

Annual Security Report

2017



Campus Security

Emergency Number Quick Reference

Emergency-Call 911

For Ambulance, Fire, or Crime in Progress

Non-Emergency

Izard County Sheriff's Department - 870-368-4203

Fulton County Sheriff's Department – 870-895-2601

Mammoth Spring Police Department – 870-625-7516

Sharp County Sheriff's Department – 870-994-7329

Ash Flat Police Department – 870-994-3061

Stone County Sheriff's Department – 870-269-3825

Mountain View Police Department – 870-269-4211

To report a crime or other non-emergency communications

National and Statewide Hotlines

Child Abuse Hotline	800-482-5964
National Suicide Prevention Hotline	800-273-TALK (8255)
Suicide Hotline	800-SUICIDE (784-2433)
Poison Control	800-222-1222

Ozarka College does not have a campus police department; however each campus has a working relationship with local law enforcement for campus security. An agreement has been established with police departments in Melbourne, Ash Flat and Mountain View to provide a security presence on a part-time basis. The Mammoth Spring City Police parole and provide a presence on the Mammoth Spring Campus. The state and local law enforcement personnel have arrest authority and authority to conduct investigations of alleged criminal offenses on Ozarka College campuses.

Criminal incidents are referred to the local police who have jurisdiction on each campus. All crime victims and witnesses are strongly encouraged to immediately report the crime or suspicious activity to the Vice President of Administration or the appropriate campus director and the appropriate police agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

Students and Faculty are encouraged to report criminal offenses to one of the following employees:

Vice President of Administration	Office: (870) 368-2058 Mobile: (870) 368-2358
Ash Flat Campus Director	Office: (870) 994-7273
Mammoth Spring Campus Director	Office: (870) 625-0411

Criminal Activity Off-Campus

Ozarka College does not recognize any off-campus locations of student organizations or off-campus housing facilities. The monitoring and recording of criminal activity at off-campus locations would be provided by local police agencies.

Campus Access

During business hours, Ozarka College will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours access to all College facilities is by key, if issued, or by admittance via an approved staff member.

Ozarka College does not have residence halls. Some facilities may have individual hours, which may vary at different times of the year. Examples are the Fitness Center and Kid's Academy. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility.

Maintenance of Campus Facilities

Ozarka College physical plant maintains the College buildings with a concern for safety and security. To provide a safe environment, broken or flickering lights, dimly lit corridors, doors and windows that are broken or do not close or lock properly should be reported to the maintenance department or a campus director. Inspections of campus facilities are conducted regularly and repairs are made in a timely manner. All members of the campus community are encouraged to report any safety and security hazards to the office of the Vice President of Administration.

Safety Tips on Campus

Ozarka College makes every effort to provide a safe campus for students, employees, and their property. However, students and employees are responsible for all personal items brought on the campus. The College does not provide insurance coverage.

- Be careful when crossing streets, Use pedestrian crosswalks.
- If driving on campus, yield to pedestrians in the crosswalk.
- Always lock and secure your vehicle when you park.
- Do not leave valuables unattended.
- Lock and secure your desk and office when away, even if it is for a short period of time.
- Keep small valuables (e.g. wallets and purses) out of sight in a closed and locked desk or file cabinet.
- When away from your work area, let a coworker or close neighbor know about your departure and expected time of return.
- Lock your computer when away from your office.

- Pay attention to people who do not belong in the areas where you work.
- Engage such people by saying "Excuse me? You appear to be lost. May I help you?"
 - Pay attention to what they are wearing and other personal characteristics in case a description needs to be relayed to security.
- Report suspicious people or activity to security immediately. Give your name, department, phone extension, the location of the suspicious person and a description.
- Be discreet. Never advertise plans for being away to visitors you don't know or people calling your place of work.
- Report broken or flickering lights, dimly lit corridors, doors and windows that are broken or do not close or lock properly. Do not assume someone else will do it.

Crime Reporting

Every crime should be reported to law enforcement officials as soon as possible. If this is not possible for some reason, the crime should be reported to the Vice President of Administration who will inform the Ozarka College President.

Confidential Crime Reporting is an essential method of reporting. The preferred and primary points of crime reporting should be the local police department and the office of the Vice President of Administration. If you are the victim of a crime and do not want to pursue action within the College discipline system or the criminal justice system, you may consider making a confidential report. If you choose to file a confidential report through the office of the Vice President of Administration, with your permission, the Vice President can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to keep the matter confidential, while taking steps to ensure the future safety of yourself and others.

Pastors and professional counselors are also encouraged to inform the campus community to report crimes on a voluntary, confidential basis. With such information, College personnel can keep an accurate record of the number of incidents involving students, employees, and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution. It is the policy of the College to encourage reporting of crimes even if the victim does not wish to file a complaint.

The Vice President of Administration is responsible for collecting, reporting, and disseminating the annual crime statistics for all Ozarka College campuses from the local law enforcement agencies, campus security authorities, and from the campus crime log for inclusion in the Annual Crime Report.

Timely Warnings

In the event that a situation arises, either on or off any Ozarka College campus, that, in the judgment of the Ozarka College President, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning will be issued through the college e-mail system to students, faculty, and staff. The decision to issue a timely warning will occur on a case by case basis after review of all available information including the nature of the crime, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts. Law enforcement personnel have been asked to keep campus officials informed on an immediate basis of crimes that may require timely warnings.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the President may require a campus notification be sent using the campus alert system, providing the college community with more immediate notification.

These warnings are distributed in various ways depending on the nature of the information. Among the methods used are alert beacons, e-mail, text messages, desktop notification, social media, warning flyers, campus meetings, and announcements.

Anyone with information warranting a timely warning should report the circumstances to the Office of the President, the Vice President of Administration, or the appropriate campus director as follows:

- Melbourne Campus – President, Administration Building, 870-368-2001
- Melbourne Campus – Vice President of Administration, Administration Building, 870-368-2058
- Ash Flat Campus – Campus Director, Main Building, 870-994-7273
- Mountain View Campus – Campus Director, Student Center, 870-269-5600
- Mammoth Spring – Campus Director, Main Building, 870-625-0411

Emergency Preparedness, Response, Notification and Evacuation

During a time of campus emergency, the employee discovering the emergency shall immediately place into effect the appropriate procedures necessary to meet the emergency, safeguard persons and property, and maintain educational facilities. Said employee shall immediately consult with the Ozarka College President, member of Administrative Counsel, or Campus Director to report the emergency.

The Ozarka College Crisis Manual includes information about Incident Teams, College operating status parameters; incident priorities and performance expectations; shelter-in-place and evacuation guidelines; and local contingency and continuity planning requirements.

General information about the emergency response and evacuation procedures for Ozarka College are publicized each year as part of the institution's Clery Act compliance efforts and that information is available on the Ozarka College web site.

All members of the Ozarka College community are notified on an annual basis that they are required to notify the Ozarka College President of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or employees on campus. Ozarka College has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, each campus' respective state and/or local police department has a responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the community. If that is the case, Federal Law requires that the institution immediately notify the campus community or the appropriate segments of the community that may be affected by the situation.

Notification to the Ozarka College Community about an Immediate Threat

The coordination of campus emergency resource teams is the responsibility of the Ozarka College President who will coordinate all on-campus emergency functions and issue timely warnings. If the President is unavailable, the Provost and Executive Vice President of Learning will provide the coordination.

The Office of the President will receive information from various offices/departments on campus, such as the Maintenance, Grounds and Student Services, etc. and/or external sources such as local police departments. If the Ozarka College President confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Ozarka College Community, the President will invoke all or part of the Incident Command Team consisting of the Ozarka College President, Provost, Vice President of Administration, Vice President of Student Services, Vice President of Finance, Chief Information Officer, and the Director of Marketing and Public Relations, who will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the Ozarka College Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. The Incident Command Team will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: State/Local Police Departments, Local Fire Departments, and/or Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

In the event of a serious incident that poses an immediate threat to members of the Ozarka College community, Ozarka College has various systems in place for communicating information quickly. Some or all of these methods of communication

may be activated in the event of an immediate threat to the Ozarka College campus community.

Members of the larger community who are interested in receiving information about emergencies on campus should sign up for the emergency text message system and should use the Ozarka College Website for obtaining updates in the event of an emergency on campus.

Communication is a high priority in an emergency situation and Ozarka College has multiple layers of communications to notify the campus community of emergency situations.

Ozarka College Alert - A text message, alert beacon, and email alert system that allows students, faculty, and staff to register a mobile phone number.

Computer Notification System – A notification message is sent to all Ozarka maintained computers.

Ozarka College Email – Emergency notifications are sent to Ozarka College email addresses. All students, faculty and staff are issued an email address.

Web Site – All emergency notifications are posted to the Ozarka College web site home page.

Buildings on campus have an emergency notification system in place. The fire alarm system serves as the evacuation signal. Whenever the alarm system sounds, everyone must leave the building and move to a safe location.

Testing and Evaluation

Each Ozarka College campus will test the fire alarm systems and campus notification systems at least once per calendar year. The test may be announced or unannounced. Emergency response and evacuation procedures will be publicized in conjunction with each test and the description of the exercise, date, time and whether it was announced or unannounced will be documented.

