



STUDENT HANDBOOK 2023-2024

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CHAPTER 1

WELCOME TO ARKANSAS STATE UNIVERSITY-BEEBE

Dear Students,

Welcome to Arkansas State University-Beebe! ASU-Beebe is a recognized leader among community colleges. It is our privilege to offer you a quality education in a supportive learning environment. Our knowledgeable, caring faculty and staff are here to guide you academically and provide personal assistance when needed.

The Student Handbook presents an overview of the opportunities, services, and expectations at ASU-Beebe. The handbook will direct you to campus resources and information that are essential for academic success. I recommend that you become familiar with this handbook and refer to it during your academic career.

Again, welcome to ASU-Beebe! I encourage you to use every opportunity and resource to successfully complete your educational goals.

Sincerely,



David Mayes, Ed.D.
Vice Chancellor for Student Services

MISSION, VISION, AND CORE VALUES

TRANSFORMING LIVES THROUGH QUALITY LEARNING EXPERIENCES

Arkansas State University-Beebe is a public, open access, and operationally separate institution of the Arkansas State University System. The major purpose of this institution is to provide affordable, comprehensive, quality instruction and service programs.

ASU-Beebe offers programs suitable for either immediate entry into the workforce or transfer to other institutions of higher education. Students may earn certificates of proficiency, technical certificates, or associate degrees. Instructional programs beyond the associate degree are available on the Beebe campus through Arkansas State University Jonesboro.

An open admission policy encourages the enrollment of both traditional and non-traditional students. The institution recognizes the uniqueness of each student and provides programs designed to assist students in determining and achieving their educational, personal, and occupational goals. Additionally, the institution contributes to the economic development of Arkansas by providing comprehensive training and technical support for business and industry.

ASU-BEEBE VISION STATEMENT

Arkansas State University-Beebe will become a nationally benchmarked institution that empowers individuals, embraces communities, and transforms lives.

CORE VALUES

Arkansas State University-Beebe subscribes to the following Core Values:

1. Student Success
2. Integrity

3. Diversity
4. Quality
5. Community

OFFICIAL COLLEGE COMMUNICATIONS

ASU-Beebe student email is the official means of communication with students on all campuses.

Important college-related information will be sent to the student's ASU-Beebe student email account. Students are expected to check their email on a frequent and consistent basis in order to stay current with college communications. Types of communication include, but are not limited to, financial aid information, bills, payment deadlines, and inclement weather closings.

The ASU-Beebe student email system can be accessed at mail.asub.edu or office.com.



CHAPTER 2

WELCOME TO ASU-BEEBE CAMPUSES!

Arkansas State University-Beebe has been serving students in Arkansas since 1927. Today, we have four campus locations: Beebe, Heber Springs, Little Rock Air Force Base, and Searcy. ASU-Beebe Online opens up the possibility for students across the state and the country to attend ASU-Beebe. Each of our campuses offers a unique experience to our students.

ASU-Beebe is a true college experience both academically and socially. This campus offers the only Agricultural Equipment Technology (John Deere) program and Veterinary Technology program in the state of Arkansas. Students can get involved with student organizations, intramurals, cultural events, and much more. The residence halls are home to 248 of our students. Tutoring, academic advising, counseling, and disability services are offered year-round in the McKay Student Center.



Arkansas State University-Beebe
1000 Iowa Street
Beebe, AR 72012
501.882.3600



ASU-Beebe Heber Springs is located in the heart of the natural beauty of Cleburne County. Students have easy access to enjoying a hike on Sugarloaf Mountain or fishing and swimming at Greers Ferry Lake. Students can earn degrees in a variety of programs including Business, Welding, and Power Sports as well as complete general education courses.

Arkansas State University-Beebe Heber Springs
101 River Crest
Heber Springs, AR 72543
501.362.1100

ASU-Beebe LRAFB has been offering educational opportunities to military personnel and civilians since 1965. The Jacksonville-Little Rock Air Force Base University Center is open to those that live and work on base, as well as community members. No special access needed to attend classes.



Arkansas State University-Beebe LRAFB
1490 Vandenberg Boulevard, Suite 115
Jacksonville, AR 72099
501.988.4151



ASU-Beebe Searcy offers technical and occupational programs for students looking to enter the workforce, in addition to general education courses. Whether you are entering the workforce for the first time or looking for a career change, most programs at ASUB Searcy are designed to be completed in 16 weeks to a year. ASUB Searcy also offers workforce training and continuing education to the community through the Office of Workforce and Continuing Education.

Arkansas State University-Beebe Searcy
A Technical Campus of ASU-Beebe
1800 East Moore Avenue
Searcy, AR 72145
501.207.6200

ASU-Beebe Online offers students an opportunity to earn a variety of distance education degrees, some completely online and others through a combination of online, internet assisted, and/or traditional classes during the full Fall/Spring semesters, accelerated 8-week terms, and Summer sessions. The online degrees offered are an Associate of Arts in Liberal Arts, Associate of Science in Liberal Arts and Sciences, Associate of Applied Sciences, and an Associate of General Studies. Technical Certificates and Certificate of Proficiencies are available in some fields. Coursework is accessed through Canvas learning management system. Students interested in online programs should contact the Admissions office or visit the ASUB Online webpage.

Arkansas State University-Beebe Online
Division of Distance Education
University Center, Room 100
Beebe, AR 72012
501.882.8894
dmlane@asub.edu

Canvas Help Desk
833.741.0031

Canvas has a Chat option in the Help menu.

NOTE: Students must use their ASU-Beebe student email to send messages to the Canvas Help Desk.

CHAPTER 3

ACADEMIC POLICIES AND PROCEDURES

The Office of the Registrar manages all student academic records.

Beebe
State Hall, Room 104
501.882.4415

LRAFB
Jacksonville-Little Rock AFB
University Center, Suite 115
501.988.4151

Heber Springs
Student Services/Administration Building
1st Floor, Room 100
501.362.1100

Searcy
Student Services, Hall 1, MB 103
501.207.6219

Many requests made to the Office of the Registrar can be done online through the Office of the Registrar homepage on the ASU-Beebe website.

For more information on academic policies, credits, and classes, please refer to the *ASU-Beebe College Catalog* under the Academics drop-down menu on the ASU-Beebe website.

3.1 RECORDS POLICY

Arkansas State University-Beebe respects the privacy of our students and complies with all federal regulations regarding education and privacy issues.

ARKANSAS STATE UNIVERSITY SYSTEM FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT POLICY

The Family Educational Rights and Privacy Act (FERPA) requires institutions of higher education to strictly protect the privacy rights of all students, who are or who have been attendants. Information contained in the student's education records can be shared only with those persons or entities specified within the Act.

The Office of the Registrar maintains a copy of the full text of the Family Educational Rights and Privacy Act of 1974, posts electronic information on the Family Educational Rights and Privacy Act (FERPA), and processes all Family Educational Rights and Privacy Act (FERPA) requests and challenges. Information on directory information, the types of student records maintained at Arkansas State University-Beebe, disclosure policy in relation to student consent, the procedures for gaining access to records, and the procedure for challenging the contents of those records are available in the Office of the Registrar.

3.2 DEFINITIONS

ARKANSAS STATE UNIVERSITY SYSTEM

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

STUDENT

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

EDUCATION RECORD

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

DIRECTORY INFORMATION

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

ARKANSAS STATE UNIVERSITY-BEEBE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT POLICY (FERPA)

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

3.3 DISCLOSURE OF EDUCATIONAL RECORDS

Arkansas State University-Beebe will utilize the following process to implement the provisions of the Family Educational Rights and Privacy Act.

DISCLOSURE WITH STUDENT CONSENT

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

DISCLOSURE WITHOUT STUDENT CONSENT

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

- Disclosure without student consent may also be made to other persons and entities as allowed by the Federal Educational Rights and Privacy Act.
- Faculty sponsors of registered honor societies may have access to student education records for the sole purpose of determining eligibility for membership on the basis that they are acting in an official college capacity that is integral to the educational function of ASU-Beebe.
- The parents of students may exercise rights under the Federal Educational Rights and Privacy Act if the student is claimed as a dependent by the parents for income tax purposes. Dependency must be proven by submission of a copy of income tax returns.

DISCLOSURE OF DIRECTORY INFORMATION

Directory information may be disclosed to any person or entity without student consent unless the student submits a completed request for non-disclosure of directory information form to the Office of the Registrar. If a student elects not to allow disclosure of directory information, ASU-Beebe cannot share information regarding the student with any person or entity including prospective employers, licensing agencies, government agencies, the media, and others. The student may retract the directory information non-disclosure in writing at any time. Proper proof of identity may be required by the Registrar's office before the directory information non-disclosure is retracted.

INSPECTION, REVIEW, AND CORRECTION OF EDUCATION RECORDS

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

OWNERSHIP OF EDUCATION RECORDS

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

3.4 FALSIFICATION OF DOCUMENTS

Falsification or alteration of any College document or document submitted for the purpose of admissions or financial aid is cause for cancellation of admission. If a misrepresentation is discovered after a candidate is admitted and registered, an administrative hearing will be conducted by the Dean of Students to determine if the student is responsible for falsification of documents. If it is determined that the student is responsible for falsification of documents, the student will be administratively withdrawn from the college. Appeals for falsification of documents must be made in writing to the Vice Chancellor for Student Services within five (5) school days. After reviewing the information, the Vice Chancellor for Student Services shall either make a determination on the appeal or send the appeal to the Appeals Committee (See Chapter 8. Article III.F. Appeals).

3.5 ACADEMIC ADVISORS

Each student is assigned an academic advisor. Students should frequently consult with their advisor concerning educational goals, including courses, majors, and degree programs. The Degree Works software serves as a guide when selecting courses, planning a degree program, and preparing for future institutional transfers. The name of the academic advisor is posted in Banner Self-Service.

IMPORTANT: Federal Aid will only pay for classes that are required for the student's declared major as listed in the degree plan of the Catalog Year assigned to that student.

3.6 REGISTRATION

After students prepare their schedule with their academic advisor, they may register for classes in Banner Self-Service. Registration is only permitted at scheduled times, which are published in the *ASU-Beebe College Catalog* that is located under the Academics Options drop-down menu on the ASU-Beebe website.

3.7 CLASS ATTENDANCE

Arkansas State University-Beebe class attendance policy requires students to attend a prescribed number of classes during each course. During a semester, a student may not miss more than twice the number of lectures, laboratory sessions, or other regular class activities that would normally be scheduled during a week. Excessive

absences may result in the student receiving a “WX” or failing grade, recorded immediately. Refer to the class syllabus for specific details.

The following is the attendance policy for classes at Arkansas State University-Beebe:

- Attendance at all lectures and laboratory sessions is expected of all students and is regarded as a course requirement.
- When absences from class are excused, the student may, at the discretion of the instructor, be allowed to make-up work. The responsibility for initiating make-up work rests with the student.

Arrangements for such work are to be made with the instructor on the first day the student returns from an excused absence.

- The instructor **may** excuse absences for the following reasons:
 - Illness of the student that is certified by physician or in the judgment of the instructor is serious enough to warrant an excuse
 - Other personal demands, which in the judgment of the instructor are serious enough to warrant an excuse
 - External interferences judged by the instructor to be legitimate and unavoidable through normal precaution
 - Institutional functions for which a staff sponsor provides written notice to the faculty prior to the function

Students must utilize their allowable absences for any reason that requires them to miss class including, but not limited to, vacation, illness, emergency, or religious observances. If a student is aware of an upcoming absence, the student should communicate with the instructor in an effort to make the necessary arrangements concerning material and assignments and must not exceed the allowable number of absences for the course.

The exception to the above attendance policy is excused absences for military duty.

- Student must notify the faculty member in advance if they must miss a class or test due to military duty. In case of emergency, such as a natural disaster, the student must contact their instructor as soon as possible.
- The student must provide the instructor with official documentation:
 - Orders (if issued in advance)
 - Drill letter indicating the date, place, and time the student must report

If notified in advance, arrangements must be made for the student to complete test or assignment before he/she leaves for military duty. The documented time away from class due to military duty should be counted as an excused absence and not held against the student.

If an instructor considers any absence unexcused, the student may request a review of the judgement first by the Academic Dean and then by the Vice Chancellor for Academics, if necessary. This request is to be made immediately following any question about the absence.

Failure to attend a class in which you are registered does not mean that you have withdrawn from the class. Contact your academic advisor for proper procedures to withdraw from a course or the semester.

3.8 INCLEMENT WEATHER

In the case of inclement weather, the college may close or delay opening. If a delay is issued, only the classes after the delayed opening time will be held that day. All classes prior to the delayed opening time will be cancelled. Any student not able to make it to campus due to hazardous road conditions should contact his/her instructors.

Campus closures or delays will be announced in the following ways:

- **Emergency Alert Activation.** ASU-Beebe Emergency Alert is activated and notifications are sent by telephone, text message, and email to students, faculty, and staff.
- **Website Notification.** Announcements will be posted to the ASU-Beebe website. View announcement on the home page web banner.
- **Social Media Announcements** will also be posted to the ASU-Beebe Facebook and Twitter pages.
 - “Like” ASU-Beebe on Facebook at: <https://www.facebook.com/ASUBeebe>
 - “Follow” ASU-Beebe on Twitter at: <https://twitter.com/ASUBeebe> or search for #asubeebe
- **Media.** Notifications are sent to designated radio, television, and print media.

3.9 CLASSROOM VISITORS

In order to preserve the learning environment of the classroom, visitors are generally not allowed. The classroom should be comprised of the instructor and enrolled students, with the exception of other appropriate college representatives. Students should first refer specific questions concerning visitors to the course instructor and then to the Academic Dean, if needed.

3.10 ENROLLMENT SPECIAL CIRCUMSTANCES

The Enrollment Special Circumstances Committee exists to provide a review and resolution process for students who have experienced issues with their enrollment due to extreme and unforeseen circumstances. Enrollment Special Circumstances Committee appeals must be filed by completing the Enrollment Special Circumstances Committee appeal form and submitting supporting documentation within sixty (60) days of the last date of attendance.

The Enrollment Special Circumstances Procedure shall not supersede other college grievance policies or procedures which may exist for addressing other issues of concern including grade appeals or institutional grievance, for example.

Valid Enrollment Special Circumstances Situations: Major Medical Issue, Death of a close family member, or Military Deployment.

Enrollment Special Circumstances appeal form:

[Special Circumstances Appeal](#)

Students will use their official ASU-Beebe student email for all communication regarding their appeal.

CHAPTER 4

CASHIER'S OFFICE POLICIES AND PROCEDURES

The Cashier's Office collects payments, such as tuition, fees, and room and board. The office also disperses financial aid refund checks and processes third-party billing and scholarships. Tuition payments can be made in person, by phone, or online through Touchnet in Banner Self-Service.

Beebe
State Hall, Room 108
501.882.8845
cashier@asub.edu

Heber Springs
Administration Building
Room 138
501.362.1207

Searcy
Main Building, Room 103
501.207.6202

4.1 STUDENT FEES AND ACCOUNTS

When students register for classes, an accounts receivable record is created. Students should pay their student account balance in full or have other payment arrangements on file by the payment due date; otherwise, they may be dropped from classes for non-payment.

Payment due dates are included in the Academic Calendar and posted on the Cashier's Office webpage. Room and board charges must either be paid in full upon moving into the Residence Halls or included in the Payment Plan.

All financial obligations must be settled in full before grades, transcripts, or other official records will be released.

4.2 ACCOUNTS RECEIVABLE POLICY

Students can pay their accounts receivable account at the time they register for courses or anytime up through the required payment date for each term.

The methods of payment are:

- Payment in full via cash, credit/debit card, and/or ACH (online only)
- Enrollment in the Payment Plan
- Approved Financial Aid or Scholarships
- Payment Authorization from a Third-Party Agency

The Cashier's Office and Bookstore will accept Visa, MasterCard, Discover, and American Express.

If paying online through Banner Self-Service, students have the option to pay in full with a credit card or to pay by installments through the Payment Plan. There is \$30.00 enrollment fee per semester for the Payment Plan.

The last day to pay for each term is the day before the classes begin.

No subsequent enrollment is allowed if a student owes an accounts receivable balance from a prior semester. The student billing account is flagged to prevent registration.

Other accounts receivable balances could occur such as residence hall charges for hall damages or lost keys, bookstore charges or college fines such as library fines, traffic tickets or tobacco violations. The Dean of Students or Campus Police will notify the student of these charges and request the Cashier's Office add the amounts to the student's account receivable record.

Returned checks are sent to the Cashier's Office from the banks for insufficient funds, stop payments, or closed accounts. Collection activities for these items will be implemented until payment is received in full. Returned checks will prevent enrollment and could be sent to the Prosecuting Attorney's Office for collection and/or prosecution if not paid.

Past due balances from prior semesters are turned over to the Arkansas Department of Finance and Administration for collection through the Debt Set Off program. Accounts remain in the program until fully paid or inactive for two years. Past due balances are also turned over to a collection agency the term following that in which the charges are incurred. Student transcripts will not be released until collection has been received in full.

4.3 PAYING BY CHECK

The Cashier's Office and Bookstore will accept personal checks that are made payable in the amount of the obligation to the campus the student is attending: ASU-Beebe, ASU-Beebe Heber Springs, ASU-Beebe LRAFB or ASU-Beebe Searcy. This is a privilege extended for the convenience of the student. All checks must be written on bank checks; temporary and altered checks are not accepted.

A student, who presents ASU-Beebe a bad check, regardless of the reason, MUST make this check good upon notice from the Cashier's Office. A handling charges of \$35.00 will be assessed on all bad checks.

4.4 PAYING BY PAYMENT PLAN

To help students meet educational expenses, Arkansas State University-Beebe is pleased to offer an automatic, electronic Payment Plan. The Payment Plan is a convenient tuition management plan that provides a low-cost option for budgeting tuition and other educational expenses. It is not a loan program. There is no debt, no interest or finance charges, and no credit check. The only cost to budget monthly payments through the Payment Plan is a \$30.00 nonrefundable enrollment fee per semester. The enrollment fee is automatically deducted upon setting up the agreement. Payments may be withheld from a checking account, savings account, or debit or credit card.

For more information on Payment Plan, please call the Cashier's Office or visit the Cashier's Office/Tuition webpage.

4.5 FINANCIAL RESPONSIBILITY

Students are individually responsible for their financial obligations to the college. They are expected to make prompt responses and settlement of all financial obligations. Such obligations include tuition and fees, room and board, college fines, library fines and charges, and damage charges.

4.6 BOOKSTORE

ASU-Beebe Bookstore, operated by Textbook Corner, stocks all of the textbooks and learning materials needed for courses offered at ASU-Beebe. In addition to educational supplies and book purchases and/or rentals, the store will also carry ASU-Beebe branded items and attire, as well as A-State gear. The bookstore is located at 1113 W. DeWitt Henry Drive and may be reached at 501-885-0005.

CHAPTER 5

STUDENT INFORMATION AND SERVICE RESOURCES

5.1 ABINGTON LIBRARY

The mission of Abington Library is to provide a center of academic support for the ASU-Beebe campuses and the communities it serves.

Services include general specialized library instruction for classes and/or individuals and interlibrary loans. Reference service is available on site, by phone at 501.882.8976, on the library website, <https://www.asub.edu/abington-library>, or by email at circ@asub.edu.

5.2 ADVISING AND LEARNING

The Advising and Learning Center provides academic support to Arkansas State University-Beebe students. For specific services available, contact information, or scheduling go to <https://www.asub.edu/advising-learning-center> or call 501.882.8867.

5.3 BANNER SELF-SERVICE

Banner Self-Service is our student information system on the ASU-Beebe website.

Within Banner Self-Service, students may access a variety of information and student services including:

- Set-up and access student email
- Checking placement test scores
- Accept Financial Aid rewards
- Registering for classes
- Viewing class schedules
- Adding or dropping classes
- Viewing account holds
- Viewing an unofficial transcript

Banner Self-Service may be accessed at <https://www.asub.edu/banner-self-service>.

5.4 CAMPUS DINING

All ASU-Beebe food services are provided by Great Western Dining. Information regarding meal plan options, service locations and dining hours may be found on the web at <https://www.asub.edu/dining>, for additional information contact the Office of Student Life at 501.882.4491 or studentlife@asub.edu.

