The NorthWest Arkansas Community College (NWACC) Annual Security Report is provided to current students, prospective students, staff, and faculty as part of the College’s commitment to the safety and well-being of the NWACC community. The Annual Security Report is published every year by October 1st and contains three years of selected campus and non-campus crime statistics and certain campus security policy statements in accordance with the Clery Act. We urge members of the college community to use this report as a guide for safe practices on and off campus. The college generates an email to every enrolled student and current employee on an annual basis notifying them the report is available. For prospective students, members of the community and others, the Annual Security Report is available online at https://www.nwacc.edu/_documents/riskmgmt/clery-annual-report.pdf. Copies of the report may also be obtained from the NWACC Department of Police and Public Safety, in the Center for Health Professions, Room #1033C, One College Drive, Bentonville, AR.

Enacted in 1990, The Crime Awareness and Campus Security Act was designed to assist students in making decisions which affect their personal safety and to ensure institutions of higher education provide students, prospective students, staff, and faculty the information they need to avoid becoming victims of campus crime. The Higher Education Act of 1998 and the subsequent amendments of the implementing regulations significantly expanded institutions’ obligations under the Act. The Act was also renamed the “Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act” (hereafter the “Clery Act”).

Due to the ongoing COVID-19 pandemic health emergency, some of the resources listed in this document may not be operating as normal. For more information about how the pandemic may be impacting campus operations, please visit: https://www.nwacc.edu/administrativeservices/riskmanagement/emergencypreparedness/coronavirus/default.aspx
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Campus Safety

The NorthWest Arkansas Community College Department of Police and Public Safety and Department of Institutional Policy, Risk Management and Compliance are committed to providing a risk averse, sustainable, and resilient environment that enhances the learning experience and supports the College’s educational mission. Providing a safe and secure campus is achieved through active participation of the college community, partnerships with local law enforcement and community partners. The Department of Police and Public Safety and Department of Institutional Policy, Risk Management and Compliance work with other campus departments to enforce security policies, provide crime prevention education, and prepare for, respond to, and recover from hazards.

Campus Law Enforcement

The NWACC Department of Police and Public Safety (DPS) understands the unique challenges associated with a college setting, and as such is tasked with providing services that meet both law enforcement and private security standards. DPS officers play various roles on campus including peace officer, security guard, policy enforcer, and public relations officer. DPS provides services at 3 locations and consists of 29 authorized positions that include 15 state certified police officers and 7 security officers. Officers are constantly patrolling NWACC properties and staffing fixed posts at some facilities. These officers answer calls for service, respond to alarms, and enforce state criminal and traffic laws. DPS also has police officers responsible for specialized assignments including criminal investigations, training, and bicycle patrol. DPS maintains a close working relationship with local law enforcement agencies around campus areas.

NWACC’s DPS has primary responsibility for maintaining a reasonably safe campus. Specifically, DPS is responsible for crime prevention, law enforcement, parking control, emergency response, policing of special events, and various other community services on campus. DPS provides a full range of campus services 24 hours a day, 365 days a year. Some of these services include investigating reports of crimes, conducting follow-ups as necessary, and filing criminal charges or referring the matter (as appropriate) to another department. DPS police officers have complete police authority to apprehend and arrest anyone involved in illegal acts on campus and areas immediately adjacent to the campus pursuant to A.C.A. 25-17-305. If minor offenses involving college rules and regulations are committed by a student, the DPS may also refer the individual to the Office of Community Standards. All police officers of NWACC’s DPS meet state mandated training requirements and are certified by the Arkansas Commission on Law Enforcement Standards.

Law Enforcement Working Relationships

Major offenses such as rape, murder, aggravated assault, robbery, and auto theft are reported to the local law enforcement, as well as the NWACC Office of Community Standards and Dean of Students Office. Although NWACC does not have a formal written memorandum of
understanding with all local law enforcement agencies regarding its campuses for the purpose of investigation of alleged criminal offenses, joint efforts are coordinated as needed with these local agencies and the Arkansas State Police to investigate crimes as deemed necessary. The prosecution of all criminal offenses, both felony and misdemeanor, are conducted in the appropriate local, state, or federal court. NWACC DPS maintains close working relationships with local, state, and federal law enforcement agencies to facilitate rapid response in any emergency situation.

NWACC DPS uses the statewide Arkansas Wireless Information Network (AWIN). This system is a digital wireless system that allows DPS to communicate almost anywhere in the state. This system also facilitates communication with any other agency using AWIN throughout the state of Arkansas, which includes local agencies like Benton County Sheriff’s Office, Washington County Sheriff’s Office, Springdale Police Department and the Rogers Police Department. The system is maintained by the State of Arkansas with 24-7 technical support to ensure availability.

Off-Campus Criminal Activity
When an NWACC student is involved in an off-campus offense, DPS officers may assist with the investigation in cooperation with local, state, or federal law enforcement. Local law enforcement agencies routinely work and communicate with DPS officers on serious incidents occurring on campus or in the immediate neighborhood and business areas surrounding all NWACC’s campuses. NWACC does not operate any on-campus or off-campus housing, and there are no off-campus student organization facilities. However, many students live in the neighborhoods in the surrounding area. Local law enforcement agencies have primary jurisdiction in all areas off-campus.