With each exercise, students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. Ozarka College does not tell students and employees in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. Ozarka College staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. At Ozarka College, evacuation drills are used as a way to educate and train occupants on issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the College an opportunity to test the operation of fire alarm system components.

Evacuation drills are monitored by the Maintenance Department and Campus Safety Committee to evaluate egress and behavioral patterns. Reports are prepared by participating departments which identify deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments/offices for consideration.

Students receive information about evacuation and shelter-in-place procedures during educational sessions that they can participate in throughout the year. The campus staff members are trained in these procedures as well and act as an on-going resource for the campus community.

Ozarka College coordinates announced and unannounced evacuation drills each year, as described above, to test the emergency response and evacuation procedures, and to assess and evaluate the emergency evacuation plans and capabilities. Ozarka College will publish a summary of its emergency response and evacuation procedures in conjunction with at least one drill or exercise each calendar year.

Crime Prevention Activities

During orientation sessions, employees and students are informed of campus security efforts, as well as crime prevention strategies for personal safety and theft prevention. These sessions include information about crime on-campus and in surrounding neighborhoods. Similar information is presented to new employees.

Periodically during the academic year, Ozarka College presents crime prevention awareness sessions on crime prevention, sexual assault, drug abuse, theft, and vandalism, as well as educational sessions on personal safety.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

When time is of the essence, information is released to the college community through security alerts posted prominently throughout campus or email messages.

Students and employees are encouraged to report all crimes and suspicious activities to the Vice President of Administration at 870-368-2058.

Criminal Activity Off-Campus

Ozarka College does not officially recognize any off-campus locations of student organizations or off-campus housing facilities. The monitoring and recording of criminal activity at off-campus locations would be provided by local police agencies.

Ozarka College Drug and Alcohol Prevention Program and Policy

Pursuant to Public Law 101-226, entitled Drug Free School and Communities Act Amendment 1989, the College is committed to maintaining a drug and alcohol free workplace for employees and students. This is an essential part of ensuring the safety of employees and students while at work and school, and eliminating poor job performance, inefficient operations, College rule violations, and unethical behavior.

Standards of Conduct for Students

1. Students may not drink, be under the influence of, possess, sell, or distribute intoxicating beverages on College property.
2. The illegal use of drugs is strictly prohibited on College property or at College functions. Students may not use, be under the influence of, in possession of, sell, or distribute illegal drugs on College property or at College functions.

Note: Students found in violation of the illegal drug and alcohol policy at Ozarka College are subject to Campus disciplinary action, including possible expulsion, and may be subject to local, state, or federal laws and may face criminal charges punishable by fines and or imprisonment.

Employee Conduct

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, 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's workplace is prohibited. If an employee is suspected of Drug/Alcohol usage, Ozarka may request he/she submit to an immediate Drug/Alcohol test. Any employees violating this policy will be subject to discipline up to and including termination. The specifics of this policy are as follows:

1. 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 to another person or sells or manufactures a controlled substance while on the job or on agency premises will be subject to discipline up to and including termination.
2. The term "controlled substance" means any drug listed in 21 U.S.C. Section 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,

Methamphetamine and "Crack." They also include "legal drugs" which are not prescribed by a licensed physician.

3. Each employee is required by law to inform the agency in writing within five (5) days after he or she is convicted for violation of any federal or state criminal drug statute where such violation occurred on the agency'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 other court of competent jurisdiction.
4. Ozarka College must notify the U.S. government agency with which the contract was made within ten (10) days after receiving notice from the employee or otherwise receives actual notice of such a conviction.
5. If an employee is convicted of violating any criminal drug statute while in the workplace, he or she will be subject to discipline up to and including termination. Alternatively, the agency will require the employee to successfully finish a drug abuse program at St. Bernard's Regional Behavioral Health in Jonesboro (1-800-800-0496), or another approved private or governmental institution.
6. As a condition of further employment on any federal government contract, the law requires all employees to abide by this policy.

Description of Health Risks associated with Drugs and Alcohol

Serious health and personal risks are associated with the use of illegal drugs and abuse of alcohol. They may include temporary or permanent physical or mental impairment, injury, or death. Consequences also include temporary or permanent loss of educational or employment opportunities.

Health Risks Associated with Drugs

Narcotics (Heroin): Initial euphoria followed by drowsiness and nausea; constricted pupils, watery eyes, dazed look; overdose may produce slow, shallow breathing, clammy skin, loss of appetite and weight, and possible death

Depressants (Barbiturates, Tranquilizers): Relaxed muscles, calmness, drowsiness; confusion, disorientation, slurred speech; overdose may produce shallow breathing, clammy skin, weak and rapid pulse, coma, and possible death

Stimulants (Cocaine, Methamphetamine): Increased heart and respiratory rate, elevated blood pressure, decreased appetite; blurred vision, dizziness, insomnia, anxiety; high doses can cause physical collapse, irregular heartbeat, stroke, and possible death

Hallucinogens (LSD, PCP, Mushrooms): Illusions and hallucinations; confusion, panic, anxiety, depression, and poor perception of time and distance; respiratory failure, death due to careless behavior

Cannabis (Marijuana, Hashish): Increased heart rate, bloodshot eyes, dry mouth and throat, and increased appetite; interferes with memory, speech, coordination, and perception of time; Increases risk of lung cancer, weakened immune system, and affects reproductive system

Health Risks Associated with Alcohol

- Impairment of brain function, judgment, alertness, coordination, and reflexes
- Attitude and/or behavioral changes, such as uncharacteristic hostility, or increased risk taking, such as driving recklessly
- Alcohol taken with other drugs can intensify the effects of the drug, alter the desired effect of the drug, cause nausea, sweating, severe headaches, and convulsions
- Addiction or chemical dependency
- Memory blackouts
- Uncharacteristic family, school, work, or legal problems
- Health problems such as cirrhosis of the liver
- If used during pregnancy, birth defects and mental retardation in users' unborn children may occur

State and Federal Laws and Sanctions Concerning Drugs and Alcohol

In addition to disciplinary sanctions imposed by the College, those found guilty of illegal drug and alcohol violations face state and federal penalties such as those listed below.

State of Arkansas Sanctions and Penalties

- Underage DUI Law – Penalties for a first offense can result in suspension of driver's license for not less than 90 days; a fine of no less than \$100 or more than \$500; assignment to public service work; and/or completion of an alcohol and driving education program.
- Driving While Intoxicated – Penalties may include suspension of license, imprisonment for no less than 24 hours, fines of no less than \$150, and a requirement to complete an alcohol education program.
- Public Intoxication – Public intoxication is a Class C misdemeanor, and can result in a fine of up to \$100, and/or imprisonment in the county jail (or other authorized institution) for up to 30 days.
- Drinking in Public – Penalties include a fine of up to \$100 and/or imprisonment for up to 30 days. Possession of any alcoholic beverages on any College property is prohibited.

- Possession of Alcohol by a Minor – Penalties include a fine of up to \$500, probation under the direction of the court, and driver’s license suspension for a period of up to one year.
- Knowingly Furnishing to a Minor – Can result in a fine of up to \$1,000 and/or imprisonment in the county jail (or other authorized institution) for up to one full year.
- Manufacture or Delivery of a Controlled Substance – Penalties can range from three (3) years to life in prison and fines up to \$250,000, depending on the quantity and type of drug. In addition, real and personal property used in the manufacture, delivery, or importing of controlled substances may be forfeited to the government.
- Manufacture or Delivery of a Counterfeit Substance – Penalties can range from 1 to 20 years in prison and fines up to \$15,000.
- Possession of a Controlled or Counterfeit Substance – Penalties can range from 1 to 10 years in prison and fines up to \$10,000.

Persons convicted of drug possession under state or federal law are ineligible for federal student grants and loans or for participation in federally sponsored research grants or contracts for up to one year after the first conviction, and up to five years after the second; the penalty for distributing drugs is loss of benefits for five years after the first conviction, 10 years after the second, and permanently after the third.*

Federal Laws and Sanctions

The possession, use, or distribution of illegal drugs is prohibited by federal law. There are strict penalties for drug convictions, including mandatory prison terms for many offenses. The following information, although not complete, is an overview of federal penalties for first convictions. All penalties are doubled for any subsequent drug conviction.

- Denial of Federal Benefits (21 U.S.C. 862) - A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in denial of federal benefits for up to five years for a first conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions.
- Forfeiture of Personal Property and Real Estate (21 U.S.C. 853) - Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation, including houses, cars, and other personal belongings. A warrant of seizure is issued and property is seized at the time an individual is arrested on charges that may result in forfeiture.
- Federal Drug Trafficking Penalties (21 U.S.C. 841) - Penalties for federal drug trafficking convictions vary according to the quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are twice as severe. If death or serious bodily injury results from the use of a controlled

substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces a mandatory life sentence and fines ranging up to \$10 million. Persons convicted on federal charges of drug trafficking within 1,000 feet of a university (21 U.S.C. 845a) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year.