5.5 CANVAS

Canvas is the Learning Management System used by students taking online classes through ASUB Online. All students have access to Canvas through <https://www.asub.edu/canvas>.

For Canvas assistance, **students must use their ASU-Beebe email to send messages to the Canvas Help Desk**, contact the Canvas Help Desk at 833-741-0031 or ASUB Online at 501.882.8894 or dmhamilton@asub.edu.

5.6 CAREER SERVICES

Career Services offer guidance as students search for a career path that matches their interests, skills, and values. A full range of resources and services available can be located at <https://www.asub.edu/career-services>. For more information call **501.882.4429** or email careerservices@asub.edu.

5.7 CAREER PATHWAYS

Arkansas Career Pathways Initiative at ASU-Beebe is a grant funded program designed to assist low-income parents with dependent children to overcome barriers that may prevent them from achieving their educational and employment goals. Career Pathways Initiative services include advising, career counseling, and resume writing guidance, in addition to financial assistance. Refer to the Career Pathways webpage at <https://www.asub.edu/career-pathways>, for additional information or call 501.207.6244.

5.8 COUNSELING SERVICES

Counseling Services are available to students experiencing personal problems that interfere with academic and social performance. Services are free and confidential. **For more information or scheduling an appointment go to <https://www.asub.edu/counseling>, or**

Contact: 501.882.4432 Beebe Campus

501.207.6212 Searcy Campus

Email: counseling@asub.edu (non-emergency)

5.9 DISABILITY SERVICES

Disability Services focuses on the diverse needs of persons with disabilities to recognize and achieve educational goals. The college is committed to the Americans with Disabilities Act of 1990, amended in 2008, and Section 504 of the Rehabilitation Act of 1973 to provide access and equal opportunity for all qualified individuals with disabilities. For information go to <https://www.asub.edu/disability-services>, or contact Tisha Marzewski at 501.882.8863 or tmarzewski@asub.edu.

5.10 FINANCIAL AID

The Financial Aid Office is committed to helping eligible students fund their education and assist in working through the financial aid processes. Financial Aid information is located at <https://www.asub.edu/financial-aid>, or students may contact the Financial Aid Office by email at finaid@asub.edu or calling 501-882-8845.

5.11 HEALTH SERVICES & INSURANCE PROGRAM

The college does not maintain a health clinic. Young adults may stay on their parent's health insurance plan until the age of 26 or shop for insurance at the Health Insurance Marketplace at <https://www.healthcare.gov/> or <https://insurance.arkansas.gov/>.

Residence Hall students should report illness or injury to Residence Hall Coordinator, or phone 501-882-8906.

The college assumes no liability, either expressed or implied, for student health services.

5.12 RESIDENCE HALLS

Legacy and Horizon Residence Halls each provide 124 rooms for students to enjoy the conveniences and unique experience of on-campus living. For more information visit the Housing and Campus Life webpage at <https://www.asub.edu/housing>, email housing@asub.edu or call 501-882-8906.

5.13 REGISTRAR

The Office of the Registrar is dedicated to providing quality administrative support to the ASU-Beebe campuses and its students. To find information on how to request transcripts, degree audits, update personal records or

other services provided visit <https://www.asub.edu/registrar>, or contact 501.882.4415 or email registrar@asub.edu.

5.14 TESTING SERVICES

Testing Services target admissions, certifications, evaluations, ADA /special needs, distance learning, and make-up tests. For a complete list of tests offered, testing centers and testing appointments go to <https://www.asub.edu/testing-center>. For additional information call 501.882.8812 or email testing@asub.edu.

5.15 TRANSFER SERVICES

Transfer Services offers assistance in navigating the transfer process from ASU-Beebe to a four-year college or university. To find a schedule of transfer events, scholarship opportunities, or schedule an appointment with a Student Success Coach go to <https://www.asub.edu/transfer-services>, call 501.882.4429, or email transferservices@asub.edu.

5.16 TRIO

The TRIO programs are federally funded through the U.S. Department of Education. The Student Support Services and Upward Bound programs are designed to assist limited-income, first-generation college students and/or students with a disability. For more information and eligibility requirements for these programs refer to

Student Support Services at <https://www.asub.edu/ssv> or call 501.882.8964

Upward Bound at <https://www.asub.edu/upward-bound> or call 501.882.4455

5.17 VETERAN SERVICES

Arkansas State University-Beebe is an approved institution for aiding veterans and veteran's beneficiaries. Students using veteran's assistance **MUST** consult with the ASU-Beebe Veteran Representative when making schedule changes, withdrawing, repeating courses, or changing degree plans. Veterans, their dependents, and others entitled to educational assistance from the Veterans Administration (VA) may locate information on our website at <https://www.asub.edu/veteran-services>. For assistance, call Veteran Services at 501.882.8932 or email veteranservices@asub.edu.

CHAPTER 6

CAMPUS SAFETY & YOUR RIGHT TO KNOW



The University Campus Police are police officers who are fully certified by the Arkansas Commission on Law Enforcement Standards and Training. The University Police Department is authorized by Act 328 of 1967 and University Officials to protect the person and property of students and of the college community. The University Campus Police work closely with local, county, and state police agencies under memorandums of understanding. It is within University Police Department jurisdiction to arrest any person committing an offense against the law of the State of Arkansas or against the ordinances of the city in which the campus is located.

Students needing the assistance of a University Campus Police Officer may contact the office directly.

Beebe
State Hall, Room 127
Office: 501.882.8851
Cellular: 501.288.3071

Heber Springs
Academic Center, 1st Floor, Room 124
Office: 501.362.1234
Cellular: 501.691.1313

Searcy
Campus Police, Hall 1, MB 116
Office: 501.207.6240
Cellular: 501.827.8147

Students, who live on campus, may contact the Residence Hall Director who will in turn contact the Campus Police.

Legacy Hall
705 North Orange Street
501.882.8904

Horizon Hall
1001 West Mississippi
501.882.8918

6.1 SECURITY AWARENESS AND CRIME PREVENTION

Security Awareness and Crime Prevention programs are sponsored by the Campus Police and other campus departments throughout the year. Orientation for new and transfer students include a presentation by the Campus Police on crime prevention and personal safety. The Student Safety Council sponsors a Crime Watch program and typically meets twice each semester to develop crime prevention and awareness programs for the college community.

The safety and security of the campus is a community responsibility and the University Police Department encourages all members of the community to be proactive in the effort to maintain the highest level of awareness regarding security and safety.

6.2 FACILITY ACCESS AND SECURITY MEASURES

Arkansas State University-Beebe campuses are open to students, parents, employees, and visitors during business hours. After hour access is by key entry or pre-approved supervised admittance. Residence halls are secured by card access only and monitored by video surveillance 24 hours a day.

The Campus Police, Physical Plant, and community members work together to ensure proper working condition of exterior lighting, locking mechanisms, and landscape control in an effort to maintain the safety and security of the college campus. Any issues reported by community members or found during a routine check by the Campus Police are responded to by the Physical Plant staff.

6.3 REPORTING EMERGENCIES AND CRIMINAL ACTIVITY

Students, employees, and visitors are encouraged to promptly report suspected criminal activity, accidents, and other emergencies to the University Police Department or the appropriate law enforcement agency through the 911 emergency system.

On-campus reports may be made by the following three methods:

- In person at the University Campus Police office,
- Email to any officer listed on the Campus Police Staff page (located under the Campus Life drop-down menu, select Campus Safety on the ASU-Beebe website),
- By phone at 501.882.8851.

Upon receiving a report, University Police Department will begin the process for investigating the information.

The college makes every reasonable effort to preserve an individual's privacy and protect his/her confidentiality. In some situations, disclosure may be required to protect the individual or other's safety or rights, in fairness to the persons involved, or in response to legal requirements.

As required by law, all disclosures to any college employee of an on-campus criminal act must be reported to the Campus Police Department.

6.4 EMERGENCY NOTIFICATION

In the event that a situation arises on or near campus, the University Police Department, in consultation with other administrative offices, such as Student Services, Dean of Students, Chancellor's Office, etc., will determine if the situation constitutes an on-going threat to the college community and issue a "timely warning" notice, commonly called a "Campus Safety Alert." Community members or college employees, who witness or learn of a crime or other serious incident on or near campus, should report it to the Campus Police Department as soon as possible so a Campus Safety Alert may be issued, if warranted.

UPD will distribute the alert by one or more of the following methods:

- Alerts posted on bulletin boards throughout the campus
- ASU-Beebe Emergency Alert Notification System
- Email announcement
- Social Media
- Website posting

The ASU-Beebe Emergency Alert Notification System uses telephones, cell phones, text, social media, email, and an external speaker system to communicate emergency situations to the college community members. All students and staff are registered automatically upon admission and/or employment.

The ASU-Beebe Emergency Alert Notification System will be used to issue alerts in the following situations:

- Building Evacuation
- Campus Evacuation
- Lockdown
- Tornado Warnings
- Inclement Weather

The University Campus Police verifies all emergencies and Human Resources conducts system testing annually.

The Marketing and Public Relations Office will notify the community of any emergencies that affect the public at large and, also, weather related information as related to college closures.

6.5 EMERGENCY PROCEDURES

The University Police Department publishes an **Emergency Procedures Guide**. The guide is distributed to campus offices, classrooms, and residence halls. The Emergency Procedures are also posted on the University Police Department webpage and printed at the end of the Student Handbook.

Knowing what to do and who to contact when an emergency arises is a responsibility that each of us must take seriously. Please familiarize yourself with the material so you will be prepared if a crisis arises.

6.6 MISSING STUDENT NOTIFICATION

In accordance with the Higher Education Reauthorization Act of 2008, all residence hall students are asked to supply an emergency contact person at the time of check-in that will be notified should the student be missing for 24 hours. If the missing student is under the age of 18, his/her parent(s) will also be notified. In addition, the appropriate law enforcement agency will be notified when a student is determined missing for more than 24 hours.

6.7 ALCOHOL AND DRUG STATEMENT

Arkansas State University-Beebe prohibits possession, use and/or distribution of alcoholic beverages, in any form, and the use, manufacture, distribution, or possession of drugs without medical prescription in or about college grounds, instructional buildings, residence halls, or at any college-approved activity on or off campus.

ASU-Beebe alcohol and drug statement is in compliance with federal, state, and local laws, including, but not limited to, Minor in Possession of Intoxicating Beverages statute.

Disciplinary action may be imposed by the college in addition to criminal penalties.

Alcohol and drug education resources are available at the following locations:

Beebe
Student Success Center
McKay Student Center Building, Room 202
501.882.8879

LRAFB
Jacksonville-Little Rock AFB
University Center, Suite 115
501.988.4151

Heber Springs
Administration Office
Student Services/Administration Bld., Room 324
501.362.1209

Searcy
Student Services Office
Main Building, Hall 1
501.207.6205

6.8 CAMPUS SEX CRIMES PREVENTION ACT

The **Campus Sex Crimes Prevention Act** (section 1601 of Public Law 106-386) is a federal law that provides for the tracking of convicted, registered sex offenders who are working, volunteering, or enrolled as students at institutions of higher education.

The Act requires sex offenders already required to register in a state to provide notice to each institution of higher education in that state at which the person works, volunteers, or is a student. It also requires institutions of higher education to issue a statement advising the campus community where its members may obtain information concerning registered sex offenders.

To inquire about registered sex offenders at your campus, contact the following departments:

ASU-Beebe

Campus Police
State Hall, Room 127
Beebe, AR 72012
501.882.8851

ASU-Beebe LRAFB

Pulaski County Sheriff's Office
2900 South Woodrow
Little Rock, AR 72201
501.340.6600

ASU-Beebe Heber Springs

Cleburne County Sheriff's Office
914 South 9th Street
Heber Springs, AR 72543
501.362.8143

ASU-Beebe Searcy

White County Sheriff's Office
417 N. Spruce
Searcy, AR 72143
501.279.6279

For more information regarding Campus Sex Crimes Prevention Act, please contact Campus Police.

6.9 CLERY CRIME STATISTICS

The University Police Department prepares an annual Campus Security Act Report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. Campus crime, arrest, and referral statistics include those reported to University Police Department, designated officials, and local law enforcement.

Non-campus property owned by the college is monitored by local law enforcement.

The University Police Department maintains a Daily Crime Log that records all crimes, listed by the date and incident reported, and other serious incidents that occur on campus, in non-campus buildings or property owned or operated by the college or its students "in a reasonable contiguous geographic area," public property within, adjacent to, or immediately accessible from the campus or within the department's patrol jurisdiction. In accordance to the Clery Act requirements, incidents are posted within two business days and may be viewed at the department's office. The daily log may exclude certain incidents, particularly if the reporting may compromise the investigation.

CLERY REPORTS

Beebe – On Campus

	2019	2020	2021
a. Murder/Non-negligent manslaughter	0	0	0
b. Manslaughter by Negligence	0	0	0
c. Rape	0	0	0
d. Fondling	0	0	0
e. Incest	0	0	0
f. Statutory rape	0	0	0
g. Robbery	0	0	0
h. Aggravated assault	0	0	0
i. Burglary	1	0	0
j. Motor vehicle theft (theft <i>from</i> a motor vehicle not included)	1	1	0
k. Arson	0	0	0

Beebe – On-campus Student Housing Facilities

	2019	2020	2021
a. Murder/Non-negligent manslaughter	0	0	0

b. Manslaughter by Negligence	0	0	0
c. Rape	0	0	0
d. Fondling	0	0	0
e. Incest	0	0	0
f. Statutory rape	0	0	0
g. Robbery	0	0	0
h. Aggravated assault	0	0	0
i. Burglary	0	0	0
j. Motor vehicle theft (theft <i>from</i> a motor vehicle not included)	0	0	0
k. Arson	0	0	0

Beebe – Public Property

	2019	2020	2021
a. Murder/Non-negligent manslaughter	0	0	0
b. Manslaughter by Negligence	0	0	0
c. Rape	0	0	0
d. Fondling	0	0	0
e. Incest	0	0	0
f. Statutory rape	0	0	0
g. Robbery	0	0	0
h. Aggravated assault	0	0	0
i. Burglary	0	0	0
j. Motor vehicle theft (theft <i>from</i> a motor vehicle not included)	1	0	0
k. Arson	0	0	0

Beebe Campus – Occurrences of Hate Crimes – YEAR 2021

	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0
b. Manslaughter by Negligence	0	0	0	0	0	0	0	0
c. Rape	0	0	0	0	0	0	0	0
d. Fondling	0	0	0	0	0	0	0	0
e. Incest	0	0	0	0	0	0	0	0
f. Statutory rape	0	0	0	0	0	0	0	0
g. Robbery	0	0	0	0	0	0	0	0
h. Aggravated assault	0	0	0	0	0	0	0	0
i. Burglary	0	0	0	0	0	0	0	0
j. Motor vehicle theft (theft <i>from</i> a motor vehicle not included)	0	0	0	0	0	0	0	0
k. Arson	0	0	0	0	0	0	0	0
l. Simple Assault	0	0	0	0	0	0	0	0
m. Larceny-theft	0	0	0	0	0	0	0	0
n. Intimidation	0	0	0	0	0	0	0	0

o. Destruction /damage/vandalism of property	0	0	0	0	0	0	0	0
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Heber Springs – On Campus

	2019	2020	2021
a. Murder/Non-negligent manslaughter	0	0	0
b. Manslaughter by Negligence	0	0	0
c. Rape	0	0	0
d. Fondling	0	0	0
e. Incest	0	0	0
f. Statutory rape	0	0	0
g. Robbery	0	0	0
h. Aggravated assault	0	0	0
i. Burglary	0	0	0
j. Motor vehicle theft (theft <i>from</i> a motor vehicle not included)	0	0	0
k. Arson	0	0	0

Heber Springs – Public Property

	2019	2020	2021
a. Murder/Non-negligent manslaughter	0	0	0
b. Manslaughter by Negligence	0	0	0
c. Rape	0	0	0
d. Fondling	0	0	0
e. Incest	0	0	0
f. Statutory rape	0	0	0
g. Robbery	0	0	0
h. Aggravated assault	0	0	0
i. Burglary	0	0	0
j. Motor vehicle theft (theft <i>from</i> a motor vehicle not included)	0	0	0
k. Arson	0	0	0

Heber Springs Campus – Occurrences of Hate Crimes - YEAR 2021

	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0
b. Manslaughter by Negligence	0	0	0	0	0	0	0	0
c. Rape	0	0	0	0	0	0	0	0
d. Fondling	0	0	0	0	0	0	0	0
e. Incest	0	0	0	0	0	0	0	0
f. Statutory rape	0	0	0	0	0	0	0	0
g. Robbery	0	0	0	0	0	0	0	0
h. Aggravated assault	0	0	0	0	0	0	0	0
i. Burglary	0	0	0	0	0	0	0	0

j. Motor vehicle theft (theft <i>from</i> a motor vehicle not included)	0	0	0	0	0	0	0	0
k. Arson	0	0	0	0	0	0	0	0
l. Simple Assault	0	0	0	0	0	0	0	0
m. Larceny-theft	0	0	0	0	0	0	0	0
n. Intimidation	0	0	0	0	0	0	0	0
o. Destruction /damage/vandalism of property	0	0	0	0	0	0	0	0

Searcy – On Campus

	2019	2020	2021
a. Murder/Non-negligent manslaughter	0	0	0
b. Manslaughter by Negligence	0	0	0
c. Rape	0	0	0
d. Fondling	0	0	0
e. Incest	0	0	0
f. Statutory rape	0	0	0
g. Robbery	0	0	0
h. Aggravated assault	0	0	0
i. Burglary	0	0	0
j. Motor vehicle theft (theft <i>from</i> a motor vehicle not included)	0	0	0
k. Arson	0	0	0

Searcy – Public Property

	2019	2020	2021
a. Murder/Non-negligent manslaughter	0	0	0
b. Manslaughter by Negligence	0	0	0
c. Rape	0	0	0
d. Fondling	0	0	0
e. Incest	0	0	0
f. Statutory rape	0	0	0
g. Robbery	0	0	0
h. Aggravated assault	0	0	0
i. Burglary	0	0	0
j. Motor vehicle theft (theft <i>from</i> a motor vehicle not included)	0	0	0
k. Arson	0	0	0

Searcy Campus – Occurrences of Hate Crimes - YEAR 2021

	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0
b. Manslaughter by Negligence	0	0	0	0	0	0	0	0
c. Rape	0	0	0	0	0	0	0	0

d. Fondling	0	0	0	0	0	0	0	0
e. Incest	0	0	0	0	0	0	0	0
f. Statutory rape	0	0	0	0	0	0	0	0
g. Robbery	0	0	0	0	0	0	0	0
h. Aggravated assault	0	0	0	0	0	0	0	0
i. Burglary	0	0	0	0	0	0	0	0
j. Motor vehicle theft (theft <i>from</i> a motor vehicle not included)	0	0	0	0	0	0	0	0
k. Arson	0	0	0	0	0	0	0	0
l. Simple Assault	0	0	0	0	0	0	0	0
m. Larceny-theft	0	0	0	0	0	0	0	0
n. Intimidation	0	0	0	0	0	0	0	0
o. Destruction /damage/vandalism of property	0	0	0	0	0	0	0	0

Little Rock Air Force Base – On campus

	2019	2020	2021
a. Murder/Non-negligent manslaughter	0	0	0
b. Manslaughter by Negligence	0	0	0
c. Rape	0	0	0
d. Fondling	0	0	0
e. Incest	0	0	0
f. Statutory rape	0	0	0
g. Robbery	0	0	0
h. Aggravated assault	0	0	0
i. Burglary	0	0	0
j. Motor vehicle theft (theft <i>from</i> a motor vehicle not included)	0	0	0
k. Arson	0	0	0

Little Rock Air Force Base – Public Property

	2019	2020	2021
a. Murder/Non-negligent manslaughter	0	0	0
b. Manslaughter by Negligence	0	0	0
c. Rape	0	0	0
d. Fondling	0	0	0
e. Incest	0	0	0
f. Statutory rape	0	0	0
g. Robbery	0	0	0
h. Aggravated assault	0	0	0
i. Burglary	0	0	0
j. Motor vehicle theft (theft <i>from</i> a motor vehicle not included)	0	0	0
k. Arson	0	0	0

Little Rock Air Force Base Campus – Occurrences of Hate Crimes - YEAR 2021

	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity	National Origin
a. Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0
b. Manslaughter by Negligence	0	0	0	0	0	0	0	0
c. Rape	0	0	0	0	0	0	0	0
d. Fondling	0	0	0	0	0	0	0	0
e. Incest	0	0	0	0	0	0	0	0
f. Statutory rape	0	0	0	0	0	0	0	0
g. Robbery	0	0	0	0	0	0	0	0
h. Aggravated assault	0	0	0	0	0	0	0	0
i. Burglary	0	0	0	0	0	0	0	0
j. Motor vehicle theft (theft <i>from</i> a motor vehicle not included)	0	0	0	0	0	0	0	0
k. Arson	0	0	0	0	0	0	0	0
l. Simple Assault	0	0	0	0	0	0	0	0
m. Larceny-theft	0	0	0	0	0	0	0	0
n. Intimidation	0	0	0	0	0	0	0	0
o. Destruction /damage/vandalism of property	0	0	0	0	0	0	0	0

The most recent Clery Reports may be viewed at the University Police webpage or in the physical office on the Beebe campus.