Advocacy and Support Services
NWACC’s confidential advocates have been specially trained to provide affirming, empowering and confidential support for survivors and those who have experienced gendered violence, including sexual harassment, dating and intimate partner violence, sexual assault, stalking and sexual exploitation. Confidential advocates are not licensed counselors. Any student who has a concern may contact an advocate. Advocates serve as non-judgmental campus consultants. The advocate will listen and explain options available to you while providing support. Advocates' responsibilities vary depending on their job description and where they work, but their responsibility in this role is to help students understand rights, options, and resources. More information and a list of confidential advocates is available at this link: https://www.nwacc.edu/studentservices/healthandwellbeing/confidentailadvocates.aspx

NWACC’s counseling services are available to eligible employees through the Employee Assistance Program (EAP). NWACC provides free counseling for students in the Counseling and Wellness Center.
Telephone-based behavioral/mental health visits for NWACC employee and dependents covered by NWACC’S medical plan will cover and pay for telephonic counseling by in-network behavioral health professionals, not just physicians. Specifically, the plan will pay for telephone-based counseling to plan participants or beneficiaries by any in-network Certified Nurse Practitioners, Advance Practice Nurse Practitioners, Physician Assistants, Psychologists, Licensed Certified Social Workers and Licensed Professional Counselors (together with M.D.s and D.O.s, “Telephonic Providers”). Please note that all copays, coinsurance and deductibles still apply.

If you are struggling with work/life balance, maintaining normalcy, adjusting to college life, keeping a daily routine and accessing community resources, NWACC's counselors can help. Licensed counselors from NWACC's Counseling and Wellness Center are available to help students, faculty and staff in person, by video or phone.

Counseling and Wellness Center
NWACC Benton County Campus
Student Center, 2nd floor
https://www.nwacc.edu/studentservices/healthandwellbeing/personalcounseling.aspx
479.619.4128

To Schedule an Appointment:
counseling@nwacc.edu
479.619.4128

Description:
Individuals seek personal counseling services for a myriad of reasons. Some issues that clients seek our counseling services for include, but are not limited to, college life, cultural shock, depression, anxiety, anger, substance use/abuse, relationship challenges, etc. Counselors are trained to be supportive, relate to others and are sensitive to a client's background and life experience. Counseling can offer a client an ear to listen, help you learn how to address issues and how to manage and cope with symptoms.

PLEASE NOTE: Our counselors do not prescribe medication, nor provide medication management.

The local non-profit, HarkNWA offers services to NWA including help for education, food, goods, housing, health, legal, money, social support, transportation/transit and employment assistance. In this season of COVID-19, if you are experiencing things like a sudden loss of income or are struggling to find needed resources, Hark can help. Hark connectors can assist with a free and confidential needs assessment and build you a customized resource plan of up-to-date community resources. You will also have access to financial assistance programs available, including Harks Catalyst Fund. The assessment takes only minutes. Fill out the
contact form on their website and a connector from Hark will be in touch soon. Visit their website: https://www.harknwa.com/getconnected

Development, Disclosure, and Implementation of Security Policies
The Department of Police and Public Safety and the Department of Institutional Policy, Risk Management, and Compliance are the offices designated to ensure that NWACC’s security policies are actively implemented as prescribed. The Clery Compliance Coordinator and DPS prepare this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The Emergency Management Coordinator works in conjunction with the Director of Police and Public Safety and the Clery Compliance Coordinator in an on-going basis to make certain that administration, faculty, staff, students, and guests are aware of NWACC’s security policies. For more information on our NWACC Campus Safety and Security Reporting/Clery Act Policy visit this link: https://nwacc.policystat.com/policy/token_access/8e6076d9-bf6f-4d7f-b735-97472c46dcb
Procedures for Reporting Crimes and Other Emergencies

The NWACC campus community and DPS work together to reduce crime on campus. It is imperative all crime and suspicious activity be reported to DPS accurately and promptly. Members of the campus community may report criminal activities or other emergencies in several different ways. All DPS incident reports involving students, with the exception of confidential reports, may be shared with the Dean of Student’s office, Office of Community Standards, and/or the Title IX Office.

In Case of an Emergency

In case of an emergency, to be connected to NWACC DPS:

- Dial 4229 from your campus phone.
- Pick up any emergency phone located in and around campus. Dial (479) 619-4229 from your cell phone.

In case of emergency, to be connected to an off-campus dispatcher:

- Dial 911 from your cell phone.
- Dial 911 from a campus phone.

If a non-emergency violation has occurred, notify an instructor or NWACC administrator, the NWACC DPS, or use the LiveSafe mobile device application to report the incident.

For more information, to view the campus security policy, and for frequently asked questions, please visit: https://www.nwacc.edu/administrativeservices/campussafety/.

General Incident Reporting

Community members, students, faculty, staff and guests should report all crimes and public safety related incidents including when the victim of a crime elects to or is unable to make such a report to NWACC’s DPS and/or local police departments in a timely manner. Emergency phones are located and accessible throughout the campus. Crimes should be reported to the DPS for purposes of making timely warning notices to the community and inclusion in the annual security report. It is the responsibility of DPS to investigate and follow up on all reports of criminal activity on campus. In some cases, DPS officers are assisted in their investigations by other area law enforcement agencies. If assistance is required from other police agencies and/or fire departments, DPS will contact the appropriate unit.

Responses to these reports will vary according to the situations. In an emergency, DPS will respond and summon the appropriate resources to assist in the response to the incident. Reported violations of local, state or federal law will be investigated by the Department of Police and Public Safety. Information obtained by the college may be used in selecting an appropriate course of action. Options for action include:

1) pursuing the alleged violation through the criminal justice system,
2) pursuing the alleged violation through the Office of Community Standards,

3) pursuing the alleged violation through both the criminal justice system and the Office of Community Standards, or

4) taking no action. Reported violations of College regulations will be investigated and, where appropriate, adjudicated by the appropriate student conduct complaint/grievance procedures.