- Federal Drug Possession Penalties – Conviction may result in penalties of up to one 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 two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.
- After two prior drug convictions additional sanctions may apply. More information may be found at:
<http://www.deadiversion.usdoj.gov/21cfr/21usc/>

Note: Under federal law, distribution of drugs to a person under age 21 is punishable by twice the normal penalty, i.e., a mandatory one-year prison term; a third conviction is punishable by mandatory life imprisonment. These penalties apply to distribution of drugs in or within 1,000 feet of a college or school. Federal law sets greatly heightened prison sentences for manufacture and distribution of drugs if death or serious injury results from use of the substance.

**In accordance with the requirements of the Drug-Free Workplace Act of 1988, as a condition of employment, any employee who is engaged in the performance of work under a federal grant or contract must notify the College if he or she is convicted of violating any criminal drug statute for activities done in the workplace not later than 10 days after conviction; students who receive Pell and certain other federal grants are subject to similar conditions and must report any conviction of a drug-related offense to the US Department of Education within 10 days of the conviction if the offense occurred during the period covered by the grant.*

Drug and alcohol programming at Ozarka includes but is not limited to:

- Information available at each campus location on drug and alcohol abuse prevention or cessation.
- Students may contact the Vice President of Student Services for information or referral concerning substance abuse.
- Participation in the Arkansas College Drug Education Committee (ACDEC): events, meetings, encouraging student attendance at events, and requesting funds for additional programming when available.
- The incorporation of prevention activities into campus events when appropriate.
- Standards of Conduct for students, which are reviewed annually, may be found in the Catalog at: <https://www.ozarka.edu/catalog.cfm>
- All Ozarka College Employees sign a Drug Free Workplace Policy adherence form upon employment.

- The Financial Aid Office distributes information to each student regarding their rights and responsibilities to financial aid, including consequences for illegal drug or alcohol convictions while on financial aid.
- Enforcement of the tobacco-free campus policy.
- Annual review of Campus Crime/Clery Act reports by Student Services.
- Contracts with local law enforcement to routinely patrol campus.

**Local Drug and Alcohol Rehabilitation Programs
and Mental Health Counseling Resources**

John 3:16 Charlotte, AR – Men’s Facility
<http://john316thecure.com/>
 Phone Number: 870-799-2525

Fulton:
 Fulton County Health Resources of AR,
 Inc. – 866-533-1762

Butterfly Ranch – Swifton, AR –
 Women’s Facility
<https://www.facebook.com/Butterfly-Ranch-Womens-Center-204447896234640/>
 Phone Number: 870-485-2000

Independence County:
 Independence County Health
 Resources of AR, Inc. - 870-793-8925

Wilbur D. Mills Treatment Center –
 Searcy, AR
<http://www.healthresourcesofarkansas.com/wilbur-d-mills.php>
 Non-Emergency Phone Number:
 501-268-7777
 And Emergency Phone Number:
 1-800-592-9503

Izard:
 Izard County Health Resources of AR,
 Inc.- 866-533-1760

Sharp:
 Sharp County Health Resources of AR,
 Inc.- 866-533-1761

Stone: Stone County Health Resources
 of AR, Inc. - 866-533-1759

The above information is distributed annually to students and employees of Ozarka College. A hard copy of the Drug and Alcohol Prevention Program and Policy as well as the biennial program review may be obtained by contacting the Vice President of Student Services at 870-368-2027.

Ozarka College Procedure for Discrimination, Harassment, Retaliation and Sexual Misconduct Complaints

Nondiscrimination Statement

Title IX protects the Ozarka College community from sexual discrimination, harassment and misconduct in a school's educational programs and activities. Title IX protects the Ozarka College community in connection with all academic, educational, extracurricular, athletic, and other programs, whether those programs take place on Ozarka College property, in Ozarka College transportation, at a class or training program sponsored by Ozarka College at another location or elsewhere.

All complaints or any concerns about conduct that may violate this Policy should be submitted to the Title IX Coordinator:

Vice President of Administration
Administration Building
P.O. Box 10, Melbourne, AR 72556
870-368-2058
870-368-2358
titleix@ozarka.edu

Procedure to follow if a Sex Offense Occurs

In some instances, sexual misconduct may constitute both a violation of Ozarka College policy and criminal activity. The Ozarka College grievance process is not a substitute for instituting legal action. Ozarka College encourages individuals to report alleged sexual misconduct promptly to campus officials who will assist the victim in notifying law enforcement authorities if the victim so chooses. The victim is not required to cooperate or to report. Individuals may file a report directly with local law enforcement agencies by dialing 911.

All complaints or any concerns about sexual misconduct should be submitted to the Title IX Coordinator:

Vice President of Administration
Administration Building
P.O. Box 10, Melbourne, AR 72556
870-368-2058
870-368-2358
titleix@ozarka.edu

Individuals may also contact any of the following for assistance in filing a report with local law enforcement:

Izard County Sheriff's Department - 870-368-4203
Fulton County Sheriff's Department – 870-895-2601
Mammoth Spring Police Department – 870-625-7516
Sharp County Sheriff's Department – 870-994-7329

Ash Flat Police Department – 870-994-3061
Stone County Sheriff's Department – 870-269-3825
Mountain View Police Department – 870-269-4211

To report a crime or other non-emergency communications

Students are also encouraged to report crimes or suspicious activity to the Vice President of Administration or the campus security officer.

Vice President of Administration – Office - (870) 368-2058
Mobile – (870) 368-2358

Preserving Evidence

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

Student and Visitor Responsibility to Report

Students and visitors to Ozarka College are strongly encouraged to report allegations of discrimination, harassment, retaliation and sexual misconduct to the Title IX Coordinator and/or deputies. A report should be made as soon as possible after the incident in order to facilitate an effective response. The longer a report is delayed, the more difficult it will be for Ozarka College to investigate. Reports may be made by the person experiencing the misconduct or by a third party, such as a witness or someone who is told of the misconduct.

Mandatory Employee Reporting

In order to enable Ozarka College to respond effectively and to proactively stop instances of discrimination, harassment, retaliation and sexual misconduct at Ozarka College, all employees must, within 24 hours of receiving information regarding a potential violation of this Policy, report information to the Title IX Coordinator and/or deputy coordinator. Only employees who are statutorily prohibited from reporting such information (e.g., licensed health-care professionals) are exempt from these reporting requirements. This Policy is not intended to restrict curriculum or prohibit or abridge the use of particular textbooks or curricular materials.

Off-Campus Conduct

Conduct that occurs off campus can be the subject of a complaint or report and will be evaluated to determine whether it violates this Policy. Allegations of off-campus sexual misconduct are of particular concern and should be brought to Ozarka College's attention.

When a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the institution will provide the student or employee a written explanation of the student's or employee's rights and options, including written notification of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims both within the institution and in the community.

Confidentiality

Subject to the other provisions of this procedure and the requirements of law, every possible effort will be made to ensure that all information received as part of Ozarka College's complaint/Grievance Procedure is treated discreetly. Ozarka College will protect the confidentiality of the victim and other necessary parties by: a.) completing publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim and b.) maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures. All parties to the complaint are required to maintain the confidentiality of all information received during this process. However, it is not possible to guarantee that all complaints will remain confidential because of Ozarka College's obligation to investigate allegations of misconduct. All requests to maintain confidentiality shall be directed to the Title IX Coordinator who has the authority to make such determinations. Except as compelled by law or in the interest of fairness, just resolution or health and safety considerations, disclosure of information contained in complaints, their substance, procedures and the results of investigations will be limited to the immediate parties, witnesses and other appropriate officials. Limited disclosure may also be necessary to conduct a full and impartial investigation.

Availability of Counseling and Advocacy

Counseling and other mental health services for victims of sexual assault are available in the community. A current list of these services is available on the Ozarka College website. Family Violence Prevention, Inc. may assist with making referrals for individual counseling and support groups and in identifying community resources that may be of additional help and serve as a victim advocate upon request.

Resources

Family Violence Prevention
P.O. Box 2943
Batesville, AR
E-mail: fvp2943@gmail.com
1-800-894-8821

Arkansas Sexual Assault Crisis Response Hotline
1-800-977-5776

Batesville Rape Crisis Center

24 Hour Crisis Hotline
Emergency Shelter Available for Victim Domestic Violence and Sexual Assault
1-800-894-8821 or 1-870-793-8111

Ozarka College will provide a written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community.

Education and Awareness Programs

Ozarka College's Title IX Coordinator, in conjunction with other campus offices, is responsible for planning and coordinating campus education and awareness programs about all forms of sexual assault, including rape, acquaintance rape, domestic violence, dating violence, stalking, and other sex offenses. Programs are presented regularly throughout the academic year in student orientation, 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 Month.

Ozarka College has implemented primary prevention and awareness programs and ongoing prevention and awareness campaigns for students and employees that promote awareness of dating violence, domestic violence, sexual assault, and stalking. The program is conducted primarily through an online coursework and includes the following components:

- A statement that the institution prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking.
- The definition of "dating violence," "domestic violence," "sexual assault," and "stalking."
- The definition of "consent."
- A description of safe and positive options for bystander intervention.
- Information on risk reduction.
- Ozarka College's institutional policies and procedures regarding Discrimination, Harassment, Retaliation and Sexual Misconduct Complaints including information on:
 - A description of educational programs to promote the awareness of dating violence, domestic violence, sexual assault, and staking.
 - Procedures to follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred.
 - Information about how the institution will protect the confidentiality of victims and necessary parties.
 - A statement that the institution will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, student financial aid, and other services available for victims, both within the institution and in the community.

