of work.

#### **4.5.9 Lounge Areas**

Residence hall lounges are for the general use of residents and guests and will remain so until this privilege is abused. Excessive noise and disorder are not permitted. Lounge furniture requires special care and is the responsibility of all residents of the hall. The staff reserves the right to ask unescorted visitors to leave.

#### **4.5.10 Residence Hall Parking**

Resident students are requested to purchase decals and park in the parking lot designated for their use.

#### **4.5.11 Quiet Hours**

Quiet hours are set aside to provide for academic preparations and will be strictly observed. Quiet hours begin at 8:00 p.m. and continue until 8:00 a.m. Excessive noise is disturbing and is not permitted.

#### **4.5.12 Coeducational Visitation**

Visitation is a privilege that can facilitate personal and social development and enhance the quality of life on campus. However, limitations are placed on visitation to protect the privacy rights of all students and encourage an atmosphere appropriate for an academic community. The privilege of having guests hinges on the fulfillment of your responsibilities as a resident of your floor, hall, and the university community. The complete visitation policy is listed in the Guide to University Living.

#### **Visitation Hours:**

Sunday thru Thursday, 5:00 pm until 12:00 am Friday and Saturday 5:00 pm until 1:00 am

#### **Breezeway and Parking Lot Closing Days and Times:**

Sunday thru Thursday at 12:00 am and Friday and Saturday at 1:00 am

#### **4.5.13 Room Check**

A room check or inspections are held bi-weekly by University staff in the performance of their official duties when deemed necessary by officials responsible for those duties.

#### **4.5.14 Exculpatory Clause**

All reasonable effort is made to protect the residence halls and residents from fire, theft, and other hazards, but the University is not responsible or liable for the loss, damage, or injury to any person or property within the residence halls. The Department encourages residents to obtain renter's insurance.

#### **4.5.15 Community Watch**

Much like the Neighborhood Watch program found in many communities, we ask you to watch out for and protect your "home away from home" and the members of your "neighborhood." The safety and security of each residence hall depend largely on the actions and responsibilities exercised by each community

member. No lock or security measure is effective when ignored or used improperly. So, for your safety or your fellow residents, please observe appropriate safety and security practices.

#### **4.5.16 Disciplinary Action**

Failure to comply with the housing policy will result in disciplinary action.

#### **4.5.17 Period of Assignment**

All housing assignments are for one full academic year or spring semester only for those students who attend the University and are eligible to reside in student housing. Summer housing is under a separate contract.

The academic year with reference to the residence halls is defined as beginning one day before the start of registration during the fall semester and ending at 5:00 pm on the day of the last final examination at the end of the fall and spring semesters. All graduating seniors must be properly checked out of the residence halls on Sunday at 12:00 pm after May and December commencements. The residence halls are closed during semester and spring breaks, and rooms may not be occupied.

Students who desire to occupy their assigned rooms before the designated time will be charged a fee of \$25 per night, payable in advance, and must contact the Office of Residential Life for approval. The service will only be provided if the Department of Residential Services can accommodate the request. The fee will be paid in the Cashier's Office, and the receipt will be presented to the Resident Hall Specialist in the residence hall before being allowed to occupy the room. The Resident Hall Specialist will collect the fee after normal business hours, and the student will be given a receipt.

If the student fails to occupy their assigned room on or before the second day of classes by 12 pm without giving the Department notice, the room may be assigned to another student. Should the student desire a new assignment, efforts will be made to provide another space if such is available, but it is not guaranteed.

Students who occupy their assigned room and never register will be charged prorated room and board until departure from the residential hall.

#### **4.5.18 IV. Cancellation, Modifications, and Termination of Contract**

A. Once a student is assigned housing, this contract becomes binding except under the following conditions:

1. Student becomes physically/mentally incapacitated and must separate from the University.
2. Student receives a directed teaching assignment that prevents residing on campus.
3. Student is called to active military duty.
4. Student marries and presents the signed marriage certificate as proof.
5. Student fails to enroll at the University.
6. Students desiring to cancel the contract and apply for another academic period must state their desire in writing and file a new contract with a new application fee. Cancellations must be received no later than August 1st for Fall Semester, December 1st for Spring Semester, and May 1st for the summer. The application fee of \$100.00 consists of \$75.00, which serves as a deposit and is refundable if notice of cancellation is received by the aforementioned dates. If notice is received after the aforementioned dates, the \$75.00 deposit is forfeited. The deposit is also refundable upon notification of graduation or withdrawal from the University. However, if a balance is owed to the University, the deposit is credited to that account. The remaining \$25.00 of the application fee is an administrative processing fee and is not refundable or transferable under any circumstances.
7. Except as stated in Section IV. D., the Department may terminate this contract by (1) giving the student 30 days written notice in advance of the University's desire to have the student vacate; (2)



giving the student three days written notice in advance for (a) failure to pay, (b) separation from the University, (c) conduct on the part of the student that violates the provisions of the agreement, violations of residence hall or University rules and regulations including those contained in THE ROAR (UAPB's Student handbook) and the Guide to Residential Living or (3) immediately for conduct which threatens life or property. Students whose contracts are canceled by the Department for disciplinary reasons will not be refunded any portion of the room and prorated board charges.

8. The University reserves the right to modify or terminate this contract due to a health or safety emergency or otherwise due to circumstances beyond the reasonable control of the University. In the event, the University terminates the Housing Contract, and University housing is closed due to occurrences including, but not limited to, natural disasters, floods, fires, tornadoes, riots, epidemics, pandemics, quarantine, the outbreak of infectious disease, or other reasons to safeguard individuals or the campus community, students will be liable only for room and board charges incurred through the end date of termination of the contract by the University or the date the student officially checks out of University housing, whichever is later, on a pro-rated basis. For those students who have already made payment of room and/or board charges, students will receive a pro-rated credit based on the unused days remaining in the original contract term, to be applied within the same academic or calendar year, whichever occurs first. The amount of credit will be reduced by up to 35% to cover a portion of fixed administrative and overhead expenses. The University reserves the discretion to restrict the use of any credits issued to University housing and dining services only.

#### **4.5.19 Listing of Residence Halls at the University of Arkansas @ Pine Bluff and the Personalities for Whom**

##### **They Are Named**

1. Copeland Hall - Mrs. Ernestine Inez Copeland, Hall Director, AM&N College
2. Douglas Hall - Ms. Edna Douglas, Educator, and former AM&N College Board Member.
3. Fisher Hall - Ms. Ruby G. Fisher, Principal, J.C. Corbin Laboratory School
4. Harrold Complex - Ms. Norma E. Harrold, Dean of Women Emeritus
5. Hunt Hall - Mr. Silas Hunt, First Black Law Student at the University of Arkansas at Fayetteville
6. Johnny B. Johnson (JBJ) Complex - Dr. Johnny B. Johnson, Interim Chancellor, Provost, and Vice Chancellor for Academic Affairs
7. Johnson Hall - Mrs. Nettie Johnson, Class of 1903
8. Lewis Hall - Ms. Beaulah Lewis, Music Teacher
9. Stevens Hall - Ms. Maggie R. Stevens, Counselor, Branch Normal
10. Delta Housing Complex I
11. Delta Housing Complex II

## **4.6 HEALTH SERVICES**

The Student Health Services Office is located in the Hugh Browne Infirmary on the North end of the campus between the Research Center and Adair-Greenhouse Human Sciences Building.

The hours for service are 8:00 a.m. - 5:00 p.m., Monday through Friday. **A Professional Registered Nurse(s) and an Administrative Assistant staff the Center.**

The Reproductive Health Registered Nurse Practitioner is on campus every 4th Thursday. School breaks and Holidays are excluded.

All in-house episodic services are covered by the student's health service fee. It is the student's responsibility for payment and transportation if referred to an outside agency for specialized services such as comprehensive medical care, x-ray, laboratory, psychiatric care, dental, or major eye problems.

**Student Health Services** strives to fulfill its **Mission Statement** by using a collaborative approach toward total student development that will ensure students who use this facility maintain an optimal level of health. The objectives of Student Health Services are:

1. To ensure optimal health by providing full-time and part-time students that use the Health Center an individual plan of care.
2. To emphasize prevention strategies to students on a level of his/her understanding to avoid recurring health problems.
3. To ensure that each primary and ancillary staff member receives ongoing education and training on current health trends in order to support Health Services' mission.

Parents or guardians should contact Student Health Services if his/her child has any kind of medical conditions or life-threatening allergies.

### **NO APPOINTMENT IS NEEDED / STUDENT ID REQUIRED**

#### **MEDICAL EXCUSES**

UAPB Student Health Services does not provide medical excuses for short-term absences which result in missed classes, exams, assignments, work, or practices due to illness or injury. In certain circumstances where the illness or injury is prolonged, requires hospitalization, or the student is instructed not to attend classes, work, or practices due to the severity or communicability of the illness, students will need to contact the Office of the Dean of Students.

The student is responsible for contacting the appropriate professor, instructor, coach, or supervisor in the event they need to miss classes, exams, assignments, work, or practices due to an illness, injury, or emergency.

#### **IMMUNIZATIONS**

In accordance with Arkansas State Law Act 141 of 1987, and revised Arkansas Department of Health Immunization

Rules and Regulations revised 2003; all full-time students and those part-time students residing on campus will be required to provide legal proof of immunity to measles and rubella or exemptions from immunization requirements.

Immunization or proof of immunity is accomplished with a titer for both measles and rubella, showing immunity, or documentation of TWO measles and ONE rubella immunization.

Exemptions:

- Students born before 1/1/1957 are automatically "age exempt"
- Students may supply positive laboratory results of measles and rubella antibody titers.
- Students may petition the Arkansas State Department of Health (ASHD) for a philosophical or religious exemption. It is the student's responsibility to provide such documentation. These must be renewed yearly.

#### **Meningococcal Disease**

The Arkansas State Law requires the University to inform students and their families about the Meningococcal disease (a form of meningitis) often mistaken for the common viral illnesses, such as the flu and there is a vaccine available. Dr. Joesetta Wilkins Jefferson County Health Unit administers Meningococcal Tetravalent Conjugate Vaccine (MCV4) as recommended by the State of Arkansas and the Centers for Disease Control to college freshmen living in dormitories not previously immunized. (College freshmen are students who have not earned 30 hours of college credit.) Both MMR and MCV4 are available at the local health department. A five-dollar record maintenance fee is required. Call for an appointment at Dr. Joesetta Wilkins Jefferson County Health Unit, 3801 S. Hickory Pine Bluff, Arkansas 71603.

Monday- Friday: 8:00 a.m. – 4:30 p.m. (870) 535-2142

### **HEALTH INFORMATION TO BRING TO CAMPUS**

- Bring your insurance/prescription drug card and know your coverage.
- Know your allergies, medication dose, and health history.
- Emergency contact (s) telephone numbers.
- Bring the contact information for your current healthcare providers.
- If you have a chronic illness, consider securing a letter of explanation from your physician and scheduling an introductory appointment with a Student Health Services provider/ Nurse.
- If you are under **18**, make sure you have sent in a parental consent form so that you can receive treatment at Student Health Services.

### **EMERGENCY NUMBERS:**

Student Health Services Center ..... (870) 575-7106 or 575-7107  
For Medical Treatment after regular hours, contact: Public Safety..... (870) 575-8102  
Pine Bluff Police..... (870) 543-5100  
Jefferson Regional Medical Center (JRMC)..... (870) 541-7100  
Emergency Medical Services (EMS).....911

## **4.7 THE DEPARTMENT OF COUNSELING AND STUDENT WELLNESS**

The Department of Counseling and Student Wellness (DCSW) is in Suite 106 in Caldwell Hall. The mission of the Department of Counseling and Student Wellness is to promote “Holistic Wellness and Good Mental Health.” DCSW’s Counseling Center delivers diverse services to the students, faculty, and staff. This office supports the University and the Student Affairs’ missions by providing effective counseling, psychosocial support, and enrichment activities to foster persistence and lifelong learning. The Department of Counseling and Student Wellness offers the following:

- Individual Counseling – one on one interaction with licensed professionals to aid students in resolving issues
- Crisis Management – response to suicidal/homicidal ideations and other mental health emergencies
- Off Campus Counseling- providing referrals to mental health professionals in the Pine Bluff community
- Group Counseling – working with licensed professional in group settings to resolve issues, mediate conflicts, or address various other specific concerns
- Internship and Leadership – providing internship opportunities for students in Social Work, Addiction Studies, and Rehabilitation and Counseling
- Alcohol and Drug Awareness/Prevention - individual counseling and periodic programming to address concerns with substance abuse and use on campus
- Group Presentations – informative lectures and presentations addressing a multitude of mental health and wellness subjects
- Mental Health Awareness Week – a series of workshops and community activities designed to help eliminate stigma and increase awareness of mental health issues on campus
- Mu Eta Omicron – a student led Mental health organization that seeks to increase awareness of mental health resources to students while decreasing the stigma centered around receiving mental health services at UAPB.

### **4.7.1 UAPB FITNESS CENTER**

The UAPB Fitness Center exists to provide a diverse selection of quality exercise equipment and activities for individuals to pursue fitness and stress relief opportunities that enhance their personal development and establish habits for a healthy lifestyle change.

Group Fitness Classes and Health Competitions are offered each semester to help drive student physical activity and overall wellness. Water Aerobics and Heavy free weights exercises (such as bench press and squatting using barbells) can be found in the Health, Physical Education, and Recreation (HPER) Department.

## **University Of Arkansas at Pine Bluff Fitness Center Rules and Regulations**

### **4.7.2.A FITNESS CENTER ACCESS**

All students currently enrolled in UAPB classes may use the Fitness Center.

### **4.7.2.B ID Cards and Logging In/Out**

You must present your University ID card to use the facility; if not, you will not be allowed in the facility

- It is the patron’s responsibility to make sure they have logged in and out correctly. Please ask the front desk for additional concerns
- The Fitness Center is not responsible for any ID that is lost or stolen.
- All areas of the Fitness Center and gym are under security video surveillance
- Use of QR codes may be used as early as Fall 2023 to conduct student sign-ins.

### **4.7.2.C Equipment Policy**

- Members are responsible for putting weights and other equipment in the proper place after use. Also, please wipe down the equipment with antibacterial wipes after use.
- No equipment may leave the facility.
- No dropping, banging, or clanging weights.

### **4.7.2.D Attire**

- Exercise attire (athletic gear ONLY) is required, as well as closed-toe shoes (tennis, jogging, aerobic).
- No flip-flops, street shoes, flats, boots, Crocs, etc., will be allowed.
- No jeans, khaki pants/shorts, cargo pants/shorts, or dress clothes. Shirts are required – no halter tops, sports- bras only, or half shirts.
- No plastic or rubberized suits; cut-offs or street clothes are allowed.
- Please remove all sharp objects from your pockets for your safety and to help protect our fitness equipment.

### **4.7.2.E Towels**

- Cold Towels are provided for post-workout cool down
- Dry Towels are provided for drying during workouts and wiping off machines after use.
- Please leave towels in the Fitness Center.

### **4.7.2.F Drinks and Food**

- Water or fitness drinks in plastic containers with lids are the only substances allowed on the fitness floor and gym.
- No gum, candy, or food is allowed.

### **4.7.2.G Cell Phones**

- Please limit cell phone use for music only. For safety, DO NOT talk or text on your phone in the Fitness Center.

#### **4.7.2.H Books/Magazines/Study Materials**

- These materials are allowed **ONLY** on recumbent bikes.

#### **4.7.2.I Televisions**

- Televisions are provided to make your workout more enjoyable. You are welcome to change the channel. Many stations have closed captioning. The television sound **MAY NOT** be turned up.

#### **4.7.2.J Services Provided**

The following one-on-one services are provided by our patrons:

- Facility and Equipment Orientations
- Personal Body Assessments
- Personal Exercise Prescriptions

#### **4.7.2.K Children and Visitors**

- Children and visitors are not permitted in the Fitness Center at any time; unless the visitor is touring the campus with a University Ambassador.

#### **4.7.2.L Emergency Exits**

- There are two emergency exits in the Fitness Center to be used in emergency situations **ONLY**. Anyone using these doors for any other purpose will lose Fitness Center access. This is for the security of our participants.

#### **4.7.2.M Discipline**

- No loud or profane language will be tolerated at the Fitness Center.
- Absolutely no fighting or scuffling on the grounds or in the facility.
- Possessions of weapons of any kind are **strictly prohibited**.
- The use of any tobacco products, alcoholic beverage, or other controlled substance is not allowed on the grounds or in the facility.
- Any behavior or conduct considered immoral, indecent, or harassing in any public or private setting is considered immoral, indecent, or harassment at the Fitness Center will not be tolerated; Public Safety will be called.

#### **4.7.2.N Problems**

- It is our desire to give you a safe and clean environment in which to work out. Please report to the front desk any problems you have with any of the equipment on the fitness floor.
- Patrons may utilize the QR code located in various places to rate the quality of services provided in the Fitness Center.
- These rules exist to ensure an enjoyable and safe fitness experience for our participants and to help protect the longevity of the fitness equipment. Failure to follow the rules could result in you being asked to leave the facility.

## **4.8 DISABILITY SERVICES**

### **4.8.1. A. Disability Services**

The University of Arkansas at Pine Bluff complies with Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of a physical or mental disability. All programs and activities are open to students with disabilities. Although UAPB does not offer a specialized curriculum for persons

with disabilities or assume the role of a rehabilitation center, UAPB offers a variety of support services so that students with disabilities are admitted and integrated completely as possible into the university.

The student has an obligation to self-identity that he/she has a disability and needs accommodations. UAPB will require that the student provide appropriate documentation, at the student's expense, in order to establish the existence of the disability and the need for accommodations. The student should have his/her documentation from a Clinical Psychologist, Physical/Vocational Evaluator, etc. for our records. The report should be no more than three years old. Individualized Educational Plan (**IEP**) is not an acceptable documentation, but can be used as a reference. Services are based on the need presented by each individual student's disability or disabilities, and generally come in the form of reasonable accommodations. The term reasonable accommodations refers to a modification or adjustment made to a course, program, service, activity, or facility that enables a qualified student with a disability to have an equal opportunity to attain the same level of performance, or enjoy equal benefits and privileges, as are available to similarly situated student without disabilities. Services can include, but are not necessarily limited to, classroom modifications such as preferential seating, the use of a tape recorder, testing adjustments such as extended time on exams or enlarged text and provided physical access to programs and services.

Since services vary from class to class and from term to term, students are required to make service requests each semester that they are in school and require services. Services do not automatically carry over from semester to semester.

## **4.8.1.A SERVICE AND ASSISTANCE ANIMAL POLICY**

### **Policy Overview**

The University of Arkansas at Pine Bluff is committed to compliance with state and federal laws regarding individuals with disabilities. All requests for Assistance Animals (Service and Emotional Support) should be directed to the Disability Service Office (DSO) in Caldwell Hall Suite 109. The Disability Service Office can be reached at 870-575-8089 or 870-575-8552.

The University will determine, on a case by case basis, and in accordance with applicable laws and regulations, whether the animal is a reasonable accommodation on campus. In doing so, the University must balance the needs of the individual with the impact of animals on other campus patrons.

It is the policy of the University of Arkansas Pine Bluff that service animals assisting individuals with disabilities are generally permitted in all UAPB facilities, programs, and activities except as described below or otherwise governed by applicable law.

### **Service Animals Permitted on Campus**

Individuals with disabilities may be accompanied by their service animals on all University of Arkansas at Pine Bluff campuses, with minimal exception, where members of the public or participants in services, programs or activities are allowed.

**Service Animal:** A service animal is a DOG (or miniature horse) that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Examples of such tasks include, but are not limited to:

- Assisting an individual with low vision with navigation
- Alerting individuals who are hard of hearing to the presence of people or objects,

- pulling a person's wheelchair
- Alerting the individual to take medications
- Providing assistance with stability or balance to an individual with a mobility disability.

### **Emotional Support Animals**

While only service animals are recognized under the Rehabilitation Act and ADA, the FHA provides for a broader range of therapy or emotional support animals in campus housing. A "therapy" or "emotional support" animal is an animal whose role is to provide companionship, affection, security, calming influence, emotional support, or otherwise function as part of a regimen of psychological treatment.

Federal law does not give therapy animals' access to the campus as a whole. While a college or university may be required to reasonably accommodate a therapy animal in a residence hall or campus apartment, the institution is not required to allow that student to bring the animal to other areas or buildings on campus unless the animal also qualifies as a service animal under ADA and section 504 of the Rehabilitation Act.

## **4.9 VETERANS SERVICE**

The Office of Veteran Services serves as the Certifying Official for the University of Arkansas at Pine Bluff. Veteran students may qualify for the following benefits: Montgomery G.I. Bill® – Active Duty or Selected Reserve, Veterans' Educational Assistance Program, Survivors' and Dependents' Educational Assistance Program, Vocational Rehabilitation, and/or Tuition Assistance programs. All V.A. benefits are processed through the Department of Veterans Affairs, Muskogee, Oklahoma Regional Processing Office.

Class attendance is monitored, and any change in student status must be reported, which includes withdrawing from classes or changing to a different program of study. All incomplete grades must be changed within a semester after the incomplete was received. A limited number of work assignments are also available for placement through V.A.-approved work sites.

Students are encouraged to stop by the Office of Veteran Services, located in Caldwell Hall, Suite 109, for assistance. V.A. Counselors are also available through the North Little Rock, Arkansas office and can be reached by dialing the toll-free number: 1-800-827-1000. The Disability Services Office and Veterans Affairs can be reached by calling (870) 575-8089

### **Veterans Tuition and Fees Payment Requirement**

The University of Arkansas at Pine Bluff is approved for veteran's training and encourages service men and women to participate in the educational experience here. The University has an installment payment plan available through Tuition Management Systems (TMS). A small application fee is required at the time of sign up for the plan. Because training allowance checks usually begin thirty to sixty days after registration, this is a good way for veterans registering with VA authorizations to make payment arrangements to satisfy their charges for educational expenses. Interested veterans should contact the Office of Student Financial Services at (870) 575-8302 for assistance in establishing monthly payment due dates that can be coordinated with the receipt of their monthly VA checks.

## **4.10 UNIVERSITY POLICE AND PUBLIC SAFETY**

University Police and Public Safety operate 24 hours a day, seven days a week. The agency is dedicated to protecting the campus community, visitors, and the property of the University of Arkansas at Pine Bluff. Among the services provided by the department, in addition to crime prevention, are foot patrol, bicycle patrol, and mobile patrol of the University Community.

UAPB officers are Certified Law Enforcement Officers that have met all state-mandated training requirements of the Basic Law Enforcement Training Academy. University Police enforce all Traffic and Criminal Laws as well as Parking Regulations and University Ordinances. University Police can be contacted by dialing **870.575.8102**.

#### **4.10.1 Reporting Crimes and Emergencies**

All students and employees of the University of Arkansas at Pine Bluff are strongly encouraged to report any crime, suspicious activity or **emergency (dial 911)** occurring on campus by calling the University Police and Public Safety at **870.575- 8102** or by coming to the Department of Public Safety Headquarters located at 1900 Reeker Avenue or Substation Office located at 1204 L.A. Prexy Davis Drive, Pine Bluff, Arkansas 71601. Law Enforcement Officers are available 24 hours a day to handle your calls.

#### **4.10.2 UAPB Police Sub-Station**

The University Police Sub-Station is located at 1204 L.A. Prexy Davis Drive, conveniently located in the immediate proximity of the Harold Complex Dormitories. The Police Sub-Station offers the same police services and investigative environment as the main Public Safety Office. In addition, it creates a friendlier environment for student-officer contact and offers the benefit of discreteness. The Criminal Investigation Unit and the Professional Standards Unit (Internal Affairs) offices are in the University Information Center located at 1020 North University Drive, Pine Bluff, Arkansas 71601. The Criminal Investigator and PSU Investigator can be contacted at **870.575.7026**.

#### **4.10.3 Troy & Gladys Alley Information and Public Safety Center**

Troy & Gladys Alley Information and Public Safety Center are located at 1020 North University Drive at the corner of Reeker and University Street, southeast of the Fine Arts Complex. The Information and Public Safety Center serves as an informational resource for the University Community and the surrounding Pine Bluff Area. Visitors can pick up brochures containing Campus Parking and Traffic Regulations, and also, Educational Information. Also available is the Pine Bluff Official Guide for New Comers, Visitors, and Explores, Arkansas Tour Guide Land of Legend, and the All-New Arkansas Fishing and Outdoors Guide. The Facility is equipped with an Interactive Map Kiosk with a touchscreen monitor that provides a web tour of the University Campus and assistance locating a specific point of interest. The Information and Public Safety Center can be contacted by dialing **870.575.8801**.

#### **4.10.4 Security Alerts**

Security Alerts and Mass notifications are issued to inform the University community of campus emergencies regarding crimes in progress, severe weather, armed disturbances, and other activity, which create the risk of imminent danger to the safety of the community. Alerts are delivered to all UAPB recipients via text messages to cell phones, voice mail to cell, and landline phones, and email alerts, provided the recipient has registered in the Alert UAPB Emergency Notification database.