DPS incident reports involving students, faculty and staff are forwarded to the appropriate and responding offices on campus for review and potential action. Incident reports are available in the DPS office. DPS Officers will investigate a report when it is deemed appropriate and additional information obtained via the investigation will also be forwarded to the appropriate and responding office(s).

Students, faculty, staff, or guests of all campuses encountering violations of College regulations, crimes or other emergencies are encouraged to report these to NWACC DPS:

NWACC’s Department of Police and Public Safety (479) 619-4229 (ALL Campuses)

To report criminal activity or emergencies to local law enforcement:

- Emergencies: 911 (All Campuses)
- Bentonville Police: (479) 271-3170 (Main Campus and Brightwater)
- Centerton Police: (479) 795-4431 (non-campus locations)
- Little Flock Police: (479) 936-7977 (non-campus locations)
- Rogers Police: (479) 636-4141 (non-campus locations)
- Springdale Police: (479) 751-4542 (WCC)
- Fayetteville Police: (479) 587-3555 (non-campus locations)
- University of Arkansas Police: (479) 575-2222 (non-campus locations)

Reporting Crimes and Confidentiality

The NWACC Department of Police and Public Safety (DPS) encourages anyone who is the victim or witness to any crime to promptly report the incident. All police reports are public records under state law, therefore DPS cannot guarantee that it will hold reports of crime in confidence.

Confidential reporting may be available to witnesses and/or victims of some crimes who do not want to pursue action within the College system or the criminal justice system. Such reports may be made by using the Ethics Point secure link on the Human Resources page at: https://secure.ethicspoint.com/domain/media/en/gui/15781/index.html

or the Advocate link on the Student Support Services page at: https://nwacc-advocate.symplicity.com/public_report/
NWACC has trained Confidential Advocates who may also serve for confidential reporting. Confidential Advocates will strive to keep information private, however, there are some circumstances in which they are not able to guarantee complete confidentiality. To read more about the Confidential Advocates, please see this link: https://www.nwacc.edu/studentservices/healthandwellbeing/confidentailadvocates.aspx.

The purpose of a confidential report is to comply with the witness’s or victim’s wish to keep the matter confidential, while taking steps to ensure their or other’s future safety. With such information, the College can keep an accurate record of the number of incidents involving students, employees and visitors; determine whether there is a pattern of crime with regard to a particular location, method, or assailant; and when necessary, alert the campus community to potential danger. It is the policy of the College to encourage the reporting of crimes even if the victim does not wish to file a complaint. However, with crimes that involve sexual harassment, including sexual violence, confidentiality cannot be guaranteed.

Any information reported to DPS for may be used for crime reporting notifications, campus crime statistics reporting, and campus education programs. Cases of suspected sex discrimination or sexual harassment may be reported to the Title IX Compliance Officer, Teresa Taylor, Executive Director for Institutional Policy, Risk Management and Compliance. (ttaylor19@nwacc.edu; 479-619-4188)

Campus Security Authorities

Campus Security Authorities (“CSAs”), as defined by the Clery Act, have an obligation to report allegations of Clery Act-defined crimes that they conclude are made in good faith. These crime allegations should be reported to DPS or to the local police. The Clery Act definition of a campus security authority includes NWACC personnel in addition to DPS officers, including any official of NWACC who has significant responsibility for student and campus activities, including but not limited to, student discipline, student activities, campus conduct proceedings, advisors to student organizations and intramurals, event security, administrators who oversee branch or separate campuses, and those who monitor access to an NWACC facility.

The Clery Compliance Coordinator is responsible for overseeing CSAs, ensuring their compliance with annual training, and sending semi-annual updates to CSA’s reminding them of their responsibilities. The Department of Police and Public Safety is responsible for the collection of their crime reports and for inclusion in the Annual Security Report. If CSA’s report any crime to the Director of Community Standards (“DCS”) or the Dean of Students (“DOS”), both of those parties are responsible for forwarding this information to the Director of Police and Public Safety. The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many individuals may be hesitant about reporting crimes to the police but may be more inclined to report incidents to other campus-affiliated individuals.
If a crime is reported to a Campus Security Authority and the victim chooses not to report it to the police, then the employee, student or visitor may complete a Crime Incident Report which excludes the victim’s name. These reports may be used for crime reporting notifications, campus crime statistics reporting, and campus education programs. Cases of suspected sex discrimination or sexual harassment may be reported to the Title IX Compliance Officer, Teresa Taylor, Executive Director for Institutional Policy, Risk Management and Compliance. (ttaylor19@nwacc.edu; 479-619-4188)

The Crime Incident Report is available at the Department of Police and Public Safety Office or on the DPS website: https://nwacc-advocate.symplicity.com/public_report
Timely Warning Notifications

The Director of the Department of Police and Public Safety or a designee will coordinate with the Office of Public Relations to develop Timely Warning Notices for the College Community to notify members of the community about serious crimes that occur on campus or on other College owned, leased or controlled property, where it is determined that the incident may pose a serious or continuing threat to members of the College Community. Timely Warning Notices are usually distributed for the following Uniformed Crime Reporting program ("UCR")/National Incident Based Reporting System ("NIBRS") classifications: major incidents of arson, criminal homicide, and robbery. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by DPS. For example, if an assault occurs between two students who have a disagreement, there may be no ongoing threat to other College Community members, therefore; a Timely Warning Notice would not be distributed. Sexual Assaults are considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known by DPS. Timely Warning Notices may be distributed for other crimes as determined necessary by the Director of Public Safety or a designee in their absence.