- A statement that the institution will provide a written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures.
- An explanation of the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking.
- A statement that, when a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, Ozarka College will provide the student or employee a written explanation of the student's or employee's rights and options.
- Conduct proceedings, notification, and investigations

Policy Expectations with Respect to Consensual Relationships

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as teacher and student, or supervisor and employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation of Policy. Ozarka College does not wish to interfere with private choices regarding personal relationships when those relationships do not interfere with the goals and policies of Ozarka College. However, for the personal protection of members of this community, relationships in which power differentials are inherent (faculty-student, staff-student, administrator-student or employee) are prohibited except in extraordinary circumstances.

Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisors. This will likely result in the necessity to remove the employee from the supervisory or evaluative responsibilities, or will shift the student or employee out of being supervised or evaluated by someone with whom he or she has established a consensual relationship. Failure to self-report such relationships to a supervisor as required can result in disciplinary action for an employee, up to and including termination.

Complaint/Grievance Procedure

These procedures are intended to apply to all grievances involving discrimination, harassment, retaliation and sexual misconduct as described in the Ozarka College Board of Trustees Policies 2.48, 2.48.1, 4.24 including but not limited to those brought by a student against an employee and/or fellow student, employee against fellow employee and/or student, and third party against employee and/or student. All other grievances by students, employees or third parties shall be addressed through other grievance procedures detailed in the Ozarka College Catalog.

Ozarka College benefits from formal and informal procedures that encourage prompt resolution of complaints and concerns raised by members of the Ozarka College community.

Informal Complaint Process

Ozarka College does not require a Complainant to utilize the Informal Complaint Process if doing so is impracticable or unsafe, or if the Complainant believes that the conduct cannot be effectively addressed through informal means. For example, the Informal Complaint Process should not be used to address allegations of sexual assault. However, in other circumstances where it is practical and safe to do so, every reasonable effort should be made to constructively resolve issues with students, faculty, staff and administrators before pursuing the Formal Complaint Process. Under the Informal Complaint Process, a Complainant may elect to resolve his/her complaint by discussing it with the offending party. If the offending party is an employee and satisfactory resolution cannot be reached after discussion, the Complainant may also contact the individual's direct supervisor to resolve the complaint. If these efforts are unsuccessful, the Formal Complaint Process may be initiated.

Formal Complaint Process

Upon receiving a report of alleged or possible violation of this Policy, the Title IX Coordinator and/or deputy will evaluate the information received and determine what further actions should be taken. The Title IX Coordinator will follow the procedures described in this Policy. The Title IX Coordinator and/or deputy will take steps, either directly with the complainant or through a reporting employee, to provide information about the Ozarka College's Complaint/Grievance Procedure, as well as available health and advocacy resources and options for criminal reporting.

Investigation

The Title IX Coordinator will be responsible for overseeing the prompt, fair, and impartial investigation and resolution of complaints filed with Ozarka College. The Title IX Coordinator or his/her designee will investigate all complaints of discrimination, harassment, retaliation and sexual misconduct and determine any accommodations or other remedial short-term actions necessary in light of the individual circumstances presented.

The Title IX Coordinator or his/her designee will apprise the President and the Vice President for the appropriate division of the complaint. The investigation will be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

The Title IX Coordinator or his/her designee, who will have been properly trained and do not have a conflict of interest or bias for or against the accuser or the accused, will:

- identify the correct policies allegedly violated;

- conduct an immediate initial investigation to determine if there is reasonable cause to charge the Respondent(s);
- meet with the Complainant to finalize the complaint;
- prepare the notice of charges on the basis of initial investigation;
- develop a strategic investigation plan which may include a witness list, an evidence list, an intended timeframe, and an order of interviews for all witnesses, including the Respondent;
- conduct a thorough, reliable and impartial investigation during which witnesses may or may not be given notice prior to the interview;
- complete the investigation promptly, and without unreasonable deviation from the intended timeline;
- make a written finding on the case, based on a preponderance of the evidence, which indicates that it is more likely than not that a Policy violation has or has not occurred, and identifies appropriate remedies and/or sanctions, if any; and
- prepare a complete report on the investigation and findings.

As noted above, an investigation of the complaint will be conducted by the Title IX Coordinator or his/her designee unless it is clear from the face of the complaint or the Title IX Coordinator's initial meetings with the parties that no reasonable grounds exist for believing that the conduct at issue violates this Policy.

In the event that the complaint was made by someone other than the alleged victim, the Title IX Coordinator will consider the following factors in determining whether it is reasonable to investigate the complaint:

- the source and nature of the information,
- the seriousness of the alleged incident,
- the specificity of the information,
- the objectivity and credibility of the source of the information,
- whether the alleged victims can be identified, and
- whether those individuals wish to pursue the matter.

In the event that the Title IX Coordinator determines that an investigation of the complaint should not be conducted, he/she will determine and document (in consultation, as necessary, with the alleged victim, the Respondent and any other Ozarka College administrators) the appropriate resolution of the complaint and inform the parties of the same.

With all complaints, if the Title IX Coordinator determines that an investigation should be conducted, the Title IX Coordinator will promptly investigate the matter. The existence of concurrent criminal investigations or proceedings shall not delay the investigation of any complaint filed under this Policy.

If another individual is designated to investigate the matter, the Title IX Coordinator will share the investigator's name and contact information with the alleged victim and the Respondent and will forward the complaint to the investigator. Within three (3) days of such appointment, the investigator, the alleged victim or the Respondent may identify to

the Title IX Coordinator in writing any real or perceived conflicts of interest posed by assigning such investigator to the matter. The Title IX Coordinator will carefully consider such statements and will assign a different individual as investigator if it is determined that a material conflict of interest exists.

Upon receipt of the complaint, the Title IX Coordinator will promptly begin the investigation, which shall include but is not limited to the following:

- conducting interviews with the Complainant, the alleged victim (if not the Complainant), the Respondent, and third-party witnesses (including expert witnesses, where applicable) and summarizing such interviews in written form;
- visiting, inspecting, and taking photographs at relevant sites; and
- where applicable, collecting and preserving relevant evidence (in cases of corresponding criminal reports, this step may be coordinated with law enforcement agencies).

Throughout the investigation, the Title IX Coordinator will remain neutral. The Title IX Coordinator should obtain, where applicable and where possible, the written consent of any third-party witnesses to the disclosure, as contemplated by this Policy, of any personally identifiable information contained in the Complaint, the Investigative Report, and for any other documents the disclosure of which is contemplated by this Policy in order to further the resolution of the complaints.

Initial Meeting with Complainant and/or Alleged Victim

As soon as is practicable, the Title IX Coordinator will contact the Complainant and the alleged victim (if not the Complainant) to schedule an initial meeting to, as applicable:

- provide a copy of this Policy;
- provide a copy of the Discrimination, Harassment and Sexual Misconduct 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 (the Complaint Form may be completed by Complainant or dictated to the Title IX Coordinator, who will confirm the accuracy of his or her documentation with the Complainant);
- explain avenues for resolution;
- explain the steps involved in an investigation under this Policy;
- discuss confidentiality standards and concerns;
- determine whether the Complainant or the alleged victim (if not the Complainant) wish to pursue a resolution through Ozarka College or no resolution of any kind;
- refer to law enforcement, counseling, medical, academic or other resources, as appropriate;
- explain that accommodations or protective measures are provided if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to College personnel or law enforcement.

- discuss, as appropriate, possible interim measures that can be provided during the pendency of the investigative and resolution processes.
- Provide a written notification to the Complainant and/or alleged victim about options for, available assistance in, and how to request changes to:
 - Academic situations
 - Living Situations
 - Transportation Situation
 - Working Situation
 - Protective Measures

Interim Measures

Unless circumstances dictate otherwise, the Title IX Coordinator will promptly issue a “No Contact” order to all parties upon notice of any sexual assault complaint. In all cases, Ozarka College may implement any necessary interim measures, deemed appropriate and reasonably available, regardless of whether a complaint has been filed (with either campus administrators or law enforcement agencies) or whether an investigation has commenced (by either campus administrators or law enforcement agencies). Interim measures may include, but are not limited to:

- issuing no-contact orders;
- providing an escort to ensure that an individual can move safely between classes, work, and/or activities;
- changing work arrangements or location;
- rescheduling class work, assignments, and examinations;
- arranging for the Complainant to take an incomplete in a class;
- reassigning class section;
- permitting a temporary withdrawal from Ozarka College;
- providing alternative course completion options;
- providing counseling services; and
- providing academic support services.

Following the initial meeting with the Complainant and the alleged victim (if not the Complainant), the Title IX Coordinator will, if applicable, promptly determine the interim measures to be provided to the alleged victim. Such determination will be promptly communicated to the alleged victim, and no later than the point at which it is communicated to the Respondent.