#### **4.10.5 Vehicle Registration**

Every student who owns or operates a motor vehicle on the University campus must register their vehicle with the University Police and Public Safety Department Headquarters located at 1900 Reeker Avenue, Pine Bluff, Arkansas 71601. In addition, an upcoming alternate location will be available located at 1301 L.A. Prexy Davis Drive (To Be Determined).

### **4.11 OFFICE OF CAREER SERVICES**

The Office of Career Services is a centralized one-stop student service program that provides assistance to the University of Arkansas at Pine Bluff students and alumni seeking opportunities in Cooperative Education, summer internships and permanent careers.



Students are strongly encouraged to connect with the Office of Career Services in their freshman year. The office is located in Caldwell Hall, Suite 202.

To take advantage of the majority of the opportunities offered, students **must** have a resume reviewed by a career coach on file in career services and in Handshake.

### **TO GET CONNECTED TO CAREER SERVICES!**

**Connection is Easy! Follow the four simple steps below:**

#### **Log into Handshake (<https://uapb.joinhandshake.com/login>)**

- Username: Your UAPB email address
- Password: Your current UAPB password

#### **Step One**

##### **Update Your Profile**

- Click on your name at the top of the screen, then go to MY PROFILE
- Follow the prompts to update

#### **Step Two**

##### **Utilize the Resume Template to Create Your Resume**

Locate the Resume Template by clicking on CAREER CENTER, then RESOURCES

- Select Resume Style #1
- Complete all applicable sections
- Save your resume to your computer as an MS Word document
- Upload resume to Handshake

To upload your resume, click on your name at the top right of the screen in Handshake, click on documents, select resume from your computer, click on resume, select open, and resume is uploaded.

#### **Step Three**

##### **Schedule an Appointment with Your Career Coach**

- Click on Career Center, click appointments, new appointments, choose category then appointment type

#### **Step Four**

##### **Meet with Your Career Coach to get your resume reviewed and to establish career goals**

### **SERVICES AVAILABLE**

The Office of Career Services offers a variety of services that are free for students and alumni. All of our services are designed to prepare students to make a successful transition from college to the real world of work.

### **CAREER COACHING**

Students are not always familiar with the various positions and multiple career paths available in their major. Career coaching is a model designed to empower students to make informed decisions about their career path.

The career coach will help students develop a four-year plan for success; this plan includes but is not limited to: career exploration, interviewing skills & confidence building, resume preparation, job search strategies, and career, personality, and strengths assessment.

### **CAREER ASSESSMENT**

Students are not always sure what career path is right for them. -Career assessments are tools designed to help students understand how a variety of personal traits affects their potential success and satisfaction with different career options and work environments.

Focus 2 is an online, interactive, and self-guided career and education planning tool that helps students explore occupations, choose majors, and make informed career decisions.

Focus 2 can also help students explore their values, interests, personality, and skills and their relation to possible majors/programs and careers.

Focus 2 will reliably help students plan for and achieve career success throughout their lifetime.

Students may gain 24-hour access through career services.

**Focus 2 is funded in part by a grant from the U. S. Department of Education, Office of Post-Secondary Education, and Institutional Services Program (Title III, Part B, Historically Black Colleges and Universities Program)**

### **CAREER FAIRS**

Career fairs are a great opportunity for students and alumni seeking employment (summer internships, Cooperative Education and permanent careers) to network face-to-face or virtually with employers. Career Services offers two career fairs each calendar year. The Fall Career Fair and Networking Expo is normally held in October and the Spring Career Fair and Networking Expo is normally held in March. Career fairs are open to all students and alumni. Students are encouraged to register through Handshake.

### **CAREER DEVELOPMENT WORKSHOPS**

Career Development workshops are offered on an as-needed basis or upon request. Workshops may be requested by residence halls, faculty, clubs, and organizations. Workshops are open to all students.

### **CUSTOMIZED RESUME BUILDER**

Handshake provides online access to a resume template that allows students to create and submit a resume to career services. Career Services recommends that you have your resume reviewed by a career coach in career services before submitting it to an employer or uploading in Handshake.

### **HANDSHAKE**

Handshake is the number one site for college students to find summer internships, Cooperative Education and permanent careers! All current UAPB students have a Handshake account that is available 24-hours a day.

As a student, you get a personalized opportunity to:

- Set your priorities for the type of employment you are seeking and the location (s)
- Create your resume using a resume template and upload in Handshake
- Experience a simple job search with many customizable options to find the right career, Cooperative Education and summer internship opportunities
- Save favorite job searches and companies to be notified when new jobs are posted matching your preferences
- Apply for jobs directly through Handshake with the click of a button
- Connect with hundreds of top employers that may not come to campus
- See employer reviews from other students
- Register for career fairs, information sessions, and other recruiting events

- Track deadlines of applications
- Schedule an appointment with your career coach
- Manage notifications

Employers also have 24-hour access to post jobs, review resumes, and send notifications. Top employers, including all Fortune 500 companies, startups, nonprofits, and many more, recruit students through Handshake. Thousands of jobs and new employers are posted daily.

To increase opportunities for employment, the Office of Career Services strongly encourages students to have their resumes reviewed by a career coach in career services before posting in Handshake.

**Handshake is funded in part by a grant from the U. S. Department of Education, Office of Post-Secondary Education, and Institutional Services Program (Title III, Part B, Historically Black Colleges and Universities Program).**

### **JOB POSTINGS**

The Office of Career Service is the first point of contact for employers that are seeking to hire students and alumni. Handshake is the official platform for permanent careers, summer internships, and Cooperative Education positions. Employment opportunities are also received from business, government, and nonprofit organizations. These jobs are sent out to students electronically and posted in Handshake.

### **ON-CAMPUS INTERVIEWS**

On-Campus interviews typically consist of employers who come to campus to conduct interviews for summer internships, Cooperative Education, and permanent careers with selected students. Employers provide sets the criteria to interview such as the major (s), classification (s), and GPA. All interested students must have a resume on file in the Office of Career Services and meet the employer’s eligibility requirements.

### **SOCIAL MEDIA CONNECTIONS**

You can keep up with notifications and announcements from career services on Facebook, Twitter, Instagram, and LinkedIn.

### **COOPERATIVE EDUCATION/ SUMMER INTERNSHIPS**

Cooperative Education and summer internships provides paid professional employment experiences for students in their academic major or career goals. Students who take advantage of either program, will position themselves to be more marketable upon graduation.

### **WHAT IS COOPERATIVE EDUCATION (CO-OP)**

A paid work experience directly related to the student’s academic major.

### **BENEFITS OF COOPERATIVE EDUCATION**

- Earns college credit while working in field of study.
- Helps to build a more competitive resume than peers.
- Integrates classroom theory to actual work experience.
- Offers an opportunity to build a network of contacts.
- Cultivates maturity, self-confidence, human relations skills and a sense of responsibility.
- Creates an awareness of interest and career goals.
- Increases the potential to advance within your field of study
- Assists in developing skills and experiences to be marketable upon graduation.

### **TWO TYPES OF COOPERATIVE EDUCATION PLANS**

### **Alternating Plan**

A paid work assignment limited to employers that are over a 50- mile radius from the University. The student will spend one semester (fall or spring) working full-time (40 hours a week). The student will return to campus the next semester to study.

### **Parallel Plan**

A paid work assignment limited to employers within a 50-mile radius from the University. This plan allows the student to participate in full-time study (12 hours of coursework) and part-time work (20 hours a week) doing the semester.

### **ACADEMIC CREDIT/COOPERATIVE EDUCATION**

Students **must** register for 6 hours of academic credit under both plans. Students will only receive academic credit to satisfy up to 6 hours of electives one time.

### **HOW DOES COOPERATIVE EDUCATION WORK?**

The Office of Career Services (OCS) will serve as the clearinghouse for all Cooperative Education and non-departmental internships. The Office of Career Services will work with a faculty liaison from each department to ensure that the best learning experience occurs in the work environment.

### **SUMMER INTERNSHIPS**

An internship is a paid work experience that is directly related to the student's academic major or career goals. Internships are normally done during the summer months. The work experience must be 8-12 weeks to qualify as ~~for~~ an internship.

### **SUMMER INTERNSHIP/ACADEMIC CREDIT**

Academic credit is optional. Students may use work experience during the summer to satisfy up to 6 hours of academic credit for electives if the work experience is 10-12 weeks. Students may only receive up to 3 hours of academic credit for electives if the work experience is 8 weeks. If receiving academic credit, the student **must** register the **first** summer session. Students are eligible to receive academic credit for electives one time.

### **ELIGIBILITY FOR CO-OP/SUMMER INTERNSHIPS**

To participate in Cooperative Education or a summer internship, you must have:

- Completed 30 semester credit hours at the time of application.
- Have a 2.5 cumulative GPA. \*\* Employers may require a higher GPA\*\*
- Received approval from an academic advisor.
- Transfer students must wait one semester to be eligible.

### **ADDITIONAL OPPORTUNITIES**

#### **NETWORKING**

The Youth Motivation Task Force (YMTF) program is sponsored annually through the Office of Career Services. This program provides opportunities for students to:

- Network with employers from business and government agencies.
- Gain the resources and knowledge needed to be successful in the job market.
- Attain life skills to assist in both professional and personal development.
- Develop communication and leadership skills.
- Be encouraged and motivated by locally and nationally known motivational speakers.

Professionals from business and government agencies conduct classroom presentations, career development workshops, and panel discussions on how to successfully transition from college to the real world of work.

#### **4.11.1 LEADERSHIP EVENTS**

Students are selected by employers through an interview process to participate in leadership conferences throughout the United States. These events help students to develop and improve communication, networking, interpersonal and leadership skills. To culminate the event, a career fair is held which provides an opportunity for students to interview for Cooperative Education, summer internships, and permanent. Most of the travel expenses are paid by the sponsoring organization. Below is a list of participating organizations:

- Thurgood Marshall College Fund (TMCf) Leadership Institute
- Thurgood Marshall Teacher Quality Retention Program
- International Organization of Black Security Executives (IOBSE) Leadership Conference

#### **4.12 DEAN OF STUDENT LIFE**

The Dean of Student Life has full responsibility for THE ROAR (your student handbook), Parents Handbook, Managing Classroom Disruption Brochure, Campus Shuttle, Behavioral Intervention Team, student rights and due process seminars, orientation sessions for transfer students, and all student conduct matters.

The Dean of Student Life offers and encourages involvement in extracurricular activities to broaden students' educational and social experiences and develop their interpersonal skills. Students are free to visit with the Dean of Student Life on general questions about UAPB, concerns about the quality of life outside the classroom, or problems beyond the scope of the operating department.

#### **4.13 STUDENT CODE OF CONDUCT**

##### **4.13.1.A General Guidelines**

Students who experience the privilege of attending the University of Arkansas at Pine Bluff become members of the academic community while retaining their status as citizens. Students are entitled to the same fundamental rights, privileges, and immunities that are guaranteed to every citizen of the United States. In addition to their inherent rights and privileges on becoming members of the academic community, students voluntarily assume the obligation to fulfill the responsibilities of all citizens, as well as the obligation of performance and behavior imposed by the University in relation to its lawful missions and functions.

The University has the responsibility to develop policies, procedures, and standards that will ensure the protection of the rights of each member of the academic community. The following are included among the responsibilities of students:

1. The responsibility for being fully acquainted with the University Catalog, Student Handbook, THE ROAR, and other published regulations relating to students and for complying with them in the interest of an orderly and productive community.
2. The responsibility for assisting the University administration in protecting the rights of others through orderly disciplinary procedures.
3. The responsibility for securing and respecting general conditions conducive to the freedom to learn.
4. The responsibility for respecting and complying with all the laws and rights of good citizenship.
5. In accordance with these responsibilities, the University has an obligation to set standards of conduct that it considers essential to its educational mission and its community life. Adjudication through the University does not preclude prosecution of offenses by local, state, and federal agencies.

##### **4.13.1.B Association, Inquiry, and Expression**

Students should have the privilege of joining the campus organization(s) of their choice without respect to race, color, sex, gender, age, national origin, religion, learning or physical disability, or veteran status. Each student is responsible for their own actions involving any and all activities by a group or organization.

In the best interest of open inquiry and debate, students and campus organizations should follow prescribed University procedures in the Police on Free Speech and Expressive Activities.

The student newspaper is a valuable aid in establishing and maintaining an atmosphere of free and responsible discussion. It is a means of bringing student concerns to the attention of the campus community. Published articles should, in no way, violate the publication's integrity or purpose.

## **4.14 STUDENT CONDUCT JUDICIAL SYSTEM**

The University of Arkansas at Pine Bluff's Student System is designed to promote order, discipline inherent in, and essential to its students' educational process. This system applies to all students enrolled in the University who violate the Code of Conduct on-campus and off-campus when the violation is committed by a student or student organization that reflects upon the name of the University or its programs.

Students will be held accountable and subject to punishment for violations committed off-campus during University sanctioned/sponsored activities. It is incumbent upon all students to comply with the Student Code of Conduct, respect the rights of others, and honor University policies and procedures.

### **4.14.1 Administrative Authority**

Under the authority of the Board of Trustees through the President of the University of Arkansas System, the Chancellor of the University of Arkansas at Pine Bluff (UAPB) is delegated the authority and responsibility for establishing and enforcing regulations governing student life. The Chancellor has further delegated this authority and responsibility to the Vice Chancellor for Student Affairs. The Chancellor, through his/her designee(s), may alter or modify the rules and regulations concerning student conduct and discipline at any time.

All complaints and/or alleged violations of University disciplinary rules and regulations should be referred initially to the Dean of Student Life. The Dean of Student Life will determine the case or refer it to another administrative body.

### **4.14.2 Parental Notification**

Under a rule change by Congress in the Family Education Rights and Privacy Act, colleges are permitted to notify the parents if a student under the age of 21 violates a drug or alcohol statute. The Office of Dean of Student Life may notify the parents of any student under the age of 21 who is accused of drinking and/or possession of alcohol, using and/or possession of illegal drugs, or where there is a health and/or safety emergency.

### **4.14.3 To Know And Campus Security Act**

The Student Right-to-Know and Campus Security Act requires institutions to provide information freely to the public, especially for current and prospective students, regarding (1) “completion or graduation rates of certificate- or degree-seeking, full-time students entering that institution,” (2) “graduation/completion rates of all students as well as students receiving athletically-related student aid by race/ethnicity and gender and by sport, and the average completion or graduation rate for the four most recent years,” and (3) institution's crime statistics. Amendments enacted in 1998 renamed Title II of the Act dealing with crime statistics, and it is now known as the “Jeanne Celery 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, along with a breakdown of locations of criminal activity to be specified as on-campus, non-campus, residence hall, or public property.

Information relating to completion and graduation rates can be found at [http://www.uapb.edu/administration/office\\_of\\_the\\_chancellor/planning\\_institutional\\_research\\_and\\_public\\_information.aspx](http://www.uapb.edu/administration/office_of_the_chancellor/planning_institutional_research_and_public_information.aspx) . Crime statistics can be found at <http://www.uapb.edu/sites/www/Uploads/University%20Police/CrimeData%202013.pdf> .

## 4.14.4 Code of Student Conduct

### Section 1: Introduction

The Student Code of Conduct sets forth behavioral standards for students to follow as they live, study, work, and pursue their educational goals in a safe and secure learning environment at the University of Arkansas at Pine Bluff (“the University”). The Code reflects expectations based on values essential to a flourishing academic environment, such as honesty, integrity, respect, and fairness.

### Section 2: Definitions

All of the terms of this Student Code of Conduct have their common dictionary meaning unless otherwise specified. The following terms, however, should be interpreted to have the specific meanings listed below. Any question of interpretation will be determined at the sole discretion of the Vice Chancellor for Student Affairs or designee.

1. **“Academic Dishonesty”** means an action that violates a rule regarding academic work required to obtain an academic degree or certificate.<sup>1</sup> Examples include, but are not limited to, using unauthorized materials, information, or study aids using artificial-intelligence programs in a manner that is inconsistent with University policy, a course syllabus, or an instructor’s directives; cheating; plagiarism; forgery; falsification of information; receiving unauthorized assistance on coursework; providing false information to receive an extension to complete work; any violation of a campus, departmental, program, or faculty rules relating to an academic matter that may lead to an unfair academic advantage; or complicity with another individual who has engaged in an act of academic dishonesty.
2. **“Administrative File”** means all documents and evidence in the University’s possession or control that is relevant to an alleged violation of the Code and the University’s investigation into the alleged violation.<sup>2</sup>
  - a. The Administrative File does not include privileged documents, internal communications, or communications from non-parties that the University does not intend to introduce as evidence at a disciplinary proceeding.<sup>3</sup>
  - b. The Administrative File includes, without limitation, the following:<sup>4</sup>
    - i. Exculpatory evidence;
    - ii. Statements by an accuser or an accused Student or a Student organization;

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<sup>1</sup> The term “academic dishonesty” is used, but not defined, in Ark. Code Ann. § 6-60-1403(4)(B). The statutory scheme also distinguishes between “academic” and “nonacademic” rules without any definitions. FIRE’s model code of conduct uses the terms “academic rules” and “rules regarding academic dishonesty” synonymously.

<sup>2</sup> Ark. Code Ann. § 6-60-1404(b)(1)

<sup>3</sup> Ark. Code Ann. § 6-60-1404(b)(3)

<sup>4</sup> Ark. Code Ann. § 6-60-1404(b)(2)

- iii. Third-Party witness statements;
  - iv. Electronically stored information;
  - v. Written communications;
  - vi. Social media posts;
  - vii. Demonstrative evidence;
  - viii. Documents submitted by any participant involved in disciplinary proceedings; and
  - ix. The University’s choice of a video recording, an audio recording, or a transcript of any disciplinary Hearing ultimately held on the matter.
3. **“Campus”** means all land, building, facilities, and other real property owned by or leased to the University.
  4. **“Campus Community”** means all persons affiliated with the University, including Students, faculty, administrators, staff, and volunteers.
  5. **“Chancellor”** means the chief executive officer of the University.
  6. **“Code”** means this Student Code of Conduct.
  7. **“Complainant”** means any member of the Campus Community who alleges that a Respondent violated the Code.
  8. **“Complaint”** means an oral or written request for the University to initiate its procedures to address alleged violations of this Code.<sup>5</sup>
  9. **“Day”** means a calendar day, unless otherwise specified. A “business day” excludes weekends, holidays, and other days when the Campus is closed.
  10. **“Free Speech Rights”** means the expressive rights protected by the First Amendment to the U.S. Constitution, Section 2; Section 6 of the Arkansas Constitution; or an applicable statute.
  11. **“Hearing”** means the forum in which the Respondent is given an opportunity to be heard, following adequate notice, and which results in a decision concerning responsibility and sanctions.
  12. **“Hearing Officer”** means a single, impartial individual who conducts a Hearing, decides whether a Respondent is responsible for violating the Code, and imposes sanctions.
  13. **“Hearing Panel”** means an impartial body of at least three members convened for the purpose of conducting a Hearing, deciding whether a Respondent is responsible for violating the Code, and imposing sanctions. A Hearing Panel’s determination of responsibility shall be made by majority vote.

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<sup>5</sup> Id.



14. "**Appeals Hearing Panel**" means an impartial body of at least five members that convenes to review appeals from students found responsible for violating the student code of conduct. This committee plays a crucial role in ensuring that the student code of conduct process is fair, thorough, and in accordance with the institution's policies. A Hearing Panel's determination shall be made by majority vote.
15. "**Parties**" means the Complainant(s) and Respondent(s) in a case under the Code. The Complainant and Respondent shall have similar rights regarding the right to be present and participate in disciplinary proceedings, representation by an advisor (when applicable), access to the Administrative File, and the right to appeal.<sup>6</sup>
16. "**Relevant**" means related to the allegations of a violation of this Code that are subject to an investigation. Questions are relevant when they seek evidence that may aid in showing whether the violation occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged violation occurred.<sup>7</sup>
17. "**Remedies**" means measures provided, as appropriate, to a Complainant or any other person the University identifies as having had equal access to the University's program or activity limited or denied by a violation of this Code.<sup>8</sup> The measures are provided to restore or preserve that person's access to the University's education program or activity after the University determines that a violation occurred.
18. "**Respondent**" means the Student or Student organization accused of violating the Code.<sup>9</sup> When a Complaint alleges that the University's policy or practice discriminates on an unlawful basis, the University is not considered a Respondent.<sup>10</sup>
19. "**Responsible Student**" means a Respondent determined to have violated this Code.
20. "**Retaliation**" means intimidation, threats, coercion, or discrimination against any person by a Student, employee, person authorized by the University to provide aid, benefit, or service under the University's program or activity, or the University for the purpose of interfering with any right or privilege secured by this Code or a state or federal law, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing, including an informal resolution process, grievance procedures, and in any other appropriate steps taken by a University in response to an allegation of a violation of this Code.<sup>11</sup>
21. "**Sanction**" means a consequence or action that is imposed on a Respondent following a determination that the Respondent violated the Code.<sup>12</sup> Sanctions are not designed to be punitive; rather, they are intended to be educational measures that hold Students accountable for their behavior and protect the Campus Community. Sanctions can range from a verbal warning to expulsion or suspension.

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<sup>6</sup> Ark. Code Ann. § 6-60-1404(c)(1)(I)

<sup>7</sup> 34 C.F.R. § 106.2

<sup>8</sup> Id.

<sup>9</sup> Id.

<sup>10</sup> 34 C.F.R. § 106.45(a)(1)

<sup>11</sup> Id.

<sup>12</sup> Id.

22. **“Student”** means a person who has gained admission to the University.<sup>13</sup>
23. **“Student Conduct Administrator”** means a University employee who is responsible for the implementation of this Code.
24. **“Student Organization”** means any number of persons who have, as a group, engaged in a particular activity and have complied with the formal requirements for official University recognition.
25. **“University Official”** means any non-Student member of the University administration.
26. **“University-Sponsored Activity”** means any activity on University premises or at an off-campus location that is initiated or supervised by the University. This definition includes fraternity and sorority organizations, club events, study abroad experiences, sporting events, and riding in University-operated or contracted vehicles—even if such things occur somewhere other than university premises.

### **Section 3: Interpretive Principles**

1. The Board of Trustees of the University of Arkansas has designated the Chancellor as the chief executive of the University. The Chancellor is responsible for ensuring that the University applies this Code in an impartial and consistent manner. Student Conduct Administrators are responsible for overseeing the disciplinary proceedings and imposing sanctions for violations of the Code.
2. Nothing in this Code shall be interpreted to abridge the constitutional or statutory rights of any person. To the extent that a provision in this Code is inconsistent with a constitutional or statutory provision, the legal provision will control.
3. This Code and related policies and procedures are not intended to create contractual rights, property rights, or liberty interests.

### **Section 4: Applicability of the Code of Conduct**

1. Students must follow the Code during the time they are enrolled in the University. The Code shall apply to a Student’s conduct while enrolled in the University, even if the Student withdraws while a disciplinary matter is pending.
2. The Code shall apply to the following:
  - a. Conduct that occurs on Campus;
  - b. Conduct that occurs at a University-Sponsored Activity;
  - c. Conduct that occurs off-campus under one of the following conditions:
    - i. The University exercises substantial control over both the location and the Respondent (including any building owned or controlled by a Student organization that is officially recognized by the University); or
    - ii. The conduct adversely affects the Campus Community or the pursuit of the University’s objectives; and

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<sup>13</sup> 34 C.F.R. § 106.2

- d. Conduct that constitutes Academic Dishonesty regardless of location, even if the Academic Dishonesty is not discovered until after a degree is awarded.
3. If necessary to protect the rights and safety of the Campus Community, the University may suspend any Student charged with a felony in any jurisdiction until the charges are dropped, the case is dismissed, or a judgment of conviction or acquittal is secured. The University must provide an administrative Hearing under Section 11 before taking this action, where the issue to be decided is the existence and nature of the charges.
4. If necessary to protect the rights and safety of the campus community, the University may expel any Student who has been convicted of a felony while enrolled. If the Student's conviction is overturned on appeal, the University shall allow the Student to re-enroll. The University must provide an administrative Hearing under Section 11 before taking this action, where the issue to be decided is the existence and nature of the conviction.
5. The University may discipline Students for the violation of any law involving drugs or alcohol on its property or as part of its activities. A Student who tests positive for a controlled substance while representing the University may be subject to disciplinary action under this Code.
6. A student-athlete who violates team rules may be subjected to disciplinary action in accordance with the policies and procedures of the team and the Department of Athletics. The procedures set forth in this Code, however, will be utilized prior to the imposition of a sanction of expulsion or suspension from the University.
7. The University's separate Title IX grievance procedures shall apply to alleged conduct that constitutes sex discrimination (including sex-based harassment) and that falls within the scope of the University's Title IX jurisdiction.

### **Section 5: Application of the Code of Conduct to Student Organizations**

Student organizations and their officers and members, in their capacity as such, are subject to sanctions only upon a showing of actual participation in, or actual authorization or ratification of, a violation of the Code. In making this determination, the University shall consider whether the organization's members were acting in accord with its practices and policies, or with the knowledge or approval of a substantial number of its members or leadership.