For more information on emergency procedures, Clery Crime Statistics, and policies and procedures, refer to the Campus Police webpage.

6.10 FIRE SAFETY

The University Police Department maintains a Fire Log record of all alarms and actual fire events and prepares an Annual Fire Safety Report. Contact the University Police Department for more information on viewing the report.

6.11 CAMPUS TOBACCO USE POLICY

Effective June 1, 2009, the tobacco use policy at Arkansas State University-Beebe is as follows:

Smoking and the use of all tobacco products is strictly prohibited anywhere on college property, including inside vehicles parked on college property.

Tobacco use includes, but is not limited to, the carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device, e-cigarettes, or the use of smokeless tobacco products, including snuff, chewing tobacco, smokeless pouches, or any other loose leaf, smokeless tobacco.

Smoking and the use of tobacco products is prohibited in college vehicles.

Fines from \$100 to \$500 may be charged to violators of the Campus Tobacco Use Policy.

Note: Policy adopted to comply with Arkansas Clean Air on Campus Act 734 of 2009. *Updated by the Chancellor's Council, 2014.*

6.12 WEAPONS POLICY

The Arkansas State University System is dedicated to providing an educational and social climate, which is conducive to the safety of all members of the college community. Acts of violence on University campuses have proven that weapons pose a serious threat to the safety of persons and property.

ARKANSAS STATE UNIVERSITY SYSTEM WEAPONS POLICY

No person shall possess, discharge, or otherwise use any weapon at any campus, office, building, or event that is part of the Arkansas State University System, except as authorized by this policy. This prohibition extends to individuals having such weapons on their persons, including in briefcases, purses, handbags, backpacks, or other carrying cases; in personal vehicles or storage boxes contained in or affixed to their personal vehicles; or among other personal property or effects. Each System location shall post written notice of this prohibition. Exceptions to this prohibition are listed below.

DEFINITIONS

Weapons include, but are not limited to, firearms (specifically including concealed handguns), explosive devices, hazardous chemicals (other than pocket-sized sprays used for personal protection), knives with blades longer than four inches, nunchucks, and/or brass knuckles, Tasers or other electrical stun devices, bows or cross bows, arrows, objects that propel projectiles, replicas of weapons (including water or toy guns), or any device or substance designed to or used to inflict a wound, cause injury, or incapacitate.

EXCEPTIONS

These prohibitions do not apply to the following:

- a. To an officer of an Arkansas State University Police Department who is regularly employed by a campus in the University System and who has been authorized by the Campus Chief of Police, or designee, to carry weapons as outlined in the applicable Police Policy.
- b. To an employee authorized by the Campus Chief of Police to possess or use such a device during the time when the employee is engaged in University work requiring such a device.
- c. When an individual uses or possesses a weapon in connection with an educational, recreational, or training program, or an activity authorized by the appropriate University official and the Chief of Police and under the supervision of a University employee.
- d. During the time when the weapon is worn as part of a military or fraternal uniform in connection with a pre-approved public ceremony or parade.
- e. To non-University law-enforcement officers of legally established law-enforcement agencies that are required by their employer to carry their weapons at all times.
- f. To non-University law-enforcement officers of legally established law-enforcement agencies who are engaging in work on campus requiring a weapon as part of their official duties or who have obtained approval from the Campus Chief of Police or designee to carry their weapon on campus.
- g. During a theatrical performance where a realistic replica of a weapon is used.
- h. To equipment, tools, devices and materials, which are prescribed for use by authorized University employees as a condition of employment or class enrollment.
- i. To the use and possession of weapons for educational, instructional, and research activities under the supervision of appropriate faculty members.
- j. To weapons found in vehicles that are traveling through city-maintained streets within the campus property.

The campus Chief of Police, applicable Vice Chancellor, or their designees, may impose restrictions upon individuals who are otherwise authorized to possess or use weapons pursuant to Section 4 of this policy when it is determined that such restrictions are appropriate under the circumstances.

LAWFUL POSSESSION OF A WEAPON ON CAMPUS

In 2017, Act 562 and Act 859 were signed into law. These new Acts allow a person, who meets certain qualifications, to carry a concealed handgun on a university or college campus. Effective September 1, 2017, a person in possession of a concealed carry license and who has also obtained an enhanced training endorsement from the Arkansas State Police may possess a concealed handgun on campus, subject to the restrictions as allowed by law. A concealed carry licensee may lawfully store a concealed handgun in his or her locked and unattended vehicle in a publicly owned and maintained parking lot. A licensee may not store a handgun in a locked office or desk drawer. A licensee may not store a handgun in an ASU campus vehicle.

The storage of a handgun in a university or college-operated student dormitory or residence hall is prohibited under § 5-73-119(c).

A person who has a concealed carry license, along with an enhanced permit, may not possess a concealed handgun at the following locations:

- a. Locations where collegiate athletic events are taking place.
- b. Certain grievance and disciplinary meetings, initiated after at least twenty-four (24) hours' notice to participants, lasting no more than nine (9) hours, with posted notice of prohibition, and conducted in accordance with campus procedures.
- c. A public school K-12, prekindergarten, or daycare facility.
- d. Campus housing facilities.
- e. Other locations where possession of a concealed handgun is prohibited by state or federal law.

Employees of the ASU System may lawfully possess a concealed handgun on campus if they have a concealed carry license and they have obtained an enhanced training endorsement from the Arkansas State Police. An employee, who possesses a concealed handgun under this policy, is not acting in the course of or scope of their employment when carrying or using the handgun and is not entitled to workers' compensation benefits for injuries arising from his or her own negligent acts in possessing or using a concealed handgun and is not immune from personal liability with respect to possession or use of a concealed handgun.

VIOLATIONS

Any student violating this policy shall be subject to sanctions up to and including expulsion. Any employee violating this policy shall be subject to discipline through the process applicable to that employee, up to and including discharge. Others violating this policy will be subject to prosecution under criminal laws and may be banned from Arkansas State University System campuses and events.

<https://www.asusystem.edu/about/policies/weapons/>.

(Adopted by the Arkansas State University Board of Trustees on August 8, 1997, Resolution 97-23; revised December 12, 2008, Resolution 08-80; revised May 23, 2013, Resolution 13-11; revised September 18, 2015, Resolution 15-35; revised September 15, 2017, Resolution 17-34)

6.13 TRAFFIC AND PARKING REGULATIONS

In accordance with the Arkansas Code Annotated 25-17-307, the Board of Trustees of Arkansas State University established the following rules and regulations for the registration, operation, and parking of motor vehicles on an Arkansas State University-Beebe campus, which are binding on all members of the faculty, staff, student body, and others utilizing the lands owned or controlled by Arkansas State University-Beebe.

ENFORCEMENT OF PARKING REGULATIONS

The enforcement of the ASU-Beebe Parking and Motor Vehicle Regulations is the responsibility of the University Police Department. This document contains the official word on parking regulations on campus. If in doubt about any parking or motor vehicle issue, please contact the Campus Police.

RESTRICTED PARKING AREAS

Red	Restricted parking at all times unless otherwise noted.
Blue/White	Designated disability parking spaces including ramps. Only vehicles displaying a current disability permit from any state may park in Blue/White.
Green	Visitors and/or 30 Minute parking only.
Signs/Pavement Markings	Restricted by signs and pavement markings.
Event Parking	Arkansas State University-Beebe reserves the right to set aside areas as necessary for special events in all parking areas of the campus. The college also reserves the right to temporarily block certain streets, as necessary, without notice to the public.

Parking on the grass, sidewalks, cross walks, building entrance, etc. is not allowed. Any other restricted parking areas will be clearly noted.

DISABILITY PARKING

Vehicles parked in disability parking spaces at ASU-Beebe must display a current disability license plate or placard issued by any state. Parking in disability spaces without proper permits is a serious offense. Citations issued for this violation carry a \$50.00 fine. Citations are also issued for blocking disability ramp space, recessed street, and sidewalk access areas.

Transfer of disability license or placard is a violation of the Arkansas state law. Offenders will receive citations.

RESPONSIBILITIES AND INFORMATION

Standard traffic regulations and definitions as enacted into the motor vehicles law of the State of Arkansas will be enforced on college property at all times. Students and staff members are expected to be familiar with and abide by these regulations. If a member of the college community is not cited for breaking the traffic regulation, it does not imply that the regulation is no longer in effect.

Pedestrians have the right-of-way at designated crosswalks at all times.

School buses, large vehicles, and other special purpose vehicle will be required to park in areas designated by a Campus Policy Officer.

Motorcycles, motorbikes, etc. must be operated on streets designated for normal automobile use. Parking for non-motorized and 50 cc or less moped-type vehicles will be restricted to designated parking areas. Bicycle racks are available on campus.

Arkansas State University-Beebe assumes NO responsibility for the care and/or protection of any vehicle or its contents at any time while it is on campus. For protection, lock your vehicle and place valuables in the trunk area.

All vehicle operators will observe and obey the orders of Campus Police Officers in performance of their duties. This includes rendering and producing identification and registration when requested. All campus vehicle accidents must be reported to the University Police Department Office.

TOWING AND IMPOUNDING VEHICLES

The college reserves the right to immobilize, tow, and/or impound any vehicle that is parked on college property in such a way as to constitute a serious hazard or to prohibit the normal operation of any part of the parking infrastructure at any ASU-Beebe campus. The Campus Police may direct an authorized commercial garage to carry out any towing action. Violators will be responsible for paying all costs for removal, impounding, and storage of such vehicles. Vehicles may be held until all charges are paid.

MOVING VIOLATION

Moving violations include all traffic laws as stated in the Arkansas Motor Vehicle and Traffic Laws and State Highway Commission Regulations. The official ASU-Beebe citation will be sufficient as a summons for violation of these rules and regulations. In lieu of a college citation, the violator may be issued a uniform traffic ticket, which will be adjudicated in municipal court.

ENFORCEMENT OF REGULATIONS

1. Arkansas State University-Beebe Police Officers are constituted peace officers by action of the Board of Trustees and under the laws of this state. They possess all authority provided by the law for city police and county sheriffs to be exercised as required for the safety and protection of the college community and are limited by the same constraints on abuse of power.
2. All appeals should follow the procedures as outlined below.
3. Persons with unregistered vehicles, who violate established Traffic and Parking Regulations (parking on sidewalks, grass, red/yellow areas, crosswalks, etc.), may be issued a uniform traffic ticket, which is payable in Municipal Court in the jurisdiction of the campus form which it is issued.
4. Any vehicle owner, who has five (5) or more traffic or parking violation notifications during any semester that have not been resolved (penalties paid or action completed by the Traffic Appeals System), may have the motor vehicle being used impounded each time the vehicle is parked on campus until outstanding charges have been resolved.
5. Any vehicle owner, who has more than eight (8) traffic or parking violations during the academic year, will have their campus parking privileges revoked for the remainder of the academic year.
6. Standard traffic regulations and definitions, as enacted into the motor vehicle code for the State of Arkansas, will be used in enforcement of campus traffic regulations.
7. The City Police Department has jurisdiction rights to issue tickets on campus since Arkansas State University-Beebe is located inside the corporate limits of the cities of Beebe, Heber Springs, Jacksonville, and Searcy.

OFFENSES AND PENALTIES

Any operation of a motor vehicle that creates a disturbance or hazard on campus may be considered a traffic violation. This would include such things as excessive use of horn, loud sound systems, illegal exhaust systems, squealing of tires, or placing pedestrians or other drivers in a hazardous situation.

A person receiving notice of a traffic or parking violation is required to pay the fine levied or report to the Campus Police Office to appeal the violation notice within two (2) school days (excluding Saturdays, Sundays, and holidays). If this is not done, the fine will be placed against the student's accounts receivable record in the Cashier's Office.

Violation notices shall be affixed to the motor vehicle or presented to the driver. Violation tickets shall be issued in duplicate, one copy for the offender and one copy for the University Police Department Office. Information on violation tickets will be forwarded to the Cashier's Office for processing.

Traffic and parking records are kept from August 16 of one year to August 15 of the next year.

FINES

The responsibility for payment of fines incurred shall rest with the registrant. In the event registration has not been completed, payment lies with the owner and/or operator of the vehicle. Persons violating these rules and regulations, while using a motor vehicle on campus, may be charged under the college's system of administrative charges as noted. Fines for tickets written by Campus Police should be paid at the Cashier's Office.

CAMPUS VIOLATIONS LIST

\$0.00	Warning
\$20.00 Fine	Blocking drive Blocking dumpster Blocking fire hydrant Blocking loading dock/ramp Disregarding barricades Double parked/blocking Driving wrong way on one way Driving/parked on grass Failure to stop or yield right of way Hazardous driving Parked disregarding painted lines Parked in green zone exceeding 30 minutes Parked in unauthorized zone Parked on wrong side of street Parked where prohibited by signage Speeding
\$50.00 Fine	Parking in ramp/space reserved for disability parking
\$100.00 - \$500.00 Fine	Tobacco use

ADDITIONAL INFORMATION

- Vehicles are considered parked when left standing, stopped, or unattended for any period of time.
- Owners/operators of disabled vehicles (dead battery, empty fuel tank, lost keys, etc.) must notify Campus Police.
- Vehicles are assumed abandoned if left parked and stationary for a period of two weeks. Abandoned vehicles will be towed at the owner's expense.
- Vehicles will not be operated on the ASU-Beebe campus without required safety equipment prescribed by the vehicle code of the State of Arkansas.
- No parking or stopping on roadways allowed.

All persons, including visitors, are expected to adhere to all campus and state regulations regarding safety procedures.

APPEALS

Appeals must be made to the Traffic Appeals Committee according to these rules and regulations within two (2) school days. Appeal forms are available at the University Police Department Office.

TRAFFIC APPEALS COMMITTEE

The Traffic Appeals Committee will receive written appeals on parking violations and may, at its discretion, require oral presentations. The decisions of the Committee will be final.

**LOCK YOUR CAR
SECURE YOUR PROPERTY
DON'T BE A VICTIM OF A CRIME**

CHAPTER 7

CAMPUS ORGANIZATIONS AND ACTIVITIES

7.1 FORMATION OF NEW STUDENT ORGANIZATIONS

New student organizations may be formed on the campus as the need develops. No group may be officially formed until it has received a charter and approval from the Coordinator of Student Life.

There are procedures that must be followed in forming an ASU-Beebe Registered Student Organization. A group wishing to be recognized by the college must submit a petition to establish a student organization with the Coordinator of Student Life. The petition must include:

- *Name of the Organization.* No organization shall use a name identical or closely similar to the name of a previously recognized organization.
- *Declaration of Purpose, Goals, and Activities (purpose statement) of the Organization.* The purpose must not violate human rights, discriminate against any group, or support any cause that may create emotional or physical endangerment.
- *Name, ID Numbers, and Signatures of at least ten (10) students, of which at least six (6) will return the following year and commit to be members.* This ensures there is sufficient, sustainable interest in the creation and longevity of a new organization.

After the petition is certified by the Coordinator of Student Life, the group will be recognized as a provisional organization.

During the time as a provisional student organization an application for recognition as a Registered Student Organization is being considered, the group may not sponsor guest speakers or other activities in the name of the proposed organization. The group will be permitted to conduct three (3) informational or interest meetings while seeking recognition.

The provisional student organization will have up to three (3) months to select an advisor, develop a constitution and/or by-law, elect officers, and maintain at least ten (10) qualified members, of which at least six (6) will return the following year. The following information is required in the constitution:

1. Name of the Organization - No organization shall use a name identical to or closely similar to the name of a previously recognized organization.
2. Declaration of Purpose, Goals, and Activities (purpose statement) of the Organization - The purpose must not violate human rights, discriminate against any group, or support any cause that may create emotional or physical endangerment.
3. A List of Officers by Title and any Specific Function(s) of the Officers – Officers must have at least a 2.00 cumulative grade point average (CGPA) and not be on disciplinary probation.
4. A Statement of Terms of the office, and the time and method of election.
5. Membership Eligibility Requirements.
6. Frequency of Meetings – Specification for a special or called meeting and define what constitutes a quorum.
7. Provisions for an Advisor (full-time employment at ASU-Beebe) - state who will choose the advisor and define the role of the advisor.
8. Organization Finance – A statement on membership dues, how the organization will collect, disburse, and manage the funds from a college agency account, define what constitutes a fiscal year, and positions that need to sign an Agency Form before a check or payment can be processed.
9. Arrangements for Standing or other Special Committees must be specified.

10. Provisions for Amendments to the Constitution and define what is the majority vote needed to approve the amendment.

For more information on the formation of new student organizations or to acquire the necessary forms, please contact Student Life at 501.882.4491.

7.2 MASS MEETINGS

ASU-Beebe highly regards the First Amendment that guarantees the freedom of speech, freedom of expression, and the right to peaceful assembly. In order to achieve this objective while at the same time insuring that the institution fulfills its educational mission, the college has the responsibility to regulate the time, place, and manner of expression through compliance to the Arkansas Act 184 of 2019 and the *ASU System's Freedom of Expression Operating Procedure*.

7.3 ORGANIZATION ADVISORS

Advisors must be present at all co-curricular student activities. They must be named at the time the event is scheduled. The advisor must be a full-time faculty/staff member at ASU-Beebe. A Registered Student Organization that does not have an advisor will immediately become inactive until one is obtained. Advisors are expected to be actively involved in the affairs of their Registered Student Organization and assist the Registered Student Organization in adhering to purposes, activities, and projects that are within the limits of the college policy. Advisors should be familiar with policies and procedures applicable to the Registered Student Organization, the constitution and purpose statement of the organization they advise, and the activities and projects undertaken by the Registered Student Organization. An advisor must sign the Advisor Agreement Form each year. The advisor selection is approved by the Executive Council member for the area in which the advisor works. A Registered Student Organization may have more than one advisor.

7.4 ELIGIBILITY TO HOLD OFFICE

No student, who is on academic or disciplinary probation, may serve as an elected officer of a campus organization. A cumulative grade point of 2.00 and a grade point average of 2.00 for the previous semester are prerequisites to holding any office.

7.5 ACTIVITY CALENDAR

A master calendar of activities is maintained by the Student Life Office. All events, both on and off campus, involving students and faculty must be scheduled on the Campus Event Calendar.

To reserve indoor space to host meetings and events, complete the Room & Event Request Form through the Campus Event Calendar at www.asub.edu/asub-calendar or call the Office of Student Life at 501.882.4491.

7.6 STUDENT ORGANIZATIONS

Participation in campus life can be a significant part of a student's educational experience. Student organizations and clubs offer students valuable opportunities to learn and develop teamwork and leadership skills. Involvement in student organizations teaches skills transferable to the world of work and provides a network with faculty and staff advisors. Research has shown that college students who get involved outside the classroom perform better academically and are usually more satisfied with their college experience.

The Office of Student Life manages Registered Student Organizations using the web-based management software Mosaic. From Mosaic, students may request to join various student organizations, receive messages from club leaders, and find approved scheduled events. Students interested in learning more about student organizations at ASU-Beebe are encouraged to visit the Mosaic platform linked on ASU-Beebe's website, <https://www.asub.edu/clubs-and-organizations>.