Initial Meeting with Respondent

If the Complainant or alleged victim (if not the Complainant) wishes to pursue resolution through Ozarka College or if Ozarka College otherwise deems that a further investigation is warranted, as soon as is reasonably practicable after the Title IX Coordinator’s initial meeting with the Complainant (and, if applicable, the alleged victim), the Title IX Coordinator will schedule an initial meeting with the Respondent. During the initial meeting with the Respondent, the Investigator will, as applicable:

- provide sufficient written information, consistent with privacy laws and any request for confidentiality, to allow Respondent to address the allegation (e.g., the name of the Complainant/alleged victim, the date, location, nature of the alleged violation of Policy, etc.);
- provide a copy of this Policy;
- explain Ozarka College’s procedures for resolution of the complaint;
- explain the steps involved in an investigation under this Policy;
- discuss confidentiality standards and concerns;
- discuss non-retaliation requirements;
- inform of any interim measures already determined and being provided to the Complainant and/or the alleged victim that would directly affect the Respondent (e.g., changing his or her class schedule, etc.);
- refer to law enforcement, counseling, medical, academic or other resources, as appropriate; and
- discuss, as appropriate, possible interim measures that can be provided to the Respondent during the pendency of the investigative and resolution processes.

Investigative Report

The Title IX Coordinator shall complete a written investigative report (“Investigative Report”) that shall include the following items:

- the name and sex of the alleged victim and, if different, the name and sex of the person reporting the allegation (It should also include any other relevant protected class characteristics if the complaint involves a violation of this Policy based on a protected status other than gender);
- a statement of the allegation, a description of the incident(s), and the date(s) and time(s) (if known) of the alleged incident(s);
- the date that the complaint or other report was made;
- the date the Complainant and alleged victim (if not the Complainant) were interviewed;
- the date the Respondent was interviewed;
- the names and sex of all persons alleged to have committed the alleged violation of this Policy (It should also include any other relevant protected status characteristics if the complaint involves a violation of this Policy based on a protected status other than gender);
- the names and sex of all known witnesses to the alleged incident(s);
- the dates that any relevant documentary evidence (including cell phone and other records as appropriate) was obtained;
- any written statements of the Complainant (or victim, if different from the Complainant), the Respondent and any witnesses;
- summaries of all interviews conducted, photographs, and descriptions of relevant evidence, summaries of relevant electronic records, and a detailed report of the events in question;

- a written finding on the case, based on a preponderance of the evidence which indicates whether or not it is more likely than not that a Policy violation has occurred;
- the policy or policies violated and, in consultation, as necessary, with the Complainant, alleged victim (if different than the Complainant), Respondent, and other Ozarka College officials, any remedial and/or disciplinary action deemed appropriate under the circumstances;
- the response of Ozarka College personnel including any interim measures and permanent steps taken with respect to the Complainant, alleged victim (if different than the Complainant) and the Respondent; and
- a narrative of all action taken to prevent recurrence of any harassing incident(s), including any written documentation.

If the Title IX Coordinator is unable to obtain the consent of third-party witnesses, he or she will redact the Investigative Report to the extent necessary to avoid inappropriate disclosure of such witness's personally identifiable information, while ensuring that such redaction does not prevent resolution of the complaint.

If the Title IX Coordinator determines and documents, based on the investigation, that reasonable grounds exist to believe that the conduct at issue constitutes a violation of this Policy, the Title IX Coordinator will determine the appropriate remedy and/or sanction to be imposed and will include the appropriate remedy and/or sanction in the Investigative Report. Imposition of the appropriate remedy and/or sanction will be imposed only after all appeals have been exhausted.

Sanctions

In determining the appropriate remedy and/or sanction, Ozarka College will act to end the discrimination, harassment, retaliation or sexual misconduct, prevent its recurrence and remedy its effects on the victim and/or Ozarka College community. Sanctions will depend upon the nature and gravity of the misconduct, any record of prior discipline for a violation of this Policy, or both. Sanctions may include, without limitation, withholding a promotion or pay increase, reassigning employment, terminating employment, temporary suspension without pay, compensation adjustments, expulsion or suspension from Ozarka College, disciplinary probation, mandated counseling and/or educational sanctions as deemed appropriate.

The Title IX Coordinator shall complete and distribute the Investigative Report, concurrently, to the alleged victim and Respondent within thirty (30) calendar days following receipt of a complaint. Along with the investigative report, this institution will provide the institution's procedures for the accused and the victim to appeal the result of the proceeding. All parties to whom the Investigative Report is distributed pursuant to this Policy should maintain it in confidence. The Investigative Report may only be disclosed as contemplated by this Policy.

If the Title IX Coordinator finds no reasonable grounds to believe that the conduct at issue constitutes a violation of this Policy, then the Title IX Coordinator will determine and

document the appropriate resolution of the complaint in the Investigative Report and will promptly notify the parties of that determination.

Appeal Involving Faculty/Staff

All appeals where the Respondent is an Ozarka College faculty or staff member shall be made to the President or his/her designee. Both the alleged victim and the Respondent may appeal any or all of the Title IX Coordinator's decision in writing to the President or his/her designee within ten (10) days of receipt of the Investigative Report. The appealing party must also provide a copy of the appeal to the Title IX Coordinator within the same time period. The appeal should include a brief statement describing any or all parts of the Investigative Report that is being appealed and the reason for appeal. 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.

Within thirty (30) days of receipt of the appeal, the President or his/her designee will make a final determination as to whether the complaint should be closed, whether a violation of Policy has occurred, and/or whether any additional or different remedial action or sanctions are warranted. The President or his/her designee will concurrently notify the alleged victim and the Respondent of his/her decision.

All faculty and staff members of Ozarka College 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 Ozarka College or be construed to prevent or delay Ozarka College from taking any disciplinary action deemed appropriate (including suspension and immediate termination of employment) for any violation of state law, federal law or Ozarka College policy.

Appeal Involving a Student

In those instances where the Respondent is an Ozarka College student, the alleged victim and/or the Respondent may appeal any or all of the Title IX Coordinator's decision to a Hearing Panel by providing a written appeal to the President or his/her designee with a copy also being provided to the Title IX Coordinator. The appeal must be submitted within ten (10) days of receipt of the Investigative Report and must include a brief statement describing any or all parts of the Investigative Report being appealed and the reason for appeal. Acceptable means of notification include email, facsimile, hand delivered notification or postal delivery.

Within three (3) days of receiving the appeal, the President or his/her designee will appoint the members of the Hearing Panel, to include at least three faculty and/or staff members. The President 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 complaint and the Investigative Report to each member of the Hearing Panel and, if only a portion of the Title IX Coordinator's findings and determinations are appealed, the Title IX Coordinator will specify which part(s) of the alleged misconduct will be the subject of the hearing.

Promptly after the appointment of the members of the Hearing Panel, the Title IX Coordinator will provide concurrent written notice to the alleged victim and the

Respondent, setting forth the names of the individuals selected to serve on and chair the Hearing Panel. If only a portion of the findings and determination are appealed, the Title IX Coordinator will also specify in the notice which part(s) of the alleged misconduct will be the subject of the hearing.

The parties may challenge the participation of any member of the Hearing Panel by submitting a written objection to the President or his/her designee within three (3) days of receipt of the notice of the composition of the Hearing Panel. Any objection must state the specific reason(s) for the objection. The President 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 any right of objection to the composition of the Hearing Panel. Any changes in the composition of the Hearing Panel will be provided in writing to both parties prior to the date of the hearing.

Submission of Written Materials

Within five (5) days of receipt of the notice of the initial composition of the Hearing Panel, the alleged victim and the Respondent may provide the Chair of the Hearing Panel with a list of witnesses, if any, that they propose that the Hearing Panel call and a brief description of each proposed witness's connection to and/or knowledge of the issues in dispute, any supporting documents or other evidence, and a written statement of position.

Notice of the Hearings

Not less than five (5) days but not more than ten (10) days after delivery of notice of the initial composition of the Hearing Panel to the parties, the Hearing Panel will provide a separate notice to the alleged victim, Respondent and any witnesses or other third parties whose testimony the Hearing Panel deems relevant, requesting such individuals to appear before the Hearing Panel. The notice should set forth the date, time, and location for the individual's requested presence. The Hearing Panel shall provide the names of the witnesses or other third parties that the Hearing Panel plans to call in its notices to the alleged victim and the Respondent. The hearing shall be conducted within twenty (20) days but no sooner than ten (10) days of the receipt of the appeal.

Failure to Appear

If any party fails to appear before the Hearing Panel if requested to do so, and such party was provided proper notice of the hearing as set forth above, then absent extenuating circumstances, the Hearing Panel will proceed to determine the resolution of the complaint.

Support Persons

Both the alleged victim and the Respondent may be accompanied by one support person to assist them during the hearing process. This support person can be anyone, including an attorney, but the support person may not take part in the hearing. The support person may not address the Hearing Panel, present evidence, make objections or statements, ask questions of any party or witness or otherwise participate in the hearing, beyond privately communicating with the party that he/she is supporting. The Chair must be

notified five (5) business days in advance of the hearing if a party will be accompanied by a support person. The Chair may disallow the attendance of any support person if he/she is also a witness or if, in the discretion of the Chair, such person's presence would be disruptive or obstructive to the hearing or otherwise warrant removal. All support persons must agree to keep any and all information presented in the hearing confidential in order to attend. Absent accommodation for disability, the parties may not be accompanied by any other individual during the hearing process except as set forth in this Policy. Ozarka College officials may seek advice from the University's Office of General Counsel on questions of law and procedure at any time during the process.