Timely Warning Notices for the College Community will be written and sent by Public Relations once approved by the Director of Police and Public Safety or their designee and one or more of the following: Executive Director for Policy, Risk Management and Compliance, Chief Academic Officer, Vice President for Administration and Finance, Executive Director of Public Relations, College President, or Administrator in Charge of the campus/center facility or designee at the off-site location as determined by existing College emergency procedures. Notifications may be made via some or all of the following:

- E-MAILS,
- BC ALERT MESSAGING SYSTEM,
- MASS NOTIFICATION,
- NWACCS LIVE SAFE SMART PHONE APP,
- EVERBRIDGE SAFETY APP,
- SOCIAL MEDIA,
- PRESS RELEASES,
- WARNING POSTERS,
- CAMPUS MEETINGS,
- AND ANNOUNCEMENTS,
- BULLHORN OR OTHER MEANS OF VERBAL CONTACT BY DPS AND/OR OTHER PERSONNEL AVAILABLE.

For more information on signing up for alerts and notifications visit:
https://www.nwacc.edu/administrativeservices/campussafety/default.aspx
Anyone with information warranting a timely warning should report the circumstances to the DPS. All notifications issued will provide general information about the incident as well as crime prevention information that may aid in the prevention of similar occurrences. All Timely Warning notices will be issued in a manner that withholds the names of victims as confidential.

Immediate Notification
The procedure regarding immediate notification at NWACC is designed to get relevant information to College students, employees and visitors at any affected NWACC location as soon as possible when an emergency incident occurs that involves a threat to health and safety. The NWACC administration will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or staff occurring on campus.

The Director of Police and Public Safety or a designee will confirm if there is a significant emergency or dangerous situation and determine necessary notifications. Public Safety personnel, Exec. Director of Institutional Policy, Risk Management, and Compliance, or Public Relations personnel will determine the appropriate segment or segments of the campus community to receive the messages if the threat is limited to a particular building or segment of the population. Immediate notifications are distributed in various ways depending on the nature of the situation and the information to be disclosed. NWACC will use some or all of the following methods of communication:

- E-mails,
- BCAAlert text messaging System,
- Mass notification system,
- NWACCs LiveSafe Smart Phone App,
- Everbridge Safety App,
- Social media,
- Face to face communication by professors and other leaders of the institution

Parents or other interested members of the larger community may sign up for the BC Alert text messaging system and LiveSafe App by visiting the NWACC website. These individuals can also obtain information in the event of an emergency on campus via the local news media and/or the NWACC website. [http://www.nwacc.edu/administrativeservices/campussafety/default.aspx](http://www.nwacc.edu/administrativeservices/campussafety/default.aspx)

Anyone with information warranting an immediate notification should report the circumstances to the Department of Police and Public Safety at 479-619-4229. Follow-up information will be available on the NWACC website or any of the communication systems listed above may be used to provide follow-up information to the campus community. NWACC officials will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.
Campus Facilities

Security and Access
NWACC is an open campus and maintains on-campus security 24 hours a day 7 days a week. Facilities are open to members of the College community and guests. Tours may be scheduled through the Office of Admissions. Visitor parking is allowed in designated areas or by temporary permit only. To obtain parking permission, please call the Department of Police and Public Safety at (479) 619-4229. Administrative buildings and areas are typically open from 8:00 a.m. to 4:30 p.m. Monday through Friday. Academic facilities close and are locked by DPS after the last class scheduled in the facility. Service buildings (i.e., library, student center) are open during posted hours. NWACC does not have on-campus or off-campus residence halls at any of its campuses.

Some facility hours may vary by facility/location and some facility hours may vary at different times of the year. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility. Emergencies may necessitate changes or alterations to any posted schedules. DPS conducts daily security checks to verify that all facilities on campus are secured. DPS also monitors on campus security cameras and conducts routine patrols of all campuses which are staffed by DPS Officers.

Security Maintenance
Proper lighting and building security are major factors in reducing crime on campus. Inspections of facilities are conducted regularly, and repairs are made as quickly as possible. The Physical Plant Department maintains the College’s buildings and grounds, including lighting, walkways, roadways, and landscaping, and conducts routine checks of lighting on campus. DPS officers regularly patrol the campuses and report any deficient lighting (such as dim, obstructed, or non-operational) or other unsafe facility conditions to the Physical Plant Department. Leased spaces may be maintained by the landlord. Other member of the college community should promptly report equipment problems of unsafe conditions to DPS or Physical Plant.

NWACC Facilities and Campus Locations
All policies and procedures outlined in this report apply to all campus locations and leased properties.

On-Campus locations include:

**NWACC Benton County**
One College Drive, Bentonville, AR

The NWACC Benton County is the main college campus. It includes a collection of buildings, facilities, classrooms, outside areas, and parking lots. It serves as the primary physical location for the college. NWACC offers a full range of classes and degree programs at this location. The Department of Public Safety is on site at this campus 24 hours a day, 7 days a week. There are no residential facilities at this location.
Students, faculty, staff, or guests of all campuses encountering violations of College regulations, crimes or other emergencies are encouraged to report these to NWACC DPS:

NWACC’s Department of Police and Public Safety
Emergencies
Bentonville Police

NWACC’s Department of Police and Public Safety (479) 619-4229 (ALL Campuses)
Emergencies 911 (All Campuses)
Bentonville Police (479) 271-3170

Separate-Campus locations include:

**Brightwater: A Center for the Study of Food** 801 SE 8th St, Bentonville, AR

Brightwater is a Culinary School located in Bentonville, AR, inside of the 8th Street Market Place Center. NWACC offers a number of classes at this center. Brightwater facilities are open only during scheduled hours as posted at the facility. Buildings are locked after normal working hours by DPS. DPS personnel and on-site building manager are at this facility. There are no residential facilities at this location.