7.7 REGISTERED STUDENT ORGANIZATION HANDBOOK

Registered Student Organizations are governed by the Coordinator of Student Life and approved by the Dean of Students.

To encourage best practices of student organizational management, while promoting engagement and support of a larger campus life, the Office of Student Life has developed and publishes the Registered Student Organization Handbook annually. The Registered Student Organization Handbook is a detailed guide and resource for operating a Registered Student Organization and outlines specific responsibilities, procedures, and requirements for maintaining a Registered Student Organization at ASU-Beebe. The Registered Student Organization Handbook includes topics on finances, fundraising, advisors, event & activity planning, publicity, recruitment, risk management, Registered Student Organization recognition, and how-to-use and manage a club profile in the Mosaic platform.

The latest version of the Registered Student Organization Handbook, along with other Registered Student Organization forms and templates, can be accessed on the Student Organization page of the ASU-Beebe website, <https://www.asub.edu/clubs-and-organizations>.

For a complete list of current Registered Student Organizations go to the Student Organizations page on the ASU-Beebe website. <https://www.asub.edu/clubs-and-organizations>.

CHAPTER 8

STUDENT RIGHTS, FREEDOMS, AND RESPONSIBILITIES

8.1 INTRODUCTION

A college education not only prepares you for a profession, but it is also an important step in helping you become a more productive member of society. Arkansas State University-Beebe is a learning community whose members include its students, faculty, and staff. The college offers a high quality, challenging learning environment with the basic purpose of the enlargement, dissemination, and application of knowledge.

Freedom of expression and assembly is fundamental to achieving these basic purposes, but the college must strike a balance between maximum freedom and regulations that promote the order necessary to provide an environment conducive to learning.

The guidelines in the subsequent pages are established with the following objectives:

1. Protect student's rights
2. Facilitate the definition of student responsibilities
3. Provide avenues through which students may seek to affect change
4. Preserve the integrity of the learning community

8.2 FREEDOM OF EXPRESSION AND ASSEMBLY

ASU-Beebe highly regards the First Amendment that guarantees the freedom of speech, freedom of expression, and the right to assemble peaceably. ASU-Beebe remains firmly committed to affording each member of the campus community the opportunity to engage in peaceful and orderly protests and demonstrations. However, these activities must not disrupt the educational mission of the college. Additionally, such opportunities must be provided on an equal basis and adhere to the basic principle that the college will remain neutral as to the content of any public demonstration. In order to achieve this objective, while at the same time insuring that the institution fulfills its educational mission, the college has the responsibility to regulate the time, place, and manner of expression through compliance to the Arkansas Act 184 of 2019 and the *ASU System's Freedom of Expression Operating Procedure*.

8.3 LAWFUL LIMITATIONS ON EXPRESSIVE ACTIVITIES

All outdoor areas of the campus shall be deemed a public forum for members of the campus community. This does not include outdoor areas where access by a majority of members of the campus community is restricted. Members of the campus community who want to engage in non-commercial expressive activities may do so freely in the outdoor areas as long as the activity is 1) not unlawful, 2) does not materially and substantially disrupt the functioning of a state supported institution, and 3) does not materially and substantially disrupt another person's expressive activity.

8.4 USE OF CAMPUS PROPERTY FOR COLLEGE SPONSORED ACTIVITIES AND EVENTS

All outdoor areas, owned and operated by the campus, shall be made available for use by ASU-Beebe for college sponsored activities and events. Official college activities and events on campus have precedence over all other events and activities taking place on campus. Any expressive activity that occurs at a location reserved for a college sponsored activity or event shall be accommodated at another outdoor area of campus so long as the accommodation is consistent with this policy.

8.5 COMMERCIAL SPEECH

This policy does not apply to commercial speech. Off-campus individuals and organizations are not allowed to conduct or solicit commercial sales or distribute commercial pamphlets, handbills, circulars, newspapers, magazines and other written material on-campus. Parties having a contract with the campus authorizing

commercial advertising shall be allowed to distribute or post commercial material in accordance with the terms of their contract.

8.6 ACADEMIC RIGHTS AND RESPONSIBILITIES

The freedom and effectiveness of the educational process depends upon the provision of satisfactory conditions and opportunities for learning. The responsibilities to secure, respect, and protect such opportunities and conditions must be shared by all members of the academic community.

The student has both rights and responsibilities as a member of the academic community. The most essential right for the student is the right to learn. The college has a duty to provide for students' opportunities and protections that best promote the learning process. You, as a student, play a significant role in fostering and maintaining a quality academic environment for yourself and others. The most important responsibility of the student to the academic community is to refrain from interfering with the rights of others that are equally essential to the basic purposes and processes of the college.

The faculty has a central role in the educational process and the primary responsibility for the intellectual content and integrity of the college. It is the faculty's role to encourage discussion, inquiry, and expression among students and to act as an intellectual guide and counselor. They should foster honest academic conduct and evaluate students fairly and accurately.

The establishment and maintenance of the proper faculty and student relationships are basic to the college's function. This relationship should be founded on mutual respect and understanding and assume a common dedication to the educational process. If problems arise in this relationship, both student and faculty should attempt to resolve them in informal, direct discussions between well-intentioned and reasonable persons.

8.7 STUDENT CONDUCT PREAMBLE

The enrollment of a student at Arkansas State University-Beebe is a voluntary entrance into the academic community. Each student, who applies for admission and registers for classes, agrees that he/she will abide by the rules, regulations, and policies established by Arkansas State University-Beebe and voluntarily assumes obligations of performance and functions. These obligations may be much higher than those imposed on all citizens by civil and criminal law. Failing to maintain these higher obligations may result in the imposition of sanctions or separation from the academic community.

The following ideals are part of the collective expectation of the members of this learning community relative to personal conduct.

Civility: Members of a learning community should interact with others in courteous and polite manner. Members of the community have a responsibility to respect the values, opinions, and feelings of others.

Ethical Behavior: The pursuit of higher education is a privilege. Associated with that privilege is an obligation to aspire to a set of principles and values that demonstrate a commitment to fairness, honesty, empathy, and achievement.

Inclusion: A learning community must be one where students can engage with peers, faculty, and staff in a safe environment, free of discrimination or threat of marginalization. Every member of this community should seek to proactively make others, particularly those different from themselves, feel safe, supported, welcomed, and included in the holistic ASU-Beebe community despite of actual or perceived identity.

Morality: Members of a learning community commit to ideals of appropriate human conduct. This is a lifestyle that seeks to harm no one and attempts to be a positive contributor in every interaction.

Respect: Every member of this community should seek to both gain and demonstrate respect. Members should hold one another in high regard. Each individual should conduct himself or herself in a manner worthy of that regard. Respect is gained by decent and correct behavior.

The learning community at Arkansas State University-Beebe does not intend to be prescriptive regarding the personal beliefs and value systems of its members. However, this community does believe that it has a right to expect its members to demonstrate personal responsibility and integrity in word and deed. Members of the ASU-Beebe community should be aware the college has a responsibility to protect every student's right to learn in a safe environment, free from unlawful discrimination or prejudicial treatment that unjustly deprives them of that right. Any act that attempts to overtly target, marginalize, derogate, denigrate, or villainize an individual or group of individuals based on actual or perceived identity shall not be tolerated. When the conduct of any member falls outside the boundaries of civil, moral, and/or ethical behavior, that member can expect the community of ASU-Beebe to call such conduct into question.

Students are expected to comply with all college policies and procedures. The college reserves the right to discipline students or student organizations for inappropriate actions that occur on or off campus. **It is a privilege, not a right, to be an Arkansas State University-Beebe student.**

It is understood that a regulation concerning every possible act of misconduct cannot be specifically stated. However, the following acts of misconduct serve as examples and apply whether they are performed singly, within a group, or at a function of an organization. These acts of misconduct could result in arrests and charges being filed under local, state, or federal laws. **Acts of violence, threats of violence, illegal possession of weapons, and possession of illegal drugs will not be tolerated and will result in separation from the college. Failure to comply with health, or safety protocol may result in disciplinary action including, but not limited to, immediate separation from the college.**

8.8 STUDENT CONDUCT MISSION

Arkansas State University-Beebe is dedicated to its mission of *"Transforming Lives through Quality Learning Experiences"* by promoting personal development and individual responsibility. To achieve this, the mission of Student Conduct is to offer a process that promotes student accountability and social responsibility.

STUDENT CODE OF CONDUCT

ARTICLE I: DEFINITIONS

1. The terms "ASU-Beebe" or "College" means Arkansas State University-Beebe with campuses and sites located at Beebe, Heber Springs, Little Rock Air Force Base, Searcy, and Online.
2. The term "student" includes all persons taking courses at ASU-Beebe, both full-time and part-time, pursuing undergraduate or graduate studies offered by ASU-Beebe or on the premises of the college. Persons who are not officially enrolled for a particular term but who have a continuing relationship with ASU-Beebe in pursuit of education are considered "students" and are subject to compliance with the Code of Conduct.
3. The term "faculty member" means any person hired by ASU-Beebe to teach credit or non-credit courses.
4. The term "College Official" includes any person employed by ASU-Beebe, performing assigned administrative or professional responsibilities.

5. The term “member of the college community” includes any person who is a student, faculty member, College Official, or any other person employed by the college. A person’s status in a particular situation shall be determined by the Vice Chancellor for Student Services or designee.
6. The term “College premises” includes all land, buildings, facilities, and other property in the possession of, or owned, used, or controlled by ASU-Beebe (including adjacent streets and sidewalks).
7. The term “organization” means a group of persons who have complied with the formal requirements for College recognition.
8. The term “Judicial Advisor” means a College Official authorized on a case-by-case basis by the Dean of Students to investigate and attempt to resolve the complaint on an informal basis or to conduct an administrative conduct hearing.
9. The Dean of Students or his/her designee is responsible for the administration of the Code of Conduct.
10. The term “shall” is used in the imperative sense.
11. The term “may” is used in the permissive sense.
12. The term “regulations” includes all procedures and protocols of ASU-Beebe as found in, but not limited to, the Student Handbook, Code of Conduct, Residence Hall Handbook, the college *Catalog*, and ASU System policies.
13. The term “cheating” includes, but is not limited to:
 - a. Use of any unauthorized assistance in taking quizzes, tests, or examinations;
 - b. Dependence upon the aid of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or completing other assignments; or
 - c. The acquisition, without permission, of tests, instructor textbooks, or other academic material belonging to a member of ASU-Beebe faculty or staff.
14. The term “plagiarism” includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers, textbooks/manuals, or other academic materials.
15. The term “serious violation” includes a violation of the Student Code of Conduct that may result in a suspension or expulsion. In the event a potential policy violation may rise to the level of suspension or expulsion, the conduct process will follow the expectations outlined in [Act 470 of 2023](#) for “serious violations.” Serious violation" does not include an act of academic dishonesty.
16. The term “Respondent” is an individual within the college learning community alleged to have been involved in an incident of prohibited conduct as defined by the Student Code of Conduct
17. The term “Complainant” is an individual within the college learning community who is alleged to be the victim of conduct that violates the Student Code of Conduct.
18. The term “administrative file,” in compliance with [Act 470 of 2023](#), shall include without limitation all documents and evidence in the institution's possession or control that is relevant to an alleged violation of the institution's code of student conduct and the institution's investigation into the alleged violation of the institution's code of student conduct, including without limitation:
 - a. Exculpatory evidence;
 - b. Statements by an accuser or an accused student or a student organization;
 - c. Third-party witness statements;
 - d. Electronically stored information;
 - e. Written communications;
 - f. Social media posts;
 - g. Demonstrative evidence;
 - h. Documents submitted by any participant involved in disciplinary proceedings; and
 - i. The institutional recording of any disciplinary hearing.

- j. Note: The “administrative file” shall not include privileged documents, internal communications, or communications from nonparties that the institution does not intend to introduce as evidence at a disciplinary proceeding.

ARTICLE II: PROSCRIBED CONDUCT

A. BREACHES OF CONDUCT

Any student found to have committed the following misconduct is subject to the disciplinary sanctions outlined in Article III:

1. Alcohol violation: possession, use, manufacture, distribution, and/or being under the influence of alcoholic beverages in or about college grounds, instructional building, residence halls, or at any college-approved activity on or off campus;
2. Use of Tobacco products on any ASU-Beebe campus;
3. Drug violation: possession, use, manufacture, distribution, and/or being under the influence of drugs or a controlled substance without medical prescription;
4. Gambling on or about college property and residence halls;
5. Disorderly conduct, such as, but not limited to, acts that are against the public peace, order, or safety, and/or lewd, indecent, obscene conduct, or expression on or off the campus;
6. Harassment, such as, intimidation, emotional abuse, verbal comments, stalking, bullying, cyberbullying, threats of harm, or coercion;
7. Hate Conduct, such as bias-motivated or prejudicial disparate acts of injuring, intimidation, or interference that attempt to overtly target, marginalize, derogate, denigrate, or villainize an individual or group of individuals based on actual or perceived sex, race, color, sexual orientation, age, status as a veteran, gender identity or expression, pregnancy or pregnancy-related condition, sex stereotype, national origin, religion, or a qualified individual with a disability.
8. Unauthorized or illegal entry into a building, classroom, office, room, vehicle, or residence hall;
9. Dishonesty, such as academic cheating, plagiarism, or knowingly furnishing false information, including forgery, alteration, or misuse of college documents or identification;
10. Falsification or alteration of any college document or document submitted for the purpose of admissions or financial aid;
11. Disruption or obstruction of teaching, which includes, but is not limited to the use of profanity, vocal outbursts, talking, sleeping, and the use/abuse of cellular phones or other technology;
12. Physical assault, threat of physical harm of any person or self, and/or conduct which threatens or endangers the health, safety, or welfare of any such person;
13. Sexual misconduct (See Chapter 9, Section 9.3 Complaints Concerning Discrimination and/or Harassment);
14. Non-recognized student groups attempting to function on the campus or in the name of Arkansas State University-Beebe;
15. Failure to comply with directions, verbal or written, of College Officials, law enforcement agents, or residence hall staff acting in the performance of their duties. Refusing to respond to an official request related to an alleged violation of College policy or regulation or giving false testimony or fraudulent evidence in college student conduct proceedings;
16. Failure to fulfill obligations associated with an official disciplinary sanction;
17. Possession or use of firearms, fireworks, other weapons, or chemicals that are of an explosive or corrosive nature on college property or at college functions;
18. Theft, attempted theft, possession, sale, or barter of property of the college or property of a member of the college community or campus visitor;
19. Damage or unauthorized use or possession of college property or property of a member of the college community or campus visitor;

20. Engaging in overt physical acts which interfere with the normal or sponsored activities of the college on or off the campus, including, but not limited to, the blocking of ingress or egress to the college's physical facilities, tampering with public utilities, or prevention of freedom of movement or expression by other students, College Officials, law enforcement agents, faculty members, employees, and invited guests;
21. Unauthorized recording by means of viewing, transmitting, recording, filming, photographing, producing, or creating a digital electronic file of the image or voice of another person without their knowledge or consent. This policy also applies in the classroom setting except where permission is granted by the instructor.
22. Failure to abide by Residence Hall regulations;
23. The instigation of false fire/explosion or emergency alarms, bomb threats, or tampering, misusing, or damaging fire extinguishers, alarms, or other safety equipment;
24. All forms of hazing, such as, any action taken or situation created intentionally to produce mental or physical harm or injury to any person on or off the college campus as a condition of admission into or affiliation with a group or organization, regardless of consent. (Note: Arkansas Act 75 of 1983 states, "No student of any school, college, university, or other educational institution in Arkansas shall engage in what is commonly known and recognized as hazing or encourage aid, or assist any other students in the commission of this offense");
25. Violation of policies, procedures, or regulations included in official publications of the college, such as, but not limited to, the college *Catalog*, traffic brochures, posted notices, other department publications, and Residence Hall Contract;
26. Misuse, abuse, and unauthorized use of computing resources, and/or use of computing resources for unauthorized purposes, such as, but not limited to, destroying, modifying, accessing, or copying programs, records, or data belonging to the college or another user without permission;
27. Incurable or persistently irresponsible behavior;
28. Such other violations of good conduct and/or law as the appropriate disciplinary agency or officer may decide warrant action;
29. Conduct that adversely affects the student's suitability as a member of the academic community;
30. Abuse of the Judicial System, including, but not limited to:
 - a. Failure to obey the summons of a judicial body or College Official;
 - b. Falsification, distortion, or misrepresentation of information before a judicial body;
 - c. Disruption or interference with the orderly conduct of a judicial proceeding;
 - d. Attempting to discourage an individual's proper participation in or use of the judicial system;
 - e. Attempting to influence the impartiality of a member of the judicial body prior to and/or during the course of a judicial proceeding;
 - f. Harassment (verbal or physical) and/or intimidation of witnesses or of a member of the judicial body prior to, during, and/or after a judicial proceeding;
 - g. Failure to comply with the sanction(s) imposed under the Student Code of Conduct;
 - h. Influencing or attempting to influence another person to commit an abuse of the judicial system.

Students are responsible for the conduct of their guests in or on college property and at functions sponsored by the college or any recognized college organization. Accessories to violations are deemed equally responsible, as though they committed the violation.

B. RESIDENCE HALL REGULATIONS

In addition to the Code of Conduct, the following are specific regulations for Residence Hall students:

1. Residents must escort their guests at all times. Guests are required to follow the same residence hall regulations as the residents. If a guest violates any policy, disciplinary action may be taken and sanctions imposed against the resident and/or the guest.

2. Visitation and study hour maximums will be set by the institution. Residential students will be allowed to vote within the set parameters on visitation and study hours. Visitation and study hours will be posted in the halls.
3. The possession of candles, incense, fireworks, or other potential fire hazards is prohibited.
4. Pets, except for fish in a 5-gallon or smaller tank, are prohibited.

C. VIOLATION OF LAW AND STUDENT CONDUCT

1. If a student is charged only with an off-campus violation of federal, state, or local laws, but not with any other violation of this Code, disciplinary action may still be taken and sanctions imposed for misconduct that demonstrates a disregard for the college community.
2. College disciplinary proceedings may be instituted against a student charged with a violation of civil or criminal law in an underlying factual situation that is also a violation of this Student Code of Conduct. This may occur without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under this Student Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.
3. When a student is charged by federal, state, or local authorities with a violation of law, the college shall not request or agree to special consideration for that individual because of his or her status as a student. If the alleged offense is also the subject of a proceeding before a judicial body under the Student Code of Conduct, the college may advise off-campus authorities of the existence of the Student Code of Conduct and of how such matters shall be handled internally within the college community. The college shall cooperate fully with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators. Individual students and faculty members, acting in their personal capacities, remain free to interact with government representatives as they deem appropriate.

ARTICLE III: ADJUDICATORY PROCEDURES

A. CHARGES

Any member of the college community may report charges against any student for misconduct by notifying the Dean of Students of the infraction. Any charge shall be submitted as soon as possible after the event takes place, preferably within five (5) working days.

After reviewing all charges and evidence, the Dean of Students or designee shall determine if the charge(s), if proven, could result in a finding of responsibility against the Respondent and the next appropriate course of action. If it is determined the charge(s) if proven, could result in a finding of responsibility against the Respondent, a written formal charge letter will be sent to the accused student, notifying the student of the charges against him/her and the date and time of the hearing so that the student may make a full and complete response to the charges.

Email is the official means of communication for Arkansas State University-Beebe. It is the student's responsibility to frequently monitor his/her campus email, as these electronic means of communication are the college's most effective and efficient ways to disseminate important information to the campus community. Appearance notifications, hearing notifications, and hearing determinations will be sent to the student's ASU-Beebe email address. Other delivery methods may or may not be used in conjunction with the student's email notification.

If additional charges occur at any time against the student, the evidence and disposition of the prior cases may be considered as part of the evidence in the current case.

B. TYPE OF HEARINGS

After reviewing all charges and evidence, the Dean of Students shall determine the appropriate course of action.

1. *DISMISS CHARGES*

If the Dean of Students determines, based on a preponderance of the evidence, that the charges even if proven, could not result in a finding of responsibility against the Respondent, the charges shall be dismissed. If the charge is “serious” under the terms of the Student Code of Conduct and Act 470 of 2023, written notification shall be sent to the member(s) of the college community where the charges originated.