Evidentiary Matters

The alleged victim and the Respondent will have an equal opportunity to present evidence during their hearing. Formal rules of evidence will not be observed during the hearings. The alleged victim, the Respondent, and appropriate officials will be given timely and equal access to information that will be used during informal and formal disciplinary meetings hearings.

Prior Sexual Conduct

Evidence of the prior sexual conduct of the alleged victim and the Respondent with others will not be permitted at the hearings, with the following exceptions:

- evidence is permitted to show that the alleged victim has in the past been formally disciplined by Ozarka College for falsely filing complaints alleging a violation of this Policy;
- evidence is permitted to show that the Respondent has in the past been either convicted in a criminal proceeding or formally disciplined by Ozarka College for conduct which would violate this Policy, if deemed relevant; and
- evidence regarding the past sexual activity of the Respondent (regardless of whether the Respondent was formally charged with a violation of the Policy with respect to such conduct) may be permitted to show that the Respondent has engaged in a pattern of behavior similar to the alleged violations of policy at issue before the Hearing Panel, provided that (1) the Respondent has not been found "not responsible" by Ozarka College in a proceeding related to such conduct and (2) the Chair has made written findings both that the evidence is reliable and trustworthy and that the conduct is sufficiently and substantially similar to the conduct at issue before the Hearing Panel to suggest a pattern of behavior.

Hearing Procedure

The Hearing Panel will conduct a hearing during which it will interview and question the Complainant, the alleged victim, the Respondent, and any witnesses or other third parties whose testimony the Hearing Panel deems relevant. The parties will not be allowed to personally question or cross-examine each other during the hearing, but will be allowed to question witnesses. The Chair will resolve all questions concerning procedure or the admission of evidence or testimony, including the relevancy and reliability of the evidence and testimony. All participants at the hearing are expected to provide truthful testimony. The Complainant and/or alleged victim have the option not to be in the same room with

the alleged Respondent during the hearing. Any party may choose not to testify or appear before the Hearing Panel; however, his/her exercise of that option will not preclude the Hearing Panel from making a determination regarding the complaint filed against the Respondent.

Decision of the Hearing Panel

Following the conclusion of the hearing, the Hearing Panel will confer and by majority vote determine whether the evidence (including the information provided in and by the Investigative Report, the parties' written statements, if any, the evidence presented at the hearings, and the testimony of the parties and witnesses) establishes that it is more likely than not that the Respondent committed a violation of this Policy. In other words, the standard of proof will be the preponderance of the evidence. If the Hearing Panel determines that more likely than not the Respondent committed a violation of this Policy, the Hearing Panel will recommend 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 effects of the violation. The Hearing Panel will forward its recommendations regarding sanctions to the President or his designee, who will make the final determination regarding all sanctions. 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.

Sanctions may include, without limitation, expulsion or suspension from Ozarka College, disciplinary probation, expulsion from campus housing, mandated counseling, and/or educational sanctions deemed appropriate by the Hearing Panel.

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 Ozarka College community, the Hearing Panel may recommend and the President or his/her designee may determine that any sanctions be imposed immediately and continue in effect until such time as the appeal process is exhausted.

At such time that the appeal process is exhausted, the Title IX Coordinator will determine the final accommodations to be provided to the victim, if any, and the Title IX Coordinator will communicate such decision to the victim and the Respondent to the extent that it affects him/her. Both the victim and the Respondent will also be notified of any change to the result concurrently.

The Title IX Coordinator will also take steps to prevent any harassment of or retaliation against the Complainant, the victim (if not the Complainant), 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, providing training for the campus community, and providing counseling for the Respondent. The Title IX Coordinator will also take steps to prevent the harassment of or retaliation against the Respondent.

Furthermore, the Title IX Coordinator will take prompt corrective action if the Complainant or the victim (if not the Complainant) experiences retaliation or is subjected to further violation of this Policy or if the original sanctions imposed on the Respondent are

ineffective to protect the safety and well-being of the Complainant, the victim (if not the Complainant), or other members of the Ozarka College community. The Title IX Coordinator will also take reasonable steps to eliminate any hostile environment that has been created, such as conducting trainings and disseminating informational materials. In taking the above-outlined steps, the Title IX Coordinator will make every reasonable effort to minimize the burden on the Complainant and/or alleged victim.

Final Outcome Letter

Within ten (10) calendar days following the conclusion of the hearings, the Hearing Panel will issue a written decision letter (the “Final Outcome Letter”) concurrently to the Respondent and the alleged victim. The Final Outcome Letter will set forth (1) the name of the Respondent, (2) the violation(s) of this Policy for which the Respondent was found responsible, if any, (3) the recommended sanctions imposed on the Respondent, if any, and it may set forth names of other individuals, such as a victim or witness, provided that such other individuals provide their written consent to such inclusion.

In order to comply with FERPA, the letter will not include information considered part of a party’s “education record” (as that term is defined by FERPA) that is not otherwise exempt from disclosure under the Act, or other information about sanctions that do not relate to the victim.

Confidentiality and Disclosure

In order 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 hearing process is not open to the general public. Accordingly, documents prepared in anticipation of the hearings (including the complaint, the Investigative Report, the notices of hearing, and the pre-hearing submissions referenced above) and documents, testimony, or other information introduced at the hearings may not be disclosed outside of the hearing proceedings, except as may be required or authorized by law. Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act, commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

Time Periods

Ozarka College will make every reasonable effort to ensure that the investigation and resolution of a complaint occurs in as timely and efficient a manner as possible. Ozarka College’s investigation and resolution of a complaint (including an appeal, if applicable) will generally be completed within 60 calendar days of the receipt of the complaint, absent extenuating circumstances. Hearings, if at all, will take place after the conclusion of the investigation. If hearings have taken place, both the Complainant and the Respondent generally will receive a Final Outcome Letter within ten (10) calendar days of the conclusion of the hearing.

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.

For purposes of calculating all time periods set forth in this complaint and Grievance Policy, a business day is defined to mean normal operating hours, Monday through Friday, excluding recognized national and state holidays and Ozarka College closings.

Timelines may be modified in cases where information is not clear, judged to be incomplete, relevant parties are not available for interview, and/or other related circumstances as may arise. The Title IX Coordinator may also modify any deadlines contained in this Policy as necessary and for good cause.

Acknowledgement of Responsibility

At any time prior to the issuance of the Investigative Report or the date of his/her designated hearing, the Respondent may elect to acknowledge his/her actions and take responsibility for the alleged policy violation. In such situation, the Title IX Coordinator will propose sanction(s). If either party objects to the proposed sanction(s), they may appeal the sanction pursuant to this Policy.

No Retaliation

Retaliation against any person who files a complaint, participates in an investigation, or opposes a discriminatory employment or educational practice or policy is prohibited. A person who believes retaliation has occurred should notify the Title IX Compliance Officer as soon as possible.

False Reports

Willfully making a false report of sexual harassment is a violation of Ozarka College policy and is a serious offense. 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.

Office of Civil Rights Complaint

Although Complainants are encouraged to resolve their grievances related to discrimination by utilizing this Complaint/Grievance Procedure, they have the right to file a complaint directly with the U.S. Department of Education, Office for Civil Rights (OCR). Information regarding applicable timelines and procedures is available from OCR. You may call 1-800-421-3481 to obtain further information about filing a complaint with OCR.

Effective Date

Ozarka College reserves the right to make changes and amendments to this Policy as needed, with appropriate notice to the 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 that are heard.

Documentation

Ozarka College will retain documentation (including but not limited to the written complaint, notifications, the Investigative Report, any written findings of fact, petitions for appeal, hearing transcripts or recordings (if any), and any written communication between the parties), for at least three (3) years. Documentation pertaining to terminations, expulsions or educational sanctions may be retained indefinitely.

Reporting Requirement

In all cases when a complaint is made, both formal and informal, the incident must be reported to the President.

Definition

Sexual Harassment

It is the policy of Ozarka College that sexual harassment (as defined under 29 CFR Ch XIV, subsection 1504.11, Section 703 of Title VII of the Civil Rights Act of 1964, as amended, and Arkansas Act 563 of 1985) unconscionable and will not be tolerated.

Persons who commit or knowingly permit acts of sexual harassment will be subject to disciplinary action up to and including immediate dismissal. No employee or student at the College may attempt in any way to retaliate against a person who makes a claim of sexual harassment.

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

1. Submission to or toleration of such conduct on or off campus is made a term or condition of instruction, employment, or participation in other College activities.
2. Submission or rejection of such conduct by an individual is used as a basis for evaluation in making employment or academic decisions affecting the individual.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or employment performance or creating an intimidating, hostile, or offensive college environment.

Sexual Assault is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Stalking is a criminal act in which one person purposely and knowingly causes another person substantial emotional distress or reasonable fear of bodily injury or death by repeatedly harassing, threatening, or intimidating the victim. Stalking includes, but is not limited to the following behaviors:

- Repeated following or pursuing;
- Threatening or obscene gestures;
- Non-consensual communication;
- Trespassing;

- Vandalism; and/or
- Non-consensual touching.