### **Section 6: Prohibited Conduct**

1. **Abuse of Campus Access:** Students shall not abuse their access to Campus by engaging in any of the following:
  - a. Unauthorized entry to, or use of, University facilities, property, or resources; or
  - b. Misuse of University or personal property to create a safety hazard, or unauthorized use of safety equipment.
2. **Abuse of computer facilities:** Abuse of computer facilities and resources is prohibited, namely:
  - a. Unauthorized access or transfer of an electronic file or files;

- b. Unauthorized use of another individual's identification or password;
  - c. Use of computing facilities and resources to materially interfere with the work of another Student, faculty member, or University Official;
  - d. Sending a large volume of unsolicited emails and other data with the intent to severely impair the functionality of the University's computer network;
  - e. Repeated use of the University network to send unsolicited emails with the primary purpose of proposing a commercial transaction; or
  - f. Use of computing facilities and resources to knowingly share copyrighted materials in violation of state or federal law;
  - g. Any violation of the University's policy on using technology resources.
3. **Abuse of Student Conduct System:** Failure to participate in the proceedings in good faith, including misrepresentations to a Student Conduct Administrator; interference with an orderly Hearing or other proceeding; attempting to discourage another individual from participating in the Student conduct system; attempting to influence the impartiality of a Hearing Officer or panelist prior to, and/or during the course of, a proceeding; influencing or attempting another person to abuse the Student conduct system; and failure to comply with sanctions imposed under the Code.
4. **Alcohol Use:** Consumption, possession, distribution, manufacture, sale, and serving alcoholic beverages on University premises or at University-Sponsored Activities is prohibited, regardless of age, unless permitted by a University policy.
5. **Campus Elections and Referendums:** Casting more than one ballot in any campus election or referendum or trying to circumvent the prescribed procedures in an election process is prohibited
6. **.Damage to or Defacing or Destruction of Property:** Causing damage, defacement or destruction of property owned by the University or any other person or group.
7. **Deception:** Deception is deliberately deceiving any University official, faculty member, or administrative officer by knowingly providing false information in connection with the discharge of the person's duties. Deception includes filing false reports or giving false information in connection with a misconduct proceeding. However, a determination regarding responsibility, alone, is not sufficient to conclude that any Party has made a materially false statement in bad faith.
8. **Discrimination:** Discrimination is taking an adverse action against any member of the Campus Community or visitor, or in connection with any University-Sponsored Activity, through behavior of a biased or prejudicial nature related to an individual's legally protected status or characteristic (such as race, color, national origin, sex, marital or parental status, religion, disability, age, genetic information, or veteran status). Discrimination occurs when the adverse action results in an individual suffering less favorable treatment than others because of the protected status or characteristic.
9. **Discriminatory Harassment:** Discriminatory harassment on the basis of a legally protected status or characteristic (such as race, color, national origin, sex, marital or parental status, religion, disability, age, genetic information, or veteran status) is prohibited. Sex discrimination including sex-based harassment is a particular type of discrimination that is covered by the University's separate Title IX grievance procedures. Discriminatory harassment includes unwelcome conduct based on an

individual’s legally protected status or characteristic that is subjectively and objectively offensive—based on the totality of the circumstances—and so severe and/or pervasive that it denies or limits a person’s ability to participate in or benefit from the University’s education program or activity (i.e., creates a hostile environment).

- 10. Disorderly Conduct:** Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace on campus or at a University-Sponsored Activity. Disorderly conduct includes any violation of Ark. Code Ann. § 5-71-207. Fighting words intimidating speech directed at a specific individual in a face-to-face confrontation that is likely to provoke a violent reaction is not protected speech and may be disciplined as disorderly conduct.
- 11. Disruption of University Operations:** Disrupting the normal operations of the University, or inciting others to do so, is prohibited. Students shall not intentionally disrupt any of the following activities:
  - a. Teaching or research;
  - b. Administrative functions;
  - c. Disciplinary proceedings;
  - d. Other University-Sponsored Activities (on or off Campus); or
  - e. Other authorized or permissible activities that take place on Campus.
- 12. Drug Use:** The act or intent to illegally use, possess, sell, distribute, cultivate, or manufacture any state or federally controlled substance or paraphernalia. Inhaling or ingesting any substance that will alter a Student’s mental state is also prohibited, unless done pursuant to a valid prescription. The possession and/or use of marijuana (even for medicinal purposes) on campus is prohibited.<sup>14</sup>
- 13. Endangering Health, Safety, or Privacy:** Intentionally endangering the health, safety, or privacy of others is prohibited, including:
  - a. Illegal or unauthorized possession of firearms, explosives, other weapons, or dangerous chemicals;
  - b. Unnecessarily placing oneself or others in danger of physical harm; or
  - c. Physical assault of another person.
- 14. Failure to Comply:** Students shall comply with lawful directions from University Officials or law enforcement officers acting in the good faith performance of their duties and shall identify themselves to these persons when requested to do so.
- 15. False Reports:** Deliberately giving a false report of a crime or emergency to a University Official, including a campus law-enforcement officer.
- 16. Fire Safety Violation:** Misuse or unauthorized use of fire extinguishers, safety equipment, warning devices (including fire alarms, fire equipment, fire chairs, or escape mechanisms and elevators).<sup>15</sup>
- 17. Forgery:** Forgery is the false making or material alteration of a University document, record, or form of identification.

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<sup>14</sup> Ark. Const., amend. 98, § 6(a)(2)(B)

<sup>15</sup> Ark. Code Ann. § 5-38-301; Ark. Code Ann. § 5-38-302

- 18. Gambling:** Gambling for money or other things of value on campus or at University-Sponsored Activity except as permitted by law.
- 19. Guest’s Behavior:** Students are responsible for the behavior of their guests whom they invite to the campus or are permitted to visit on the campus. If a guest is found to be in violation of the Standards of Conduct while in the company of the student host or with the student host’s knowledge, applicable charges may be brought against the guest and the student host or the host student organization.
- 20. Hazing:** Students may not engage in hazing or encourage, aid, or assist any person in hazing.<sup>16</sup> In addition, Students shall not knowingly acquiesce in the commission of hazing or fail to report promptly his or her reasonable knowledge or any reasonable information within his or her knowledge of the presence and practice of hazing to an appropriate University Official. Hazing means:<sup>17</sup>
- a. A willful act on or off the property of the University by one Student, alumnus, or volunteer or employee of a fraternal organization if the volunteer or employee is acting on behalf of, or in the name of, the fraternal organization, acting alone, or acting with others when the conduct is directed against any other Student and done for the purpose of intimidating the Student attacked by threatening him or her with social or other ostracism or of submitting such Student to ignominy, shame, or disgrace among his or her fellow Students, and acts calculated to produce such results;
  - b. The playing of abusive or truculent tricks on or off the property of the University by one Student, alumnus, or volunteer or employee of a fraternal organization if the volunteer or employee is acting on behalf of, or in the name of, the fraternal organization, acting alone, or acting with others, upon another Student to frighten or scare him or her;
  - c. A willful act on or off the property of the University by one Student, alumnus, or volunteer or employee of a fraternal organization if the volunteer or employee is acting on behalf of, or in the name of, the fraternal organization, acting alone, or acting with others which is directed against any other Student done for the purpose of humbling the pride, stifling the ambition, or impairing the courage of the Student attacked or to discourage him or her from remaining in that school, college, university, or other educational institution, or reasonably to cause him or her to leave the institution rather than submit to such acts; or
  - d. A willful act on or off the property of the University by one Student, alumnus, or volunteer or employee of a fraternal organization if the volunteer or employee is acting on behalf of, or in the name of, the fraternal organization, acting alone, or acting with others in striking, beating, bruising, or maiming; or seriously offering, threatening, or attempting to strike, beat, bruise, or maim; or to do or seriously offer, threaten, or attempt to do physical violence to any Student of any such educational institution; or any assault upon any such Student made for the purpose of committing any of the acts, or producing any of the results, to such Student as defined in this section.
  - e. The term “hazing”
    - i. Does not include customary athletic events or similar contests or competitions; and

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<sup>16</sup> Ark. Code Ann. § 6-5-202

<sup>17</sup> Ark. Code Ann. § 6-5-201

- ii. Is limited to those actions taken and situations created in connection with initiation into or affiliation with an organization, extracurricular activity, or sports program.

**21. Improper Use of Motor Vehicle:** Improper use of a motor vehicle involves violations of the established rules and regulations governing the operation of motor vehicles on University-owned or controlled property, or during University-sponsored or supervised activities. This includes, but is not limited to, the following prohibited actions:

- i. **Driving and Parking on Grass and Sidewalks:** Vehicles must be driven only on designated roadways and parked in authorized parking areas. Driving or parking on grassy areas, sidewalks, or other non-designated surfaces is prohibited.
- ii. **Leaving the Scene of an Accident:** Any individual involved in a vehicular accident on University property or during a University event must remain at the scene and report the incident to the appropriate authorities. Leaving the scene of an accident is a serious violation.
- iii. **Driving Recklessly:** Reckless driving, including speeding, aggressive driving, and other hazardous behaviors, is not tolerated. All drivers are expected to adhere to posted speed limits and drive safely to ensure the well-being of all individuals on University premises.
- iv. **Operating a Vehicle Without a Required Parking Decal:** All vehicles operated on campus must display a valid parking decal as required by University regulations. Failure to do so constitutes a violation of campus vehicle use policies.

Note: Revocation of or loss of privilege to operate and/or park vehicles on campus means that the vehicle cannot be operated on the campus or on University-owned property by anyone, and the student may not operate or park any vehicle on the campus or University-owned property.

**22. Intimidation:** Intimidation is physical conduct threatening specific individual(s) with the intent to place those individuals in fear of bodily harm or death (as construed by a reasonable person), and in which the person engaging in the communication must have, at least, acted recklessly when he or she conveyed the threat to another.

**23. Obstruction:** Impeding the free flow of pedestrian or vehicular traffic on University premises or at University-Sponsored Activities.

**24. Pets and Animals:** Due to health and sanitation reasons having pets (including fish) in the buildings, student residences, classrooms, offices, etc., is strictly prohibited except when needed in connection with a disability and only with written permission of the Office of Disability and Veteran Affairs

**25. Solicitation:** Unauthorized selling, collection of monies, and promotion on campus within University buildings are not permitted without permission from the Associate Dean for Student Leadership and Involvement. Students may not act as agents for business firms, which entails solicitation or receiving business offers or goods on University property. In addition, students may not solicit on behalf of the University without permission from the Office of Development and University Relations. Students who violate the policy may receive disciplinary actions, including suspension and expulsion from the University.

Use of any residence hall for business purposes of any nature whatsoever. Students who violate the policy may receive disciplinary actions, including suspension and expulsion from the University.

- 26. Video Voyeurism:** The unlawful use of any camera, videotape, photo-optical, photoelectric, or any other image recording device to secretly observe, view, photograph, film, or videotape a person present in a residence, place of business, school, or other structure, or any room or a particular location within that structure, is prohibited if that person is in a private area out of public view, has a reasonable expectation of privacy, and has not consented to the observation. Students who violate the policy may be subject to sanctions, which could include but are not limited to probation, suspension, or dismissal from the University.
- 27. Stalking (other than stalking as a form of sex-based harassment covered under Title IX):** Stalking is (1) a course of conduct committed with an intent to kill, injure, harass, or intimidate another person that (2) places that person in reasonable fear of death of, or serious bodily injury to (3) that person, an immediate family member, a spouse, or an intimate partner of that person or (4) causes, attempts to cause, or would be reasonably expected to cause substantial emotional distress to a person listed above.
- 28. Theft, vandalism, and destruction:** Theft, attempted theft, unauthorized possession of University property, vandalism, and destruction of property owned by the University or any other person or group are prohibited.
- 29. Tobacco Use:** The use of any tobacco product is prohibited on campus is prohibited.<sup>18</sup> The tobacco-free environment includes all University property.<sup>19</sup> Electronic cigarettes are also prohibited.
- 30. True Threats:** A true threat is (1) a serious expression of intent to commit an act of unlawful violence against a particular individual or identifiable group, if (2) the individual or group would reasonably fear the threatened violence, and (3) in which the person engaging in the communication must have, at least, acted recklessly when he or she conveyed the threat to another.
- 31. Weapons:** Possessing, using, or storing firearms, explosives (including fireworks), weapons, or dangerous chemicals on University property or in the course of any University-Sponsored Activity is prohibited. This prohibition extends to stun guns, tasers, brass knuckles, and pocketknives longer than four inches. Exceptions include:
- a. Weapons possessed by a licensed law enforcement officer and directly related to their current professional position;
  - b. Weapons, replicas, or related items for educational or ceremonial purposes, approved in advance of the event by the Chancellor or Vice Chancellor for Academic Affairs;
  - c. Weapons possessed or used for purposes of authorized firearms competitions sponsored or hosted by the University;
  - d. Firearms locked inside a vehicle;<sup>20</sup> and
  - e. Weapons possessed lawfully under Ark. Code Ann. § 5-73-322 regarding the carrying of concealed handguns on university campuses.

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<sup>18</sup> Ark. Code Ann. §§ 6-60-701 to 6-60-705

<sup>19</sup> Ark. Code Ann. § 25-17-301

<sup>20</sup> Ark. Code Ann. § 5-73-119(e)(12)(A)



**32. Violation of Law:** A violation of any Arkansas state and/or federal criminal law is prohibited.

**33. Misconduct Abroad:** Any Student who undertakes study or represents the University in any foreign country remains subject to this Code. The University retains discretion as it considers appropriate to apply disciplinary action under the Code if a Student violates any law, rule, or regulation in that country or any institution where that Student undertakes study.

**34. Retaliation:** The University prohibits retaliation as defined in Section 2. Prohibited retaliation includes (but is not limited to):<sup>21</sup>

- a. Initiating a disciplinary process against a person for a violation that does not involve sex discrimination but arises out of the same facts and circumstances as a Complaint or information reported about possible sex discrimination, for the purpose of interfering with the exercise of any right or privilege secured by Title IX; or
- b. Peer retaliation, which is retaliation by a Student against another Student.

**35. Incorporation of Other Rules:** This Code incorporates all other rules regarding Student conduct contained in University policies. A violation of the rule constitutes a violation of this Code.

#### **Section 7: Academic Dishonesty and Classroom Misbehavior**

1. Classroom management and behaviors not otherwise in violation of published behavioral rules are under the jurisdiction and responsibility of the faculty member.
2. Violations of University policies on classroom behavior and academic dishonesty are addressed by the Office of the Vice Chancellor for Academic Affairs, often in conjunction with the particular department and academic department in which the specific class resides. Further information on such policies and procedures may be reviewed by contacting the Vice Chancellor for Academic Affairs.
3. Academic Dishonesty in any form is prohibited. Subject to more specific rules, the following procedures shall be utilized in connection with allegations of academic dishonesty:
  - a. An instructor may take appropriate action, such as assigning a Student a grade of "F" for the course and suspending the Student from the class. The "F" will be the final grade and the Student may not withdraw from the course with another notation. A description of the incident and the action taken will be reported to the appropriate dean and will be placed in the Student's file in the Registrar's office.
  - b. Within 3 business days of notification, the Student may appeal either the finding of academic dishonesty or the penalty (or both) to the Vice Chancellor for Academic Affairs or a person or panel designated to hear such appeals. The Student will be allowed to continue in class until the appeal is adjudicated.

#### **Section 8: Selection of Decisionmakers**

The Student Conduct Administrator shall undertake reasonable efforts to ensure that Hearing Officers and members of a Hearing Panel have received adequate training on conducting a fair Hearing under this Code, free of bias and inappropriate presumptions.

## Section 9: Administrative Actions

### 1. Supportive Measures<sup>22</sup>

- a. The University may, at any time, provide one or more individualized services to a Party that is non-disciplinary, nonpunitive, reasonably available, and without fee or charge to the Party.
- b. An individualized service offered to a Party shall be designed to restore or preserve equal access to the University’s education programs or activities without unreasonably burdening the other Party.<sup>23</sup>
- c. An individualized service offered to a Party may be designed to protect the safety of all involved Parties or the University’s educational environment, which may include without limitation:<sup>24</sup>
  - i. Counseling;
  - ii. Extension of deadlines or other course-related adjustments;
  - iii. Campus escort services;
  - iv. Mutual restrictions on contact between the Parties;
  - v. Modification of class schedules or housing locations;
  - vi. Increased security and monitoring of areas of the University’s campus; and
  - vii. Other similar services.
- d. Supportive Measures that burden a Respondent may be imposed only during the pendency of the disciplinary proceedings under this Code, and they must be terminated at the conclusion of those proceedings. These measures must be no more restrictive of the Respondent than is necessary to restore or preserve the Complainant’s access to the University’s education program or activity. The University shall not impose such measures for punitive or disciplinary reasons.<sup>25</sup>
- e. For Supportive Measures other than those that burden a Respondent, the University may, as appropriate, modify or terminate Supportive Measures at the conclusion of the disciplinary proceedings or at the conclusion of the informal resolution process, or the University may continue them beyond that point.<sup>26</sup>
- f. A Complainant or Respondent affected by a decision to provide, deny, modify, or terminate Supportive Measures may seek modification or reversal of the decision by appealing the

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<sup>22</sup> Ark. Code Ann. § 6-60-1405(a)(1); 34 C.F.R. § 106.2. The Arkansas statute uses the term “interim measures,” whereas the federal regulation uses the term “supportive measures” to describe the same concept.

<sup>23</sup> Ark. Code Ann. § 6-60-1405(a)(2)(A)

<sup>24</sup> Ark. Code Ann. § 6-60-1405(a)(2)(B)

<sup>25</sup> 34 C.F.R. § 106.44(g)(2)

<sup>26</sup> 34 C.F.R. § 106.44(g)(3)

matter to the Vice Chancellor for Student Affairs or designee within **3 business days** of the Student Conduct Administrator’s decision. If the supportive measure burdens the Respondent, the initial opportunity to seek modification or reversal of the University’s decision must be provided before the measure is imposed or, if necessary under the circumstances, as soon as possible after the measure has taken effect. The Complainant and Respondent affected by a supportive measure may also seek additional modification or termination of such supportive measure if the circumstances changed materially.<sup>27</sup>

- g. The University will not disclose information about any supportive measure to persons other than the Complainant or Respondent unless necessary to provide the supportive measure. The University may inform a Party of Supportive Measures provided to or imposed on another Party only if necessary to restore or preserve that Party’s access to the education program or activity.<sup>28</sup>

## 2. Emergency Removal

- a. The University may remove a Respondent from its programs or activities on an emergency basis if the University:<sup>29</sup>
  - i. Undertakes an individualized safety and risk analysis;
  - ii. Determines that an immediate threat or the safety of a Student or another individual arising from the allegations of misconduct justifies removal of the accused Student; and
  - iii. Provides the accused Student with notice and an opportunity to challenge the decision immediately following his or her removal.
- b. Within 24 hours of the emergency removal, the University shall provide written notice to the accused Student that explains the University’s reasons for removing the accused Student on an emergency basis.<sup>30</sup>
- c. Within **3 business days** of the written notice, unless otherwise waived by the removed Student, the University shall convene an interim Hearing before a Student Conduct Administrator to determine whether there is substantial evidence that the removed Respondent poses a risk to the health or safety of any Student or other individual and that the emergency removal of the accused Student is appropriate to mitigate the risk.<sup>31</sup>
- d. At the interim Hearing, the removed Student and the accusing Student may be represented by an attorney or a non-attorney advocate who may fully participate to the same extent as in a Hearing to determine responsibility.<sup>32</sup>

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<sup>27</sup> 34 C.F.R. § 106.44(g)(4)

<sup>28</sup> 34 C.F.R. § 106.44(g)(5)

<sup>29</sup> Ark. Code Ann. § 6-60-1405(b)(1); 34 C.F.R. § 106.44(h)

<sup>30</sup> Ark. Code Ann. § 6-60-1405(b)(2)(A)

<sup>31</sup> Ark. Code Ann. § 6-60-1405(b)(2)(B)(i)

<sup>32</sup> Ark. Code Ann. § 6-60-1405(b)(2)(B)(ii)(a)

- e. An accused Student's waiver of his or her right to be represented by an attorney or a non-attorney advocate shall not constitute an admission of guilt or waive of additional rights under the Code.<sup>33</sup>
- f. The decision following the interim Hearing is subject to appeal to the Vice Chancellor for Student Affairs or designee within **3 business days** after the decision. The decision may remain in effect during the pendency of the appeal.
- g. The emergency-removal decision shall remain in effect until a final decision has been made on the pending Complaint or until the Student Conduct Administrator determines that the reason for imposing the emergency-removal decision no longer exists. The decision shall be immediately withdrawn if the Respondent is found not responsible for the charged offense in a final, unappeasable decision.

### 3. No Contact Orders

No Contact Orders are temporary directives issued by the Office of Dean of Student Life or Title IX Coordinator prohibiting communication between or among designated students. No Contact Orders (NCOs) are issued when, in the judgment of the Dean of Student Life or Title IX Coordinator, there is a reason to believe that an NCO would be the best for all parties and the community for promoting health, safety, or wellbeing of the community. NCOs do not become part of a student's conduct record until the matter is formally reviewed through the student conduct system, and only if charges of the Student Code of Conduct are applied and a responsible finding is rendered. NCOs prohibit all communication between designated students, direct or indirect, written, electronic, or through a third party. Any violation of this directive may result in disciplinary charges of failure to comply with the directives of an agent of the University acting within the performance of his or her duty. Additionally, violations of this directive may also result in an Emergency Removal from the University of Arkansas at Pine Bluff campus and/or University of Arkansas at Pine Bluff Police Department (UAPB) involvement.

The duration of an NCO is determined by the Office of Dean of Student Life or Title IX Coordinator, and students may request to have an NCO lifted after an appropriate sustained period of compliance.

NCOs are not similar to court-imposed restraining orders and/ or orders of protection and do not guarantee that designated parties will avoid sightings or involuntary interactions on the campus or local community, including but not limited to in the academic environment. In some circumstances, a NCO may be applied in conjunction with an Administrative Action and/or as a disciplinary sanction as part of the resolution of a student's conduct matter. Students who are concerned about personal safety should contact the University of Arkansas at Pine Bluff Police Department at 870-575-8102.

## Section 10: Student Rights and Responsibilities in Misconduct Proceedings

1. **Equal Treatment.** The University shall treat the Complainant and Respondent equitably.<sup>34</sup>

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<sup>33</sup> Ark. Code Ann. § 6-60-1405(b)(2)(B)(ii)(b)

<sup>34</sup> 34 C.F.R. § 106.45(b)(1)

2. **Notice.** A Party whose participation is invited or expected shall receive written notice of the date, time, location, participants, and purpose of all meetings, investigative interviews, or Hearings with sufficient time for the Party to prepare to participate.<sup>35</sup>
3. **Access to Administrative File**
  - a. The University shall maintain an Administrative File of all disciplinary proceedings.<sup>36</sup>
  - b. The Parties may have reasonable continuing access to the Administrative File and the ability to review all documents and evidence in the Administrative File<sup>37</sup> by contacting the Student Conduct Administrator to schedule a reasonable date and time for the inspection.
  - c. Individual portions of the Administrative File shall be redacted if confidentiality of the evidence is required by law.<sup>38</sup>
4. **Presumption of Innocence.** Respondents are presumed innocent. They shall not be deemed guilty of a violation of the Code until (1) a Student or Student organization acknowledges responsibility of a violation of the Code or (2) the conclusion of all disciplinary proceedings during which an institution has established every element of an alleged violation by the Student or Student organization.<sup>39</sup>
5. **Notice of allegations.** The Respondent shall be afforded sufficient notice of the allegations to enable a meaningful response. The specific notice requirements are described in Section 11.
6. **Consideration of Evidence.** The University shall make good-faith efforts to include relevant evidence and exclude evidence that is neither relevant nor probative.<sup>40</sup> The University will not, however, follow formal rules of evidence or other rules of court.<sup>41</sup> An objective evaluation of the evidence must include both inculpatory and exculpatory evidence, and credibility determinations must not be based on a person’s status as a Complainant, Respondent, or witness.<sup>42</sup> However, all evidence (including relevant evidence) of the following types will be excluded, and evidence seeking that evidence will be disallowed as impermissible (i.e., not accessed, considered, disclosed, or otherwise used):<sup>43</sup>
  - a. Evidence that is protected under a privilege as recognized by federal or state law, unless the person holding such a privilege has waived the privilege voluntarily in a manner permitted in Arkansas;

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<sup>35</sup> 34 C.F.R. § 106.46(e)(1)

<sup>36</sup> Ark. Code Ann. § 6-60-1404(b)(1); 34 C.F.R. § 106.46(e)(6)(i)-(ii)

<sup>37</sup> Ark Code Ann. § 6-60-1404(c)(1)(G). The statute requires “reasonable continuing access” and the “ability to review all evidence or documents in the administrative file beginning at least seven (7) business days before a disciplinary Hearing, or sooner if otherwise specified by federal law.” Neither Title IX nor FERPA contain a provision that would limit a Student’s access to the seven-day period prior to a Hearing with regard to his or her own educational records.