2. *INFORMAL RESOLUTION*

If the Dean of Students determines the charges if proven, could result in a finding of responsibility against the Respondent, but may be resolved informally by mutual consent, the Dean of Students shall meet with the complainant and the accused and attempt to reach a resolution. If a case is resolved by mutual consent, the Dean of Students shall document the results and inform all parties in writing. Documentation shall include sufficient details of the end results with the signatures of both parties. Informal resolutions are not open to appeal.

3. *ADMINISTRATIVE CONDUCT HEARING*

An Administrative Disciplinary Hearing shall be conducted by the Dean of Students or designee. An Administrative Disciplinary Hearing shall be conducted when: (a) the student admits responsibility for the violation and requests that the College take whatever action seems appropriate, (b) it is not feasible to convene the Student Conduct Committee, such as at the end of a semester, and suspension or expulsion are not potential sanctions. Administrative Conduct Hearings shall be conducted according to established guidelines (see Article III, section C).

4. *STUDENT CONDUCT COMMITTEE HEARING*

The Student Conduct Committee shall be convened when suspension or expulsion are potential sanctions. The committee shall consist of faculty members, staff members (College Officials), and students appointed by the Chancellor of ASU-Beebe or designee and trained to participate in student conduct hearings. At least three members of the Student Conduct Committee must be present at the hearing. Student Conduct Committee Hearings shall be conducted according to established guidelines (see Article III, section D).

C. PROCEDURES FOR RESOLVING STANDARD CONDUCT VIOLATIONS

1. *Screening for possible violations/ nature of the report.* When the Dean of Students receives a report of a potential violation of the Student Code of Conduct, within forty-eight (48) hours of receiving the report (excluding weekends), the Dean of Students will determine if the charges, if proven, could result in a finding of responsibility against the Respondent, and if the potential violation is “serious” under the terms of the Student Code of Conduct and [Act 470 of 2023](#).
2. *Notice of charges.* Any Respondent or Complainant participating in disciplinary proceedings involving a standard violation of the Student Code of Conduct will be provided notice of the rights of the Respondent and Complainant as set forth in the Student Code of Conduct.

All official communications will be sent to the college email address of the Complainant and Respondent. For registered student organizations, the official communication will be emailed to the organization’s

primary representative, typically the President on file with the Office of Student Life. Failure to read and comply with the notice is not grounds for appeal.

3. *Investigation.* If a report has proceeded beyond the screening phase, the Dean of Students, or designee, will investigate the report and the alleged violation(s). A Respondent, Complainant, and/or any witnesses will be required to appear at an investigative meeting with the Dean of Students, or designee, to discuss the report or gather additional information. Not attending the scheduled meeting could result in a potential policy violation of “failure to comply.”
4. *Interim Measures.* The Dean of Students may enforce an interim action, not including removal from a program or activity, if necessary to maintain safety or order. The Vice Chancellor for Student Service may enforce interim removal/suspension from a program or activity. The accused Respondent will receive written notification of interim removal/suspension within twenty-four (24) hours of imposing them; and have the right to an interim measure hearing to appeal the imposition of interim removal/suspension. (See Article III, section F)
5. *Pre-hearing conference.* After the Dean of Students, or designee, has completed a sufficient investigation of the alleged violation(s), they will schedule a pre-hearing conference with the Respondent to review the student conduct process and provide options to resolve the potential violation. The Respondent may have up to forty-eight (48) hours to decide which of the following options the Respondent would like to utilize:
 - a. The Respondent may accept responsibility and request an Informal Case Resolution with the Dean of Students, or designee. The Dean of Students, or designee, will then assign an appropriate sanction through college email. If the Respondent disagrees with the assigned sanction(s), they may request the sanction(s) be reviewed. Requests for a review of sanction(s) must be submitted to the Vice Chancellor for Student Services. The deadline to submit an appeal is within 72 hours of being assigned the sanction(s) or by 9:00 a.m. on the next university business day if the deadline falls on a weekend or after 5 p.m. on a weekday. Sanction review is the only appeal available through the Informal Case Resolution Process.
 - b. The Respondent may plead "not responsible" or "no plea" and request that a formal Administrative Conduct Hearing occur immediately (within 24 hours) after completing their informal case resolution form during the initial meeting. A formal Administrative Conduct Hearing is a meeting between the Respondent and the Dean of Students, or designee, where the Dean of Students, or designee, decides responsibility. Alternatively, the Respondent may request that a Formal Standard Conduct Hearing occur at least 48 hours after the completion of their initial meeting. If the Respondent is found responsible, the hearing officer will assign sanction(s) in writing, through university email, after the close of the meeting. If the Respondent does not agree with the sanction(s) assigned or the decision of responsibility, they may appeal the sanction(s) or the decision of responsibility. Requests for a review of sanction(s) or decision of responsibility must be submitted to the Vice Chancellor for Student Services. The deadline to submit an appeal is 72 hours after being assigned the sanction(s) or by 9:00 a.m. on the next university business day if the deadline falls on a weekend or after 5 p.m. on a weekday, whichever is later.
 - c. Any Respondent who fails to attend a scheduled Informal Case Resolution meeting may have a student conduct hold placed on their student account until their Formal Standard Conduct Hearing is completed.
6. *Formal Standard Conduct Hearing.* If a Respondent does not accept responsibility and requests a Formal Standard Conduct Hearing, does not attend the scheduled Informal Case Resolution meeting, or if the Dean of Students, or designee, does not feel that an Informal Case Resolution is appropriate, then a Formal Standard Conduct Hearing will be held. The Dean of Students will determine if an Administrative Conduct Hearing or a Student Conduct Committee Hearing is most appropriate. All Formal Standard

Conduct Hearings are recorded for appeal purposes by the Dean of Students. No other recordings may be made outside of the college's chosen method to record the hearing.

- a. The Dean of Students will notify Respondents of a formal hearing with at least 48 hours' notice through college email, unless the Respondent elects to have an immediate formal Administrative Conduct Hearing.
 - b. A Respondent may choose not to attend a scheduled Formal Standard Conduct Hearing; however, the Dean of Students, or designee, may decide responsibility in their absence.
 - c. Respondents may choose not to answer any questions, not speak during the hearing, or not present information to the hearing body.
 - d. Respondents must turn in a complete witness list to the Dean of Students one (1) business day before the hearing – (a minimum of 24- hours before the hearing). In addition, students are responsible for notifying their witnesses of the time, date, and place of the hearing.
 - e. Respondents may request, in writing to the Dean of Students, a list of all witnesses and access to all information before the hearing date. All information requests must be in writing, through university email, and allow a minimum of one (1) business day for the information to be compiled from the time of the request.
 - f. No character witnesses or irrelevant information will be considered in a hearing.
 - g. A determination of responsibility will be based on a preponderance of the evidence standard, meaning it must be "more likely than not" that a policy violation occurred for a determination of responsibility to be made.
 - h. A Respondent may select an advocate to be present at the hearing. The advocate may confer and advise the student quietly, confidentially, and in a non-disruptive manner. An advocate may only speak in a hearing when addressed by the hearing officer or chair. An advocate may not be a witness in the hearing.
 - i. The hearing officer will remove any disruptive hearing participants, and the hearing will proceed without them.
 - j. The Complainant may select an advocate to be present at the hearing. The advocate may confer and advise the Complainant in a quiet, confidential, and non-disruptive manner.
 - k. No recordings of hearings shall be made by any person other than the college. The Dean of Students will only maintain the hearing recording for the appeals process. A student will be given reasonable access to their hearing recording for review, with the understanding that no duplication of the recording shall be permitted. Requests for access to hearing recordings must be made in writing and provided to the Dean of Students at least one (1) business day notice from the time of the request to make the appropriate arrangements.
 - l. All procedural questions are subject to the final decision of the Dean of Students, or designee, or the Student Conduct Committee Chairperson.
 - m. After the hearing, the Dean of Students, or designee, or the Student Conduct Committee shall determine (by majority vote if necessary) whether the student has violated each section of the Student Code of Conduct that the student is charged with violating.
 - n. If it is determined that the student is responsible for any violation of the Student Code of Conduct:
 - i. In an Administrative Conduct Hearing, the Dean of Students, or designee, shall determine sanction(s), notify the Respondent in writing, and place a copy of the letter in the Respondent's administrative file;
 - ii. In a Student Conduct Committee Hearing, the Chairperson shall notify the Dean of Students of the committee's determination and recommended sanctions.
7. *Sanctioning.* In Student Conduct Committee Hearing cases in which the Respondent has been found responsible for any violation of the Student Code of Conduct, the Dean of Students, or designee, will decide the appropriate sanctions based upon the Student Conduct Committee's recommendations and extenuating factors, as appropriate, and then notify the Respondent in writing of the final determination

and sanctions and place a copy of the letter in the Respondent's administrative file. (see Article III, section E)

8. *Appeal.* A decision reached by the Dean of Students, or designee, in an Administrative Conduct Hearing or by the Student Conduct Committee may be appealed by the Respondent to the Vice Chancellor for Student Services within five (5) school days of the decision. Such appeals shall be in writing and shall be delivered to the office of the Vice Chancellor for Student Services. The Vice Chancellor for Student Services shall have appellate jurisdiction over college regulations. After receiving the written appeal, the Vice Chancellor for Student Services shall either make a determination on the appeal or send the appeal to the Appeals Committee.
 - a. A minimum of three members of the Appeals Committee shall be present in order to consider an appeal.
 - b. Except as required to explain the basis of new evidence, an appeal shall be limited to a review of the record of the initial hearing and supporting documents for one or more of the following purposes:
 - i. To determine whether the original hearing was conducted fairly, in light of the charges and evidence presented, and in conformity with prescribed procedures of giving the complaining party a reasonable opportunity to prepare and present evidence that the Student Code of Conduct was violated and giving the accused student a reasonable opportunity to prepare and to present a rebuttal to those allegations.
 - ii. To determine whether the decision reached was supported by substantial evidence; that is whether the facts in the case were sufficient to establish that a violation of the Student Code of Conduct occurred.
 - iii. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code of Conduct, which the student was found to have committed.
 - iv. To consider new evidence sufficient to alter a decision or other relevant facts not brought out in the original hearing when such evidence and/or facts were not known to the Respondent at the time of the original hearing.
 - c. Review of the original hearing and subsequent determination(s) by the Appeals Committee may not result in more severe sanction(s) for the accused student.
 - d. The Appeals Committee has five (5) days to reach a decision on the matter and submit its recommendations to the Vice Chancellor for Student Services.
 - e. The Vice Chancellor for Student Services shall notify the Respondent in writing of the decision and any sanctions imposed.
 - f. The decision of the Vice Chancellor for Student Services or the Student Conduct Appeals Committee is final.

D. PROCEDURES FOR RESOLVING "SERIOUS VIOLATIONS" OF STUDENT CONDUCT:

1. *Screening for possible violations/ nature of the report.* When the Dean of Students receives a report of a potential violation of the Student Code of Conduct, within forty-eight (48) hours of receiving the report (excluding weekends and holidays), the Dean of Students will determine if the charges, if proven, could result in a finding of responsibility against the Respondent, and if the potential violation is "serious" under the terms of the Student Code of Conduct and [Act 470 of 2023](#).
2. *Notice of charges.* Any Respondent or Complainant participating in disciplinary proceedings involving a "serious violation" will be provided notice of the rights of the Respondent and Complainant as set forth in the Student Code of Conduct, [Act 470 of 2023](#) & other applicable law; and the date, time, location of each phase of the student disciplinary process at least:
 - a. One (1) business day prior to any scheduled event at which the Participant (Complainant, Respondent, or Witness) is expected to participate; and,

- b. Seven (7) business days prior to a disciplinary hearing.

The rights set forth in [Act 470 of 2023](#) are incorporated by reference into these Procedures for Resolving “Serious Violations” of Student Conduct.

All official communications will be sent to the college email address of the Complainant and Respondent. For registered student organizations, the official communication will be emailed to the organization’s primary representative, typically the president on file with the Office of Student Life. Failure to read and comply with the notice is not grounds for appeal.

- 3. *Investigation.* If a report has proceeded beyond the screening phase, the Dean of Students, or designee, will investigate the report and the alleged violation. A Respondent, Complainant, and/or any witness may be asked to appear at an investigative meeting with the Dean of Students, or designee, to discuss the report or gather additional information.
 - a. *Fully participate.* A Complainant or Respondent may choose not to “fully participate” in any or all “disciplinary proceedings.”
 - i. A “disciplinary proceeding” means a hearing, appeal, or investigatory interview conducted by an institution’s administrator relating to an alleged “serious violation.”
 - ii. “Fully participate” means the opportunity for an institution, a student complainant, a student respondent, or a registered student organization to be provided an opportunity to present and be advised by an attorney or non-attorney advocate. If an individual chooses not to participate in the process, they will need to complete a waiver. The waiver will be emailed to the Complainant or Respondent through college email.
 - b. *Access to the administrative file.* Any Complainant or Respondent who is an involved party with a “serious violation” proceeding will be granted reasonable continuing access to the administrative file subject to any applicable restrictions that are authorized by law. The Complainant or Respondent will have the ability to review the administrative file beginning seven (7) business days before a disciplinary hearing. All evidence the college or another participant intends to introduce at a disciplinary hearing will be submitted to the Administrative File at least three (3) business days prior to such hearing. When evidence is submitted less than three (3) business days prior, all participants will be immediately notified, and such evidence will only be admissible at the hearing at the discretion of the hearing body.
 - c. *Attorney or non-attorney advocate.* A Respondent or Complainant participating in disciplinary proceedings involving a “serious violation” may have an attorney or non-attorney advocate representing them in the disciplinary process. A Respondent or Complainant is responsible for making arrangements for the use of an attorney or a non-attorney advocate. The institution is not responsible for providing, training, or paying for the services of an attorney or non-attorney advocate. Upon written notice, the college will direct all communications related to disciplinary proceedings to both the attorney or non-attorney advocate and the Respondent or Complainant.
- 4. *Interim Measures.* The Dean of Students may enforce an interim action, not including removal from a program or activity, if necessary to maintain safety or order. The Vice Chancellor for Student Service may enforce interim removal/suspension from a program or activity. The accused Respondent or student organization will receive written notification of interim removal/suspension within twenty-four (24) hours after it is imposed and has the right to an interim measure hearing to appeal the interim removal/suspension. (See Article III, section F)

5. *Serious Violation Hearings.* Where charges involve a “serious violation,” the case will be heard by the Student Conduct Committee with the purpose of arriving at a fair and just decision. Live hearings before the Student Conduct Committee are closed meetings that permit the Complainant, including the college, and Respondent to address the alleged violation.
- a. The Dean of Students will provide the Complainant(s) and Respondent(s) at a minimum of seven business (7) days’ notice of the live hearing through college email.
 - b. If the Complainant or Respondent does not appear for the hearing, the hearing may proceed without them being present.
 - c. Hearings involving more than one (1) Respondent may be conducted either separately or jointly. Joint hearings will only be conducted at the discretion of the Dean of Students and upon agreement of the Respondents as demonstrated through the execution of an appropriate waiver under the Family Educational Rights and Privacy Act (FERPA).
 - d. The Student Conduct Committee’s determination that a Respondent is responsible for a violation must be based on the preponderance of the evidence standard, which means that it is more likely than not that the Respondent is responsible for the alleged violation.
 - e. The Complainant(s) or Respondent(s) may choose not to answer any questions, not speak during the hearing, or not present information to the hearing body. The attorney or non-attorney advocate may present the student or student organization’s opening and closing statements. The attorney or non-attorney advocate may not answer questions on behalf of the Complainant or Respondent.
 - f. Complainants and Respondents must turn in a complete witness list to the Dean of Students at minimum five (5) university business days before the hearing. In addition, Complainant and Respondent are responsible for notifying their witnesses of the time, date, and place of the hearing.
 - g. Complainants and Respondents may request, in writing to the Dean of Students, a list of all witnesses and access to all information before the hearing date. All information requests must be in writing, through college email, and allow a minimum of three (3) university business days for the information to be compiled from the time of the request.
 - h. No character witnesses or irrelevant information will be considered in a hearing.
 - i. During the live hearing, the Respondent has the right to make an opening and closing statement; present relevant evidence; and cross-examine adverse witnesses through an attorney or non-attorney advocate, which the Respondent is responsible for selecting and compensating.
 - j. The hearing officer may remove any disruptive hearing participants, and the hearing will proceed without them.
 - k. No recordings of hearings shall be made by any person other than the university. The Dean of Students will only maintain the hearing recording for the appeal process. If an appeal is made, the recording will be destroyed at the close of the appeal process. A student will be given reasonable access to their hearing recording for review, with the understanding that no duplication of the recording shall be permitted. Requests for access to hearing recordings must be made in writing and provided to the Dean of Students at least three (3) business day notice from the time of the request to make the appropriate arrangements.
 - l. Student Conduct Committee will provide a decision to the Dean of Students in writing.
6. *Sanctioning.* The Student Conduct Committee will recommend appropriate sanctions based upon extenuating factors, as appropriate, and then notify the Dean of Students in writing of the final determination and sanctions. (see Article III, section E) The Dean of Students will notify the Respondent via college email of the final determination and sanctions imposed by the Student Conduct Committee.

7. *Act 470 Certification.* In compliance with Act 470 of 2023, within five (5) business days of any hearing or an appeal that involves a “serious violation,” the Dean of Students, or designee, will report to the Vice Chancellor for Student Services about the procedural facts of the proceedings, and Vice Chancellor for Student Services shall certify that the substantial rights of the Complainant and Respondent as outlined in the Student Code of Conduct and [Act 470 of 2023](#) have been followed. The Dean of Students, or designee, should not report on substantial facts of the investigation or violation that might bias the Vice Chancellor for Student Services from administering an impartial and fair appeal, if requested. This certification shall be kept in the Respondent’s administrative file.
8. *Appeal.* A student or registered student organization who made a complaint or who is found responsible for a serious violation of the Student Code of Conduct may request an appeal for one of the following reasons: *Insufficient information that a policy was violated; A serious procedural error in resolving the case; the sanction(s) are unreasonably harsh or inappropriate for the circumstances for the violation; or new information has been found that was not available at the time of the hearing.* If a student or student organization waives the right to be present at a disciplinary proceeding, the student or registered student organization shall not have the right to appeal the institution’s initial decision.

Requests for an appeal must be submitted to the Vice Chancellor for Student Services. The deadline to submit an appeal is within twenty-five (25) days after the student or registered student organization receives final notification of the committee’s decision or by 9:00 a.m. on the next college business day if the deadline falls on a weekend or after 5 p.m. on a weekday, whichever is later. After receipt of the appeal request, the Vice Chancellor for Student Services will schedule a meeting of the Student Conduct Appeals Committee.

- a. A minimum of three members of the Appeals Committee shall be present in order to consider an appeal.
- b. Except as required to explain the basis of new evidence, an appeal shall be limited to a review of the record of the initial hearing and supporting documents for one or more of the following purposes:
 - i. To determine whether the original hearing was conducted fairly, in light of the charges and evidence presented, and in conformity with prescribed procedures of giving the complaining party a reasonable opportunity to prepare and present evidence that the Student Code of Conduct was violated and giving the accused student a reasonable opportunity to prepare and to present a rebuttal to those allegations.
 - ii. To determine whether the decision reached was supported by substantial evidence; that is whether the facts in the case were sufficient to establish that a violation of the Student Code of Conduct occurred.
 - iii. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Code of Conduct, which the student was found to have committed.
 - iv. To consider new evidence sufficient to alter a decision or other relevant facts not brought out in the original hearing when such evidence and/or facts were not known to the person appealing at the time of the original hearing.
- c. Review of the original hearing and subsequent determination(s) by the Appeals Committee may not result in more severe sanction(s) for the accused student.
- d. The Appeals Committee has five (5) days to reach a decision on the matter and submit its recommendations to the Vice Chancellor for Student Services.
- e. The Vice Chancellor for Student Services shall notify the Respondent in writing of the decision and any sanctions imposed.
- f. The decision of the Student Conduct Appeals Committee is final.