Cyberstalking (also known as online harassment or electronic stalking) is offensive, threatening communication through the internet, via e-mail, chat rooms, instant messaging, etc. For the legal description, see Arkansas Criminal Code 5-71-229.

Domestic Violence is a pattern of behavior in which one partner uses fear and intimidation to establish power and control over a family/household member or intimate partner, often including the threat or use of violence. This form of violence may include, but is not limited to, actions that cause bodily injury through physical, emotional, psychological, economic, or sexual means; and may cause reasonable fear of harm on the part of the victim/survivor, or threaten children or pets. Such violence may be done knowingly or negligently on the part of the perpetrator. Violence in domestic and dating relationships tends to escalate in frequency and intensity over time. The longer it continues, the greater the risk of the victim being seriously injured or killed.

Domestic violence and abuse occur among all races, ages, classes, and religious groups. For legal descriptions, see Arkansas Criminal Code Title 5, Chapter 26, Subchapter 3.

Dating Violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the alleged victim. It includes any unwelcome physical violence such as hitting, pulling, shoving, kicking, biting or throwing things; and sexual assault, sexual exploitation and sexual harassment.

Sex Offender Registration

Section 12-12-906(e) of the Arkansas Code and the federal Campus Sex Crimes Prevention Act requires sex offenders who plan to enroll in college to register with the law enforcement agency having jurisdiction over the campus. The statute states that “local law enforcement agencies having jurisdiction shall disclose, in accordance with guidelines promulgated by the [Arkansas] Sex Offenders Assessment Committee, relevant and necessary information regarding offenders to the public when the disclosure is relevant and necessary for public protection.” The Arkansas Sex Offender Registry is available on-line at <http://www.acic.org/Registration/index.htm>.

Disciplinary Proceeding Disclosure Statement

Ozarka College will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Ozarka College will provide the results of the disciplinary hearing to the victim’s next of kin, if so requested.

Ozarka College Annual Security Report

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) and the Department of Education's regulations require that all institutions that receive Title IV, HEA funds must, by October 1 of each year, publish and distribute to its current students and employees, a comprehensive Annual Security Report (ASR) that contains, at a minimum, all of the statistical and policy elements enumerated in 34 C.F.R. § 668.46(b).

The Vice President of Administration is responsible for collecting, reporting, and disseminating the annual crime statistics for all Ozarka College campuses from the local law enforcement agencies, campus security authorities, and from the campus crime log for inclusion in the Annual Crime Report. Statistics are collected for incidents of crimes reported during the three most recent calendar years and that occurred on any of Ozarka College's Clery geography: on campus, public property and non-campus.

The Vice President of Administration will also review all law and/or policy that might affect the Annual Security Report and develop College policies to ensure that the ASR meets all Federal regulations.

Ozarka College will publish an annual security report containing safety- and security-related policy statements and crime statistics and distribute the report, using an approved method, to all current students and employees. Ozarka College also will inform prospective students and employees about the availability of the report. The ASR will be published and actively distributed as a single document.

By October 1 of each year, Ozarka College will distribute a notice to all students and employees that includes a statement of the report's availability and its exact electronic address, a description of its contents, as well as an advertisement that a paper copy will be provided upon request from the Office of the Vice President of Administration. The crime statistics will also be submitted to the U.S. Department of Education every year as prescribed by the U.S. Department of Education.

**Ozarka College
Melbourne Campus
Crime Statistics 2014**

Offense (Crimes reported)	On-Campus Property	Non-Campus Property	Public Property	Unfounded Cases**
Aggravated Assault	0	0	0	0
Arson	0	0	0	0
Burglary (Total)	0	0	0	0
Forcible Burglary	0	0	0	0
Non-Forcible Burglary	0	0	0	0
Attempted Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Robbery	0	0	0	0
Sex Offenses (Total)	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Sex Offenses, Non-Forcible (Total)	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Stalking	0	0	0	0
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Arrests				
Liquor Law Arrests	0	0	0	0
Drug Law Arrests	0	0	0	0
Weapons Possession Arrests	0	0	0	0
Non-Arrest Campus Referrals (Referred for Disciplinary Action)				
Liquor Law Violations	0	0	0	0
Drug Law Violations	0	0	0	0
Weapons Possession Violations	0	0	0	0

There were no hate crimes reported in 2014.

*** A crime is "unfounded" if it is investigated by law enforcement authorities and found to be false or baseless. In very limited circumstances the institution may remove reports of crimes that have been found "unfounded" by law enforcement officials.*

**Ozarka College
Melbourne Campus
Crime Statistics 2015**

Offense (Crimes reported)	On-Campus Property	Non-Campus Property	Public Property	Unfounded Cases**
Aggravated Assault	0	0	0	0
Arson	0	0	0	0
Burglary (Total)	0	0	0	0
Forcible Burglary	0	0	0	0
Non-Forcible Burglary	0	0	0	0
Attempted Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Robbery	0	0	0	0
Sex Offenses (Total)	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Sex Offenses, Non-Forcible (Total)	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Stalking	0	0	0	0
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Arrests				
Liquor Law Arrests	0	0	0	0
Drug Law Arrests	0	0	0	0
Weapons Possession Arrests	0	0	0	0
Non-Arrest Campus Referrals (Referred for Disciplinary Action)				
Liquor Law Violations	0	0	0	0
Drug Law Violations	0	0	0	0
Weapons Possession Violations	0	0	0	0

There were no hate crimes reported in 2015.

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**Ozarka College
Melbourne Campus
Crime Statistics 2016**

Offense (Crimes reported)	On-Campus Property	Non-Campus Property	Public Property	Unfounded Cases**
Aggravated Assault	0	0	1	1
Arson	0	0	0	0
Burglary (Total)	3	0	0	0
Forcible Burglary	0	0	0	0
Non-Forcible Burglary	3	0	0	0
Attempted Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Robbery	0	0	0	0
Sex Offenses (Total)	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Sex Offenses, Non-Forcible (Total)	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Stalking	0	0	0	0
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Arrests				
Liquor Law Arrests	0	0	0	0
Drug Law Arrests	0	0	0	0
Weapons Possession Arrests	0	0	0	0
Non-Arrest Campus Referrals (Referred for Disciplinary Action)				
Liquor Law Violations	0	0	0	0
Drug Law Violations	0	0	0	0
Weapons Possession Violations	0	0	0	0

There were no hate crimes reported in 2016.

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**Ozarka College
Ash Flat Campus
Crime Statistics 2014**

Offense (Crimes reported)	On-Campus Property	Non-Campus Property	Public Property	Unfounded Cases**
Aggravated Assault	0	0	0	0
Arson	0	0	0	0
Burglary (Total)	0	0	0	0
Forcible Burglary	0	0	0	0
Non-Forcible Burglary	0	0	0	0
Attempted Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Robbery	0	0	0	0
Sex Offenses (Total)	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Sex Offenses, Non-Forcible (Total)	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Stalking	0	0	0	0
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Arrests				
Liquor Law Arrests	0	0	0	0
Drug Law Arrests	0	0	0	0
Weapons Possession Arrests	0	0	0	0
Non-Arrest Campus Referrals (Referred for Disciplinary Action)				
Liquor Law Violations	0	0	0	0
Drug Law Violations	0	0	0	0
Weapons Possession Violations	0	0	0	0

There were no hate crimes reported in 2014.

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**Ozarka College
Ash Flat Campus
Crime Statistics 2015**

Offense (Crimes reported)	On-Campus Property	Non-Campus Property	Public Property	Unfounded Cases**
Aggravated Assault	0	0	0	0
Arson	0	0	0	0
Burglary (Total)	0	0	0	0
Forcible Burglary	0	0	0	0
Non-Forcible Burglary	0	0	0	0
Attempted Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Robbery	0	0	0	0
Sex Offenses (Total)	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Sex Offenses, Non-Forcible (Total)	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Stalking	0	0	0	0
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Arrests				
Liquor Law Arrests	0	0	0	0
Drug Law Arrests	0	0	0	0
Weapons Possession Arrests	0	0	0	0
Non-Arrest Campus Referrals (Referred for Disciplinary Action)				
Liquor Law Violations	0	0	0	0
Drug Law Violations	0	0	0	0
Weapons Possession Violations	0	0	0	0

There were no hate crimes reported in 2015.

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**Ozarka College
Ash Flat Campus
Crime Statistics 2016**

Offense (Crimes reported)	On-Campus Property	Non-Campus Property	Public Property	Unfounded Cases**
Aggravated Assault	0	0	0	0
Arson	0	0	0	0
Burglary (Total)	0	0	0	0
Forcible Burglary	0	0	0	0
Non-Forcible Burglary	0	0	0	0
Attempted Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Robbery	0	0	0	0
Sex Offenses (Total)	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Sex Offenses, Non-Forcible (Total)	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Stalking	0	0	0	0
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Arrests				
Liquor Law Arrests	0	0	0	0
Drug Law Arrests	0	0	0	0
Weapons Possession Arrests	0	0	0	0
Non-Arrest Campus Referrals (Referred for Disciplinary Action)				
Liquor Law Violations	0	0	0	0
Drug Law Violations	0	0	0	0
Weapons Possession Violations	0	0	0	0

There were no hate crimes reported in 2016.