<sup>38</sup> Ark. Code Ann. § 6-60-1404(c)(1)(G)

<sup>39</sup> Ark. Code Ann. § 6-60-1404(c)(1)(C); 34 C.F.R. § 106.45(b)(3)

<sup>40</sup> Ark. Code Ann. § 6-60-1403(2)(B)(i)

<sup>41</sup> Id.

<sup>42</sup> 34 C.F.R. § 106.45(b)(6); 34 C.F.R. § 406.45(f)

<sup>43</sup> 34 C.F.R. § 106.45(b)(7)

- b. The University’s records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the Party, unless the University obtains the Party’s voluntary, written consent for use in the University’s disciplinary proceedings;
  - c. Evidence that relates to the Complainant’s sexual interests or prior sexual conduct, unless evidence about the Complainant’s prior sexual conduct is offered to prove that someone other than the Respondent committed the alleged conduct or is offered to prove consent with evidence concerning specific incidents of the Complainant’s prior sexual conduct with the Respondent. The fact of prior consensual sexual conduct between the Complainant and Respondent does not demonstrate or imply the Complainant’s consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.
7. **Right to Appeal.** A Party may appeal an adverse decision regarding a finding of responsibility to the Vice Chancellor for Student Affairs or designee or to an Appeals Panel<sup>44</sup> and the decision on appeal shall serve as the final institutional decision on the matter.<sup>45</sup>
8. **Standard and Burden of Proof.** The burden is on the University—not on the Parties—to conduct an investigation that gathers sufficient evidence to determine whether a violation occurred.<sup>46</sup> The decisionmaker shall not find the Respondent responsible unless the preponderance of the evidence establishes each element of the offense.<sup>47</sup> The decisionmaker shall evaluate relevant evidence for its persuasiveness; if the decisionmaker is not persuaded under the foregoing standard by the evidence that a violation occurred, whatever the quantity the evidence is, the decisionmaker should not determine that a violation occurred.<sup>48</sup>
9. **Admission of Responsibility.** The Respondent may admit in writing to violating this Code at any time. A Hearing will then be held to determine an appropriate sanction, unless the Respondent waives such a Hearing and accepts a punishment determined by the Student Conduct Administrator.
10. **Nonappearance.** The University will not make any negative inferences against a Party solely for the Party’s failure to answer questions or otherwise participate in the Student conduct process. However, a Party’s failure to participate does not preclude the University from conducting the disciplinary process in that Party’s absence.
11. **Obligation to Provide Truthful Information.** Parties and witnesses shall, to the best of their abilities, provide truthful and accurate information in their written submissions and during investigatory interviews and Hearings.
12. **No Retaliation.** A Party shall not be subjected to retaliation because he or she exercised the Party’s rights under the Code.

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<sup>44</sup> Ark. Code Ann. § 6-60-1404(c)(1)(F)(i)

<sup>45</sup> Ark. Code Ann. § 6-60-1404(c)(1)(F)(iii)

<sup>46</sup> 34 C.F.R. § 106.45(f)

<sup>47</sup> 34 C.F.R. § 106.45(g)

<sup>48</sup> 34 C.F.R. § 106.45(h)(1)

13. **Weapons.** Individuals may not carry a concealed handgun into any disciplinary Hearing, provided that they have been notified at least 24 hours prior to the Hearing, the meeting will last no longer than 9 hours, and the meeting space has been marked with appropriate signage.<sup>49</sup>
14. **No Conflicts or Bias.** The Student Conduct Administrator shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual Complainant or Respondent.<sup>50</sup> A Party may raise a concern regarding a potential conflict or bias with the Vice Chancellor for Student Affairs.
15. **Extensions of Time.** The Parties may obtain reasonable extensions of timeframes on a case-by-cases basis for good cause with written notice to the Parties that includes the reasons for the delay.<sup>51</sup>
16. **Role of University Counsel.** At all stages of the proceedings, a Student Conduct Administrator, Hearing Officer, member of a Hearing Panel, or other administrators may seek advice from the University’s Office of General Counsel on questions of law, policy, and procedure. An attorney from the General Counsel’s Office may attend proceedings for the purpose of giving such advice.
17. **Additional Rights in Cases Involving Non-Academic Violations with the Possibility of Expulsion or Suspension from the University.** In cases in which a sanction of expulsion or suspension from the University may be imposed for a violation of the Code, the Parties shall have the following additional rights:
  - a. The Parties shall have an equal opportunity to present relevant fact witnesses and other inculpatory and exculpatory evidence.<sup>52</sup> The process shall enable the decisionmaker to adequately assess the credibility of the Parties and witnesses to the extent credibility is both in dispute and relevant to evaluating one or more allegations.<sup>53</sup>
  - b. A Party shall have a right to be present and advised by an attorney or non-attorney advisor during the Party’s investigatory interview, the Hearing to determine responsibility,<sup>54</sup> and the appeal.<sup>55</sup> The advisor may fully participate in the proceedings.<sup>56</sup> A Party may be represented by an advisor until the conclusion of the appellate process.<sup>57</sup> The following principles also apply to advisors:
    - i. An advisor may provide discreet advice to the represented Party during an investigatory interview but may not interfere with the information-gathering process.
    - ii. The University is not responsible for selecting, training, or arranging for the participation of advisors or for paying a Party’s advising costs.<sup>58</sup>

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<sup>49</sup> Ark. Code Ann. § 5-73-322(e)

<sup>50</sup> 34 C.F.R. § 106.45(b)(2)

<sup>51</sup> 34 C.F.R. § 106.46(e)(5)

<sup>52</sup> 34 C.F.R. § 106.45(f)(2)

<sup>53</sup> 34 C.F.R. § 406.45(g)

<sup>54</sup> Ark. Code Ann. § 6-60-1404(c)(1)(D)

<sup>55</sup> Ark. Code Ann. §§ 6-60-1403(1) to 60-60-1403(2); Ark. Code Ann. § 6-60-1404(c)(1)(B)

<sup>56</sup> Ark. Code Ann. § 6-60-1404(c)(1)(B)(ii)

<sup>57</sup> Ark. Code Ann. § 6-60-1404(c)(1)(B)(iii)

<sup>58</sup> Ark. Code Ann. § 6-60-1404(c)(1)(B)(iv)

- iii. The Hearing Officer or Chair of the Hearing Panel may disallow the attendance of a particular advisor if, in the discretion of the Hearing Officer or Chair, such person’s presence becomes disruptive or obstructive to the process. Advisors will not be permitted to question a witness in an abusive or threatening manner.
- c. Both Parties shall receive a written notification of the decision within a reasonable period of time after the Hearing.
- d. The Parties shall have the right for the disciplinary proceedings to be carried out free from conflicts of interest by ensuring that there is no comingling of administrative or adjudicative roles.<sup>59</sup> During the disciplinary proceedings, there shall be no commingling of the roles of (1) attorney or non-attorney advisor, (2) investigator, (3) adjudicator, and (4) appellate adjudicator.<sup>60</sup> The investigator may, however, present evidence at a Hearing.<sup>61</sup>

## **Section 11: Procedures in Disciplinary Proceedings**

### **1. Procedures that apply to all cases involving an alleged violation of the Code of Conduct (other than acts of Academic Dishonesty)**

#### **a. Preliminary Procedures**

- i. **General Requirements.** Upon being notified of conduct that may constitute a violation of the Code, the Student Conduct Administrator shall:<sup>62</sup>
  1. Notify the Parties of the procedures set forth in this Code;
  2. Notify the Parties of the informal resolution process under this Code if available and appropriate;
  3. Offer and coordinate Supportive Measures under this Code, as appropriate, to restore or preserve a Party’s access to the University’s education program or activity;
  4. In response to a Complaint, initiate the disciplinary proceedings or informal resolution process set forth in this Code;
  5. In the absence of Complaint or informal resolution process, determine whether to initiate a Complaint that complies with the procedures set forth in this Code if necessary to address conduct that may constitute a violation; and
  6. Take other appropriate, prompt, and effective steps to ensure that the violation of this Code does not continue or recur within the University’s education program or activity, in addition to the remedies provided to an individual Complainant.

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<sup>59</sup> Ark. Code Ann. § 6-60-1404(c)(1)(H)(i)

<sup>60</sup> Ark. Code Ann. § 6-60-1404(c)(1)(H)(ii)

<sup>61</sup> Id.

<sup>62</sup> 34 C.F.R. § 106.44(f) (Title IX Coordinator requirements)



**ii. Written Complaint**

1. A form for a written Complaint is set forth in **Appendix B**.
2. The following persons have the right to make a Complaint under this Code, requesting that the University initiate disciplinary proceedings:<sup>63</sup>
  - a. A Complainant;
  - b. A person who has a right to make a Complaint on behalf of a Complainant, such as an authorized legal representative; or
  - c. A third party participating or attempting to participate in the University’s education program or activity when the alleged violation of this Code occurred.
3. Complaints submitted orally or submitted by the Student Conduct Administrator shall be memorialized in writing at the time of submission.
4. The Complaint should be submitted as soon as practicable. Unreasonable filing delays could result in the dulling of memories and a loss of relevant evidence and witness testimony. Delays in filing shall not, however, affect the Complainant’s eligibility for Supportive Measures from the University.
5. Because the University is bound by its obligation to provide a fundamentally fair process, anonymous Complaints may be filed, but anonymity may limit the University’s ability to respond and may preclude disciplinary action.

**iii. Notice of Allegations and Initial Communications to the Parties**

1. Upon initiation of the procedures set forth in this Code, the University shall provide written notice to the Parties whose identities are known.<sup>64</sup> This notice shall include:
  - a. A copy of this Code, along with the appendices (which will include Act 470 of 2023 as set forth in **Appendix A**);<sup>65</sup>
  - b. Sufficient information, available at the time, to allow the Parties to respond to the allegations. Sufficient information includes:<sup>66</sup>
    - i. The identity of the Parties involved in the incident;
    - ii. The date and location of the alleged incident; and

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<sup>63</sup> 34 C.F.R. § 106.45(a)(2)

<sup>64</sup> 34 C.F.R. § 106.45(c)

<sup>65</sup> Ark. Code Ann. § 6-60-1404(c)(1)A); 34 C.F.R. § 106.45(c)(1)(i)

<sup>66</sup> 34 C.F.R. § 106.45(c)(1)

- iii. The conduct allegedly constituting a violation of the Code, with sufficient time for the Parties to prepare a response before any initial interview;<sup>67</sup>
- c. A statement that the Respondent is presumed not responsible for the alleged conduct until a determination of whether a violation of the Code occurred is made at the conclusion of the disciplinary proceedings under this Code;<sup>68</sup>

A statement that, in cases involving allegations of conduct for which a sanction of expulsion or suspension from the University may be imposed, the Parties are entitled to an advisor of their choice during the disciplinary proceedings (*i.e.*, investigatory interview, Hearing, and appeal), and the advisor may be (but is not required to be) an attorney.<sup>69</sup> The statement must be provided no later than **24 hours** before the Respondent may be questioned regarding an alleged violation.<sup>70</sup> The statement shall further explain that in non-Title IX cases in which a sanction of expulsion or suspension from the University may be imposed, the Party will be responsible for securing an advisor at the Party’s own expense;<sup>71</sup>

- d. A statement that the Party is entitled to receive access to the Administrative File;<sup>72</sup>
  - e. A statement that the Code prohibits knowingly making false statements or knowingly submitting false information during the grievance procedure;<sup>73</sup> and
  - f. A statement that retaliation is prohibited.
2. If, in the course of an investigation, the Student Conduct Administrator decides to investigate additional allegations about the Respondent’s conduct toward the Complainant that are not included in the original notice or that are included in a Complaint that is consolidated as set forth in this Code, the Student Conduct Administrator must provide notice of the additional allegations of the Parties whose identities are known.<sup>74</sup>

#### iv. Student Conduct Administrator’s Screening and Dismissal Decision

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<sup>67</sup> 34 C.F.R. § 106.46(c)(1)(ii)

<sup>68</sup> 34 C.F.R. § 106.46(c)(2)(i)

<sup>69</sup> 34 C.F.R. § 106.46(c)(2)(ii)

<sup>70</sup> Ark. Code Ann. § 6-60-1404(c)(1)(E)(ii)

<sup>71</sup> Ark. Code Ann. § 6-60-1404(c)(1)(E)(ii)

<sup>72</sup> 34 C.F.R. § 106.46(c)(2)(iii)

<sup>73</sup> 34 C.F.R. § 106.46(c)(2)(iv)

<sup>74</sup> 34 C.F.R. § 106.45(c)(2)

1. After receiving a Complaint, the Student Conduct Administrator shall promptly decide two threshold issues: (1) whether the Complaint should be dismissed and (2) whether, in the Student Conduct Administrator’s discretion, the allegations could result in a sanction of expulsion or suspension from the University. The Student Conduct Administrator’s discretionary decision should be guided by factors such as the severity of the alleged conduct, prior offenses, the impermissible possession of weapons, and the negative impact on the Campus Community. The Student Conduct Administrator shall make this initial determination within **10 business days** after the Complaint is filed or as soon as practicable thereafter.<sup>75</sup>
2. The Student Conduct Administrator shall dismiss a Complaint if:
  - a. The Student Conduct Administrator determines the conduct alleged in the Complaint, even if proven, would not constitute a violation of the Code; provided, however, that before dismissing the Complaint under this paragraph, the Student Conduct Administrator shall make reasonable efforts to clarify the allegations with the Complainant;<sup>76</sup>
  - b. The Code does not apply to the alleged facts under Section 4 (pertaining to applicability of the Code); or
  - c. The alleged conduct constitutes a protected exercise of the Student’s Free Speech Rights.
3. The Student Conduct Administrator may dismiss a Complaint if:<sup>77</sup>
  - a. The University is unable to identify the Respondent after taking reasonable steps to do so;
  - b. The Respondent is not participating in the University’s education program or activity; or
  - c. The Complainant voluntarily withdraws any or all of the allegations in the Complaint, and the Student Conduct Administrator determines that, without the Complainant’s withdrawn allegations, the conduct that remains alleged in the Complaint, if any, would not constitute a violation of the Code even if proven.<sup>78</sup>
4. If the Student Conduct Administrator dismisses the Complaint, the investigation shall end immediately. The Student Conduct Administrator shall promptly communicate the basis for the dismissal to the Parties

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<sup>75</sup> 34 C.F.R. § 106.45(b)(4) (requiring “reasonably prompt time frames for the major stages of the grievance procedure”)

<sup>76</sup> 34 C.F.R. § 106.45(d)

<sup>77</sup> Id.

<sup>78</sup> 34 C.F.R. § 106.46(d)(2)

simultaneously.<sup>79</sup> If the dismissal occurs after the Respondent has been notified of the allegations, then the Student Conduct Administrator must also notify the Respondent of the dismissal and the basis for the dismissal promptly following a notification to the Complainant, or simultaneously if notification is in writing.<sup>80</sup>

5. The Student Conduct Administrator shall notify all Parties that a dismissal may be appealed.<sup>81</sup> Each Party may appeal the matter to the Vice Chancellor of Student Affairs or designee within **5 business days** after the Student Conduct Administrator’s dismissal decision. During the appeal of a dismissal decision:
  - a. Each Party shall be notified when an appeal is filed, and the procedures shall be implemented equally for the Parties;
  - b. The University shall ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the Complaint;
  - c. The University shall ensure that the decisionmaker for the appeal has been appropriately trained;
  - d. The University shall provide the Parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome as follows:
    - i. The appealing Party’s submission shall consist of a concise written statement as to why the dismissal decision should be reversed; and
    - ii. The other Party may submit a concise counterstatement within **5 business days** of receiving the appealing Party’s submission; and
  - e. The University shall simultaneously notify the Parties of the result of the appeal and the rationale for the result.
6. Notwithstanding a decision to dismiss the Complaint, the University shall provide Supportive Measures to the Complainant and Respondent as appropriate.<sup>82</sup>
7. If the Student Conduct Administrator decides that the Complaint should not be dismissed but the sanctions will not be expulsion or a suspension from the University, then the Parties shall be notified that the matter will be handled under the procedures set forth in Section 11.3.

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<sup>79</sup> 34 C.F.R. § 106.46(d)(1)

<sup>80</sup> 34 C.F.R. § 106.45(d)(2)

<sup>81</sup> 34 C.F.R. § 106.45(d)(3)

<sup>82</sup> 34 C.F.R. 106.45(d)(3)(iii)

- b. **Consolidation of Complaints.** The Student Conduct Administrator may consolidate Complaints against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against another Party, when the allegations arise out of the same facts or circumstances.<sup>83</sup>

c. **Informal Resolution**

- i. At any time prior to determining whether a violation of this Code occurred, the University may offer to a Complainant and Respondent an informal resolution process, unless such a process would conflict with federal, state, or local law.<sup>84</sup>
1. The Student Conduct Administrator has discretion to determine whether it is appropriate to offer an informal resolution process and may decline to offer informal resolution despite one or more of the Parties’ wishes.<sup>85</sup>
  2. Circumstances when the Student Conduct Administrator may decline to allow informal resolution include but are not limited to when the University determines that the alleged conduct would present a risk of future harm to others.<sup>86</sup>
- ii. The University will not require or pressure the Parties to participate in an informal resolution process. The Student Conduct Administrator must obtain the Parties’ voluntary consent to the informal resolution process and must not require waiver of the right to an investigation and adjudication of a Complaint as a condition of enrollment or continuing enrollment or exercise of any other right.<sup>87</sup>
- iii. Before initiation of an informal resolution process, the Student Conduct Administrator must provide the Parties written notice<sup>88</sup> that explains:<sup>89</sup>
1. The allegations;
  2. The requirements of the informal resolution process;
  3. That, prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and to initiate or resume the University’s grievance procedures under this Code;
  4. That the Parties’ agreement to a resolution at the conclusion of the informal resolution process would preclude the Parties from initiating or resuming grievance procedures arising from the same allegations;

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<sup>83</sup> 34 C.F.R. § 106.45(e)

<sup>84</sup> 34 C.F.R. § 106.44(k)(1)

<sup>85</sup> 34 C.F.R. § 106.44(k)(1)(i)

<sup>86</sup> 34 C.F.R. § 106.44(k)(1)(ii)

<sup>87</sup> 34 C.F.R. § 106.44(k)(2)

<sup>88</sup> 34 C.F.R. § 106.46(j)

<sup>89</sup> 34 C.F.R. § 106.44(k)(3)

5. The potential terms that may be requested or offered in an informal resolution agreement, where such potential terms include (but are not limited to):<sup>90</sup>
    - a. Restrictions on contact; and
    - b. Restrictions on the Respondent's participation in one or more of the University's programs or activities or attendance of specific events, including restrictions the University could have imposed as remedies or disciplinary sanctions had the University determined that a violation of this Code occurred;
  6. Which records will be maintained and could be shared;
  7. That if the University initiates or resumes the procedures under this Code, the University or a Party must not access, consider, disclose, or otherwise use information, including records, obtained solely through an informal resolution process as part of the investigation or determination of the outcome of the Complaint; and
  8. That, when applicable, and if the University resumes the disciplinary proceedings under this Code, the informal resolution facilitator could serve as a witness for purposes other than providing information obtained solely through the informal resolution process.
- iv. The facilitator for the informal resolution process must not be the same person as the investigator or decisionmaker in the University's procedures under this Code. Any person designated by the University to facilitate an informal resolution process must not have a conflict of interest or bias for or against complainants or respondents generally or an individual Complainant and Respondent.<sup>91</sup>
  - v. In order to encourage an open exchange of views and maximize the chances of agreement, mediation sessions may not be recorded, unless the Parties agree to a different arrangement.
  - vi. Any informal resolution shall be in writing and shall represent the final resolution of the case, unless one of the Parties fails to adhere to the terms of the agreement.
  - vii. If the Parties do not agree to an informal resolution, the process is unsuccessful, or informal resolution is not appropriate due to the nature of the Complaint, then the formal disciplinary proceedings will commence or resume.

#### **d. Investigation**

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<sup>90</sup> 34 C.F.R. § 106.44(k)(5)

<sup>91</sup> 34 C.F.R. § 106.44(k)(4)

- i. After the Student Conduct Administrator provides the Parties with the information described above, the Student Conduct Administrator shall promptly meet with the Complainant and Respondent separately to discuss the following:
  1. The allegations in the Complaint, including the Party’s version of events, the nature and location of evidence, and the identity of witnesses;
  2. Supportive Measures; and
  3. The Party’s interest in resolving the matter through informal resolution, unless the Student Conduct Administrator determines that informal resolution would be inappropriate under the circumstances.
- ii. A Party and his or her advisor are not permitted to attend interviews other than his or her own interview.
- iii. In addition to meeting with the Parties, the Student Conduct Administrator shall take other investigatory steps, as necessary. Such steps may include:
  1. Interviewing witnesses (including expert witnesses, if any) and summarizing such interviews in writing;
  2. Visiting, inspecting, and taking photographs of relevant sites;
  3. Collecting and preserving relevant evidence (potentially in coordination with law-enforcement agencies); and
  4. Obtaining any relevant medical records, provided that the subject of the records has voluntarily authorized the release of the records in writing.
- iv. The investigation shall ordinarily be completed within **30 calendar days** after the Complaint is filed or as soon as practicable thereafter.<sup>92</sup>
- e. **Investigation by Law Enforcement:** Nothing in this Code should be construed as restricting the ability of campus law enforcement to investigate a possible criminal violation.<sup>93</sup> If a law enforcement investigation has been initiated, the University will take reasonable measures to avoid undue interference with the law enforcement investigation. In most cases, the University’s investigation will not be halted due to the fact that a parallel law-enforcement investigation has commenced.

**2. Additional procedures in cases involving allegations that could result in a sanction of expulsion or suspension from the University.**

**a. Administrative File**

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<sup>92</sup> 34 C.F.R. § 106.45(b)(4) (requiring “reasonably prompt time frames for the major stages of the grievance procedure”)

<sup>93</sup> Ark. Code Ann. 6-60-1404(c)(1)(E)(ii)

- i. At the conclusion of the investigation and at least **7 business days** before the Hearing, the Student Conduct Administrator shall remind the Parties of their right to review the Administrative File to the extent allowed by law.<sup>94</sup>
- ii. The Parties shall have an opportunity to respond to the evidence contained in the Administrative File at a live Hearing.<sup>95</sup>

**b. Hearing Officer or Hearing Panel**

- i. At least **3 business days** before the Hearing date, the Student Conduct Administrator shall select a Hearing Officer or Hearing Panel and disclose the individuals’ identities to the Parties.
- ii. A Party may challenge a Hearing Officer or Hearing Panelist for bias or any conflicts of interest with the potential to undermine the integrity of the disciplinary process. The Vice Chancellor for Student Affairs or a designee who is not a factfinder in the case shall promptly resolve the challenge and designate a substitute as appropriate.
- iii. Persons who serve as Hearing Officers or Hearing Panelists may not be the same individuals who investigated the alleged misconduct.