E. DISCIPLINARY SANCTIONS

1. College Judicial Process Sanctions (for individuals, groups, or organizations) include:

- a. **Cancellation of Admissions: administrative withdrawal.**
 - b. **Educational Sanctions:** Papers, counseling, alcohol/drug evaluations, tasks, or series of tasks that are educational in nature and/or serve to benefit the group or community at large.
 - c. **Reprimand:**
 - i. Oral reprimand – An oral disapproval issued to the student by a person designated in the decision;
 - ii. Written reprimand – A written statement of disapproval prepared by a designed person and delivered to the student.
 - d. **Restriction:**
 - i. Identification card privileges;
 - ii. Parking privileges;
 - iii. Inter-visitation privileges in residence halls;
 - iv. Removal/reassignment from a particular course, room, floor, facility, or residence hall;
 - v. As appropriate to the violation.
 - e. **Restitution:** Compensation for loss or damage incurred to the college by a member/guest of the college community.
 - f. **Probation:** Notice that further Breach of Conduct, as specified, may result in suspension, loss of privileges, or expulsion as may be consistent with the offense committed. The period of probation shall be specified in the decision.
 - g. **Suspension:** Temporary severance of the student's relationship with Arkansas State University-Beebe for a specified period of time. The period of time is to be specified in the decision.
 - h. **Expulsion:** Permanent severance of the student's relationship with Arkansas State University-Beebe.
 - i. **Housing Penalties:**
 - i. Expulsion from college housing;
 - ii. Suspension from housing;
 - iii. Housing relocation;
 - iv. Residence hall restrictions;
 - v. Probated expulsion from the housing;
 - vi. Probated suspension from the housing;
 - vii. Other sanctions as warranted by the evidence.
2. More than one of the sanctions listed above may be imposed for any single violation.
 3. The following sanctions may be imposed upon groups or organizations:
 - a. Those sanctions listed above in Section D. 1., sub-sections a - i;
 - b. **Deactivation:** Loss of all privileges, including College recognition, for a specified period of time.

F. INTERIM SUSPENSION

The Vice Chancellor for Student Services, or their designee, may enforce an interim action if necessary to maintain safety or order; including but not limited to, adjusting in student housing arrangements; imposing conditions of no contact between an accused student and the accusing student; remove a student from a class; temporarily suspending a student; or banning a student from campus. Within twenty-four (24) hours of imposing the interim measure(s), the accused Respondent or student organization will receive written notification of any interim measures which explain the institution's reasons for enacting the interim measures. In cases of alleged "serious violations," the college may remove an accused student from college programs or activities on an emergency basis only if the college:

1. Undertakes an individualized safety and risk analysis; and
2. Determines that an immediate threat or the safety of a student or another individual arising from the allegations of misconduct justifies removal of the accused student.

In cases in which an interim suspension has been issued the following will occur: an interim measure hearing will be held within three (3) business days of the written notice unless otherwise waived by the accused student, to determine whether there is substantial evidence that the accused student poses a risk to the physical safety of a member of the campus community and that the interim measure is appropriate to mitigate that risk.

At an interim measure hearing, the accused student and the accusing student may be represented by an attorney or a non-attorney advocate who may fully participate in the interim measure hearing. An accused student's waiver of their right to be represented by an attorney or a non-attorney advocate shall not constitute an admission of guilt or a waiver of additional rights.

ARTICLE IV: INTERPRETATION

The Vice Chancellor for Student Services oversees the Student Conduct procedures in order to maintain a fair and equitable process. The Dean of Students is responsible for the administration of hearings. Student Conduct Hearing Committee and Student Conduct Appeals Committee training are conducted by the Vice Chancellor for Student Services and the Dean of Students. Any question of interpretation regarding the Student Code of Conduct and judicial procedures shall be referred to the Vice Chancellor for Student Services or his/her designee for final determination. The final results of disciplinary actions shall be maintained in the Dean of Students' office. The Student Code of Conduct and judicial procedures are reviewed each academic year.

CHAPTER 9

GRADE APPEALS, COMPLAINTS, AND GRIEVANCE PROCEDURES

9.1 FINAL GRADE APPEALS

Final course grade appeals must be made within eight weeks following the end of the semester.

The steps for **appealing a final course grade** are as follows:

1. The Student must first speak with the instructor of the class to attempt to resolve the appeal.
2. If an agreement cannot be reached, the student must then speak with the dean under which the course falls.
3. If an agreement still cannot be reached at this point, the student should obtain a grade appeal form from the Academics Office, complete the form, and return it to the Academics Office along with any supporting documentation.

The Vice Chancellor for Academics will review the information on the form, investigate, and make a ruling. The decision of the Vice Chancellor for Academics **shall be final**.

Academics Office
State Hall, Room 201
501.882.8830

9.2 INSTITUTIONAL COMPLAINT AND GRIEVANCE PROCEDURE

INFORMAL STUDENT COMPLAINT PROCEDURE

If a student feels that an institutional error has been made or a member of the college's faculty/staff has not acted fairly or properly, the student should schedule an in-person meeting or communicate by email with the employee concerned in an attempt to resolve the complaint informally.

If the complaint is not resolved at this level, the student should meet in-person or communicate by email with the employee's supervisor to attempt to resolve the complaint.

The student shall initiate the informal process within thirty (30) business days of the incident by scheduling a meeting or communicating by email with the appropriate faculty or staff member.

FORMAL STUDENT GRIEVANCE PROCEDURE

If a complaint is not resolved through the informal process, the student may then submit a written grievance to the Vice Chancellor for Student Services. The grievance must be filed within the same semester in which the violation occurred or within thirty (30) business days after the end of that same semester. Grievances will be limited to those made formally in writing and signed by the student.

The written grievance must include:

1. Date and details of the alleged violation;
2. Any available evidence of the alleged violation;
3. A description of the efforts to informally resolve the complaint;
4. Names, addresses, and phone numbers of witnesses to the alleged violation;
5. The requested remedy to the alleged violation.

The Vice Chancellor for Student Services office will send the grievance to the Grievance Committee. The Grievance Committee will review the written grievance and will either determine that there are no grounds for the grievance or schedule a hearing within thirty (30) business days of receipt of the grievance.

STUDENT GRIEVANCE COMMITTEE

The Student Grievance Committee is made up of a 21-member pool representing faculty, staff and students. The Chancellor shall appoint seven (7) members from the pool to review each case. When a student's grievance is against a staff member, the committee shall be composed of three (3) staff members, two (2) faculty members, and two (2) students. When the grievance is against a faculty member, the committee shall be composed of three (3) faculty members, two (2) staff members, and two (2) students. The Grievance Committee shall have specific training on the grievance hearing process.

The committee elects a chairperson for each case. The Chancellor selects an advisor to sit as an ex-officio, non-voting member of the Student Grievance Committee, offering technical assistance on procedural and policy matters.

Should the investigation result in the conclusion that a hearing should be held, the student shall meet with the Grievance Committee in the presence of the faculty/staff member concerned. **No audio or video recording shall be permitted. The decision of the Grievance Committee shall be final and shall be forwarded to the Chancellor within five (5) days of the hearing.** The college shall retain the written records of the process for five calendar years in the Vice Chancellor for Student Services Office.

Students may call 501.882.8986 or email vcss@asub.edu for information on filing a grievance. To file a grievance, a **signed** grievance letter and supporting documentation must be mailed to P.O. Box 1000, Beebe, AR 72012 or emailed to vcss@asub.edu.

9.3 COMPLAINTS CONCERNING DISCRIMINATION AND/OR HARASSMENT

Arkansas State University-Beebe does not discriminate on the basis of color, sex, sexual orientation, gender identity, race, age, national origin, religion, marital status, veteran status, genetic information or disability in any of its practices, policies or procedures. This includes, but is not limited to, employment, admissions, educational services, programs or activities which it operates or financial aid.

TITLE IX OF EDUCATION AMENDMENTS

Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity.

Title IX benefits both males and females, and is at the heart of efforts to create gender equitable schools. The law requires educational institutions to maintain policies, practices and programs that do not discriminate against anyone based on sex. Under this law, males and females are expected to receive fair and equitable treatment in all areas of public schooling including recruitment, admissions, educational programs and activities, course offerings and access, counseling, financial aid, employment assistance, facilities and housing, health and insurance benefits, marital and parental status, scholarships, sexual discrimination and athletics. Arkansas State University has designated a Title IX Coordinator for each campus. Any incidence of sexual discrimination, including sexual harassment or sexual violence, should be reported to the Title IX Coordinator, who will take prompt action to secure a full and equitable review. In the event the sexual discrimination allegation is against the Title IX Coordinator, the report should be made to the Office of General Counsel. Contact information for each campus's Title IX Coordinator is located on the respective campus's website.

SEXUAL DISCRIMINATION

Arkansas State University is committed to providing an educational and work environment for its students, faculty, and staff that is free from sexual discrimination including sexual harassment, sexual assault, sexual violence, stalking, domestic violence, and dating violence, as prohibited by Title IX of the Educational Amendments of 1972, and/or Title VII of the 1964 Civil Rights Act. No form of sexual discrimination will be tolerated.

It is important to preserve all evidence of sexual discrimination, especially if the discrimination is also a criminal offense, such as sexual assault, stalking, domestic violence, or dating violence.

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

Each campus has a Title IX Coordinator who is charged with investigating certain allegations of sexual harassment, sexual assault, stalking, domestic violence and dating violence, as defined within the Title IX Grievance Procedure herein. Each campus's Human Resources Department is responsible for investigation allegations of sexual discrimination, not covered by Title IX, and in violation of Title VII. Employees with supervisory responsibilities, including deans, vice chancellors, department chairs, faculty, student conduct personnel, human resources personnel, athletic administrators, coaches, and campus police personnel must report incidents of sexual discrimination, either observed by them or reported to them, to the Title IX Coordinator. The Title IX Coordinator will conduct a prompt, thorough, and objective investigation of those claims which meet the requirements of a Title IX offense, and will refer other claims of sexual discrimination to the campus Human Resources department. If sexual discrimination has occurred, appropriate remedial action commensurate with the severity of the offense will be taken up to and including termination. All reports, complaints, and investigations are treated with discretion and confidentiality is maintained to the extent allowed by law.

The Title IX Coordinator or Human Resources representative, as applicable, will notify the appropriate law enforcement agency of all reports of sexual assault, stalking, domestic violence or dating violence. The person who has allegedly been subjected to sexual discrimination may also contact law enforcement and may seek an order of protection, no contact order, or similar order. The Title IX Coordinator or Human Resources representative will assist the person alleging to be subjected to sexual discrimination and the person alleged to have committed sexual discrimination with locating resources for counseling, medical treatment, legal advice, or other services.

Each campus within the Arkansas State University System provides educational materials and programs on sexual discrimination. Contact the Human Resources Department or the Title IX Coordinator for information on awareness and prevention of sexual discrimination.

The University reserves the right to take those legally permitted supportive measures it deems necessary in response to an allegation of sexual discrimination in order to protect individuals' rights and personal safety. Such supportive measures may include, but are not limited to: modification of campus living or employment arrangements; interim suspensions from campus; no contact or communications requirements; leave with or without pay; and reporting the matter to law enforcement. Persons reporting allegations of sexual discrimination must follow the Staff Grievance Procedure or the Title IX Grievance Procedure, as applicable.

9.4 TITLE IX (SEXUAL HARASSMENT DISCRIMINATION) GRIEVANCE PROCEDURE

GRIEVANCE ISSUES

The Title IX (Sexual Harassment Discrimination) Grievance Procedure applies only to allegations of Sexual Harassment Discrimination occurring in the United States and in an educational program or activity of any campus within the Arkansas State University System, which is made by a person participating in or attempting to participate in an educational program or activity of the campus. Sexual Harassment Discrimination refers specifically to allegations of Sexual Harassment under Title IX, Sexual Assault, Stalking, Domestic Violence, and Dating Violence, as those terms are defined below (collectively, "Sexual Harassment Discrimination"). Sexual Harassment under Title IX is defined as unwelcome gender-based verbal or physical conduct and occurs when:

1. Submission to, or toleration of, such conduct is made a term or condition of instruction, employment, or participation in other university activities;
2. Submission to, or rejection of, such conduct is used as a basis for employment or education decisions affecting the individual; or
3. Such conduct is severe, pervasive, and objectively offensive such that it has the effect of unreasonably interfering with an individual's education or employment performance.

Sexual Assault occurs when a person is subjected to an unwanted sexual act without consent. Sexual acts occur without consent when they are performed by force, in response to a threat, against a person's will, or where a person is incapable of giving consent due to minority, intellectual impairment, or use of mind-altering substances such as drugs or alcohol.

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress.

Domestic Violence is defined as felony or misdemeanor crimes of violence committed by a current or former spouse 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, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of Arkansas, or 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 of the State of Arkansas.

Dating Violence is defined as violence committed by a person (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship, (ii) the type of relationship, and (iii) the frequency of interaction between the persons involved in the relationship.

REPORT OF SEXUAL HARASSMENT DISCRIMINATION

Any employee, student, or visitor participating in or attempting to participate in an educational program or activity offered by a campus in the Arkansas State University System who believes he or she has been subjected to Sexual Harassment Discrimination should report the incident to the applicable campus's Title IX Coordinator utilizing the reporting form available on the Title IX web site for the campus. Employees with supervisory responsibilities including deans, vice chancellors, department chairs, faculty, student conduct personnel, human resources personnel, athletic administrators, coaches, and university police personnel must report incidents of Sexual Harassment Discrimination either observed by them or reported to them to the Title IX Coordinator. In the event the Sexual Harassment Discrimination allegation is against the Title IX Coordinator, the report form should be submitted to the Office of General Counsel. Reporting may be done by telephone, fax, email, or a hard copy communication, and may be submitted during or outside of business hours. In order to ensure timely investigation and remedy, a Sexual Harassment Discrimination grievance should be activated within sixty (60) days from the time the events leading to the complaint occurred as delay in reporting impedes the ability to achieve

prompt resolution. Reports of Sexual Assault, Sexual Violence, Stalking, Domestic Violence, and Dating Violence will be reported to law enforcement authorities, if such a report is not prohibited by law.

Criminal investigations by any law enforcement agencies or investigations conducted under the Faculty, Staff, or Student Handbooks may occur simultaneously with a Title IX (Sexual Harassment Discrimination) grievance.

TITLE IX COORDINATOR'S RESPONSE

1. Upon receipt of a report of an allegation of Sexual Harassment Discrimination, the Title IX Coordinator will contact the person alleged to have been subjected to the Sexual Harassment Discrimination (hereinafter referred to as a "Complainant") within two (2) business days. During the initial contact, the Title IX Coordinator shall notify the Complainant of available supportive measures with or without the filing of a formal complaint, the process for filing a formal complaint, and the potential code of conduct violations for knowingly providing false information. If the Complainant decides to file a formal complaint, the Complainant must submit a written and signed statement of the facts surrounding the allegations sufficient to allow the Title IX Coordinator to determine whether:
 - a. the actions alleged to have occurred meet the definition of Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, or Stalking;
 - b. the actions alleged to have occurred were perpetrated against someone who was engaged in or attempting to engage in an educational activity or program offered by the campus;
 - c. the actions alleged to have occurred were perpetrated by someone who is a student or employee of the campus, if the person's identity is known;
 - d. the acts alleged to have occurred took place against a person located in the United States; and,
 - e. the acts alleged to have occurred took place in a location or under circumstances over which the campus exercises substantial control, including but not limited to on campus buildings, buildings owned or operated by registered student organizations, or during off campus class events.

The formal complaint may be submitted electronically or in hard copy format. If the Complainant determines that he or she does not wish to pursue a formal complaint, the Title IX Coordinator shall assist the Complainant with appropriate continued supportive measures, and shall make a determination as to whether or not, based on the information that the Title IX Coordinator has at that time, the Title IX Coordinator will sign a formal complaint. The Title IX Coordinator shall only sign a formal complaint over the objection of a Complainant in the event that, based on the available facts at the time, failure to do so would be clearly unreasonable and would amount to deliberate indifference.

2. Following the receipt of the formal complaint, the Title IX Coordinator will send a Notice of Allegations to both the Complainant, and the person alleged to have perpetrated the sexual discrimination (hereinafter referred to as the "Respondent"). The Notice of Allegations will:
 - a. set forth the allegations outlined in the formal complaint;
 - b. advise the parties on the Title IX Grievance Procedure, including their right to not participate;
 - c. set forth the available supportive measures for the parties, which will be equitably available to each;
 - d. outline the availability of and describe the informal resolution procedure;
 - e. notify the parties that they have the right to have an advisor of their choice, who may but does not have to be an attorney, and that the advisor may attend but not directly participate in any meetings or interviews throughout the investigation;
 - f. notify the parties that they are required to have an advisor for the purposes of the hearing, and the availability of an advisor to be provided by the campus in the event that either party cannot obtain one;

- g. state the standard of evidence used in the Title IX Grievance procedure is preponderance of the evidence;
 - h. state that the parties each have the right to inspect, review, and respond to all information and evidence gathered, which will be presented to the parties promptly after its receipt by the Title IX Coordinator or investigator;
 - i. inform the parties of the potential code of conduct violations that can be pursued in the event that a party knowingly gives false statements or evidence; and,
 - j. state clearly that the Respondent is presumed “not responsible” unless and until there is a finding of responsibility at the conclusion of the hearing.
3. Immediately following the issuance of the Notice of Allegations, the Title IX Coordinator will review the formal complaint to verify that the conduct complained of meets the definition of sexual harassment, sexual assault, domestic violence, dating violence, or stalking; that it occurred in the campus’s education program or activity; and, it occurred against a person in the United States. Following the verification of this information, the Title IX Coordinator will take one of the following actions:
- a. If the allegations in the formal complaint fails to meet any of these requirements, it must be dismissed under the Title IX Grievance Procedure, but can be pursued under the Other Sex-Based Discrimination Grievance Procedure, of which the Title IX Coordinator shall advise the parties. The parties will be notified simultaneously in writing of this action.
 - b. If the formal complaint meets the requirements, but the Complainant requests in writing to withdraw the allegations or formal complaint; the Respondent is no longer enrolled or employed by the campus; or, specific circumstances prevent the Title IX Coordinator from gathering enough evidence to make a determination, the Title IX Coordinator may dismiss the Title IX investigation. In such an instance, the Title IX Coordinator shall notify both parties simultaneously in writing of the dismissal of the formal complaint, and the reason for the dismissal. Either party may appeal this dismissal to the Director of Human Resources (or the Director of Human Resource’s direct supervisor, if the Director of Human Resources is also the Title IX Coordinator for the campus). The appeal must be transmitted within five business (5) days of the issuance of the decision by the Title IX Coordinator. The Director of Human Resources (or their supervisor, as applicable) shall review the decision, the rationale for the decision, and the appeal, and shall make the final determination as to whether the Title IX Discrimination Grievance shall be permitted to proceed to investigation, and shall transmit that decision, simultaneously and in writing, to both parties within five (5) business days of the receipt of the appeal.
 - c. If the formal complaint meets the requirements, and the investigation isn’t dismissed as permitted or required in Section C.3., the formal complaint shall proceed to the investigation. If the formal complaint meets the requirement set forth in Section A. herein, the allegations of the formal complaint may only be addressed under the Title IX (Sexual Harassment Discrimination) Grievance Procedure.
4. Within forty-five (45) business days after receipt of a formal complaint, the Title IX Coordinator, or investigator, will conduct a full and impartial investigation, considering all available inculpatory and exculpatory evidence, by: interviewing the complainant, the respondent, and any witnesses identified throughout the investigation; considering any expert testimony offered by either party; and, by reviewing any documentary evidence submitted by either party or obtained by the Title IX Coordinator or investigator.