Students, faculty, staff, or guests of all campuses encountering violations of College regulations, crimes or other emergencies are encouraged to report these to NWACC DPS:

NWACC’s Department of Police and Public Safety
Emergencies
Bentonville Police

NWACC’s Department of Police and Public Safety (479) 619-4229 (ALL Campuses)
Emergencies 911 (All Campuses)
Bentonville Police (479) 271-3170

**NWACC Washington County** 6101 Watkins Ave, Springdale, AR

NWACC Washington County opened in January 2020 and houses services and courses previously offered at Washington County Center (White Road location), Farmington Center, and The Jones Center. NWACC offers a number of classes and degree programs at this center. Advising, Financial Aid, and other services are also located at this facility. DPS personnel and on-site building manager are at this facility. There are no residential facilities at this location.

Students, faculty, staff, or guests of all campuses encountering violations of College regulations, crimes or other emergencies are encouraged to report these to NWACC DPS:

NWACC’s Department of Police and Public Safety
Emergencies
Springdale Police

NWACC’s Department of Police and Public Safety (479) 619-4229 (ALL Campuses)
Emergencies 911 (All Campuses)
Springdale Police (479) 751-4542

Non-Campus locations include:
NWACC offers a limited number of classes at non-campus locations. Classrooms or spaces leased in these facilities may have hours of operation that vary from NWACC business hours. DPS are not on site that these facilities and responsibility for security and notifications is covered by local law enforcement, faculty or staff members, an/or the facility owner. There are no residential facilities at these locations.

To report criminal activity or emergencies to local law enforcement:

<table>
<thead>
<tr>
<th>Facility</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergencies</td>
<td>911 (All Campuses)</td>
</tr>
<tr>
<td>Centerton Police</td>
<td>(479)795-4431 (Laurel Manor)</td>
</tr>
<tr>
<td>Little Flock Police</td>
<td>(479)936-7977 (Lost Springs Golf Course)</td>
</tr>
<tr>
<td>Rogers Police</td>
<td>(479) 636-4141 (Rogers Bowling Lanes)</td>
</tr>
<tr>
<td>Fayetteville Police</td>
<td>(479)587-3555 (ALLPS)</td>
</tr>
<tr>
<td>University of Arkansas Police</td>
<td>(479)575-2222 (Memorial Hall)</td>
</tr>
</tbody>
</table>
Procedures for Disclosure of Crime Statistics

The information provided in this section provides context for the crime statistics reported as part of compliance with the Clery Act.

The Annual Security Report is compiled by the Department of Police and Public Safety and/or the Clery Compliance Coordinator. The statistics in this report are published in accordance with the standards and guidelines used by the FBI Uniform Crime Reporting Handbook and relevant federal law. Crime and arrest statistics for the report are compiled from police reports obtained from the files of NWACC’s DPS, along with requested information from Bentonville, Centerton, Fayetteville, Little Flock, Rogers, Springdale and University of Arkansas Police Departments. Student conduct violation statistics are provided by NWACC’s Dean of Students. We cast a wide net for input from other campus officials. Inquiries are made to all campus security authorities, including but not limited to, college administrators, deans, directors and department heads requesting information if a crime was reported to anyone in their area and not reported to the police. Statistics are compiled from their replies.

The Daily Crime Log

NWACC Department of Police and Public Safety (DPS) maintains a daily crime log that is available to the public from all campuses/centers via the main Public Safety office, in the Center for Health Professions, Room #1033C, One College Drive, Bentonville, AR. The daily crime log is also available online at: https://www.nwacc.edu/administrativeservices/campussafety/crimelog/default.aspx

The daily crime log discloses all alleged criminal incidents reported to DPS, including non-Clery Act crimes. The Clery Act requires that the daily crime log include specific categories of information which include 1) the date the crime was reported; 2) the nature of the crime; 3) the date and time the crime occurred; 4) the general location of the crime; and 5) the disposition of the complaint, if known.

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

Statistics from Local Law Enforcement Agencies

The Department of Police and Public Safety and/or the Clery Compliance Coordinator submits an annual request to the local law enforcement agencies requesting specified crime statistics reported to local police agencies that occurred on or immediately adjacent to the campuses and on College owned, controlled, or affiliated property to be reported for inclusion in the annual crime report. Documentation of the request is maintained by DPS and/or the Clery Compliance Coordinator regarding the College’s efforts to obtain the statistics and
documentation of any noncompliance on behalf of the police as well as the statistics from all the appropriate police agencies with jurisdiction for NWACC.

Data Report to Department of Education
Per request by annual letter, the United States Department of Education (“DOE”) sends a request to DPS to submit the crime statistics portion of the Annual Security Report via the Campus Safety and Security Survey web-based system. The Clery Compliance Coordinator is the Campus Safety Survey Administrator (“CSSA”). The CSSA or their designee enters and submits the College’s crime statistics through this survey. NWACC’s updated statistics are available to the general public at: http://ope.ed.gov/security or the DPS website: https://www.nwacc.edu/administrativeservices/campussafety/default.aspx

Clery Act Definitions of Reportable Crimes
The following definitions come from a variety of sources, including the Department of Education’s Handbook for Campus Safety and Security Reporting. Definitions related to domestic violence and stalking are adapted from the Violence Against Women Reauthorization Act. The Clery Act requires our College to include four general categories of crime statistics:

- **Criminal Offenses** — Criminal Homicide, including Murder and Non-negligent Manslaughter, Rape, Incest and Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson.

- **Hate Crimes** — Any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by bias.

- **VAWA Offenses** — Any incidents of Domestic Violence, Dating Violence and Stalking. (Note that Sexual Assault is also a VAWA Offense but is included in the Criminal Offenses category for Clery Act reporting purposes).