**c. Hearing Procedures**

- i. The Hearing Officer or Hearing Panel may pose questions to the witnesses before affording the Parties an opportunity to ask questions.
- ii. The Hearing Officer or Chair of the Hearing Panel will make all determinations regarding the order of witnesses, relevancy of questions, and the evidence to be considered or excluded during the Hearing and decision-making process. The Hearing Officer or Hearing Panel may, in its discretion, choose to call a Student Conduct Administrator for the purpose of explaining the investigation and findings.
- iii. The Hearing Officer or Hearing Panel must determine whether a proposed question is relevant and not otherwise impermissible prior to the question being posed, and must explain any decision to exclude a question as not relevant.<sup>96</sup> If a decisionmaker determines that a Party’s question is relevant and not otherwise impermissible, then the question must be asked except that no questions that are unclear or harassing of the Party being questioned will be permitted.
- iv. The Hearing Officer or Chair of the Hearing Panel has discretion to determine whether the Parties may present expert witnesses as long as the determination applies equally to both Parties.<sup>97</sup>

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<sup>94</sup> Ark. Code Ann. § 6-60-1404(c)(1)(G)(i) (requiring an ability to “review” the Administrative File “beginning at least seven (7) business says before a disciplinary Hearing)

<sup>95</sup> 34 C.F.R. § 106.46(e)(6)(ii)

<sup>96</sup> 34 C.F.R. § 406.46(f)(3)

<sup>97</sup> 34 C.F.R. § 406.46(e)(4)



- v. At the Hearing, the Parties may:<sup>98</sup>
  - 1. Make an opening and closing statement;<sup>99</sup>
  - 2. Present relevant evidence;<sup>100</sup> and
  - 3. Cross-examine adverse witnesses.<sup>101</sup>
- vi. The Respondent may waive the right to be present at a disciplinary proceeding<sup>102</sup> by providing to the Student Conduct Administrator a signed waiver as set forth in **Appendix C**. The waiver shall be signed by the Respondent and the adjudicator.<sup>103</sup> The Student Conduct Administrator shall provide one copy to the Respondent and place another copy in the Administrative File.<sup>104</sup> If the Respondent waives the right to be present at a disciplinary proceeding, the Respondent shall not have the right to appeal the University’s initial decision.<sup>105</sup>
- vii. Hearings may be conducted through a live Hearing with the Parties physically present in the same geographic location. At the University’s discretion or upon the request of either Party, it will conduct the live Hearing with the Parties physically present in separate locations with technology enabling the decisionmaker and Parties to simultaneously see and hear the Party or the witness while that person is speaking or communicating in another format.<sup>106</sup>
- viii. The University shall create an audio, audiovisual, or transcript of the Hearing.<sup>107</sup>
- ix. The Parties may pose relevant questions to witnesses under the following conditions:
  - 1. In cases in which a Party is represented by an advisor, the advisor may pose questions to the witness directly.
  - 2. In cases in which a Party is not represented by an advisor, the questions may be asked through the Hearing Officer or Hearing Panel. A Party may not, however, question a witness directly.<sup>108</sup> The Party may tender an initial set of proposed questions prior to the Hearing and propose follow-up questions, including questions challenging credibility, that a Party wants asked of any Party or witness.<sup>109</sup>

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<sup>98</sup> Ark. Code Ann. § 6-60-1404(c)(1)(D)(ii)-(iv)

<sup>99</sup> Ark. Code Ann. § 6-60-1404(c)(1)(D)(4)(ii)

<sup>100</sup> Ark. Code Ann. § 6-60-1404(c)(1)(D)(4)(iii)

<sup>101</sup> Ark. Code Ann. § 6-60-1404(c)(1)(D)(4)(iv)

<sup>102</sup> Ark. Code Ann. § 6-60-1404(c)(1)(D)(1)

<sup>103</sup> Ark. Code Ann. § 6-60-1404(c)(1)(D)(2)

<sup>104</sup> Ark. Code Ann. § 6-60-1404(c)(1)(D)(3)

<sup>105</sup> Ark. Code Ann. § 6-60-1404(c)(1)(D)(i)(b)(4)

<sup>106</sup> 34 C.F.R. § 106.46(g)

<sup>107</sup> Ark. Code Ann. § 6-60-1404(b)(3); 34 C.F.R. § 106.46(g)

<sup>108</sup> 34 C.F.R. § 106.46(f)(ii)

<sup>109</sup> 34 C.F.R. § 106.46(f)(i)

- x. If a Party does not respond to questions related to their credibility, the decisionmaker must not rely on any statement of that Party that supports that Party’s position. The decisionmaker must not draw an inference about whether misconduct occurred based solely on a Party’s or witness’s refusal to respond to questions related to their credibility.<sup>110</sup>

**d. Written Decision**

- i. As soon as practicable after the Hearing, the Hearing Officer or the Office of the Dean of Student Life shall simultaneously distribute to the Parties a written decision of the result that contains the following:<sup>111</sup>
  - 1. A description of the alleged Code violation;
  - 2. Information about the policies and procedures the University used to evaluate the allegations;
  - 3. The decisionmaker’s evaluation of the relevant evidence and determination of whether a violation occurred;
  - 4. When the decisionmaker finds that a violation occurred, any disciplinary sanctions the University will impose on the Respondent, and whether remedies other than the imposition of disciplinary sanctions will be provided by the University to the Complainant and, to the extent appropriate, other Students identified by the University to be experiencing the effects of a violation; and
  - 5. The University’s procedures to appeal the result of the disciplinary Hearing;<sup>112</sup>
- ii. If there is a determination that a violation occurred, as appropriate, the Student Conduct Administrator shall provide and implement remedies to a Complainant or other affected person(s) and take other prompt and effective steps to ensure that a violation does not continue or recur within the University’s education program or activity.<sup>113</sup>
- iii. The determination regarding responsibility becomes final either on the University providing the Parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.<sup>114</sup>

**e. Appeals**

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<sup>110</sup> 34 C.F.R. § 106.46(f)(4)

<sup>111</sup> 34 C.F.R. § 106.45(h)(1)

<sup>112</sup> Ark. Code Ann. § 6-60-1404(c)(1)(I)(iii)(b)

<sup>113</sup> 34 C.F.R. § 106.45(h)(3)

<sup>114</sup> 34 C.F.R. § 106.46(h)(d)

- i. A Party may appeal a decision or sanction by submitting a written statement to the Student Conduct Administrator within **25 calendar days**<sup>115</sup> of receiving the Hearing Officer or Hearing Panel’s written decision. An Appeal Form is set forth in **Appendix D**.
- ii. An appeal may be initiated after the deadline if the Party shows that new, previously unavailable evidence came to light or that there is a compelling reason for the delay.
- iii. The appeal shall be heard by the Vice Chancellor for Student Affairs or designee or by an appeal hearing panel.
- iv. The appeal shall be decided based on the record and without deference to the decision of the Hearing Officer of Hearing Panel.
- v. A Party may only appeal based on one of the following grounds:<sup>116</sup>
  1. A procedural irregularity that would change the determination of whether a Code violation occurred;
  2. The discovery of new evidence that would change the outcome of the matter and that was not reasonably available at the time the determination of whether a Code violation occurred or dismissal was made;
  3. A Student Conduct Administrator had a conflict of interest or bias for or against complainants or respondents generally or the individual Complainant or Respondent that would change the outcome of the matter; or
  4. The sanctions are grossly disproportionate to the severity of the offense.
- vi. The Student Conduct Administrator shall promptly notify the other Party of the appeal and provide a copy of the Party’s written statement. The other Party may submit a written counterstatement within **5 business days** thereafter.
- vii. The decision on appeal may uphold the decision, modify it, or remand the matter to the Hearing Officer or Hearing Panel for further factual development.
- viii. The Vice Chancellor for Student Affairs or designee or the Office of the Dean of Student Life shall inform the Parties of the decision in writing within **5 business days** of the last Party’s written submission or as soon as practicable thereafter.
- ix. If an Appeals Hearing Panel is used the Parties may challenge the involvement for bias or a conflict of interest with the potential to undermine the integrity of the appellate process. The Vice Chancellor for Student Affairs may decide any such challenge and replace the committee with an appropriate substitute. The Parties may challenge the Vice Chancellor for Student Affairs’ (or designee’s)

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<sup>115</sup> Ark. Code Ann. § 6-60-1404(c)(1)(F)(ii)

<sup>116</sup> 34 C.F.R. § 106.46(i)

involvement for bias or a conflict of interest with the potential to undermine the integrity of the appellate process. The Chancellor may decide any such challenge and replace the administrator with an appropriate substitute.

**f. Certification of Compliance**

- i. At the conclusion of the disciplinary proceedings, the Chancellor or Vice Chancellor of Student Affairs shall certify, on a form similar to **Appendix E**, that the substantial rights of the Complainant and Respondent as established in Act 470 of 2023 have been followed.<sup>117</sup>
- ii. The certification shall be maintained in the Administrative File.<sup>118</sup>

**3. Disciplinary procedures in non-Title IX cases in which neither expulsion nor suspension from the University will be imposed**

- a. If the Student Conduct Administrator determines, in his or her discretion at the inception of the case, that a sanction of expulsion or suspension will not be imposed in a non-Title IX case involving an alleged violation of the Code (other than an act of Academic Dishonesty), then the alleged violation of the Code shall be resolved through an administrative Hearing before the Student Conduct Administrator or designee or resolved through a hearing panel.
- b. An attorney or non-attorney advisor may not participate at any stage of the disciplinary proceedings.
- c. The Student Conduct Administrator or designee shall ensure that the Respondent receives:
  - i. Written notice of the charges;
  - ii. An opportunity to inspect the Administrative File;
  - iii. An opportunity to be heard at a meeting with the Student Conduct Administrator or designee or Hearing Panel;
  - iv. A written decision on whether the Respondent has violated the Code and the sanctions that will be imposed; and
  - v. An opportunity to appeal to the Vice Chancellor for Student Affairs or designee or to an Appeals Hearing Panel, within **5 business days** of the decision, based on one of the following grounds:
    1. A procedural irregularity that affected the outcome;
    2. The discovery of new evidence that was not reasonably available when the determination of responsibility was made that could affect the outcome;

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<sup>117</sup> Ark. Code Ann. § 6-60-1404(d)(1)

<sup>118</sup> Ark. Code Ann. § 6-60-1404(d)(2)

3. The University investigator or decisionmaker had a conflict of interest or bias that affected the outcome; or
  4. The sanctions are grossly disproportionate to the severity of the offense.
- vi. A reasonably prompt, written decision from the Vice for Student Affairs regarding the appeal or Chair of Appeals Hearing Committee.
  - vii. An opportunity to challenge the involvement of any decisionmaker due to bias or a conflict of interest.

### **Section 12: Amnesty**

The University offers amnesty to anyone who may be hesitant to report a serious incident because of fear that they personally may be accused of minor policy violations, such as underage drinking, at the time of the incident. Educational options may be explored, but no conduct sanctions or records will result.

### **Section 13: Sanctions**

1. Sanctions must be reasonable and proportionate to the seriousness of the violation. The Student Conduct Administrator must accurately advise the disciplinary body of sanctions that have been imposed for similar violations in the past in order to ensure consistency and equity across time.
2. A Student’s conduct history shall not impact the finding of responsibility, but it may be used as information in determining appropriate sanctions.
3. Ordinarily, sanctions will not be imposed until the resolution of an appeal. However, if it is deemed necessary to protect the welfare of the victim or the University community, the Hearing Officer or Hearing Panel may recommend to the decisionmaker on appeal that any sanctions be imposed immediately and continue in effect until such time as the appeal process is exhausted.
4. Any sanction imposed on a Respondent—including those based on a finding that sex-based harassment occurred<sup>119</sup>—will take on the following forms:

### **Counseling**

Establishes a series of private conferences with the students to assist them in better understanding the importance of assuming the responsibilities of a mature citizen, being able to adjust to the behavioral standards of the University community of which they chose to be a member, being considerate of other people and their rights. Counseling is considered a concurrent disciplinary sanction in response to violations of University policies.

### **Restitution through community service or fine**

Restitution may be required from students to cover the costs associated with the repair or replacement of damaged or misappropriated property resulting from their actions. This sanction aims to hold students accountable for their behavior by ensuring they compensate for any harm caused.

### **Restrictions**

Restriction of active status or participation in organized University activities is a disciplinary sanction that can be applied either alone or in conjunction with other sanctions. This measure involves limiting the

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<sup>119</sup> 34 C.F.R.45(k)(2)

student's involvement in non-academic University activities for a specified period. The restrictions may include access to certain facilities or interactions with individuals, as well as participation in extracurricular activities.

### **Community Service**

Service assignments can be used as a disciplinary sanction, either alone or in conjunction with other sanctions. This type of sanction requires the student to engage in community service or other forms of constructive work as a means of making amends for their actions and contributing positively to the University or local community.

### **Verbal Warning**

A verbal warning is a disciplinary sanction used to address minor infractions of the Student Code of Conduct. It involves a verbally delivered notice to the student, indicating that their behavior did not meet the University's core standards and expectations. No further action is taken at this point, but the warning serves as an official reminder of the importance of adhering to University policies.

### **Written Reprimand**

A written reprimand is an official statement of censure, warning the student of unacceptable conduct in an incident considered to be of minor unintended consequences. An official warning is a written notification to the student that he or she has been found responsible of a violation and that any other violation of the University's Student Code of Conduct, for which the student is found responsible, will result in more severe disciplinary action. In addition, the warning will become a matter of record in the Office of the Vice-Chancellor for Student Affairs.

### **Research assignments**

Research assignments may require students to complete research as an educational consequence for violating campus policies or the student code of conduct. In addition, students may have to do library assignments, intervention seminars, attend lectures, etc., and write a paper about what they learned and the impact the information has made.

### **Loss of privileges for a specified period of time**

When a sanction involves the loss of privileges for a specified period, the student is temporarily restricted from accessing certain rights or resources due to their behavior. This type of sanction is designed to serve as a deterrent and to reinforce the importance of following university policies and standards. An example would be **Restrictions from campus facilities**, such as the gym, library, or student union, which might be revoked.

### **Probation and/or suspension in abeyance**

An encumbrance upon the student is in good standing with the University. Further violations of regulations during the probationary period may result in additional sanctions suspension up to expulsion. While under disciplinary probation, a student may not (a) apply for or receive consideration for an appointive or elective office, (b) campaign for an elective office, (c) receive any special office, (d) receive an appointment to serve on committees or campus organizations or (e) serve on any university judicial committee. At the discretion of the judicial committee, the following additional privileges may be withdrawn from a student on disciplinary probation: (a) the operation of an automobile on campus, (b) the representation of the University at any events, or (c) the holding of an elective or appointed office. Students placed on disciplinary probation are expected to demonstrate a positive change in their behavior. During the period of probation, the student shall be denied participation or maintain membership in intramural and club sports, fraternities, sororities, and societies. Such students shall not hold office in a student organization or be

eligible to join a fraternity, sorority, or society during their probation status. In addition, the sanction of probation will become a matter of record in the Office of the Dean of Student Life.

Finally, **suspension in abeyance** implies when a student violates a university student code of conduct, the administration might decide on suspension as a penalty. However, instead of enforcing this suspension immediately, they place it "in abeyance." This means the suspension is decided and documented, but its implementation is temporarily on hold. **Even though the suspension is placed on hold, it will follow the Arkansas Due Process and Protection Act (Act 470 of 2023).**

During this period, the student is allowed to continue attending classes. However, this privilege comes with specific requirements from the Office of the Dean of Student Life. These conditions might include but are not limited to:

- **Regular Meetings:** The student may be required to meet regularly with a counselor or an advisor to discuss their progress and any issues they face.
- **Behavioral Contracts:** The student might have to sign a contract agreeing to adhere to certain behavioral standards, attend counseling sessions, or participate in community service.
- **Academic Goals:** There might be academic goals set, such as maintaining a certain GPA.
- **Support Programs:** The student could be asked to participate in support programs, like anger management, substance abuse programs, or other relevant workshops.

### **Deferred Decisions**

In situations where the Office of the Dean of Students or the Faculty/Staff-Student Social Adjustment Committee determines that additional information is necessary before making a disciplinary decision, the case may be referred for further evaluation by other University units. This process ensures a thorough and fair consideration of all relevant facts before a final decision is rendered.

### **A requirement to receive certain training**

When a sanction includes a requirement to receive specific training, it typically means that the individual must complete an educational program or course related to their infraction as part of the disciplinary action.

### **Suspension from the University, including terms for readmission**

Suspension is used in reported cases of serious misconduct or in cases when the student has violated the condition of his/her probation. A student who is found guilty of a violation during the period in which he or she is on disciplinary probation or who commits an offense serious enough to warrant suspension may be suspended from the University for the remainder of that semester or term or any portion thereof, for the next semester or term or any portion thereof, and/or additional period. Usually, the designated period of suspension does not exceed one year. Suspensions are recorded on the student's permanent record.

Students suspended from the University are required to return their student identification card and room key and may not return to the campus for the duration of their suspension, except to conduct official business with an administrative officer or faculty member, and then only with prior permission of the Vice Chancellor for Student Affairs. If a student returns to the campus without permission during this period of suspension, his or her eligibility to return to UAPB will be in jeopardy. Such persons may also be charged with trespassing, in which case, they will be subject to arrest. During the period of suspension, the student is not eligible or entitled to receive any University services. His or her name is deleted from the roster of enrolled students and from the faculty's class roll. The student will not get credit for course assignments, papers, projects, make-up work, or other course-related work during suspension. If a student is suspended from the University, a letter may be sent to his or her parents, notifying them of the suspension. Students should carefully read their outcome letter to understand the length and terms of their suspension.

Readmission after a suspension requires that the student apply to the VCSA or designee at the close of the imposed period. The VCSA or designee determines whether the student has met the conditions imposed and is otherwise eligible for re-enrollment.

### **Expulsion from the University**

Expulsion is the most severe sanction that can be imposed upon a student for violation of conduct rules. Expulsion is permanent dismissal from the University, and the student is subject to the conditions and restrictions cited under disciplinary suspension, except that the student is not eligible to apply for readmission to the University. Expulsions are recorded on the student's permanent record.

Students expelled from the University are required to return their student identification cards and room keys and may not return to the campus without permission. Should the student return to the campus, he or she may be charged with trespassing, in which case, he or she will be subject to arrest.

### **Residential Housing**

1. **Restriction of hall privileges** is a measure taken in residential life to address behavioral issues or policy violations. It typically involves limiting a resident's access to certain areas or amenities within the residence hall.

2. **Housing Interim Removal**

If the conduct or behavior of a student residing in a UAPB residence facility is determined by the Vice Chancellor for Student Affairs or Dean of Students to be a threat to self or others, the ability to live in the residential facility may be immediately removed pending the outcome of a hearing. During an interim housing removal, the student is immediately removed from the residential facility and is not to re-enter any campus residence facility until a hearing is held and a decision regarding the pending complaint has been made.

3. **Removal from campus housing, including terms for readmission**

This sanction may be administered to any student who violates the Student Code of Conduct and whose presence in on-campus living facilities poses a threat of harm to themselves, others, or property. The measure is implemented to ensure the safety and well-being of the University community and to maintain the integrity of campus facilities. If the student wishes to return to on-campus living facilities after the removal, they must seek readmission.

In severe cases where the threat posed by the student is deemed significant or persistent, the student may permanently lose their housing privileges. Permanent loss of housing privileges is a serious consequence reserved for situations where the safety and well-being of the campus community cannot be adequately ensured with the student's continued presence in on-campus housing.

4. The University may withhold a Respondent's degree for a reasonable amount of time to resolve any pending charges under this Code and to make sure that related sanctions are satisfied. The University may also revoke a degree if it is shown by a preponderance of the evidence that it was obtained by any form of Academic Dishonesty.
5. Student organizations and their officers and members, in their capacity as such, are subject to the same sanctions as other Respondents if a preponderance of the evidence shows actual participation in, or actual authorization or ratification of, a violation of the Code.



- a. In making this determination, the University shall consider whether the organization's members were acting in accord with the organization's practices and policies, or with the knowledge or approval of a substantial number of its members or leadership.
- b. The University may impose upon a Student organization any of the sanctions that apply to individuals (including a loss of privileges), suspension for a period of time, or a permanent loss of University recognition.

#### **Section 14: Confidentiality**

1. When conducting an informal resolution process under this Code, implementing disciplinary proceedings, or requiring the Student Conduct Administrator to take other appropriate steps under this Code, the University must not disclose the identity of a Party, witness, or other participant except in the following circumstances:<sup>120</sup>
  - a. When the Party, witness, or other participant has provided prior written consent to disclose their identity;
  - b. When permitted under the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g, or its implementing regulations, NPRM 34 C.F.R. Part 99;
  - c. As required by law; or
  - d. To carry out the purposes of Title IX, including action taken to address conduct that may constitute sex discrimination under Title IX in the University's program or activity.
2. To protect the privacy of all Parties and in accordance with FERPA, the Hearing will be closed.
3. Educational records related to any aspect of discipline against a Student will not be released by the University without the Student's authorization. This prohibition does not apply to Students in possession of their own educational records. Only exceptions authorized under will be permitted. For instance, the University may release records:
  - a. To comply with a judicial order or a lawfully issued subpoena;
  - b. To inform the Complainant in a case involving allegations of a crime of violence or a non-forcible sex offense of the final results of a related disciplinary Hearing;
  - c. To inform any third party, including other educational institutions, of the final results of a disciplinary proceeding related to a crime or violence or non-forcible sex offense if Respondent is found responsible;
  - d. To any Student's parents:
    - i. If the parents claimed the Student as a dependent on their tax returns; or
    - ii. To inform the parents if the Student is found responsible for an offense related to drugs or alcohol and the Student is under the age of 21 at the time of the disclosure; or

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<sup>120</sup> 34 C.F.R. § 106.44(j)

- e. To address a health or safety emergency.<sup>121</sup>
4. For cases involving allegations of Sex-based Harassment under Title IX, the University shall keep confidential the identity of any Complainant, Respondent, and witness, except as permitted by FERPA, required by law, or necessary to conduct any investigation, Hearing, or judicial proceeding arising under the Title IX grievance process.
5. Disclosure of final results to third Parties, if permitted, shall include only the name of the Responsible Student, the violation committed, and any sanction imposed. The disclosure must not include the name of any other Student, including a victim or witness, without the written consent of that other Student.
6. The University may take reasonable steps to protect the privacy of the Parties and witnesses during the pendency of disciplinary proceedings under this Code, but it will not restrict the ability of the Parties to obtain and present evidence, including by speaking to witnesses; consulting with a family member, confidential resource, or advisor; preparing for a Hearing (if one is offered); or otherwise defend their interests.<sup>122</sup>
7. Except as allowed by the Parties’ Free Speech Rights, the Parties and their advisors may not disclose information and evidence obtained solely through the process set forth in this Code without authorization.<sup>123</sup>

## Section 15: **UNIVERSITY HEARING PANELS**

### **Faculty/Staff-Student Social Adjustment Panel**

1. **Recommendation and Approval:**
  - o The Dean of Students recommends the panel to the Vice Chancellor for Student Affairs for approval.
2. **Committee Composition:**
  - o Four (4) staff members.
  - o Three (3) students recommended by the President of the Student Government Association (SGA), with at least one being a graduate student.
  - o Five (5) faculty members recommended by the Provost/Vice Chancellor for Academic Affairs.
3. **Graduate Student Cases:**
  - o When a case involves a graduate student, the student representative on the panel shall be a graduate student.
4. **Operational Timeline:**
  - o The panel shall be functional no later than the second week of the Fall Semester.
5. **Pool Selection:**

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<sup>121</sup> 34 C.F.R. § 99.36

<sup>122</sup> 34 C.F.R. § 106.45(b)(5)

<sup>123</sup> 34 C.F.R. § 106.26(e)(6)(iii)

- Members are selected from a pool for any particular case.

**Function and Quorum:**

**1. Quorum Requirements:**

- A quorum is defined as three (3) members being present, including at least one (1) student.
- If no student is available, a quorum still exists with three (3) members present.

**2. Summer Sessions:**

- Faculty members and students may be appointed as temporary members during summer sessions.

**Appeal Process:**

**1. Appeals:**

- Decisions made by the panel may be appealed to the Vice Chancellor for Student Affairs or the Appellate Hearing Panels.

**2. Procedure:**

- The appeal process must follow the established Appeal Procedure.

**Appellate Hearing Committee**

**1. Committee Composition:**

- Eight (8) members.
- One (1) non-voting ex-officio member: the Dean of Student Life.

**2. Chairman Appointment:**

- The Chairman of the panel is appointed by the Chancellor.

**3. Term of Service:**

- Members serve at the pleasure of the Chancellor or until they resign or retire.

**4. Operational Timeline:**

- The committee must be functional no later than the second week of the Fall Semester.

**5. Pool Selection:**

- Members are selected from a pool for any particular case.

**Quorum:**

**1. Quorum Requirements:**

- A quorum is defined as five (5) members being present.

**Jurisdiction and Function:**

**1. Appeal Jurisdiction:**

- The panel has jurisdiction over appeals from the Faculty/Staff-Student Social Adjustment Panel.
2. **Discretion to Convene:**
    - The panel has the right not to convene to hear an appeal if it decides that an appeal is not warranted.
  3. **Appeal Process:**
    - Once an appeal letter is submitted and reviewed, the panel will review the case and the evidence in the administrative file to determine if the case warrants an appeal.
  4. **Summer Sessions:**
    - Faculty members and students may be appointed as temporary members during summer sessions.
  5. **Decision Finality:**
    - Decisions of the Appellate Hearing Panel are final.

**Appendix A: COPY OF ARKANSAS STUDENT DUE PROCESS AND PROTECTION ACT**

**A.C.A. § 6-60-1401  
§ 6-60-1401. Title**

This subchapter shall be known and may be cited as the “ARKANSAS STUDENT DUE PROCESS AND PROTECTION ACT”.

**A.C.A. § 6-60-1402  
§ 6-60-1402. Legislative findings**

The General Assembly finds that:

(1) The United States Supreme Court held in “Goss v. Lopez”, 419 U.S. 565, 574 (1975), that when a right is protected by the Due Process Clause, a state may not withdraw the right “on grounds of misconduct absent fundamentally fair procedures to determine whether the misconduct has occurred ...”;

(2) The principle opined upon in “Goss v. Lopez” was reemphasized in “Doe v. Purdue University”, 928 F.3d 652 (7th Cir. 2019), as authored by United States Supreme Court Associate Justice Amy Coney Barrett, noting that “a hearing must be a real one, not a sham or pretense”, and that “even in the disciplinary context, the process due depends on a number of factors, including the severity of the consequence and the level of education ...”;

(3) The Eighth Circuit has opined in “Winegar v. Des Moines Indep. Community Sch. Dist.”, 20 F.3d 895, 899-900 (8th Cir. 1994), that the “fundamental requirement of due process is the opportunity to be heard at a meaningful time and in a meaningful manner ...”, which was originally declared by the United States Supreme Court in “Matthews v. Eldridge”, 424 U.S. 319, 333 (1976);

(4) The Eighth Circuit has further asserted in “Esteban v. Central Missouri State College”, 415 F.2d 1077, 1089 (8th Cir. 1969), that “procedural due process must be afforded by way of adequate notice, definite charge, and a hearing with an opportunity to present one’s own side of the case and with all necessary protective measures ...”; and

(5) It is necessary to statutorily guarantee fundamentally fair procedures that will ensure disciplinary proceedings at institutions of higher education carry out the necessary steps to ensure constitutionally required due process.