The Title IX Coordinator or investigator will:

- a. not seek or consider any evidence which is protected by a legally acknowledged privilege without

- the written consent of the party who holds the privilege;
- b. not consider evidence of the Complainant's sexual history or predisposition, unless offered to prove that someone else committed the acts the Respondent is accused of, or specific incident between the Complainant and Respondent are offered to prove consent;
 - c. make no credibility assessments based solely on a party's status as a complainant or respondent;
 - d. provide any party requested to attend a meeting or interview with written notice of the day, time, location, invited participants, and purpose of the meeting or interview no less than two (2) business days in advance of the proposed meeting;
 - e. make ongoing determinations, throughout the investigation, regarding the appropriateness of available supportive measures, such as: suspension from employment with or without pay; suspension from classes following an individualized determination that based upon the allegations the Respondent poses an immediate threat to a faculty member, staff member, or student; issuance of a no contact directive to both parties; reassignment of job duties; counseling; campus escort services; increased security and monitoring certain areas on campus; or, changing class or classroom assignments. If immediate action is required, the Title IX Coordinator shall work with the appropriate administrator to implement supportive measures.
5. After studying all the pertinent facts and documents, carefully examining any policies involved, and discussing the issue with the parties and witnesses, the Title IX Coordinator shall either:
- a. propose an informal resolution procedure be utilized to the parties which, if accepted, shall be documented in writing, and, if successful, shall conclude the investigation, or, if unsuccessful, shall result in the investigation proceeding towards a formal hearing, with all informal resolution proceeding documents being maintained and submitted to the Hearing Committee: or,
 - b. gather all evidence collected throughout the investigation that is directly related to the allegations in the complaint and simultaneously submit, in electronic or hard copy, it to the parties and their advisors, if any. The parties shall have ten (10) business days to review and respond to all evidence provided. The Title IX Coordinator or investigator will review and consider the response(s) of the parties before completing its investigative report. The investigative report shall be a formal written report which sets forth:
 - i. the timeline of the investigation, beginning with the formal complaint, and includes all notices given, meetings or interview conducted, and communications received;
 - ii. the allegations contained in the formal complaint;
 - iii. the evidence relevant to the allegations gathered throughout the investigation; and,
 - iv. the specific form of sexual discrimination the Respondent is alleged to have engaged in.
6. Following the completion of the investigative report, the Title IX Coordinator will simultaneously submit, in electronic or hard copy, the investigative report to both parties and their advisors, if any. Both parties shall have a period of ten (10) business days to review the investigative report before the hearing date. Both parties have the option to submit a written response to the investigative report. The investigative report and any written responses by either party shall be submitted to the Title IX Hearing Committee.
7. Timelines may be extended by the Title IX Coordinator in extenuating circumstances and for good cause shown.
8. Allegations of sexual discrimination which meet the requirements of a Title IX offense and which are made by a student against a staff or faculty member shall not be resolved by the informal resolution procedure.

TITLE IX DISCRIMINATION HEARING COMMITTEE COMPOSITION

The Title IX Discrimination Hearing Committee is composed of members selected by the Chancellor or the Chancellor's designee from the Academic Hearing Committee, the Student Conduct Hearing Committee, and the Staff Hearing Committee for that campus. The Title IX Discrimination Hearing Committee is composed of five (5) voting members, and one (1) ex-officio non-voting chair. A member of the Human Resources department or Human Resources' designee sits as an ex-officio, non-voting chair of the Title IX Discrimination Hearing Committee, making determinations of relevance, overseeing the orderly operation of the hearing, and offering technical assistance on procedural and policy matters. One (1) voting member of the Title IX Discrimination Hearing Committee shall be a student, one (1) shall be a faculty member, and one (1) shall be a staff member. One (1) voting member shall be selected so that his or her primary classification of student, faculty, or staff aligns with the primary classification of the Complainant, and one (1) voting member shall be selected so that his or her primary classification aligns with the primary classification of the Respondent. The Title IX Discrimination Hearing Committee shall have specific training on sexual discrimination under Title IX, and the Arkansas State University System Title IX policy and Title IX Grievance Procedure.

TITLE IX DISCRIMINATION HEARING COMMITTEE FUNCTIONS

The Title IX Discrimination Hearing Committee shall review the investigative report of the Title IX Coordinator, the responses to the investigative report by the party(ies), the inculpatory and exculpatory evidence (that being both evidence which proves and evidence which disproves statements or allegations made by a witness or party) relevant to the allegations gathered by the Title IX Coordinator or investigator, any live testimony offered by the party(ies) and/or witnesses, and any evidence offered by the party(ies) to determine, based on the preponderance of the evidence, whether the Respondent is responsible for a violation of the Title IX policy, and, if so, to recommend an appropriate action to end the discrimination, prevent its recurrence, and remove its effects on the Complainant and the University community.

Each party shall be represented by an advisor, who may but does not have to be an attorney. The advisor will directly participate in the hearing, and question witnesses on the respective party's behalf. If either party is unable to obtain an advisor, the campus will provide a pool of advisors who have been trained on Title IX from which the party may select an advisor. A party who needs the campus to provide them with an advisor shall give notice to the campus no less than five (5) business days prior to the hearing so availability may be determined and the selected advisor can have an opportunity to review all relevant materials. If a party appears at the hearing without an advisor, and without having given notice of his or her need for an advisor, the campus will assign an advisor who is trained on Title IX, and who is selected by the campus based on availability. In the event that either party's advisor hinders the ability to conduct the hearing in an orderly fashion, that advisor may be removed from the hearing by the Chair of the Hearing Committee, and shall be replaced by an advisor to be provided by the campus.

The entirety of the hearing will be recorded by the Chair of the Hearing Committee, and conducted in closed session. At the request of either party, or in the discretion of the Chair of the Hearing Committee, the parties may be located in separate physical locations, but by use of appropriate technology shall be able to simultaneously see and hear each other and the Hearing Committee, and be seen and heard by the Hearing Committee.

During the course of the hearing, the Hearing Committee will call the witnesses interviewed during the investigation for testimony, and each party's advisor shall be permitted to question those witnesses. Both parties shall be permitted to offer an opening statement, and to testify and offer witnesses, including expert witnesses, to testify. In the event that either party wishes to call witnesses, they will disclose the identity of the witnesses to the Chair of the Hearing Committee no less than two (2) business days prior to the hearing. The Chair of the Hearing Committee will notify each party of the witnesses the other party intends to call. Testimony shall be elicited through direct and cross-examination by both parties, acting by and through their respective advisors, and the Hearing Committee. The Hearing Committee shall draw no inferences based on a party's or witness's refusal to testify. Each party shall be permitted to present evidence for the Hearing Committee's consideration. All

evidence collected by the Title IX Coordinator or investigator throughout the investigation will be presented to the Hearing Committee, and both parties shall have the right to utilize the evidence as part of their presentation to the Hearing Committee. Both parties shall have the opportunity to offer a closing statement.

TITLE IX DISCRIMINATION HEARING COMMITTEE FINDINGS

Within twenty (20) business days of the conclusion of the hearing, the Hearing Committee shall issue a written decision which will be simultaneously sent to both parties and their advisors by the Chair of the Hearing Committee. The written decision shall include:

1. the timeline of the investigation, beginning with the formal complaint and including all notices, interviews, communications, and the hearing date;
2. the finding of facts from the evidence and testimony presented at the hearing in support of the determination regarding responsibility;
3. the Hearing Committee's determination regarding responsibility based on the preponderance of the evidence;
4. the rationale for the determination regarding responsibility, including the application and analysis of the testimony and evidence presented to the Hearing Committee to Title IX policy to the allegations contained in the formal complaint for each alleged violation contained in the formal complaint;
5. any disciplinary or remedial sanctions to be imposed, which may be up to and including suspension or expulsion, as appropriate;
6. a statement that each party has the right to appeal the decision of the Hearing Committee within five (5) business days on the bases of: procedural irregularity that affected the outcome: new evidence not reasonably available at the time of the Hearing Committee's determination that could affect the outcome; and/or, bias or conflict of interest on the part of the Title IX Coordinator, investigators, or Hearing Committee; and,
7. a statement that the standard of evidence used in the appeal shall be the preponderance of the evidence.

TITLE IX DISCRIMINATION APPEAL COMMITTEE PROCEDURE

1. Either party shall have five (5) business days following the issuance of the Hearing Committee's written decision to submit an appeal. Either party may appeal on the basis of:
 - a. procedural irregularity that affected the outcome;
 - b. new evidence not reasonably available at the time of the Hearing Committee's determination that could affect the outcome; and/or,
 - c. bias or conflict of interest on the part of the Title IX Coordinator, investigator, or Hearing Committee.
2. The letter of appeal shall be submitted to the Chair of the Hearing Committee, and shall set forth the specific basis or bases for the appeal, and all facts, evidence, and a statement in support of the basis or bases of appeal.
3. Any letter of appeal shall be transmitted to the other party by the Chair of the Hearing Committee, and that party shall have two (2) business days to respond, in writing, to the contents of the letter of appeal. Any response shall be presented by the Chair of the Hearing Committee to the appealing party, who shall have two (2) business days to respond. Any response by the appealing party shall be presented by the Chair of the Hearing Committee to the other party, who shall have two (2) business days to respond. The letter of appeal, all responses to the same, the Hearing Committee's written decision, the Title IX investigative report, and the recording of the hearing (hereinafter referred to as the "Appeal Packet") will be presented by the Chair of the Hearing Committee to the Title IX Discrimination Appeal Committee for consideration.
4. The Title IX Discrimination Appeal Committee shall be comprised of one (1) student, one (1) faculty member, and (1) staff member selected by the Chancellor or the Chancellor's designee. Each member

shall have specific training on sexual discrimination under Title IX, and the Arkansas State University System Title IX policy and Title IX Grievance Procedure. No member of the Hearing Committee may serve on the Appeal Committee for the same formal complaint. The Title IX Appeal Committee shall convene in closed session to consider the Appeal Packet. The Appeal Committee shall use the preponderance of the evidence basis in making its determination on the basis for appeal.

Within ten (10) business days of the receipt of the Appeal Packet, the Appeal Committee shall issue a written recommendation. The Appeal Committee can recommend either that:

- a. the bases of appeal are not supported by the Appeal Packet and confirm the decision of the Hearing Committee; or,
 - b. the bases of appeal are supported by the Appeal Packet, and:
 - i. overturn the decision of the Hearing Committee, or
 - ii. confirm the finding of the Hearing Committee but modify the sanctions or remedial measures ordered by the Hearing Committee.
5. The written recommendation shall state the recommendation of the appeal, and the rationale for the recommendation. The Appeal Committee shall transmit its written decision to the Chancellor. The Chancellor shall have ten (10) business days to review the Appeal Packet and the written recommendation of the Appeal Committee, and issue a written decision accepting or rejecting the recommendation of the Appeal Committee. The Chancellor's decision is final.

DOCUMENT COLLECTION

When a Title IX discrimination grievance proceeding has been closed, all materials relating to that case shall be retained on file by the Title IX Coordinator for seven (7) years. Care will be taken to ensure that no incomplete or inaccurate information pertaining to the grievance is retained in the file. Title IX discrimination grievance proceedings are considered confidential and no person involved with the grievance may make the documents public except as required or permitted by law.

RETALIATORY ACTION PROHIBITED

Retaliation against a person who files a charge of discrimination, participates in an investigation, refuses to participate in an investigation, or opposes an unlawful employment practice is prohibited by law and the ASU System. Any person who needs further explanation or who believes he or she has been retaliated against in connection with a Title IX (Sexual Harassment Discrimination) grievance should contact their campus Title IX Coordinator.

9.5 OTHER SEX-BASED DISCRIMINATION GRIEVANCE PROCEDURE GRIEVANCE ISSUES

The Other Sex-Based Discrimination Grievance Procedure applies to all allegations of sex-based discrimination that are not covered by the Title IX (Sexual Harassment Discrimination) Grievance Procedure. "Other Sex-Based Discrimination" includes, but is not limited to:

1. Allegations of discrimination on the basis of sex that do not involve allegations of sexual harassment or sexual violence;
2. Allegations of sexual harassment or sexual violence that cannot proceed under the Title IX (Sexual Harassment Discrimination) Grievance Procedure because:

- a. The allegations do not meet the specific definitions of Sexual Harassment under Title IX, Sexual Assault, Stalking, Domestic Violence, or Dating Violence applicable to the Title IX (Sexual Harassment Discrimination) Grievance Procedure;
 - b. The acts alleged to have occurred took place against a person located outside of the United States; or
 - c. The acts alleged to have occurred took place outside of a location over which the campus exercises substantial control or under circumstances over which the campus lacked substantial control;
3. Allegations of retaliation for reporting or participating in the investigation of any claim of sex-based discrimination; and
 4. Allegations of any activity prohibited by 34 C.F.R. § 106.31(b).

The following types of allegations are not grievable under this Other Sex-Based Discrimination Grievance Procedure:

1. Allegations that are subject to the Title IX (Sexual Harassment Discrimination) Grievance Procedure; and
2. Allegations of actions permitted by 34 C.F.R. § 106.14.

REPORT OF OTHER SEX-BASED DISCRIMINATION

Any employee, student, or visitor participating in or attempting to participate in an educational program or activity offered by a campus in the Arkansas State University System who believes he or she has been subjected to Other Sex-Based Discrimination should report the incident to the applicable campus's Title IX Coordinator utilizing the reporting form available on the Title IX web site for the campus. Employees with supervisory responsibilities including deans, vice chancellors, department chairs, faculty, student conduct personnel, human resources personnel, athletic administrators, coaches, and university police personnel must report incidents of Other Sex-Based Discrimination either observed by them or reported to them to the Title IX Coordinator. In the event the Other Sex-Based Discrimination allegation is against the Title IX Coordinator, the report form should be submitted to the ASU System Office of General Counsel. Reporting may be done by telephone, fax, email, or a hard copy communication, and may be submitted during or outside of business hours. In order to ensure timely investigation and remedy, an Other Sex-Based Discrimination grievance should be activated within sixty (60) days from the time the events leading to the complaint occurred, as delay in reporting impedes the ability to achieve prompt resolution. Reports of sexual violence will be reported to law enforcement authorities, if such a report is not prohibited by law.

Criminal investigations by any law enforcement agencies or investigations conducted under the Faculty, Staff, or Student Handbooks may occur simultaneously with an Other Sex-Based Discrimination grievance.

TITLE IX COORDINATOR'S RESPONSE

1. Upon receipt of a report of an allegation of Other Sex-Based Discrimination, the Title IX Coordinator will contact the person alleged to have been subjected to the Other Sex-Based Discrimination (hereinafter referred to as a "Complainant") within two (2) business days. During the initial contact, the Title IX Coordinator shall notify the Complainant of available supportive measures with or without the filing of a formal complaint, the process for filing a formal complaint, and the potential code of conduct violations for knowingly providing false information.

The formal complaint may be submitted electronically or in hard copy format. If the Complainant determines that he or she does not wish to pursue a formal complaint, the Title IX Coordinator shall assist the Complainant with appropriate continued supportive measures, and shall make a determination as to whether or not, based on the information that the Title IX Coordinator has at that time, the Title IX Coordinator will sign a formal complaint. The Title IX Coordinator shall only sign a formal complaint over the objection of a Complainant in the event that, based on the available facts at the time, failure to do so would be clearly unreasonable and would amount to deliberate indifference.

2. Following the receipt of the formal complaint, the Title IX Coordinator will send a Notice of Allegations to both the Complainant, and the person alleged to have perpetrated the Other Sex-Based Discrimination (hereinafter referred to as the “Respondent”). The Notice of Allegations will:
 - a. set forth the allegations outlined in the formal complaint;
 - b. advise the parties on the Other Sex-Based Discrimination Grievance Procedure, including their right to not participate;
 - c. set forth the available supportive measures for the parties, which will be equitably available to each;
 - d. outline the availability of and describe the informal resolution procedure;
 - e. notify the parties that they have the right to have an advisor of their choice, who may but does not have to be an attorney, and that the advisor may attend but not directly participate in any meetings or interviews throughout the investigation;
 - f. notify the parties that they are required to have an advisor for the purposes of the hearing, and the availability of an advisor to be provided by the campus in the event that either party cannot obtain one;
 - g. state the standard of evidence used in the Other Sex-Based Discrimination Grievance Procedure is preponderance of the evidence;
 - h. state that the parties each have the right to inspect, review, and respond to all information and evidence gathered, which will be presented to the parties promptly after its receipt by the Title IX Coordinator or investigator;
 - i. inform the parties of the potential code of conduct violations that can be pursued in the event that a party knowingly gives false statements or evidence; and,
 - j. state clearly that the Respondent is presumed “not responsible” unless and until there is a finding of responsibility at the conclusion of the hearing.
3. Immediately following the issuance of the Notice of Allegations, the Title IX Coordinator will review the formal complaint to verify that the conduct complained of is grievable under this Other Sex-Based Discrimination Grievance Procedure.
4. Within forty-five (45) business days after receipt of a formal complaint, the Title IX Coordinator, or investigator, will conduct a full and impartial investigation, considering all available inculpatory and exculpatory evidence, by: interviewing the Complainant, the Respondent, and any witnesses identified throughout the investigation; considering any expert testimony offered by either party; and, by reviewing any documentary evidence submitted by either party or obtained by the Title IX Coordinator or investigator.
 - a. The Title IX Coordinator or investigator will:
 - b. not seek or consider any evidence which is protected by a legally acknowledged privilege without the written consent of the party who holds the privilege;
 - c. not consider evidence of the Complainant’s sexual history or predisposition, unless offered to prove that someone else committed the acts the Respondent is accused of, or specific incident between the Complainant and Respondent are offered to prove consent;

- d. make no credibility assessments based solely on a party's status as a complainant or respondent;
 - e. provide any party requested to attend a meeting or interview with written notice of the day, time, location, invited participants, and purpose of the meeting or interview no less than two (2) business days in advance of the proposed meeting; make ongoing determinations, throughout the investigation, regarding the appropriateness of available supportive measures, such as: suspension from employment with or without pay; suspension from classes following an individualized determination that based upon the allegations the Respondent poses an immediate threat to a faculty member, staff member, or student; issuance of a no contact directive to both parties; reassignment of job duties; counseling; campus escort services; increased security and monitoring certain areas on campus; or, changing class or classroom assignments. If immediate action is required, the Title IX Coordinator shall work with the appropriate administrator to implement supportive measures.
5. After studying all the pertinent facts and documents, carefully examining any policies involved, and discussing the issue with the parties and witnesses, the Title IX Coordinator shall either:
- a. propose an informal resolution procedure be utilized to the parties which, if accepted, shall be documented in writing, and, if successful, shall conclude the investigation, or, if unsuccessful, shall result in the investigation proceeding towards a formal hearing, with all informal resolution proceeding documents being maintained and submitted to the Hearing Committee; or
 - b. gather all evidence collected throughout the investigation that is directly related to the allegations in the complaint and simultaneously submit, in electronic or hard copy, it to the parties and their advisors, if any. The parties shall have ten (10) business days to review and respond to all evidence provided. The Title IX Coordinator or investigator will review and consider the response(s) of the parties before completing its investigative report. The investigative report shall be a formal written report which sets forth:
 - i. the timeline of the investigation, beginning with the formal complaint, and includes all notices given, meetings or interview conducted, and communications received;
 - ii. the allegations contained in the formal complaint;
 - iii. the evidence relevant to the allegations gathered throughout the investigation; and,
 - iv. the specific form of sexual discrimination the Respondent is alleged to have engaged in.
6. Following the completion of the investigative report, the Title IX Coordinator will simultaneously submit, in electronic or hard copy, the investigative report to both parties and their advisors, if any. Both parties shall have a period of ten (10) business days to review the investigative report before the hearing date. Both parties have the option to submit a written response to the investigative report. The investigative report and any written responses by either party shall be submitted to the Title IX Hearing Committee.
7. Timelines may be extended by the Title IX Coordinator in extenuating circumstances and for good cause shown.
8. Allegations of sexual discrimination which meet the requirements of a Title IX offense and which are made by a student against a staff or faculty member shall not be resolved by the informal resolution procedure.

OTHER SEX-BASED DISCRIMINATION HEARING AND APPEALS PROCESS

Once the Other Sex-Based Discrimination grievance is ripe for a hearing, the grievance shall be heard by the Title IX Hearing Committee established under the Title IX (Sexual Harassment Discrimination) Grievance Procedure. In the case of a hearing under this Other Sex-Based Discrimination Grievance Procedure, the Title IX Hearing Committee shall be responsible for determining, based on the preponderance of the evidence, whether the

Respondent is responsible for committing an Other Sex-Based Harassment violation, and, if so, to recommend an appropriate action to end the discrimination, prevent its recurrence, and remove its effects on the Complainant and the university community.

The hearing and appeals process shall follow the same processes outlined in the Title IX (Sexual Harassment Discrimination) Grievance Procedure.