Statistics must be disclosed separately for each of these four general categories. This means that when an incident meets definitions in more than one of these categories, it must be reported in each category.

**Aggravated Assault**: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which
could or probably would result in a serious potential injury if the crime were successfully completed.

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

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

**Dating Violence:** The term “dating violence” means violence committed by a person,

1) Who is or has been in a social relationship of a romantic or intimate nature with the victim and
2) The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
   For the purposes of this definition-
   (i) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
   (ii) Dating violence does not include acts covered under the definition of domestic violence.
3) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Domestic Violence:** the term “domestic violence” means:

1) Felony or misdemeanor crimes of violence committed—
   (i) By a current or former spouse or intimate partner of the victim;
   (ii) By a person with whom the victim shares a child in common;
   (iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
   (iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
   (v) 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 jurisdiction in which the crime of violence occurred.
2) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification without consent of the victim, including instances where the victim is incapable of giving consent because of their age or temporary or permanent mental or physical incapacity.

Hate Crime: Criminal offense committed against a person or property which is motivated, in whole or in part, by the offender’s bias (a preformed negative opinion or attitude) against a race, gender, religion, disability, sexual orientation, or ethnicity/national origin.

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

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

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

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

• Ethnicity/national origin-A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (e.g., Arabs, Hispanics).

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

Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
**Intimidation**: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening works and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Larceny/Theft**: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

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

Driving While Intoxicated: A person who drives a motorized vehicle while influenced or affected by the ingestion of alcohol, a controlled substance, or any intoxicant, commits the offense of driving while intoxicated.

Public Intoxication: A person commits the offense of "Public Intoxication" if (1) they appear in a public place manifestly under the influence of alcohol or a controlled substance to the degree that they are likely to endanger themselves, other persons or property, or that they unreasonably annoy persons in their vicinity; or (2) they consumes an alcoholic beverage in a public place.

**Manslaughter by Negligence**: The killing of another person through gross negligence.

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

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

**Rape**: Sexual penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. The definition includes any gender of victim or perpetrator.

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

**Sexual Assault**: Any sexual act directed against another person, without consent of the victim, including instances where the victim in incapable of giving consent. An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s UCR program.

**Stalking**: The term “stalking” means:
1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
   (i) Fear for the person’s safety or the safety of others; or
   (ii) Suffer substantial emotional distress.
2) For the purposes of this definition—
   (i) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
   (ii) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
   (iii) Reasonable persons means, a reasonable person under similar circumstances and with similar identities to the victim.
3) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Statutory Rape**: Sexual intercourse with a person who is under the statutory age of consent.

**Vandalism**: To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

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

**Definitions of Geography**

On-Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution’s educational purposes, including residence halls; and any building or property that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.

Non-Campus Building or Property: any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.
Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus. NWACC crime statistics do not include crimes that occur in privately owned homes or businesses within or adjacent to the campus boundaries.

Definitions of Reporting Methods

Unfounded: When reported to campus security authorities but omitted from the crime statistics because they were later determined through investigation by sworn or commissioned law enforcement personnel to have been false or baseless when made.
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**Notes**

**No hate crimes were reported for 2019 - 2021**
## Brightwater Crime Statistics

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**Notes**

** No hate crimes were reported for 2019 - 2021
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** Notes **

** No hate crimes were reported for 2019 - 2021

** This location (6101 Watkins Ave, Springdale) opened January 2020. The WCC at 693 White Rd, Suite 3, Springdale, AR closed in January 2020. **
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**Notes**

** No hate crimes were reported for 2019 - 2021
Hate Crimes

NorthWest Arkansas Community College strives to provide a safe and healthy learning environment that embodies diversity and inclusion of all members of the NWACC community. Hate crime statistics are a separated category of crimes with prejudice. If a hate crime occurs the law requires the statistic be reported as a hate crime even if the crime committed, is not required to be reported. Hate related crime is not a separate crime, it is the commission of a criminal offense which is motivated by the offender’s bias.

To Report a Hate Crime

Students, faculty, staff, or guests of all campuses are encouraged to report hate crimes to NWACC DPS:

NWACC’s Department of Police and Public Safety (479) 619-4229 (ALL Campuses)

To report criminal activity or emergencies to local law enforcement:

Emergencies 911 (All Campuses)
Bentonville Police (479) 271-3170 (Main Campus and Brightwater)
Centerton Police (479) 795-4431 (non-campus locations)
Little Flock Police (479) 936-7977 (non-campus locations)
Rogers Police (479) 636-4141 (non-campus locations)
Springdale Police (479) 751-4542 (WCC)
Fayetteville Police (479) 587-3555 (non-campus locations)
University of Arkansas Police (479) 575-2222 (non-campus locations)

To anonymously report a hate crime and/or to express concern about a student, faculty, or staff member reports may be made by using the Ethics Point secure link on the Human Resources page at: https://secure.ethicspoint.com/domain/media/en/gui/15781/index.html

or the Advocate link on the Student Support Services page at: https://nwacc-advocate.symplicity.com/public_report

Hate Crime Statistics

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Crime Prevention Safety and Awareness

NWACC offers several programs designed to inform students and employees about campus security procedures and practices. A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. The institution distributes timely warning notices to the campus/center when a crime poses a serious ongoing threat to the community to keep them aware of security related issues.