**A.C.A. § 6-60-1403  
§ 6-60-1403. Definitions**

As used in this subchapter:

(1) “Disciplinary proceeding” means a hearing, appeal, or investigatory interview conducted by an institution’s administrator relating to an alleged serious violation of the code of student conduct;

(2)(A) “Fully participate” means the opportunity for an institution, a student complainant, a student respondent, or a student organization to be provided an opportunity to be present and advised by an attorney or non-attorney advocate.

(B)(i) "Fully participate" does not require an institution to use formal rules of evidence in a disciplinary proceeding.

(ii) However, an institution shall make good faith efforts to include relevant evidence and exclude evidence that is neither relevant nor probative;

(3) "Institution" means an Arkansas public two-year or four-year institution of higher education; and

(4)(A) "Serious violation" means a violation of a nonacademic rule under a student code of conduct that an institution's official determines, at the inception of the case, could result in a sanction of suspension or expulsion.

(B) "Serious violation" does not include an act of academic dishonesty.

**A.C.A. § 6-60-1404**  
**§ 6-60-1404. Procedural protections**

(a)(1) The procedural protections established by this subchapter shall apply only to a serious violation.

(2) An institution shall not impose a sanction of suspension or expulsion for a violation of a nonacademic rule under an institution's student code of conduct unless the procedural protections established by this subchapter are followed.

(b)(1) An institution shall maintain an administrative file of all disciplinary proceedings.

(2) The administrative file required under subdivision (b)(1) of this section shall include without limitation all documents and evidence in the institution's possession or control that are relevant to an alleged violation of the institution's code of student conduct and the institution's investigation into the alleged violation of the institution's code of student conduct, including without limitation:

(A) Exculpatory evidence;

(B) Statements by an accuser or an accused student or a student organization;

(C) Third-party witness statements;

(D) Electronically stored information;

(E) Written communications;

(F) Social media posts;

(G) Demonstrative evidence;

(H) Documents submitted by any participant involved in disciplinary proceedings; and

(I) The institution's choice of a video recording, an audio recording, or a transcript of any disciplinary hearing ultimately held on the matter.

(3) The administrative file required under subdivision (b)(1) of this section shall not include privileged documents, internal communications, or communications from nonparties that the institution does not intend to introduce as evidence at a disciplinary proceeding.

(c)(1) A student who is accused of a serious violation and who is enrolled at an institution shall have the following disciplinary rights and be subject to the following procedures:

(A) The right to receive a copy of this subchapter at the inception of the disciplinary matter;

(B)(i) The right to be represented by:

(a) An attorney; or

(b) A non-attorney advocate if the student or student organization prefers.

(ii) An attorney or non-attorney advocate representing a student or student organization under subdivision (c)(1)(B)(i) of this section may fully participate during a disciplinary proceeding.

(iii) The right of a student or student organization to be represented by an attorney or non-attorney advocate under subdivision (c)(1)(B)(i) of this section applies until the conclusion of any institution appellate process.

(iv)(a) It shall be the student's or the student organization's responsibility to make arrangements for the use of an attorney or a non-attorney advocate as permitted under subdivision (c)(1)(B)(i) of this section.

(b) An institution shall not be responsible for providing, training, or paying for the services of an attorney or a non-attorney advocate;

(C)(i) The express presumption of innocence.

(ii) A student or student organization shall not be deemed guilty of a violation of the code of student conduct of an institution until:

(a) A student or student organization formally acknowledges responsibility for a violation of the code of student conduct; or

(b) The conclusion of a disciplinary proceeding during which an institution has established every element of an alleged violation by the student or student organization;

(D) The right to have the opportunity for a live hearing, including the right to:

(i)(a) Be present at a disciplinary proceeding.

(b)(1) A student or student organization may waive the right to be present at a disciplinary proceeding.

(2) A waiver under subdivision (c)(1)(D)(i)(b)(1) of this section shall be:

(A) Provided in writing by the student or student organization; and

(B) Signed by the student or student organization and the adjudicator of the disciplinary proceeding.

(3) A copy of the signed waiver required under subdivision (c)(1)(D)(i)(b)(2)(B) of this section shall be provided to the student or student organization and placed in the administrative file required under subdivision (b)(1) of this section.

(4) If a student or student organization waives the right to be present at a disciplinary proceeding under subdivision (c)(1)(D)(i)(b)(1) of this section, the student or student organization shall not have a right to appeal an institution's initial decision under subdivision (c)(1)(F) of this section;

(ii) Make an opening and closing statement;

(iii) Present relevant evidence; and

(iv) Cross-examine adverse witnesses through an attorney or non-attorney advocate, which the student is responsible for selecting and compensating;

(E) The right to be advised by an institution of the student's or student organization's rights under this subchapter:

(i) Before a disciplinary proceeding is scheduled; and

(ii) At least twenty-four (24) hours before a student or student organization may be questioned by the institution or an agent of the institution regarding any allegation of a serious violation, provided that nothing in this subchapter restricts the ability of campus law enforcement to investigate a possible criminal violation;

(F)(i) The opportunity to appeal an institution's initial decision to an appellate entity that is an institutional employee or body that did not make the initial decision finding the student or student organization to be in violation of the institution's nonacademic or code of student conduct rules.

(ii) An appeal under subdivision (c)(1)(F)(i) of this section shall be filed within twenty-five (25) days after a student or student organization receives final notice of an institution's decision.

(iii)(a) An institution may designate the appellate entity as the final institutional authority.

(b) However, nothing in this subchapter precludes a court from granting a prevailing plaintiff equitable relief;

(G)(i) Reasonable continuing access to the administrative file required under subdivision (b)(1) of this section that pertains to the student's or student organization's alleged violation and the ability to review all evidence or documents in the administrative file beginning at least seven (7) business days before a disciplinary hearing, or sooner if otherwise specified by federal law.

(ii) However, individual portions of the administrative file shall be redacted if confidentiality of the evidence is required by law;

(H)(i) The right for a disciplinary proceeding to be carried out free from conflicts of interest by ensuring that there is no commingling of administrative or adjudicative roles.



(ii) An institution shall be considered to be commingling administrative or adjudicative roles if an individual carries out more than one (1) of the following roles with respect to the disciplinary proceeding:

- (a) Attorney or non-attorney advocate for a complaining or accused student or student organization;
- (b) Investigator;
- (c) Adjudicator; or
- (d) Appellate adjudicator.

(iii) It is not a conflict of interest under this subdivision (c)(1)(H) for the institution's investigator to simultaneously serve as the individual who presents evidence to an adjudicator; and

(I) The right of a student or student organization that makes a complaint against another student or student organization for purposes of a disciplinary hearing to:

(i)(a) Be represented at the student's or student organization's own expense by an attorney or, if the complaining student or student organization prefers, a non-attorney advocate, who may fully participate during a disciplinary proceeding.

(b) The right of a student or student organization to be represented by an attorney or non-attorney advocate under subdivision (c)(1)(I)(i)(a) of this section applies until the conclusion of any institution appellate process;

(ii)(a) Have reasonable continuing access to the administrative file required under subdivision (b)(1) of this section that pertains to the student's or student organization's allegation and the ability to review all evidence or documents in the administrative file beginning at least seven (7) business days before a disciplinary hearing, or sooner if otherwise specified by federal law.

(b) However, individual portions of the administrative file required under subdivision (b)(1) of this section shall be redacted if confidentiality of the evidence is required by law; and

(iii)(a) Appeal an institution's decision following a disciplinary proceeding on grounds set forth in the institution's student code of conduct.

(b) An institution shall provide simultaneous notification to both the student or student organization that makes a complaint against another student or student organization and the student or student organization that is the subject of a complaint regarding the institution's procedures to appeal the result of a disciplinary hearing.

(2) The rights provided under subdivision (c)(1) of this section shall be included in each institution's code of student conduct.

(d)(1) At the conclusion of a disciplinary proceeding or an appeal that involves a serious violation, an institution's chancellor or vice chancellor of student affairs shall certify that the substantial rights of student complainants and respondents as established under this subchapter have been followed.

(2) The certification required under subdivision (d)(1) of this section shall be maintained in the administrative file required under subdivision (b)(1) of this section.

**A.C.A. § 6-60-1405**  
**§ 6-60-1405. Interim measures**

(a)(1) Nothing in this subchapter precludes an institution from providing at any time an individualized service to an accused student or an accusing student that is nondisciplinary, nonpunitive, reasonably available, and without fee or charge to the accused student or accusing student.

(2)(A) An individualized service offered to an accused student or accusing student under subdivision (a)(1) of this section shall be designed to restore or preserve equal access to the institution's education programs or activities without unreasonably burdening the other party.

(B) An individualized service offered to an accused student or accusing student under subdivision (a)(1) of this section may be designed to protect the safety of all involved parties or the institution's educational environment, which may include without limitation:

- (i) Counseling;
- (ii) Extensions of deadlines or other course-related adjustments;
- (iii) Campus escort services;
- (iv) Mutual restrictions on contact between the involved parties;
- (v) Modifications of class schedules or housing locations;
- (vi) Increased security and monitoring of certain areas of the institution's campus; and
- (vii) Other similar services.

(b)(1) An institution may remove an accused student from the institution's programs or activities on an emergency basis if the institution:

- (A) Undertakes an individualized safety and risk analysis;
- (B) Determines that an immediate threat to the safety of a student or another individual arising from the allegations of misconduct justifies removal of the accused student; and
- (C) Provides the accused student with notice and an opportunity to challenge the decision immediately following his or her removal.

(2) An institution that removes an accused student on an emergency basis under subdivision (b)(1) of this section shall:

- (A) Within twenty-four (24) hours of an institution removing an accused student on an emergency basis, provide written notice to the accused student that explains the institution's reasons for removing the accused student on an emergency basis;

(B)(i) Within three (3) business days of the written notice required by subdivision (b)(2)(A) of this section, unless otherwise waived by the removed accused student, convene an interim hearing to determine whether there is substantial evidence that the removed accused student poses a risk to the health or safety of any student or other individual and that the emergency removal of the accused student is appropriate to mitigate that risk.

(ii)(a) At an interim hearing, the removed accused student and the accusing student may be represented by an attorney or a non-attorney advocate who may fully participate to the same extent as in a final hearing to determine responsibility.

(b) An accused student's waiver of his or her right to be represented by an attorney or a non-attorney advocate under subdivision (b)(2)(B)(ii)(a) of this section shall not constitute an admission of guilt or a waiver of additional rights under this subchapter.

**A.C.A. § 6-60-1406**  
**§ 6-60-1406. Cause of action**

(a) If a student or student organization's rights under this subchapter have been violated, the student or student organization may file a claim with the Arkansas State Claims Commission to recover:

(1) Compensatory damages;

(2) Attorney's fees;

(3) Expert witness fees; and

(4) Monetary damages consisting of any financial losses, such as lost scholarship funds or unnecessary tuition payments, proximately caused by a substantial violation of this subchapter.

(b) Any error, defect, irregularity, or variance that does not affect a student's or student organization's substantial rights under this subchapter shall be not be considered.

**A.C.A. § 6-60-1407**  
**§ 6-60-1407. Statute of limitations**

(a)(1) A student or student organization shall bring suit for a violation of this subchapter not later than one (1) year after the day the cause of action occurred.

(2) For purposes of calculating the one-year limitation period, the cause of action shall be deemed accrued on the date that the student or student organization receives final notice of discipline from an institution.

(b) This subchapter shall apply to disciplinary proceedings beginning on or after August 1, 2023.

**Appendix B: Student Misconduct Complaint Form**

**Nature of Complaint**

- Sex-based Harassment       Other Sex Discrimination
- Other Discrimination       Theft
- Physical Assault       Other

**Complainant Information**

- Student       Staff       Other
- Student Conduct Administration       Faculty

Name: \_\_\_\_\_ University ID No. \_\_\_\_\_

Email: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Local address: \_\_\_\_\_

**Incident Information**

Date of Incident: \_\_\_\_\_

Location of Incident: \_\_\_\_\_

Description of Incident: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Use additional pages as necessary)

Witnesses to the incident(s):

Name	Description of relevant knowledge
_____	_____
_____	_____
_____	_____

Please provide any documentation that is relevant to the alleged incident.

**Appendix C: Form for Respondent's Waiver of Right to Be Present at Hearing**

I understand that I have been charged with a violation of the Code of Student Conduct for which a sanction of expulsion or suspension from the University could be imposed. I hereby waive my right to be present at any disciplinary proceedings, including a live hearing, under Ark. Code Ann. § 6-60-1404(c)(1)(D)(i). I further understand that I shall not have a right to appeal the University's decision on whether I am responsible for violating the Code. I acknowledge that a signed copy of this waiver will be placed in the Administrative File as required by state law.

/s/\_\_\_\_\_

[student's name]

**Appendix D: Student Misconduct Appeal Form**

Student Name: \_\_\_\_\_

Student ID No. \_\_\_\_\_

The appeal must be submitted to the Student Conduct Administrator within 25 calendar days of receiving the written decision. A Party may appeal the written decision from the following reasons only:

1. A procedural irregularity that affected the outcome;
2. The discovery of new evidence that was not reasonably available when the determination of responsibility was made that could affect the outcome;
3. The University investigator or decisionmaker had a conflict of interest or bias that affected the outcome; or
4. The sanctions are grossly disproportionate to the severity of the offense.

Please select the reason for your appeal (you may select more than one):

1. \_\_\_\_\_ 2. \_\_\_\_\_ 3. \_\_\_\_\_ 4. \_\_\_\_\_

Please provide a narrative of the basis for your appeal. This is not a statement of the incident but rather an explanation of why the decision should be overturned. If your appeal is based on reasons 1, 2, or 3, include an explanation as to how the outcome was affected. You may use more than one page.

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**Appendix E: Form for Chancellor or Vice Chancellor's Certification of Compliance**

In my capacity as [Chancellor or Vice Chancellor for Student Affairs], I certify that that the substantial rights of student complainants and respondents established under the Arkansas Student Due Process and Protection Act, Ark. Code Ann. § 6-60-1401 et seq., have been followed. This certification shall be placed in the Administrative File required under state law.

/s/\_\_\_\_\_

[VC's name]

[title]

#### **4.19 BEHAVIORAL INTERVENTION TEAM (BIT)**

The University of Arkansas at Pine Bluff (UAPB) prioritizes the health and safety of its faculty, staff, and students, ensuring a secure and effective workplace. The institution is dedicated to managing safety and security concerns with a dual focus on the well-being of employees and students and their success. UAPB has established Behavioral Intervention Team (BIT) procedures to support this commitment. These procedures provide a proactive approach to addressing student behavioral issues.

Faculty and staff may encounter situations where students exhibit concerning behavior. The BIT process is intended to assist both faculty and staff in managing these situations effectively. In cases of emergency or extreme situations, it is crucial to report immediately to UAPB Campus Police at 870-575-8102.

For concerns involving students who display mild to moderate levels of distress, faculty, students, or staff should complete a Behavior Intervention Report Form. This form is available online at [https://uapb-advocate.symplcity.com/care\\_report/](https://uapb-advocate.symplcity.com/care_report/) and should be submitted to the Office of the Dean of Student Life.

By following these procedures, UAPB aims to create a supportive and safe environment that promotes the well-being and success of the entire university community.

**NOTE: *The BIT process does not replace faculty classroom management, disciplinary processes, or public safety action.***

### **Psychological Evaluation and Withdrawal for Medical Reasons**

#### **1. Initial Intervention**

In response to student health and safety reports, at-risk students will be required to meet with VCSA or their designee. The goal of this meeting is as follows:

- a. To facilitate an intentional intervention and process whereby the student is offered support, resources, and appropriate assistance needed.
- b. To provide a systematic method for assessing, identifying, and intervening when members of the campus community observe worrisome, threatening, or dangerous student behaviors.
- c. To establish and enforce student behavioral expectations, action plans, and remedies aimed at deterring future student involvement in at-risk behavior.

#### **2. Referrals for Psychological Evaluation**

If authorized individuals, as outlined herein, determine that a student should undergo a psychological evaluation, the student should be referred to the appropriate entity for such evaluation according to the guidelines outlined below:

- a. The Director for Counseling and Student Wellness, Dean of Students, Behavioral Intervention Team, and VCSA or designee are the professional staff members authorized to make an administrative referral for psychological evaluation.
- b. Mandatory evaluation and withdrawal will be considered only in cases where there is the threat of imminent danger to self, others, or property or disruption of the educational process and mission of the institution.
- c. All cases involving violation of the Code of Student Life will be referred through the University’s conduct system except where, due to the student’s psychological condition, the student is either:
  - i. Unaware of their actions;



- ii. Unaware of the wrongful nature of their actions; or
  - iii. An Administrative Hearing is deemed inappropriate (e.g., the student voluntarily withdraws or cannot participate in a hearing). The case will be processed in such situations using the psychological evaluation withdrawal procedures. If it is determined that a student must also undergo an Administrative Hearing for violations of the Student Code of Conduct, the University will proceed in a manner consistent with the provisions outlined under the Section Student Code of Conduct.
- d. When an authorized professional staff member has reasonable cause to believe that a student has severe emotional problems, and when there is reasonable cause to believe that a student's continued presence on campus would present a threat of imminent danger to self, others, or property, or disruption of the educational process and mission of the institution, the staff member may direct the student to consult with the Director of Counseling and Wellness.

In the event of a student's refusal, interim action from the University may be invoked, including, but not limited to, automatic withdrawal.

- e. A student required to undergo a mandatory evaluation by a licensed psychologist or psychiatrist will be notified in writing by the Dean of Students or their designee. This evaluation may be conducted by a local licensed psychologist or psychiatrist if the student is in the area. If the student has returned home; they may obtain an evaluation by a licensed psychologist or psychiatrist in their home area and must agree that the University can release pertinent information regarding precipitating events and areas of concern to this person. All evaluation reports are to be sent to the Dean of Students or their designee. The report will be available for the student to review with the Director of Counseling and Wellness or their designee.
- f. Following the evaluation, the Director of Counseling and Wellness or their designee may recommend that the student be withdrawn from the University to seek psychological/medical treatment if the student:
- i. Presents a continued direct threat and that such threat cannot be mitigated.
  - ii. Is suffering from a serious mental disorder that is being exacerbated in the campus environment.
  - iii. Is engaged in behavior that places them in serious medical jeopardy, producing conditions that cannot be treated effectively without leaving the University.
  - iv. Has violated, threatened to violate, appears likely to violate, has shown or manifested an intention to violate the law or institutional policies, appears to lack the capacity to respond to the discipline process, or does not appear to know the nature and wrongfulness of the alleged action.

### **Voluntary Withdrawal**

- a. If withdrawal for medical reasons is recommended, VCSA or the designee will first work with the student to leave voluntarily. One option for the student is to agree to take a voluntary withdrawal. This withdrawal may be for an undetermined or specific period. If the student withdraws for medical reasons, charges or sanctions for misconduct will be held in abeyance pending the student's successful completion of all guidelines for reinstatement. In resolving incidents in this manner, the Dean of Students would work directly with the student, their family, and their academic college to facilitate the withdrawal.
- b. When the student chooses to take a withdrawal for medical reasons, staff will not typically place a registration hold on the student's record. If necessary, re-enrollment actions from a withdrawal

will be initiated through the Office of the Dean of Students and in consultation, deemed appropriate, with the Department of Counseling and Wellness. When the student re-enrolls, they will do so as a previously admitted student. The Office of the Dean of Student Life will place a hold on the student's account. To re-enroll, the student must go through the Dean of Student Office to start the re-enrollment process.

### **Mandatory Withdrawal**

If the student does not voluntarily withdraw from the University and/or residence hall, the Dean of Students or their designee, the Director of Counseling and Wellness or their designee, and other appropriate University personnel will review the contents of the psychological evaluation report, and the VCSA or designee will render a written decision regarding mandatory withdrawal from campus. A student has the right to appeal this decision to the Chancellor or Provost. Appeals must be submitted to the Chancellor or Provost in writing within five (5) business days of the date of the written decision. The decision of the Provost will be final.

- a. In cases where a student is subject to a Mandatory Withdrawal or has Voluntarily Withdrawn, guidelines for reinstatement will be given at the time of withdrawal. These guidelines will be determined by the Dean of Students in consultation with the Director of Counseling and Wellness and will be maintained within the student's confidential Student Conduct records along with the record of the Referral for Psychological Evaluation.
- b. Reasonable deviations from these procedures will not invalidate a decision or proceeding unless significant prejudice to a student is a result.

## **4.20. ADMINISTRATION OF DISCIPLINARY RECORDS AND DISCIPLINARY INFORMATION**

A transcript contains only academic information and disciplinary actions which denies the privilege of the student to continue in or return to the University. Then notation of suspension or expulsion is removed from the official transcript by the Office of the Dean of Student Life when the term of the sanction has expired or when the student has been re-admitted.

Academic and disciplinary records are kept separate to minimize the risk of improper disclosure. The disciplinary records shall be treated as confidential. The contents of the student's disciplinary record may be made available for use within the University only upon the written request of the student or upon the direction of the Dean of Student Life. Records will be given to persons outside the University only upon written request of the student or in response to a subpoena, compulsory process, as a court order.

The University shall maintain a permanent written disciplinary record of every student who has been suspended or expelled, including the charge, the sanction assessed, and any other pertinent information. However, for every student who has received a disciplinary sanction less than suspension or expulsion, the University shall provide for the periodic destruction of the disciplinary record after 7 years from the last date of attendance or when the student graduates.

## **4.21. POLICY ON FREE SPEECH AND EXPRESSIVE ACTIVITIES**

### **I. Policy Statement**

The University recognizes the important role of intellectual freedom and free expression on campus, and it seeks to further the advancement of knowledge by means of research and discovery, teaching, and vigorous discussion of ideas. Students faculty, and staff are free to discuss matters to the extent consistent with the First Amendment to the U.S. Constitution; Article 2, Section 6 of the Arkansas Constitution; state and federal statutes and regulations; and the reasonable, content-neutral restrictions set forth in this policy and other University and campus policies.

The University recognizes that individuals or groups may be opposed to certain expressive activities or speakers. Disagreement with different opinions is acceptable; however, the use of violence (including threats of violence and unlawful harassment), violations of law, and violations of University policy are not consistent with creating an environment in which ideas can be discussed openly. An individual or group wishing to protest an expressive activity on campus is subject to the same standards as presenters. On-campus protests and demonstrations that materially and substantially infringe upon the rights of others to engage in or listen to expressive activity are not permitted.

This policy describes the rights of members of the campus community to engage in expressive activities and provides for procedures and restrictions that are intended to protect the interests of the University and the campus community. To the extent, any part of this policy conflicts with an applicable law or constitutional provision, then the relevant law or constitutional provision shall control. Such laws and provisions include the First Amendment to the U.S. Constitution; Article 2, Section 6, of the Arkansas Constitution; Act 184 of 2019 (Ark. Code Ann. § 6-60-1001 et seq.); and Act 614 of 2023 (Ark. Code Ann. § 6-60-1401 et seq.).

### **II. Definitions**

A. “Expression” means any lawful verbal or written means by which an individual may communicate an idea to another individual.

B. “Campus Forum” means (1) an outdoor area of campus (as defined below) or (2) any non-academic and publicly open portion of a facility that this state-supported institution of higher education has traditionally made available to members of the campus community for expressive purposes. [At this institution, the [Student Union / Center] meets this definition].

C. “Member of the Campus Community” means an enrolled student, an administrator, faculty member, staff member, registered student organization, a group seeking official recognition as a registered student organization, or an Invited Guest of any of the foregoing persons or groups. A person purporting to be an Invited Guest loses his or her status as such if there is noncompliance with the identification requirements set forth in this policy.

C.1. “Invited Guest” means a person who has received a personal invitation, specific to the individual, from one of the foregoing, persons, or groups, to take part in a specific activity or event. A general event notice or group communication does not constitute a personal invitation for determining whether an individual is considered an “invited guest” and thus a “Member of the Campus Community” for purposes of this policy. A person purporting to be an Invited Guest loses his or her status as such if there is noncompliance with the identification requirements set forth in this policy.

D. “Large-Scale Event” means (1) an event that involves the use of amplified sound; (2) an event that involves the placement of a stage, carts, vehicles, trailers, or multiple tables; or (3) a parade, demonstration, or similar planned event that: (a) can reasonably be expected to attract 50 or more people, including participants and spectators or (b) can reasonably be expected to require additional security, crowd control,

or other substantial University resources. A Large-Scale Event does not include a spontaneous, contemporaneous assembly of members of the campus community.

E. “Non-Member of the Campus Community” or “Non-Member” means all persons, groups, clubs, or other organizations that do not come within the definition of “Member.”