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**Ozarka College
Mountain View Campus
Crime Statistics 2014**

Offense (Crimes reported)	On-Campus Property	Non-Campus Property	Public Property	Unfounded Cases**
Aggravated Assault	0	0	0	0
Arson	0	0	0	0
Burglary (Total)	0	0	0	0
Forcible Burglary	0	0	0	0
Non-Forcible Burglary	0	0	0	0
Attempted Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Robbery	0	0	0	0
Sex Offenses (Total)	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Sex Offenses, Non-Forcible (Total)	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Stalking	0	0	0	0
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Arrests				
Liquor Law Arrests	0	0	0	0
Drug Law Arrests	0	0	0	0
Weapons Possession Arrests	0	0	0	0
Non-Arrest Campus Referrals (Referred for Disciplinary Action)				
Liquor Law Violations	0	0	0	0
Drug Law Violations	0	0	0	0
Weapons Possession Violations	0	0	0	0

There were no hate crimes reported in 2014.

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**Ozarka College
Mountain View Campus
Crime Statistics 2015**

Offense (Crimes reported)	On-Campus Property	Non-Campus Property	Public Property	Unfounded Cases**
Aggravated Assault	0	0	0	0
Arson	0	0	0	0
Burglary (Total)	0	0	0	0
Forcible Burglary	0	0	0	0
Non-Forcible Burglary	0	0	0	0
Attempted Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Robbery	0	0	0	0
Sex Offenses (Total)	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Sex Offenses, Non-Forcible (Total)	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Stalking	0	0	0	0
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Arrests				
Liquor Law Arrests	0	0	0	0
Drug Law Arrests	0	0	0	0
Weapons Possession Arrests	0	0	0	0
Non-Arrest Campus Referrals (Referred for Disciplinary Action)				
Liquor Law Violations	0	0	0	0
Drug Law Violations	0	0	0	0
Weapons Possession Violations	0	0	0	0

There were no hate crimes reported in 2015.

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**Ozarka College
Mountain View Campus
Crime Statistics 2016**

Offense (Crimes reported)	On-Campus Property	Non-Campus Property	Public Property	Unfounded Cases**
Aggravated Assault	0	0	0	0
Arson	0	0	0	0
Burglary (Total)	0	0	0	0
Forcible Burglary	0	0	0	0
Non-Forcible Burglary	0	0	0	0
Attempted Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Robbery	0	0	0	0
Sex Offenses (Total)	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Sex Offenses, Non-Forcible (Total)	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Stalking	0	0	0	0
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Arrests				
Liquor Law Arrests	0	0	0	0
Drug Law Arrests	0	0	0	0
Weapons Possession Arrests	0	0	0	0
Non-Arrest Campus Referrals (Referred for Disciplinary Action)				
Liquor Law Violations	0	0	0	0
Drug Law Violations	0	0	0	0
Weapons Possession Violations	0	0	0	0

There were no hate crimes reported in 2016.

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**Ozarka College
Mammoth Spring Campus
Crime Statistics 2014**

Offense (Crimes reported)	On-Campus Property	Non-Campus Property	Public Property	Unfounded Cases**
Aggravated Assault	0	0	0	0
Arson	0	0	0	0
Burglary (Total)	0	0	0	0
Forcible Burglary	0	0	0	0
Non-Forcible Burglary	0	0	0	0
Attempted Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Robbery	0	0	0	0
Sex Offenses (Total)	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Sex Offenses, Non-Forcible (Total)	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Stalking	0	0	0	0
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Arrests				
Liquor Law Arrests	0	0	0	0
Drug Law Arrests	0	0	0	0
Weapons Possession Arrests	0	0	0	0
Non-Arrest Campus Referrals (Referred for Disciplinary Action)				
Liquor Law Violations	0	0	0	0
Drug Law Violations	0	0	0	0
Weapons Possession Violations	0	0	0	0

There were no hate crimes reported in 2014.

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**Ozarka College
Mammoth Spring Campus
Crime Statistics 2015**

Offense (Crimes reported)	On-Campus Property	Non-Campus Property	Public Property	Unfounded Cases**
Aggravated Assault	0	0	0	0
Arson	0	0	0	0
Burglary (Total)	0	0	0	0
Forcible Burglary	0	0	0	0
Non-Forcible Burglary	0	0	0	0
Attempted Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Robbery	0	0	0	0
Sex Offenses (Total)	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Sex Offenses, Non-Forcible (Total)	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Stalking	0	0	0	0
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Arrests				
Liquor Law Arrests	0	0	0	0
Drug Law Arrests	0	0	0	0
Weapons Possession Arrests	0	0	0	0
Non-Arrest Campus Referrals (Referred for Disciplinary Action)				
Liquor Law Violations	0	0	0	0
Drug Law Violations	0	0	0	0
Weapons Possession Violations	0	0	0	0

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**Ozarka College
Mammoth Spring Campus
Crime Statistics 2016**

Offense (Crimes reported)	On-Campus Property	Non-Campus Property	Public Property	Unfounded Cases**
Aggravated Assault	0	0	0	0
Arson	0	0	0	0
Burglary (Total)	0	0	0	0
Forcible Burglary	0	0	0	0
Non-Forcible Burglary	0	0	0	0
Attempted Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Robbery	0	0	0	0
Sex Offenses (Total)	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Sex Offenses, Non-Forcible (Total)	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Stalking	0	0	0	0
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Arrests				
Liquor Law Arrests	0	0	0	0
Drug Law Arrests	0	0	0	0
Weapons Possession Arrests	0	0	0	0
Non-Arrest Campus Referrals (Referred for Disciplinary Action)				
Liquor Law Violations	0	0	0	0
Drug Law Violations	0	0	0	0
Weapons Possession Violations	0	0	0	0

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Campus Maps

Melbourne Campus

218 College Drive

Public Property – 200-307 College Dr. (From the corner of Haley St. to just past the City Hall (former Kids Academy), Haley St. (From the corner of College Dr. to the private property on the corner of Haley St. and Allen St.)



Melbourne – Airport



Ash Flat Campus

64 College Drive

Public Property – College Drive (from the ballpark parking lot to the edge of college property heading south)



Mountain View Campus

1800 College Drive

Public Property – 215-219 South Riggsville, College Drive



Mammoth Spring Campus

520 Archer

Public Property – 150-250 5th Street, 500-550 Archer Ave.



Map Description

The lightly-shaded areas define the approximate property line for Ozarka College property that is defined as On-Campus property for crime reporting purposes. Public Property on each map includes public streets and sidewalks within the campus or immediately adjacent to and accessible from the campus.

Geography definitions from the Clery Act

On-Campus – Defined as:

1. Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and
2. Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or retail vendor).

Non-Campus Building or Property – Defined as:

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

Public Property – *Defined as:* All public property, including thoroughfares, streets, sidewalks, and parking facilities within the campus or immediately adjacent to and accessible from the campus.

The Ozarka College crime statistics do not include crimes that occur in privately owned homes or businesses within or adjacent to the campus boundaries.

Appendix

Sex Offenses Definitions

Prepared by the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program

Sexual Assault (Sex Offenses)

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

A. Rape – (Definition from the Federal Bureau of Investigation's updated definition in the UCR Summary Reporting System) Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

B. 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 the person's will 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.

C. Incest

Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

D. Statutory Rape

Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Crimes Against Women – Definitions: On March 7, 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013 (VAWA). VAWA amended the Clery Act to require institutions to compile statistics for incidents of dating violence, domestic violence, sexual assault, and stalking.

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.

- The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.
- Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Domestic Violence: A felony for misdemeanor crime of violence committed

- By a current or former 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 the jurisdiction in which the crime of violence occurred;
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws or the jurisdiction in which the crime of violence occurred.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.

Definition of Criminal Offenses

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

death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

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

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joy riding).

Murder and Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

Negligent Manslaughter: The killing of another person through gross negligence.

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

Weapon Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (demerol, methadones); and dangerous non-narcotic drugs (barbiturates, benzedrine).

Liquor Law Violations: The violation of laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition).

Unfounded: If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is unfounded.

Crimes reported if classified as a Hate Crime:

Ozarka College is required to report statistics for hate crimes by the type of bias for the prior listed offenses (see definitions above) as well as the crimes of larceny, simple assault, intimidation and vandalism (see definitions below). The below listed crimes are not Clery reportable crimes unless the crime was motivated by hate/bias.

Larceny/Theft (Except Motor Vehicle Theft) – The unlawful taking, carrying, leading, or riding away of property from the possession of constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

Simple Assault – An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

Intimidation – To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Destruction/Damage/Vandalism of Property – To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Categories of Bias if reported as a Hate Crime:

Race - A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).

Religion - A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).

Sexual Orientation - A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).

Gender - A preformed negative opinion or attitude toward a group of persons because those persons are male or female.

Gender Identity - A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.

Disability - A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Ethnicity - A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term race in that “race” refers to grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.

National Origin - A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and/or traditions.

Definition of Terms

Awareness Programs means community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

Bystander Intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Ongoing Prevention and Awareness Campaigns means programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution and including information described in paragraph (j)(1)(i)(A) through (F) of this section.

Primary Prevention Programs means programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

Risk Reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

Proceeding means all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

Result means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly referred to as the Family Educational Rights and Privacy Act (FERPA), the result must also include the rationale for the result and the sanctions.