NWACC strives to provide all students, faculty, and staff members with information and education throughout each academic semester which encompasses a variety of topics related to safety and security. Some of the events for 2021 include: Community Resource Fair; table top events across campus to speak to staff and students about safety and security on campus; printed materials to hand out at events across campus; an “app” created for smart phones called, “LiveSafe”, which provides the users with information on safety, security, and how to respond in a crisis situation on campus; Brown Bag lunch sessions; the campus-wide email for the Annual Security Report; Risk Management informational emails which cover a variety of topics related to security and risk; Divisional Emergency Preparedness seminar and drills; Administrative Table-Top exercises; employee training; student online training and education programs; community and campus presenters on topics including “The Use of Technology in Domestic Violence and Stalking” and “Online Dating Safety.” NWACC also includes safety and security information on several different website pages in order to be easily accessed.

*Please note that the global pandemic in 2020 and 2021 caused disruption to the usual programs, instruction, drills, and information disseminated on campus.

In addition, information and presentations regarding NWACC’s safety and security programs and procedures are included in each new student orientation program during the fall and spring semesters. New employees are given this information during their orientation which usually occurs on a bi-monthly basis. The same information is made available upon request to all prospective students during the application process and to every job applicant.

Description of the Programs for Prevention of Crimes

NWACC’s DPS crime prevention program is based upon the dual concepts of eliminating or minimizing criminal opportunities whenever possible and encouraging students and employees to be responsible for their own security and the security of others. Educational programs regarding campus/center crime and emergency procedures are conducted periodically. These programs may include DPS Officers or other guest speakers. Through programs such as these, students and employees are reminded to follow such preventative procedures as:

- Report all crimes and/or suspicious activities to DPS.
- Protect personal property such as computers, cell phones, tablets, calculators, etc. by marking them with an identification number.
Lock offices and car doors.
Walk in well-lighted areas at night.
Do not walk alone at night.
Do not leave books, jewelry, purses, wallets, backpacks or other valuables unattended for any length of time.

**Drug and Alcohol Abuse Education Programs**

Drug and Alcohol Abuse policy is mandated by and complies with the provisions of the Drug-Free Schools and Communities Act Amendments of 1989. NWACC conducts annual educational programs on drug and alcohol abuse. Educational materials are provided in various locations on NWACC Campuses. Annually, the College makes available to all students and personnel information on procedures for reporting criminal actions, policies concerning campus security, criminal and drug enforcement policies and educational programs, crime prevention programs, and statistics concerning criminal activities on campus/center. All trainings and educational programs are available for faculty, staff, and students.

Information regarding NWACC’s drug or alcohol abuse policies and procedures is included in each new student orientation program/guide and new employees are given this information during their orientation. The same information is made available upon request to all prospective students and job applicants.

Several offices, agencies, and hospitals in the Bentonville area offer drug treatment and rehabilitation services or programs. Information about these can be located in the yellow pages of the telephone directory under the heading, "Alcohol and Drug Information and Treatment Centers." Community resources are also listed in the NWACC Student Handbook. The Counseling and Wellness center facilitates a Sober Peer Alliance Resource Community (SPARC) and participates in the Arkansas Collegiate Network’s program Save AR Students. In addition, the Dean of Students office for NWACC has compiled resources and information for faculty, staff and students at the following link:

[https://www.nwacc.edu/studentservices/healthandwellbeing/drugalcoholabuse.aspx](https://www.nwacc.edu/studentservices/healthandwellbeing/drugalcoholabuse.aspx)

**Campus Policies and Procedures**

NWACC has the following policies related to alcohol and/or drug use on campus and/or at college functions:

- [Human Resources – general policy regulating alcohol usage on campus](https://www.nwacc.edu/studentservices/healthandwellbeing/drugalcoholabuse.aspx)
- [Procedures for Alcohol in Education Facilities](https://www.nwacc.edu/studentservices/healthandwellbeing/drugalcoholabuse.aspx)
- [Code of Student Conduct policy on alcohol and drug usage](https://www.nwacc.edu/studentservices/healthandwellbeing/drugalcoholabuse.aspx)

See Appendix “A” - - Included in this ASR is the NorthWest Arkansas Community College 2022 Biennial Report.
Title IX, Sexual Harassment and Related Conduct

Members of the college community, guests and visitors have the right to be free from sexual discrimination, harassment, or violence, which means that all members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. NorthWest Arkansas Community College believes in a zero-tolerance policy for gender-based misconduct to include sexual harassment, discriminatory harassment, domestic violence, dating violence, stalking, and other acts of harassment or discrimination congruent with campus policy. When an allegation of misconduct is brought to an appropriate administrator's attention, and a respondent is found to have violated this policy, serious sanctions may be used to reasonably ensure that such actions are never repeated. These procedures have been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. The policy and procedures are intended to define community expectations and establish a mechanism for determining when those expectations have been violated.

Notice of Non-Discrimination

The NorthWest Arkansas Community College does not discriminate on the basis of sex in the education programs and activities that it operates and is prohibited from doing so by Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq., and the U.S. Department of Education’s implementing regulations, 34 CFR Part 106. The College’s nondiscrimination policy extends to admission, employment, and other programs and activities. Inquiries regarding the application of Title IX and 34 CFR Part 106 may be sent to the College’s Title IX Coordinator, the U.S. Department of Education Assistant Secretary for Civil Rights, or both. Title IX is a portion of the Education Amendments of 1972, Public Law No. 92-318, 86 Stat. 235 (June 23, 1972), codified at 20 U.S.C. sections 1681 through 1688.

Recognition of and respect for the dignity of each human being are central to our mission of learning for living. Discrimination, harassment, or any other conduct that diminishes the worth of a person is incompatible with our fundamental goal of serving and strengthening the community.