F. “Registered Student Organization” or “RSO” means an organization (including a club) comprised of University students that is registered with the campus office of student involvement and leadership.

G. “Outdoor Area of Campus” means the generally accessible outside areas of the campus of a state-supported institution of higher education where members of the campus community are commonly allowed, including grassy areas, walkways, and other similar common areas. “Outdoor Area of Campus” does not include outdoor areas where access by the majority of the campus community is restricted.

H. “Student” means any person who is enrolled on a full-time or part-time basis at this institution.

### **III. Applicability of Other Policies**

This Policy shall, wherever possible, be construed in a manner that is consistent with other University and campus policies. Those policies may include (but are not limited to) the following:

#### **A. Facilities Use**

The utilization of campus facilities is generally governed by Board of Trustees Policy 705.1, University of Arkansas Systemwide Policies and Procedures 715.1, and applicable campus policies on facilities use.

#### **B. Academic Freedom**

This Policy shall not be interpreted as limiting, expanding, or otherwise affecting the rights and obligations of faculty as set forth in Board of Trustees Policy 405.1.

### **IV. Time, Place, and Manner Guidelines**

The University shall not restrict the expression of a member of the Campus Community in a Campus Forum based on (1) the viewpoint of the expression or (2) reaction or opposition from listeners to or observers of the expression. A Campus Forum may be used for expressive activities so long as they meet the following requirements:

1. A member of the Campus Community may not disrupt a previously scheduled or otherwise reserved activity.
2. An expressive activity must not violate local ordinances, state laws, federal laws, this policy, or another University policy regarding:
  - a. Compliance with state and federal laws on discrimination and harassment; or
  - b. The productive and efficient operation of an instructional or work environment.
2. The duration of the expressive activity may be limited to a reasonable period of time, based on the type of event and the resources required to manage it.
3. There shall be no obstruction of entrances or exits to buildings, driveways, parking lots, or other campus locations.

5. An expressive activity must not disrupt vehicular traffic, pedestrian traffic, or scheduled University programs or events. A speaker’s use of walkways or other common areas may not block the free passage of others or impede the regular operation of the University.
6. An expressive activity must not create unreasonable safety risks.
7. There shall be no alteration, modification, defacement, or destruction to University-owned or University-leased property.
8. Expressive activities are subject to any campus policies on the permissible posting of signage, use of chalk, or other alterations to University structures.
9. The erection of tents or camping on University premises is prohibited without prior written authorization from [insert title of appropriate University administrator]. Authorization will only be given for tents that are used in support of official University functions at designated areas.
10. The location for the expressive activity must be left in its original condition at the conclusion of the event, and individuals are responsible for ensuring that any trash or litter is properly discarded. Any person or entity that causes damage to University-owned or controlled property will be responsible for paying any charges necessary to return the property to its original state. Similarly, reasonable cleaning charges may be assessed.
11. Amplification equipment such as loudspeakers are allowed only with prior permission from the [insert title of appropriate University administrator]. Such requests will be evaluated for the potential disruption of regular University activities or processes.
12. Expression that is obscene, defamatory, or consists of fighting words or threats of physical harm, incites imminent lawless action or is otherwise not entitled to First Amendment protection is not permitted.
13. Except as provided in other University policies, University property may not be used for the purpose of promoting a commercial enterprise or raising money for projects not connected with a University activity.
14. By making a reservation or using a University space for expressive activity, the organizer agrees to be financially responsible for all costs associated with the use of the space—including (but not limited to) security costs related to invited participants, clean up, and repair of damage to University property. Moreover, if warranted by the nature of the event, the University may require a requestor to obtain appropriate liability or other insurance coverage and/or to indemnify the University, its officials, and employees for any claims pertaining to the use of University grounds.
15. Only official academic and administrative units of the University, University-related foundations and the University alumni association, and registered student organizations, with the approval of their faculty advisor, are allowed to reserve outdoor spaces during “dead days,” any official final examination periods, or the dates of any Official University Commencement activities.
16. Unless officially authorized to do so, no person engaging in expressive activity may represent or give the impression that the person or organization is speaking on behalf of the University, including through the use of the University name, marks, images, or logos. Communications regarding an event may factually state a university location for an event, but shall not state or imply University sponsorship or endorsement of an event unless it is in fact conducted by the University.

17. First priority for use of Campus Forums shall go to the University's academic and administrative units, and the University reserves the right to modify or cancel reservations accordingly. All uses of the University's indoor and outdoor spaces remain subordinate to the University's right to use them at any time to advance the mission of the institution.

18. Event organizers, including for spontaneous and contemporaneous events, shall make available accurate contact and event information to University officials to enable communications regarding compliance with University policies, including as necessary regarding event security and crowd control arrangements.

19. Persons engaged in expressive activities shall identify themselves upon request by a University administrator or campus security officer. In addition, an Invited Guest shall identify the employee, student, or Registered Student Organization that issued the invitation.

## **V. Expressive Forums and Reservation Requirements**

### **A. Use of Campus Forums**

Members of the Campus Community are encouraged to make a reservation to engage in an expressive activity at a Campus Forum at least 3 days in advance of any planned use. Members of the Campus Community must make a reservation for any Large-Scale Event and receive prior approval from the Dean of Student Involvement and Leadership/Executive Assistant to the Vice Chancellor for Student Affairs at least 3 days in advance of any planned use of a Campus Forum. Members of the Campus Community may, however, spontaneously and contemporaneously assemble, speak, and distribute literature at Campus Forums without receiving prior approval, but otherwise subject to the provisions of this policy.

Non-Members of the Campus Community must make a reservation and receive prior approval from the Vice Chancellor for Finance and Administration at least 3 days in advance of any planned use of an Outdoor Area of Campus. Non-Members of the Campus Community may not use indoor areas unless authorized pursuant to the campus policy on facilities use.

### **B. Reservation Preference**

In instances in which prior permission from the University is not required, persons are still encouraged to contact the [insert title of appropriate University administrator] for scheduling purposes to minimize possible conflicts. Persons with a reserved space will have priority over any other persons seeking to use the area during the scheduled time period for an expressive activity.

### **C. Reservation Requirement for Other Locations**

There are certain additional locations on campus, including certain indoor facilities, that may be made temporarily available to Members or Non-Members of the Campus Community for assemblies, debates, or other expressive activities as designated by the University. Examples of such locations vary by campus but may include building foyers and auditoriums. The use of such locations may entail security concerns, scheduling conflicts, or resource constraints. Where allowed, persons desiring to use such locations may request a reservation pursuant to facility-specific policies. A list of reservable facilities for the campus community can be obtained by contacting the Dean of Student Involvement and Leadership/Executive Assistant to the Vice Chancellor for Student Affairs. For the non-campus community, reservable facilities can be coordinated through the Vice Chancellor for Finance and Administration. Approval of reservations may be conditioned on acceptable security arrangements, insurance, or payment of fees.

Other locations on campus are typically restricted for their intended purpose and cannot be reserved for expressive activities. Examples of such locations vary by campus but generally include the following: libraries, the hallways and classrooms in academic buildings, dormitory rooms, faculty and staff offices, administration buildings, medical treatment facilities, research and computer labs, and athletic fields and facilities.

#### **D. Registered Student Organizations, Organized Demonstrations, and Large-Scale Events**

The right of freedom of expression includes organized demonstrations. At the same time, this right does not allow individuals to materially disrupt the University’s operations or endanger the safety of others. Accordingly, Large-Scale Events must receive prior approval from the [insert title of appropriate University administrator] at least 3 days in advance of the event or activity.<sup>1</sup>

The University will work with the requesting person to either approve the request or find a suitable time and location. To ensure safety on campus, the University may require the requesting party to provide a parade route, hire security, ensure ingress and egress to facilities, or take other steps to maintain the safety of campus. Demonstrations and protests are not permitted in buildings. All participants must follow applicable laws and policies.

This policy does not designate all publicly accessible outdoor locations on campus or any indoor location as a traditional public forum, regardless of whether it is a Campus Forum under this policy.

#### **E. Denials and Revocations**

A denial or revocation of permission to engage in an expressive activity shall generally be based on a reason set forth in this policy or other applicable policies of the Board of Trustees or University of Arkansas System. However, no policy can address every possible activity or situation that may occur on University property, and the University reserves the right to address such situations as circumstances warrant.

Any decision to deny a reservation for a Campus Forum shall be promptly communicated in writing to the requester and shall set forth the basis of the denial. Any such denial must be based on clear, viewpoint-neutral criteria. Anyone aggrieved by the application of these rules or an alleged abridgment of free speech on campus may submit a written grievance within 10 days to the decision [insert title of someone of a higher rank than the person who denied the request initially, such as VC for Student Affairs] or designee.

#### **VI. Sanctions and Enforcement**

Violations of this policy by Members of the Campus Community may result in review and sanctions under applicable University policies and procedures, including, but not limited to, the campus code of student conduct, employee handbooks, and campus nondiscrimination policies. Violations of this policy by other persons may result in removal from campus or arrest. Members and Non-Members of the Campus Community may also lose their privileges to use campus grounds and facilities in the future, in addition to criminal sanctions. Any criminal proceedings are separate from the University’s sanctions. The University will enforce this policy in a content-neutral manner.

# APPENDICES



## **Appendix I**

# **Drug-Free School & Communities Act UAPB-Annual Notification / Disclosure**

## Appendix I

### Drug-Free School & Communities Act UAPN –Annual / Disclosure

UAPB is committed to providing a drug-free environment for its students, faculty, and staff. The Drug-Free Schools and Communities Act of 1989 requires that UAPB, as a recipient of federal funds, to certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees both on University premises and as part of any University programs and activities. The University must annually distribute certain information, in writing, to all employees and enrolled students. This information is contained below, and it may also be found at the following website: [Drug and Alcohol Annual Notification](#).

#### Alcohol and Drug Abuse Policy

Possession and use of alcoholic beverages in public areas of University facilities (including organized houses) at official University student functions held on campus must follow state and federal laws and university policies at all times. Irresponsible behavior while under the influence of alcoholic beverages is not condoned and may be subject to review and/or action by the appropriate judicial body. (University of Arkansas Board of Trustees Policy 705.2—Use of Alcoholic Beverages on University Facilities).

Moreover, it is the policy of the University of Arkansas at Pine Bluff that the unlawful manufacture, distribution, possession or use of drugs, or any controlled substance while performing work for, or matriculating at, or on the properties of the University of Arkansas at Pine Bluff is prohibited. Any student, employee (including administrators, faculty, and staff) or campus visitors, determined to have violated this policy, will be subject to appropriate disciplinary action up to and including expulsion, termination, and/or referral for criminal prosecution. The use of alcohol while on the properties of the University of Arkansas at Pine Bluff is prohibited unless authorized by applicable policies of the University. (The Roar, § 1.5).

#### STANDARDS OF CONDUCT

1. The University expects students, employees, and groups to be free of the influence of controlled substances; to refrain from the use of controlled substances on University premises or related premises or at a University activity. Employees of the University are expected to refrain from activities involving controlled substances both on and off campus, where such activities could have a detrimental impact on their abilities to perform their jobs. Persons are not to drink, dispense or be under the influence of alcohol or possess alcoholic beverages on University premises or at functions or activities controlled by the University. Violation of expected standards of conduct may result in appropriate student discipline and employee discipline up to and including suspension or termination.
2. Any student, employee or group who gives or transfers controlled substances to another person or sells or manufactures a controlled substance while on campus or related premises will be subject to appropriate student discipline or employee discipline up to and including termination or suspension, and/or referral to the au- authorities for prosecution. In addition, any employee who engages in the above-described activities off campus and whose activities impede his/her ability to effectively perform his/her employment shall be subject to appropriate discipline.
3. Any student, employee or group found to be in violation of federal, state, or local narcotic or controlled substance laws on University premises will be subject to appropriate student discipline or employee discipline up to and including suspension or termination.

4. Students, employees, and groups whose behavior and/or conduct is a result of alcohol or other drug misuse/abuse on campus or as a part of any University activity may be required to undergo, at their own expense, a pre-assessment (screening) through Health Services or Counseling Services and/or clinical assessment at an appropriate agency identified by the University.
5. The welfare of the student or employee comes first, and discipline may be deferred or dismissed depending upon the severity of the violation.

## **UNIVERSITY SANCTIONS FOR VIOLATING ALCOHOL AND DRUG POLICIES**

Sanctions for violations of University policies, regulations and guidelines and local, state, or federal laws may include but are not limited to: appropriate rehabilitation programs, expulsion, suspension, termination of employment and/or referral to authorities for prosecution, counseling, job reassignment, University or public service, educational projects, restitution or fines, withdrawal from classes or probation. Disciplinary sanctions for the illegal sale or distribution of controlled substances may subject the offender to sanctions up to and including expulsion, suspension, termination and/or referral for prosecution.

### **Criminal Laws**

#### ***Arkansas Law***

This information is provided to inform you of some of the alcohol-related laws in the state of Arkansas. This is not an all-inclusive list, and the laws listed have been abbreviated. Note that the penalties listed are the minimum and maximums according to law and subsequent offenses (especially with the DWI and DUI laws) can include substantially harsher penalties. If you need more information on any of these, or other, laws, please contact the University of Arkansas Police Department.

#### ***Unknowning Furnishing or Selling Alcohol to Minor***

Ark. Code Ann. . § 3-3-201(a)

The sale, giving away, or other disposition of intoxicating liquor to a minor is declared to be a misdemeanor.

#### ***Penalties:***

- 1<sup>st</sup> Offense; Fine - \$200 to \$500
- 2<sup>nd</sup> or subsequent offense: Jail Time – No less than (1) year; Fine \$500 to \$1,000

#### ***Knowingly Furnishing or Selling Alcohol to Minor***

Ark. Code Ann. 3-3-202(a) (1)

It shall be unlawful for any person to knowingly furnish any alcoholic beverages to any person under twenty-one (21) years of age.

#### ***Penalties***

- 1<sup>st</sup> offense: Misdemeanor; Jail Time – No more that ten (a0) days; Fine – No more than \$500
- 2<sup>nd</sup> of subsequent offense; Felony: Jail Time – one (1) to five (5) years; Fine – No more that \$500

#### ***Purchases or Possession by a Minor***

**a. Ark. Code Ann. 3-3-203**

1. It is unlawful for any person under twenty-one (21) years of age to purchase or have in his or her possession any intoxicating liquor, wine, or beer.
2. For the purposes of this section, intoxicating liquor, wine, or beer in the body of a minor is deemed to be in his or her possession.
- b. It shall also be unlawful for an adult to purchase on behalf of a person under twenty-one (21) years of age any intoxicating liquor, wine, or beer.
- c. A person eighteen (18) years of age or older violating this section is guilty of a violation and upon conviction shall be subject to a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500).
  1. In addition to the fine authorized by subsection (c) of this section, at the time of arrest of a person eighteen (18) years of age or older for violation of the provisions of subsection (a) of this section, the arrested person shall immediately surrender his or her license, permit, or other evidence of driving privilege to the arresting law enforcement officer as provided in § 5-65-402.
  2. The Office of Driver Services or its designated official shall suspend or revoke the driving privilege of the arrested person or shall suspend any nonresident driving privilege of the arrested person, as provided in § 5-65-402.
  3. The period of suspension or revocation shall be based on the offense that caused the surrender of the arrested person's license, permit, or other evidence of driving privilege as described in subdivision (e)(1) of this section and the number of any previous offenses as follows:
    - Suspension for sixty (60) days for the first offense under subsection (a) of this section;
    - Suspension for one hundred twenty (120) days for a second offense under subsection (a) of this section; and
    - Suspension for one (1) year for a third or subsequent offense under subsection (a) of this section.
  4. In order to determine the number of previous offenses to consider when suspending or revoking the arrested person's driving privileges, the office shall consider as a previous offense any conviction under subsection (a) of this section, which occurred either prior to or after August 12, 2005.

***Social Host – Criminal Liability***

Ark. Code Ann. 3-3-219(a)

1. A person who exercises control over private property shall not knowingly allow a person under twenty-one (21) years of age who is not a family member of the person to consume alcohol on the private property.
2. This subsection applies only to a person who is present and in control of the private property at the time, the consumption occurs.

***Penalties***

- 1st offense: Misdemeanor; Fine - \$100 to \$500; Theme or essay on liquors, wine, or beer; Probation
- 2nd or subsequent offense: Same as 1st offense

***Manufacturing or Altering Personal Identification Document***

Ark. Code Ann. § 5-27-502(a)

It shall be unlawful for a person to: (1) manufacture or produce fraudulent personal identification documents for the purpose of providing a person under twenty-one (21) identification which can be used for the purpose of purchasing alcoholic beverages; (2) alter a personal identification document for the purpose of providing a person under twenty- one (21) false identification which can be used for the purpose of purchasing alcoholic beverages; or (3) sell or otherwise distribute such fraudulent personal identification documents to a person under twenty-one (21).

***Penalties***

- 1st offense: Class C felony: Jail Time – three (3) to ten (10) years; Fine No more than \$10,000
- 2nd or subsequent offense: Class B Felony; Jail Time – five (5) to twenty (20) years; Fine – No more than \$15,000

**POSSESSION OF FRAUDULENT OR ALTERED PERSONAL IDENTIFICATION DOCUMENT**

Ark. Code Ann. § 5-27-503(a)

It shall be unlawful for: (1) a person to possess a fraudulent or altered personal identification document for the purpose of providing a person under twenty-one (21) identification which can be used for the purpose of purchasing alcoholic beverages; (2) a person under twenty-one (21) to possess a fraudulent or altered personal identification document which can be used for the purpose of purchasing alcoholic beverages; or (3) a person under twenty-one (21) to attempt to use a fraudulent or altered personal identification document for the purpose of purchasing alcoholic beverages illegally...

***Penalties***

- 1st offense: Class B Misdemeanor: License Suspended – Offenders under eighteen (18), one (1) year or until eighteenth (18th) birthday; Jail Time – No more than one (1) year; Fine – No more than \$1,000
- 2nd or subsequent offense: Class A Misdemeanor; License Suspended – Offenders under eighteen (18), one year or until eighteenth (18th) birthday; Jail Time – No more than one (1) year; Fine – No more than \$1,000

***Public Intoxication And Drinking In Public***

Ark. Code Ann. 5-71-212(a)

A person commits the offense of public intoxication if he/she appears in a public place manifestly under the influence of alcohol or a controlled substance to the degree and under circumstances such that he/she is likely to endanger himself/herself or other persons or property, or that he/she unreasonably annoys persons in his/her vicinity. (c) A person commits the offense of drinking in public if that person consumes any alcoholic beverages in any public place, on any highway or street, or upon any passenger coach...or in or upon any vehicle commonly used for the transportation of passengers, or other public place other than a place of business licensed to sell alcoholic beverages for consumption on the premises.

***Penalties***

- 1st offense: Class C Misdemeanor, Jail Time – No more than thirty (30) days; Fine – No more than \$100
- 2nd or subsequent offense; Same as 1st offense

### ***Unlawful Use of License***

Ark. Code Ann. § 27-16-302

It is a misdemeanor for any person: (1) To display, or permit to be displayed, or have in his/her possession any canceled, revoked, suspended, fictitious, or fraudulently altered driver's license; (2) To knowingly assist or permit any other person to apply for or obtain through fraudulent application or other illegal means any Arkansas driver's license; (3) To lend his/her driver's license to any other person or knowingly permit its use by another; (4) To display or represent as one's own any driver's license not issued to him/her; (5) To use a false or fictitious name in any application for a driver's license, or to knowingly make a false statement, or to knowingly conceal a material fact or otherwise commit a fraud in any application; (6) To permit any unlawful use of a driver's license issued to him/her; or (7) To do any act forbidden or fail to perform any act required by this act.

#### ***Penalties***

- 1st offense: Misdemeanor; Jail Time – Determined by the court; Fine – No more than \$500
- 2nd offense: Same as 1st offense

### ***Driving While Intoxicated***

Ark. Code Ann. § 5-65-103(a)

It is unlawful for any person who is intoxicated to operate or be in actual physical control of a motor vehicle. (b) It is unlawful for any person to operate or be in actual physical control of a motor vehicle if their blood alcohol is 0.10% or more by weight of alcohol in the person's blood as determined by a chemical test.

#### ***Penalties for 1st Offense (Penalties increase for subsequent offenses)***

- License seized upon arrest
- License suspended – ninety (90) to one hundred twenty (120) days
- Fine - \$100 to \$500
- Public Service
- Alcohol and Driving Education Program
- No plea bargaining nor probation)

### ***Violation of Implied Consent Law***

Ark. Code Ann. §§ 5-65-2002(a) and 5-65-309(a)

Any person who operates a motor vehicle...shall be deemed to have given consent to a chemical test of his or her blood, breath, or urine for the purpose of determining the alcohol or controlled substance content of his or her blood.

#### ***Penalties for 1st Offense (These penalties are for DWI or DUI if also charged with VICL)***

- License seized upon
- License suspended – one hundred eighty (180) days for DWI, ninety (90) to one hundred eighty (180) days for DUI

### ***Federal Law***

Federal law provides criminal and civil penalties for unlawful possession or distribution of drugs and alcohol. Along with incarceration and fines, there are federal laws allowing for the forfeiture of property

used in possession or to facilitate possession of controlled substances. The forfeiture could include homes, vehicles, aircrafts, and other personal or real property.

- 20 U.S.C. § 1091 provides for the suspension of federal financial aid for students convicted of selling or possessing illegal drugs.
- 21 U.S.C. § 951 provides for fines and prison sentences for persons convicted of drug trafficking.
- 21 U.S.C. § 844 prohibits the unlawful possession of controlled substances.

Persons convicted on federal charges of possessing any controlled substance face penalties of up to 1 year in prison and a mandatory fine of no less than \$1,000 up to a maximum of \$100,000. Second convictions are punishable by not less than 15 days but not more than 2 years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than 3 years in prison and a minimum fine of \$5,000. Possession of drug paraphernalia is punishable by a minimum fine of \$750. Special sentencing provisions for possession of crack cocaine impose a mandatory prison term of not less than 5 years but not more than 20 years and a fine up to \$250,000, or both if:

- It is a first conviction and the amount of crack possessed exceeds 5 grams;
- It is a second conviction and the amount of crack possessed exceeds 3 grams;
- It is a third or subsequent crack conviction and the amount exceeds 1 gram..

Civil penalties of up to \$10,000 may also be imposed for possession of small amounts of controlled substances, whether or not criminal prosecution is pursued.

**For more details on the federal laws related to drug violations, go to**

<https://www.deadiversion.usdoj.gov/21cfr/21usc/index.html>

## **HEALTH RISKS OF DRUG AND ALCOHOL USE**

Illicit drugs, as well as alcohol and other drugs, have various effects on the body and mind. The initial, short-term effects may be positive feelings like alertness, optimism, self-confidence, energy or stress relief. These positive feelings and reactions are the primary reason drugs have appealed to so many for so long. However, the secondary, long-term, negative effects far exceed the initial positive effects.

### **Effects of use on the body:**

- mood swings/impaired judgment
- depression/mania
- sleep disturbances and irritability
- increase in aggressive or combative behavior
- heart and/or breathing difficulties/death
- increased susceptibility to bacterial and viral infections
- liver damage
- Withdrawal symptoms such as nausea, shakiness, headaches, convulsions, hallucinations, etc.
- Psychological dependence –thinking that using a substance will help him or her get through the day

UAPB does not discriminate on the basis of disability in admission, employment or access to its programs and activities in accordance with section 504 of the Rehabilitation Act of 1973 and Title I and II of the Americans with Disabilities Act of 1991 (ADA). Under ADA, current illegal drug use is excluded from the definition of disability when a “covered entity” acts on the basis of such use. The definition of “individual with a disability” does include persons who are in or who have completed a supervised drug rehab program or have been otherwise rehabilitated and are no longer using drugs.

**Additional Health Risks for Alcohol and Illicit Drugs are detailed below:**

**ALCOHOL.** Alcohol consumption causes a number of changes in behavior and physiology. Even low doses significantly impair judgment, coordination, and abstract mental functioning. Statistics show that alcohol use is involved in a majority of violent behaviors on college campuses, including acquaintance rape, vandalism, fights, and incidents of drinking and driving. Continued abuse may lead to dependency, which often causes permanent damage to vital organs and the deterioration of a healthy lifestyle.

**TOBACCO.** Tobacco contains numerous chemicals that alter internal functions, including brain activity. Nicotine is a powerfully addictive substance. With sufficient exposure, tobacco has devastating effects on health including cancer, cardiovascular disease, respiratory conditions, and secondhand smoke deaths. Smoking is the single most preventable cause of death in the United States.

**CANNABIS** (Marijuana, Hashish). The use of marijuana may impair short-term memory and comprehension, alter the sense of time, and reduce coordination and energy level. Users often have a lowered immune system and an increased risk of lung cancer. The active ingredient in marijuana, THC, is stored in the fatty tissues of the brain and reproductive system for a minimum of 28 to 30 days.

**HALLUCINOGENS.** Lysergic acid (LSD), mescaline, and psilocybin ("mushrooms") cause illusions and hallucinations. The user may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects, or flashbacks, can occur even when use has ceased. Phencyclidine (PCP) affects the section of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries.