DOCUMENT COLLECTION

When an Other Sex-Based Discrimination grievance proceeding has been closed, all materials relating to that case shall be retained on file by the Title IX Coordinator for seven (7) years. Care will be taken to ensure that no incomplete or inaccurate information pertaining to the grievance is retained in the file. Other Sex-Based Discrimination grievance proceedings are considered confidential and no person involved with the grievance may make the documents public except as required or permitted by law.

RETALIATORY ACTION PROHIBITED

Retaliation against a person who files a charge of discrimination, participates in an investigation, refuses to participate in an investigation, or opposes an unlawful employment practice is prohibited by law and the ASU System. Any person who needs further explanation or who believes he or she has been retaliated against in connection with an Other Sex-Based Discrimination grievance should contact their campus Title IX Coordinator.

TITLE IX NON-DISCRIMINATION AND REPORTING STATEMENT

Arkansas State University - Beebe does not discriminate on the basis of sex in any education program or activity that it operates. Further, Arkansas State University - Beebe is subject to Title IX of the Education Amendments of 1972 and is therefore required by Title IX and 34 C.F.R. Part 106 not to discriminate in such a manner. This requirement extends to admissions and employment with the university. Inquiries about the application of Title IX or 34 C.F.R. Part 106 to Arkansas State University - Beebe may be referred to Arkansas State University - Beebe's Title IX Coordinator, to the Assistant Secretary for Civil Rights for the U.S. Department of Education, or both. Arkansas State University - Beebe's Title IX Coordinator holds the title Vice Chancellor for Student Services and may be contacted as follows:

By email: vcss@asub.edu

By phone: 501-882-8879

In Person: 202D, McKay Student Center, Beebe, AR 72012

By mail: P.O. Box 1000, Beebe, AR 72012

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by phone, or by email using the contact information provided above or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, provided above.

To file a Title IX report, click on link below:

[Sexual Misconduct Incident Report](#)

Title IX Email

titleix@asub.edu

Additional information regarding Sexual Discrimination is found at <http://www.asub.edu/title-ix/>.

Title IX Coordinator

Dr. David Mayes
Vice Chancellor for Student Services
1000 Iowa Street, State Hall 101
P.O. Box 1000
Beebe, AR 72012-1000
dmmayes@asub.edu
501.882.8879

Deputy Title IX Coordinator for Employees

Teri Roper
Director of Human Resources
tloper@asub.edu
501.882.4466

Deputy Title IX Coordinator for Students

Catherine Burton
Director of Advising & Learning Center
csburton@asub.edu
501.882.4431

Zackery Tucker
Dean of Students
zatucker@asub.edu
501.882.4428

Deputy Title IX Coordinator for Heber Springs

Cody McMichael
Campus Operations Manager Heber Springs
cwmcmichael@asub.edu
501.362.1209

Deputy Title IX Coordinator for Searcy

Emily Fisher
Campus Operations Manager LRAFB/Searcy
enfisher@asub.edu
501.207.6211

U.S. Department of Education**Office of Civil Rights (OCR)**

Lyndon Baines Johnson Department of Education Building
400 Maryland Avenue, SW
Washington, DC 20202-1100
Phone: 1.800.421.3481
Fax: 202.453.6012
Email: OCR@ed.gov
Website: www.hhs.gov/ocr

Title IX Procedures updated December 11, 2023.

9.6 AMERICANS WITH DISABILITIES ACT

ADA/504 POLICY STATEMENT

Arkansas State University-Beebe is fully committed to ensuring that no otherwise qualified individual with a disability is excluded from participation in, denied the benefits of, or subjected to discrimination in college programs or activities due to their disability. Accessibility and resources are provided in compliance with all requirements of the Americans with Disabilities Act of 1990 (ADA) and as amended in 2008 and the Rehabilitation Act of 1973 (Section 504).

SCOPE AND APPLICATION

Any student who believes that he or she has been subjected to discrimination on the basis of disability, or has been denied access or accommodations required by law, shall have the right to file a grievance. In general, this grievance procedure is designed to address the following types of concerns:

1. Alleged inaccessibility of a college program or activity
2. Disagreements or denials regarding requested services or accommodations to college practices or requirements
3. Failure to provide approved accommodations registered with the Office of Disability Services
4. Alleged harassment or discrimination on the basis of a disability
5. Any other alleged violations of the ADA and/or Section 504

This Grievance Procedure, however, is not intended and shall not supersede other college policies and procedures that may exist for addressing alleged violations of the Americans with Disabilities Act and/or Section 504 of the Rehabilitation Act or other issues of concern for which separate college policies and procedures exist, including, for example, grade appeals or student conduct appeals.

GRIEVANCE PROCEDURES

Regardless of the specific grievance procedure used by a student, all grievances must be filed within 30 business days of the activating event subject in the student's complaint(s). Each grievance shall be reviewed for (1) whether it is submitted within a timely manner and (2) whether it contains all required information. Grievances which are untimely or fails to contain all required information, including a clear statement of all grounds for the grievance will not be reviewed by the college. Once submitted, a grievance shall not be expanded beyond the issues presented in the initial complaint in order to facilitate a clear and prompt resolution. The college reserves the right to redirect a grievance to the proper grievance procedure or to any other appropriate review procedure at initial review.

INFORMAL GRIEVANCE PROCEDURE

With respect to any grievance covered under this policy and as a prerequisite to initiating one of the formal grievance procedures described in sections below, a student shall first attempt to resolve his or her complaint informally by meeting with the Office of Disability Services. The Office of Disability Services will assist the person to work on a resolution to their complaint, and may engage all parties involved in the concern. If the grievance is not resolved informally, then the student shall follow the appropriate formal grievance procedure detailed below.

FORMAL ADA/504 GRIEVANCE TYPES

If the grievance is not resolved informally, then the student shall have the right to follow the appropriate formal grievance procedure detailed below. There are two ADA/504 grievance types at ASU-Beebe: 1) an Academic Accommodation/ Service Grievance, or 2) an Office of Disability Service Grievance. The student will file either grievance type as detailed in procedures published under Formal ADA/504 Grievance Procedures.

ACADEMIC ACCOMMODATION/SERVICE GRIEVANCE

A student should file a formal Academic Accommodation/ Service Grievance with the Office of Disability Services for investigation, if the qualified student with a disability, as defined by the ADA and the Rehabilitation Act, believes a faculty or staff member of ASU-Beebe as denied or failed to use an approved academic accommodation or service advised by the Office of Disability Services, under compliance with the ADA and the Rehabilitation Act. The grievance shall be handled by the procedures outlined below, "Formal ADA/ 504 Grievance Procedure."

OFFICE OF DISABILITY SERVICES GRIEVANCE

A student should file a formal Office of Disability Services Grievance with the Dean of Students for investigation, if the qualified student with a disability, as defined by the ADA and the Rehabilitation Act, believes the Office of Disability Services wrongly denied certification of a disability for services and/or denied an academic accommodation. The grievance shall be handled by the procedures outlined below, "Formal ADA/ 504 Grievance Procedure."

FORMAL ADA/504 GRIEVANCE PROCEDURE

After a student has exhausted the informal grievance process with the Office of Disability Services, the student has a right to the following formal grievance procedures:

1. The student shall fully complete the ADA/504 Grievance Form within 30 business days following the date of the denial/failure of the requested academic accommodation or service. The Grievance Form is available and can be completed online at: <https://www.asub.edu/disability-policy-and-guidance>. Upon receiving a grievance form, an acknowledgement of receipt is emailed to the student. A timely grievance form will not be considered to have been filed unless it includes all the required information. The student is solely responsible for supplying all required information in the grievance form.

A student will find the ADA/504 Grievance Form on the ASU-Beebe, Disability Services webpage. A paper copy may be requested at the Office of Disability Services, alternative format is available as requested.

2. The student's completed grievance form must clearly state:
 - a. The basis and rationale for the complaint
 - b. The specific facts and/or policies supporting the student's position
 - c. A description of the efforts to informally resolve the complaint
 - d. Names, addresses, and phone numbers of witnesses to the alleged violation
 - e. The remedy and resolution desired by the student
 - f. All other information required on the form.
3. The receiving party of the grievance form will review all information necessary to render a written determination. If other information is needed, the student shall supply additional information and/or documents requested. The receiving party will issue a written Letter of Determination on the student's grievance within 30 business days after receiving the student's completed grievance form, or as soon as possible thereafter, to the student and to the individual against whom the complaint has been filed against in the grievance form. Further, the receiving party shall take any steps necessary to implement the decision, including, but not limited to, providing a copy of the Letter of Determination to appropriate college officials.
4. If both parties accept the Letter of Determination written by the Office of Disability on the student's academic accommodation grievance, they will sign a statement to that effect and the grievance process ends.
5. The Vice Chancellor for Student Services shall retain the written records of the process for all grievances for five calendar years.

APPEALING THE LETTER OF DETERMINATION

Within ten (10) business days following the receipt of the Letter of Determination to the Grievance Response by the Office of Disability Services, if either party disagrees with the response, the disagreeing party may submit a written appeal to the Vice Chancellor for Student Services.

The letter of appeal shall be in writing and must include the following information:

- a. The name, address, e-mail address and phone number of the individual filing the appeal
 - b. The specific facts and grounds which form the basis for the appeal, including the specific basis of the individual's disagreement with the Letter of Determination Response from Office of Disability Services
 - c. All other information the individual reasonably believes is relevant to the appeal
1. Upon receiving the individual's letter of appeal, a copy of the original Grievance Form, the Letter of Determination, and all other records or documents forming the basis of the Letter of Determination, the Vice Chancellor for Student Services shall send the individual a notice of acknowledgment of receipt of appeal.
 2. The Vice Chancellor for Student Services shall review the entire written record and may also gather additional information necessary to the consideration of the individual's appeal. The Vice Chancellor for Student Services will issue a written Letter of Determination on the student's appeal within 30 days after receiving it, or as soon as possible thereafter. The Vice Chancellor for Student Services shall provide the individual with a copy of the Letter of Determination and take any steps necessary to implement the decision, including, but not limited to, providing a copy of the Letter of Determination to appropriate college officials.
 3. The decision of the Vice Chancellor for Student Services shall be final and no additional college appeals shall be available.
 4. During the Grievance Process, the student will be entitled to receive the academic accommodations/services offered, if any, by the college. The college recognizes the importance that the student's concerns be addressed promptly so that his or her participation in the course or activity is not affected.

TIME PERIOD

For purposes of calculating all time periods set forth in this Grievance Procedure, official college holidays and breaks set forth in the College's academic calendar (such as Thanksgiving break, Christmas break, and spring break) or dates the college officially closes (such as for inclement weather) shall be excluded in determining the time period for taking any required action. Moreover, the day of the act or event from which the designated period of time begins to run shall not be included. The last day of any time period provided in the Grievance Procedure shall be included, unless it is a Saturday or Sunday, and in such an event, the next business day shall be counted in the time period.

RIGHT TO REVIEW RECORDS

A student filing a grievance shall have the right to review all records maintained in the grievance file or relied upon by any decision-maker, unless any such review is prohibited by Federal or state law. Upon a student's request, the college shall establish a mutually acceptable time and location for the student to review the requested records.

RETALIATION

Retaliation against any person who files a complaint of discrimination, participates in an investigation, or opposes a discriminatory education practice or policy is prohibited by college policy and federal and state law.

OFFICE OF CIVIL RIGHTS COMPLAINT

Although students are encouraged to attempt to resolve complaints pertaining to disabilities by utilizing this Grievance Procedure, they have the right to file a complaint directly with the U.S. Department of Education, Office

for Civil Rights (OCR) (Dallas regional office). Information regarding applicable timelines and procedures is available from the Office for Civil Rights.

EFFECTIVE DATE

This ADA/504 Grievance Policy shall be effective on August 1, 2022. The college reserves the right to amend its Grievance Procedures.

ADA/Section 504 Disabilities Coordinator

Tisha Marzewski, Coordinator of Disability Services
McKay Student Center, Room, 202
P.O. Box 1000
Beebe, AR 72012-1000
timarzewski@asub.edu
501.882.8863

9.6 OFFICE OF CIVIL RIGHTS (OCR)

The Office of Civil Rights (OCR) is a sub-agency of the U.S. Department of Education. Its primary focus is to enforce federal civil rights laws that prohibit discrimination based on race, color, national origin, sex, disability, age, or membership in patriotic youth organizations and ensure equal access to education.

Individuals with complaints of this nature have the right to file a formal complaint with the U.S. Department of Education:

U.S. Department of Education
Office of Civil Rights (OCR)
Lyndon Baines Johnson Department of Education Building
400 Maryland Avenue, SW
Washington, DC 20202-1100
Phone: 1.800.421.3481
Fax: 202.453.6012
Email: OCR@ed.gov
Website: www.hhs.gov/ocr

CHAPTER 10

INFECTIOUS ILLNESS PROTOCOL FOR STUDENTS

The well-being of our campus community is a shared responsibility. The college has established several protocols to mitigate the risk of faculty, staff, and students contracting communicable illnesses. In turn, it is each student's responsibility to review and understand the college's applicable protocol (i.e., classroom, student activities, residence halls, academic programs, etc.) related to mitigating the risk of communicable illnesses. The following protocol has been adopted to assist faculty, staff, and students in mitigating the risk of contracting communicable illnesses while interacting on ASU-Beebe's campuses.

10.1 SOCIAL DISTANCING AND FACE MASKS

ASU-Beebe supports social distancing, and masks are welcome on our campus. In all cases, employees and students will respect and comply with any employee, student, or guest's request for social distancing.

10.2 CLEANING AND SANITIZING

Students are encouraged to wash their hands frequently with soap and hot water for at least 20 seconds. When soap and water are not feasible, hand sanitizers are provided near entrances and exits to buildings, offices, and classrooms.

10.3 STUDENTS IN QUARANTINE OR ISOLATION

In the event a student is unable to participate in face-to-face course or services due to being quarantined/isolation due to illness, faculty and staff will be directed to work with the student and deliver instruction/services virtually to ensure the student is able to maintain good standing with the college. Students must understand, while in quarantine/isolation, they are responsible for maintaining their course standing.

10.4 ADDITIONAL PROTOCOL

ASU-Beebe may need to implement additional protocols throughout the semester to protect the public health of the college community in response to the development of an infectious illness outbreak, public health emergency or other communicable diseases situations.

Non-Emergency Telephone Numbers				
Arkansas State University-Beebe University Police: 501.882.8851 or 501.288.3071				
Department/Agency	Beebe	Heber Springs	LRAFB	Searcy
Campus Police	501.882.8851	501.362.1234	501.987.3417	501.207.6240
Campus Police Cellular Phone	501.288.3071	501.691.1313		501.827.8147
Ambulance	501.882.3365	501.362.2794	501.987.3417	501.268.2323
County Sheriff	501.279.6279	501.362.8143	501.340.6600	501.279.6231
Fire Department	501.882.5600	501.362.5523	501.982.2086	501.279.1066
National Guard	501.882.5417	501.362.3635	501.864.6264	501.268.2881
Local Police	501.882.3365	501.362.8291	501.982.3191	501.368.3531
State Police	870.523.2071	870.523.2071	870.523.2071	870.523.2071

CHAPTER 11

EMERGENCY PROCEDURES

Knowing what to do and who to contact when an emergency arises is a responsibility that each of us must take seriously.

In all emergency situations, statements to **media** should be made only by the Marketing and Public Relations Office. Responses to **family members** should be made only by the Human Resources Office for **faculty/staff** and only by the Student Services Office for **students**.

11.1 DISTURBANCE/CRIMINAL BEHAVIOR/BOMB THREAT

Notify Campus Police, **501.882.8851 or 501.288.3071**, of any criminal or suspicious behavior.

Gunfire: Take cover or evacuate. Stay calm and make the right decision – run, hide or fight.

Hostage: Make mental notes of captor's characteristics and sights and sounds if you are taken from campus. Campus Police will involve other law enforcement agencies as necessary.

Suspicious Object: Do not touch – Clear immediate area and call Campus Police.

Bomb Threat: Remain Calm – Keep Caller on Phone

Ask the Caller:

When is the bomb to explode?
Where is the bomb located?
What kind of bomb is it?
What does it look like?

Observe:

Age and gender of caller
Speech pattern and accent
Background noises.

Ranking Campus Police Officer on duty may order an evacuation. Evacuation alarm is by use of the fire alarm and/or the ASU-Beebe Emergency Alert Notification System.

Assist the Disabled and Injured – Elevators May Be Used

Campus Police will conduct a search and announce the "All Clear." Do not return to the building until the "All Clear" is given verbally or by ASU-Beebe Emergency Alert Notification System.

11.2 EARTHQUAKE

Indoors: Seek refuge in a doorway or under a desk or table.

Outdoors: Move away from buildings and utility poles. Avoid downed utility lines.

When the Shaking Stops: Evacuate buildings and do not re-enter due to danger of after-shocks. Assist the disabled and injured. Stay away from buildings. Do not block streets as a pedestrian or with your car. Streets must remain open for emergency vehicles.

Fire and Rescue: Physical Plant and Campus Police are responsible for extinguishing fires and directing rescue operations.

11.3 EXPLOSION/CHEMICAL LEAK/CAMPUS EVACUATION

Explosion or Chemical Leak:

- Evacuate building
- Sound Fire Alarm
- Assist the disabled and injured
- Notify Campus Police
- Notify department faculty for assistance with chemical leaks
- Do not re-enter building until the "All Clear" has been issued by Campus Police or ASU-Beebe Emergency Alert Notification System

Campus-wide Evacuation:

- May be ordered by off-campus authority or ranking Campus Police Officer on duty.
- Commuters and non-emergency staff shall use personal vehicles to go home unless in the danger zone.
- Campus Police or City Police will dispatch an officer to selected evacuation site for control and communication. Student Services will send representatives to evacuate site. Campus Police will maintain on-campus security as long as personal safety allows.
- The “All Clear” will be announced by Campus Police or ASU-Beebe Emergency Alert Notification System.

11.4 FIRE

Active Fire Alarm: Alarm sounds only in the building. Fire Department and Campus Police must be called.

Minor Fire: appears controllable - direct fire extinguisher toward base of flame.

Major Fire: does not appear controllable - evacuate in accordance with the building procedures.

Do Not Use Elevators!

Assist: disabled and injured.

Close Doors: **Do Not Lock Doors!**

Stay Out of Building(s): Do not return to building(s) until cleared by Fire Department or Police Department.

11.5 LOCKDOWN

Lockdown covers the situation where there is an active shooter on campus or some other type of security threat.

Notification for lockdown will be issued via the ASU-Beebe First Alert Notification System.

Get to a Securable Area:

- Lock the door
- Stay away from doors & windows
- Stay as close to the floor as possible

If Near the Shooter:

- Leave the area as quickly as possible
- Avoid running in a straight line

11.6 MEDICAL EMERGENCY

Personal Injury or Illness:

1. Tap the person's shoulder and ask, “Are you Okay?” to judge **responsiveness**.
2. If responsive (answers questions and able to make rational decisions), let him/her decide on whether or not to seek emergency care.
3. If unresponsive, call 911 and Campus Police.
4. Assess the person's **breathing** by looking at the rising and falling of the chest.
5. If not breathing or having difficulty breathing, position head in a slightly tilted back position and clear the mouth if needed.
6. Assess **pulse**. If there is no pulse and the person is not breathing, start CPR if qualified or utilize defibrillator if available.

Name of the injured, time of accident/injury, cause of accident/injury, names of witnesses and other pertinent information should be documented and turned in to Campus Police.

11.7 TORNADO

WATCH: means that a tornado is possible.

WARNING: means that a tornado had been sighted.

SIRENS: sirens will sound twice at one-minute intervals when a tornado has been detected in our area. The siren system is tested each Wednesday at 12:00 noon.

SHELTER: Upon hearing the warning system siren, all campus personnel should move to interior hallways and interior rooms on the lower level of major buildings.

ALL CLEAR: Classes and normal activities are to resume once notification of “All Clear” is received by either siren system or ASU-Beebe Emergency Notification System.



Arkansas State University-Beebe is accredited by the Higher Learning Commission, a regional accreditation agency recognized by the U.S. Department of Education.

Higher Learning Commission
230 South LaSalle Street, Suite 7-500
Chicago, Illinois 60604
800.621.7440 or 312.263.0456
www.hlcommission.org