**COCAINE/CRACK.** Cocaine users often have a stuffy, runny nose and may have a perforated nasal septum. The immediate effects of cocaine use include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature, followed by depression. Crack, or freebase rock cocaine, is extremely addictive and can cause delirium, hallucinations, blurred vision, severe chest pain, muscle spasms, convulsions, and even death.

**AMPHETAMINES.** Amphetamines can cause a rapid or irregular heartbeat, tremors, loss of coordination, collapse, and death. Heavy users are prone to irrational acts.

**HEROIN.** Heroin is an opiate drug that causes the body to have diminished pain reactions. The use of heroin can result in coma or death due to a reduction in heart rate. The sharing of needles also obviously poses serious health risks.

**OXYCONTIN.** OxyContin, a prescription painkiller, is a narcotic drug that produces sedation, euphoria, respiratory depression, and constipation. Side effects also include nausea, vomiting, dizziness, headache, and sweating. The most significant risk associated with OxyContin use is that it may lead to tolerance and dependence.

**HYDROCODONE.** Hydrocodone is a painkiller similar to codeine, but with more morphine-like effects. Hydrocodone pills are the most frequently encountered dosage form in illegal traffic. As with most opiates, abuse is associated with tolerance, dependence, and addiction.

**DRUGS IN COMBINATION.** Students often mistakenly believe prescribed medications are harmless because they are so commonly used and shared. Many prescription medications such as Adderall, Ritalin, and Xanax can be extremely dangerous or even lethal when used improperly, in combination with other drugs <alcohol, marijuana, over-the-counter, or herbal remedies>, or when used by an individual with an unsuspected, undetected medical condition



## **Standards of Conduct and Disciplinary Sanctions**

### **Alcohol and Student Misconduct (The Roar, § 4.14.1)**

1. Possession and/or consumption of alcoholic beverages on University property, at a campus event, at areas of the campus at which University-sponsored events take place is prohibited. University property shall include classrooms, residence hall rooms, offices, administrative buildings, all open spaces on the campus, all dining rooms and snack bars, all hallways, stairwells, lounges, bathrooms, and in other student residences owned, controlled, or administered by the University, and all sports areas on or off campus in which events take place. Students who violate the policy will be subject to sanctions, which may include but are not limited to fines, probation, suspension or dismissal from the University. Sanctions may also include a requirement to participate in the University's Alcohol and Drug Awareness Program. If students live in the residence halls, they may lose their residential hall living privileges.
2. Possession of alcoholic beverages, in an opened or unopened container, anywhere on University property, including cars and other vehicles is prohibited. Students who violate the policy will be subject to sanctions, which may include but are not limited to fines, probation, suspension or dismissal from the University. Sanctions may also include a requirement to participate in the University's Alcohol and Drug Awareness Program. If students live in the residential halls, they may lose their residential hall living privileges.
3. Irresponsible behavior while under the influence of alcoholic beverages on University property is prohibited. Students who violate the policy will be subject to sanctions, which may include but are not limited to fines, probation, suspension or dismissal from the University. Sanctions may also include a requirement to participate in the University's Alcohol and Drug Awareness Program. If students live in the residential halls, they may lose their residential hall living privileges.
4. Providing/distributing alcohol to minors is prohibited. This includes any individual or organization that provides or distributes alcohol to an individual under the age of 21 years. Students who violate the policy will be subject to sanctions, which may include but are not limited to fines, probation, suspension or dismissal from the University. Sanctions may also include a requirement to participate in the University's Alcohol and Drug Awareness Program. If students live in the residential halls, they may lose their residential hall living privileges.

### **Drugs and Student Misconduct (The Roar, § 4.14.2)**

Note: Individuals who are involved in any drug-related violations are subject to criminal action, and it is the duty of the University to report these individuals to legal authorities.

1. Possession and use of illegal narcotics or drugs in any form are prohibited. This includes the illegal possession or use of narcotics or drugs, including prescription drugs, without a valid medical prescription, on the person or in the possession of a student on any University property and/or at events sponsored by the University and in areas outside the campus; also involves such related incidents that are subject to prosecution under local, state, and federal laws. Students who violate the policy will be subject to sanctions, which may include but are not limited to fines, probation, suspension or dismissal from the University. Sanctions may also include a requirement to participate in the University's Alcohol and Drug Awareness Program. If students live in residential halls, they may lose their residential hall living privileges.
2. Distribution and/or sale of narcotics or drugs is prohibited. This includes the illegal distribution and/or sale of narcotics, including prescription drugs without a valid medical prescription, on the person or in the possession of a student on any University property and/or at events sponsored by

the University; also involves such related incidents that are subject to prosecution under local, state, and federal laws. Students who violate the policy will be subject to sanctions, which may include but are not limited to fines, probation, suspension, or dismissal from the University. Sanctions may also include a requirement to participate in the University’s Alcohol and Drug Awareness Program. If students live in residential halls, they may lose their residential hall living privileges.

3. The illegal possession of drug paraphernalia is prohibited. The illegal possession and/or use of drug paraphernalia includes but is not limited to roach clips, bongos, scales, balances, sandwich baggies and their corners, sifters, syringes, spoons, chamber pipes, homemade pipes, film canisters, diluents, carburetor pipes, pipes using screens, water pipes, and any other equipment, products, and materials that can be directly linked to the usage of controlled substances. Drug paraphernalia is defined as all equipment, products, and materials of any kind used to facilitate planting, propagating, cultivating, growing, manufacturing, converting, processing, preparing, packaging, storing, or concealing, or used to facilitate injecting, ingesting, inhaling, or otherwise introducing a controlled substance into the body. Scope includes being on the person or in the possession of a student on the University property and/or at events and activities sponsored by the University, and involves related incidents which are subject to prosecution under local, state, and federal laws. Students who violate the policy will be subject to sanctions, which may include but are not limited to fines, probation, suspension or dismissal from the University. Sanctions may also include a requirement to participate in the University’s Alcohol and Drug Awareness Program. If students live in the residential halls, they may lose their residential hall living privileges.
4. Improper behavior or conduct on the campus, which is a result of the use of drugs, is prohibited. This includes individuals who, having consumed or used drugs, experience a loss of normal use of his or her mental and/or physical faculties and engage in improper behavior or conduct. Students who violate the policy will be subject to sanctions, which may include but are not limited to fines, probation, suspension or dismissal from the University. Sanctions may also include a requirement to participate in the University’s Alcohol and Drug Awareness Program. If students live in the residential halls, they may lose their residential hall living privileges.
5. Accessory to illegal drug use, possession, or sale is prohibited. This means aiding and abetting the possession, sale, or the use of controlled or illegal substances. Students who violate the policy will be subject to sanctions, which may include but are not limited to fines, probation, suspension or dismissal from the University. Sanctions may also include a requirement to participate in the University’s Alcohol and Drug Awareness Program. If students live in the residential halls, they may lose their residential hall living privileges.

### **Drugs and Employee Misconduct (Faculty and Staff Handbook, § 6.2)**

Drug abuse and use at the workplace are subjects of immediate concern in our society. These problems are extremely complex and ones for which there are no easy solutions. From a safety perspective, the users of drugs may impair the well-being of all employees and the public at large and result in damage to state property. Therefore, it is the policy of the State of Arkansas that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in a state agency or institution’s workplace is prohibited. Any employees violating this policy will be subject to discipline up to and including termination. The specifics of this policy are as follows:

State agencies will not differentiate between drug users and drug pushers or sellers. Any employee who gives or in any way transfers a controlled substance while on the job or on agency premises will be subject to discipline up to and including termination. The term “controlled substance” means any drug listed in 21 U.S.C. § 812 and other federal regulations. Generally, these are drugs, which have a high potential for

abuse. Such drugs include, but are not limited to, heroin, marijuana, cocaine, PCP, and "crack." They also include legal drugs, which are not prescribed for the individual using them by a licensed physician.

Each employee is required by law to inform the University within five days after he or she is convicted for violation of any federal or state criminal drug statute where such violation occurred on the University's premises. A conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury in any federal court, state court, or another court of competent jurisdiction.

### **Alcohol and Employee Misconduct (Faculty and Staff Handbook, § 6.3)**

The possession or consumption of alcoholic beverages on University property or during working hours, reporting to work under the influence of alcohol, and intoxication while on duty are prohibited and will result in disciplinary action up to and including termination. Information about laws relating to alcohol possession and use is available from Human Resources. Information about the health consequences of alcohol use and about locally- available sources of alcohol abuse counseling is available from the Health Services. Dispensing, possessing, and/or consuming alcoholic beverages on State property is strictly prohibited, except as allowed at the Chancellor's residence for events associated with the campus.

## **EDUCATION, COUNSELING, AND REFERRALS**

### **EDUCATION**

The process of providing information concerning the negative aspects of drug use and abuse to students and employees is conducted through a variety of mechanisms. The Office of Student Counseling, Assessment, and Development and the Office of Human Resources provide free literature, handouts, one-on-one information sessions, and referrals for currently enrolled students and employees. The University provides Alcohol/Drug Awareness Online Seminars through EVERFI campus-wide training and assessment software to educate the students, staff, and faculty in the areas of substance abuse, risk reduction, and self-assessment.

### **COUNSELING**

Free confidential assistance is available to all UAPB employees as provided in Section 6.2 of the Faculty & Staff Handbook. The Office of Student Counseling, Assessment and Development provides individual counseling and referrals to currently enrolled students. Student Counseling Services, Health Services, and EAP provide referrals to private and public facilities, outpatient and inpatient institutions, and individual practitioners. Employees and students may also avail themselves of community-based self-help groups such as Alcoholics Anonymous and Narcotics Anonymous

### **REFERRALS**

The Office of Counseling, Assessment and Development and the UAPB Human Resources Department provide referrals to private and public facilities, outpatient and inpatient institutions, and individual practitioners.

**HELPFUL NUMBERS**

UAPB Human Resources	870-575-8400
Employee Assistance Program	1-800-542-6021
UAPB Counseling Services	870-575-8290
UAPB Health Services	870-575-7105
UAPB Police and Public Safety	870-575-8102
Alcoholics Anonymous	501-664-7303
Narcotics Anonymous	501-373-8682

# **Appendix II**

## **Emergency Excuse Request and Procedure**

## Appendix II

### Emergency Excuse Request and Procedure

The Office of the Dean of Student Life (ODSL) should be notified by the student or, in the event the student is incapacitated, by a friend or family member if the student misses class due to serious illness, hospitalization, serious illness or death of a close family member, military responsibilities, or court orders that threaten the student's academic progress. The office is available to ease the burden of family members acting on students' behalf when they cannot do so themselves.

When a student has missed consecutive classes for an extended period—defined as six missed classes in a course that meets three times per week, four missed classes in a course that meets two times per week, or two missed classes in a course that meets one time per week—the student or designee must complete the Emergency Excuse Request (EERP) and return it to the ODSL within five business days from the last date of missed classes. The request must be accompanied by appropriate documentation. Please review the information under Emergency Excuse Classifications for directions. **The ODSL will not accept information for excuses for the last 4 weeks of school unless the situation occurred during that period. It will not accept documentation during finals week unless it is an emergency or extenuating circumstance and students cannot take finals.** The Dean of Students reserves the right to grant or reject EERP submissions based on adherence to these procedures. Before an excuse is emailed to an instructor or professor, approval shall come from the Office of the Provost/Vice Chancellor for Academic Affairs. Absences not covered by these guidelines should be addressed directly with the instructor or professor. If this proves challenging, the ODSL can advocate for the student, but the ODSL will not issue excuse letters for non-emergency situations such as minor illnesses, regular doctor visits, or dentist appointments.

The EERP must be submitted to the ODSL to verify the circumstances, take action, and advocate on the student's behalf. The office may contact medical providers or others to validate any submitted documentation. Students may be asked to provide a permission waiver form from the medical establishment to allow the ODSL to request medical records. False documentation submission violates the Student Code of Conduct and may result in disciplinary action. Once the information has been received, verified, and approved, an excuse letter will be sent to the faculty, requesting an opportunity for the student to make up for missed assignments and exams. Communication will be disseminated via UAPB e-mail.

The student is responsible for following up with faculty members to discuss arrangements for completing missed academic course assignments. If the student requests an incomplete grade (“I”), they must submit a written petition, which is separate from the EERP, to the instructor or professor as outlined in the ‘Academic Regulations and Guidelines’ section of the ROAR. The final decision regarding an incomplete due to extenuating circumstances will be determined by the Provost/Vice Chancellor for Academic Affairs. Once grades are submitted to the Office of the Registrar, a student can no longer request an incomplete grade unless there are extenuating circumstances.

Any requests for accommodations due to a qualified, documented disability or military leave should be submitted to the Office of Disability Services and Veteran Affairs, whose contact information is (870) 575-8089. Pregnancy is handled by the Office of Affirmative Action/Title IX, whose contact information is 870-575-8052.

### Emergency Excuse Classifications

**Medical Emergency** – Students may request an excuse for specific dates due to illnesses or special medical circumstances. Documentation must be provided indicating that the student is under the care of a physician.

This documentation must be presented on medical practice letterhead, include the name and phone number of the provider/practice, be signed and dated by the attending physician, and specify the dates of treatment as well as the student's anticipated date to return to class.

**Personal Family Emergency** - Students may request an excuse for specific dates due to special circumstances involving an immediate family member (such as a spouse/partner, parent, sibling, child, grandparent, custodial aunts/uncles, guardians, etc.). The Office of the Dean of Student Life (ODSL) must be able to establish a relationship between the student and the immediate family member to advocate for academic accommodation.

Students must provide medical documentation in cases of family illnesses. This documentation must be presented on medical practice letterhead, signed and dated by the attending physician, and include the dates of treatment. Additionally, the ODSL must be able to verify the student’s relationship with the immediate family member.

In the unfortunate event of losing an immediate family member, students must provide an obituary, memorial service pamphlet, or other documentation identifying the student’s relationship to the deceased. Such documentation must include the date of the family member's passing, the funeral/memorial service date, and the city and state where the services were held. Approval for students to be away from class due to the passing of a family member is typically granted for 3 to 5 days.

**Military Leave** – Students may request an excuse for specific dates when called to military duty. They must provide copies of official military orders signed and dated by a commanding officer or designee. These orders must be sent to the Office of Disability Services and Veteran Affairs for verification.

**Court Orders**—Students may request an excuse from classes when called to jury duty or subpoenaed to appear in court as a witness, plaintiff, or defendant. They must provide copies of official court documents to the Office of the Dean of Student Life (ODSL) for verification.

**Incomplete Grades** – A student may request the assistance of the Office of the Dean of Student Life (ODSL) when submitting a request for incomplete grades for all courses within the current term. Requests for an incomplete grade may be considered for students with a documented extenuating circumstance that prevents them from meeting the specific requirements for a course and who must pass the class at the time of the request. **Please refer to the ROAR Student Handbook for complete information about the incomplete grade requirements. Failure to comply with these requirements may result in your request not being approved. (Revised June 26, 2024)**

**Appendix III**

**Procedure for Disseminating Student  
Information**





*Academic Records/Registrar's Office*

**\*\* FERPA NON-DISCLOSURE OF DESIGNATED DIRECTORY INFORMATION \*\***

Name: \_\_\_\_\_ UAPB ID/SSN: \_\_\_\_\_

Permanent Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-Mail Address \_\_\_\_\_

The Family Educational Rights and Privacy Act (FERPA) permits the release of Directory Information about a student to third parties outside the institution without the student's written consent, as long as the student has been given the opportunity to opt out of such disclosure. Students may withhold the disclosure of Directory Information by completing this form and presenting it to the Academic Records/Registrar's Office prior to the last day to complete registration for each fall/spring semester. A request to withhold disclosure of Directory Information is effective for one semester.

By signing this form, I request the withholding of the following information which the University of Arkansas at Pine Bluff has designated as Directory Information:

- Name, address, electronic mail address, telephone number, dates of attendance, and classification.**
- Previous institution(s) attended, major field of study, awards, honors (includes Dean's list), degree(s) conferred (including dates), and University taken photographs for institutional marketing and historical purposes.**
- Past and present participation in officially recognized sports and activities, physical factors (height/weight of athletes), date and place of birth, and photograph of student.**

I have read this form carefully and understand the ramifications of my decision to prevent release of any of my Directory Information. I understand that upon submission of this form, information that identifies me and that the University has designated as Directory Information cannot be released to any third parties (including but not limited to parents, potential employers, insurance agencies, providers of non UAPB scholarships and financial institutions) without my written consent (unless the disclosure is allowed by one or more exceptions provided by FERPA).

Signature: \_\_\_\_\_ Date: -----

Complete this section only if you wish to revoke an earlier signed FERPA NON -DISCLOSURE OF DESIGNATED DIRECTORY INFORMATION form.

**I wish to revoke my request to withhold the disclosure of Directory Information effective immediately.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Return form to:**

**Academic Records | Mail Slot 4983 - 1200 North University Drive | Pine Bluff, AR 71603**

**Phone (870) 575-8487 Fax (870) 575-4608 (Please call the general number for instructions on e-mailing**

# **Appendix IV**

## **Missing Person Protocol**

## Appendix IV

### Missing Person Protocol

**The Missing Person Protocol:** In the interest of student safety, the University of Arkansas at Pine Bluff considers a student missing if the student’s absence interrupts their usual pattern of behavior (e.g., not attending class, not eating meals in the cafeteria, and not sleeping in their dorm room) and there is concern that the missing student is a victim of unusual circumstances or foul play.

Students who are under the age of eighteen years of age are considered minors. If such persons are determined missing, the University will notify a custodial parent or legal guardian in addition to the student's designated contact. With students who are over the age of 18 years of age, the University will contact the person whom the student has acknowledged as the designated contact. All students will be given the opportunity each academic year to designate an individual or individuals to be contacted by the University in the event that they have been determined to be missing. This designation will remain in effect unless the student changes it.

Any individual who has reason to believe a student is missing should notify campus police at 870-575-8102 and fill out the missing person form at [https://uapb-advocate.symplicity.com/missing\\_person/index.php/pid067230](https://uapb-advocate.symplicity.com/missing_person/index.php/pid067230).

### University of Arkansas at Pine Bluff | 2024 – 2025 Academic Calendar

#### FALL SEMESTER 2024

Regular Registration Continues for All Students	April 15 – Aug. 26
Academic and Financial Aid SAP Appeals Deadlines (Resolve Pending Issues)	August 9
Faculty Report for Duty/Fall Faculty and Staff Seminar	August 16
New and Adjunct Faculty Orientation	August 16
School and Departmental Meetings Convened/Faculty Preparation	August 19
Dormitories Open for New Freshmen	August 19
Dormitories Open for Upperclassmen	August 21
First Day of Instruction	August 26
Late Registration Begins with Late Fees Assessed	August 27
Faculty Watermark Early Alert: Report Students Absent on First Day of Class	August 28
Drop/Add Fees Assessed/Late Registration Continues	August 28
Last day to Register/Drop/Add/Schedule Change	August 30
Last day for Departments to Submit Low Enrollment Course Cancellations	August 30
Satisfactory Payment Arrangements Deadline	August 30
May 2025 Graduation Application and Fee Due	By September 1
Labor Day (No Classes/Administrative Offices Closed)	September 2
Last Day for Student Schedule Adjustments Due to Course Cancellation	September 3
Faculty Watermark Early Alert: Report Students Absent During First Week of Class	September 3
Enrollment Census (09/10) Report Due in Registrar’s Office (By 12:00 Noon)	September 12
Enrollment Census Drops	September 16
Deadline to Petition for Census Reinstatement	September 19
Mid-Term Examination Week	October 7-11
Mid-Term Grades Due (Report: A,B,C,D,F, or P - P is for Pass/Fail courses only)	October 15
Faculty Watermark Early Alert: Report Students with Delinquent Mid-Term Grades	October 16
Fall Break (Student Break; Administrative Offices Open)	October 24-25
Last Day to Drop a Class(s)/Grade of “W” Awarded	October 28
Spring 2025 Pre-Registration/Financial and Academic Advisement Begins	November 4-8
Thanksgiving Break (Student Break; Administrative Offices Open)	November 27
Thanksgiving Holiday (Student Break; Administrative Offices Closed)	November 28-29
Final Examinations for December 2024 Graduates/	December 2-4
Graduation Clearance Form Available for December 2024 Graduates	December 2
Last Day to Withdraw from the University (All courses)/Grade of “W” awarded	December 2
Last Day of Instruction	December 6
Grades Due for December 2024 Graduates in Registrar’s Office (By 12:00 Noon)	December 6
Day of Study	December 9
Graduation Clearance Form Deadline for December 2024 Graduates	December 10
*Final Examinations	December 10-12
Grades Due in Registrar’s Office/Deadline to Change Spring 2024 Incomplete Grades (By 5:00 PM)	December 13-17
Fall Commencement (10:00 AM   Processional: 9:45 AM)	December 14 (Sat.)
Notice of Academic Standing to Students	December 20

The University reserves the right to make changes to the academic calendar as needed.



**University of Arkansas at Pine Bluff | 2024 – 2025 Academic Calendar**

**SPRING SEMESTER 2025**

Regular Registration Continues for All Students	Nov. 4– Jan. 13
Faculty Report for Duty	January 2
Academic and Financial Aid SAP Appeals Deadline (Resolve Pending Issues)	January 3
Dormitories Open for Students	January 9
First Day of Instruction	January 13
Late Registration Begins with Late Fees Assessed	January 14
Faculty Watermark Early Alert: Report Students Absent on First Day of Class	January 15
Drop/Add Fees Assessed/Late Registration Continues	January 15
Last day to Register/Drop/Add/Schedule Change	January 17
Last day for Departments to Submit Low Enrollment Course Cancellations	January 17
Satisfactory Payment Arrangements	January 17
Dr. Martin Luther King, Jr. Holiday Observed (No Classes/Offices Closed)	January 20
Last Day for Student Schedule Adjustments Due to Course Cancellation	January 21
Faculty Watermark Early Alert: Report Students Absent During First Week of Class	January 21
Enrollment Census (01/28) Report Due in Registrar’s Office (By 12:00 Noon)	January 30
Enrollment Census Drops	February 3
Deadline to Petition for Census Reinstatement	February 7
Mid-Term Examination Week	March 10-14
Mid-Term Grades Due (Report: A,B,C,D,F, or P - P is for Pass/Fail courses only)	March 17
Faculty Watermark Early Alert: Report Students with Delinquent Mid-Term Grades	March 18
Spring Break Week	March 17-21
Last Day to Drop a Class(s)/Grade of “W” Awarded	March 28
December 2025 Graduation Application and Fee Due	By April 1
Summer and Fall 2025 Pre-Registration/Financial and Academic Advisement Week	April 14-18
Final Examinations for May 2025 Graduates	April 28-30
Graduation Clearance Form Available for May 2025 Graduates	April 28
Last Day to Withdraw from the University (All courses)/Grade of “W” awarded	April 28
Last Day of Instruction	May 2
Grades Due for May 2025 Graduates in Registrar’s Office (By 12:00 Noon)	May 2
Day of Study	May 5
Graduation Clearance Form Deadline for May 2025 Graduates	May 6
*Final Examinations	May 6-9
Spring Commencement (Location and Time TBA)	May 10 (Sat.)
Grades Due in Registrar’s Office/Deadline to Change Fall 2024 Incomplete Grades (By 5:00 PM)	May 13
Notice of Academic Standing to Students	May 23

The University reserves the right to make changes to the academic calendar as needed.



**University of Arkansas at Pine Bluff | 2024 – 2025 Academic Calendar**

**FIRST SUMMER SESSION 2025**

Regular Registration Continues for All Students	April 14-Aug. 25
First Day of Instruction	June 2
Late Registration/Last Day to Drop/Add/Register with Fees Assessed	June 3
Last Day for Course Cancellation Adjustments	June 4
Satisfactory Payment Arrangements Deadline	June 9
Enrollment Census (06/09) Report Due in Registrar’s Office (By 12:00 Noon)	June 11
Last Day to Drop a Class(s)/Grade of “W” Awarded	June 13
Last Day to Withdraw from the University (All Courses)/Grade of “W” Awarded	June 25
Independence Day Observed (No Classes/Administrative Offices Closed)	July 4
*Last Day of Instruction/Final Examinations	July 3
Grades Due in Registrar’s Office (By 12:00 Noon)	July 9

**SECOND SUMMER SESSION 2025**

Regular Registration Continues for All Students	April 14-Aug. 25
First Day of Instruction	July 7
Late Registration/Last Day to Drop/Add/Register with Fees Assessed	July 8
Last Day for Course Cancellation Adjustments	July 9
Satisfactory Payment Arrangements Deadline	July 14
Enrollment Census (07/14) Report Due in Registrar’s Office (By 12:00 Noon)	July 16
Last Day to Drop a Class(s)/Grade of “W” Awarded	July 18
Last Day to Withdraw from the University (All Courses)/Grade of “W” Awarded	August 1
*Last Day of Instruction/Final Examinations	August 7-8
Grades Due in Registrar’s Office (By 12:00 Noon)	August 12

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