NorthWest Arkansas Community College adheres to all federal and state civil rights laws banning discrimination in publicly funded institutions. NWACC does not discriminate on the basis of gender, age, race, color, creed, religion, ancestry, national or ethnic origin, sexual orientation, gender identity, disability, genetic information, military status, veteran status, familial status, or any other protected category under applicable local, state, or federal law, ordinance or regulation, including protections for those opposing discrimination or participating in any complaint process.

For more information or to report allegations of discrimination in employment, contact:
Beverly Hill, Executive Director Human Resources, Burns Hall 1128, 479-619-2679 or email bhill3@nwacc.edu

For more information or to report allegations of discrimination or disability grievances regarding students under ADA/Section 504 contact: Erin Campbell, 479-936-5173 or ecampbell7@nwacc.edu.

For sexual harassment/sex discrimination under Title IX, contact: Teresa A. Taylor, IX Coordinator, Center for Health Professions 3048, 479-619-4188 or ttaylor19@nwacc.edu, titleix@nwacc.edu.

NWACC Policy 2003 Sex Discrimination, Sexual Harassment, Sexual Misconduct
No person at NorthWest Arkansas Community College will, on the basis of sex, be excluded from participation in, be denied benefit of, or be subjected to sex discrimination, sexual harassment or sexual misconduct under any education program or activity. For more information on this policy, please visit: https://nwacc.policystat.com/policy/token_access/b8b59453-7a83-4999-9a26-54ab1af0d56/ or https://www.nwacc.edu/administrativeservices/riskmanagement/titleix/default.aspx.

Jurisdiction
Title IX protects the college community from sexual harassment in a school's education programs and activities. This means that Title IX protects the college community in connection with all academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school's facilities, in college transportation, at a class or training program sponsored by the school at another location, or elsewhere.

Confidentiality
Subject to the other provisions of this policy and the requirements of law, every possible effort will be made to ensure that any information received as part of the College's resolution and complaint procedures is treated discreetly. All parties to the complaint will be asked to assist in maintaining the privacy of the parties involved. Because of the college's obligation to investigate allegations of misconduct, it is not possible to guarantee that complaints will be handled confidentially.

Except as compelled by law, in the interest of fairness and problem resolution, disclosure of complaints and their substance and the results of investigations and complaint procedures will be limited to the immediate parties, witnesses and other appropriate administrative officials. Disclosure may also be necessary to conduct a full and impartial investigation.

Responsibility to Report
Any student, faculty member, staff member, administrator, or visitor to the campus who has experienced or witnessed sexual harassment or sexual misconduct is strongly encouraged to
report it. In order to maintain a safe environment, the college must know about incidents of sexual harassment and sexual misconduct in order to stop them, protect victims, and prevent future incidents.

It is the responsibility of college faculty, administrators, and supervisors to report complaints of sexual harassment or sexual misconduct that they receive and of possible sexual harassment of which they become aware. When there is a relationship that involves legally recognized professional confidentiality between the complainant and the person to whom the harassment is reported, the report may be withheld at the request of the complainant.

Report Options

Students, faculty members, administrators, staff members, or visitors to the college are strongly encouraged to report allegations of discrimination, harassment, or misconduct to the Title IX Compliance Officer or their deputy. A report of sex discrimination, harassment, or misconduct should be made as soon as possible after the incident in order to facilitate an effective response. The longer a report is delayed, the more difficult it will be for the college to investigate. A person who raises a complaint may discuss with the Title IX Compliance Officer any situation believed to constitute sexual discrimination, harassment, or misconduct. Reports may be made by the person experiencing the discrimination, harassment, or misconduct or by a third party, such as a witness or someone who is told of the discrimination, harassment, or misconduct. A complaint against a student may also be reported through the college’s online Office of Community Standards Reporting Form, Advocate. at the following link: [https://nwacc-advocate.symplicity.com/public report/](https://nwacc-advocate.symplicity.com/public report/).

Individuals who witness, are subjected to, or are informed about incidents of sexual harassment, sexual misconduct, sexual assault, dating violence, domestic violence, or stalking, have the option to file a complaint with a designated college official, including the Title IX Compliance Officer, in accordance with the table below:

<table>
<thead>
<tr>
<th>If the alleged offender is a:</th>
<th>• Student</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Student</td>
</tr>
<tr>
<td></td>
<td>Employee</td>
</tr>
</tbody>
</table>

Report to:
Dean of Students - Title IX Deputy
479-619-4234
deanofstudents@nwacc.edu
or
Title IX Coordinator
479-619-4188
titleIX@nwacc.edu
Anonymous Reporting
A Complainant is not required to reveal their identity in order to report an incident. Providing information may help the college maintain accurate records regarding the number of incidents involving students, employees, and third parties; determine if there is a pattern of conduct with regard to a particular location or Respondent; and alert the campus community to potential dangers when appropriate. Depending on the amount of information provided in an anonymous report. The college’s ability to respond with an investigation or resolution process may be limited. The college will not decline to investigate a matter based solely on whether the report was submitted anonymously.

Anonymous reports may be filed directly with the Title IX Coordinator or made using the Ethics Point secure link on the Human Resources page at: https://secure.ethicspoint.com/domain/media/en/gui/15781/index.html

or the Advocate link on the Student Support Services page at: https://nwacc-advocate.symplicity.com/public_report/

Reporting to Law Enforcement
In some instances, sexual misconduct may constitute both a violation of College policy and criminal activity. The College grievance process is not a substitute for instituting legal action. Complainants and witnesses are encouraged to seek assistance from campus and community resources and to explore all potential reporting options.

A Reporting Party(ies) has the right to notify or decline to notify law enforcement. The College strongly encourages all individuals to seek assistance from law enforcement immediately after an incident of sexual misconduct, intimate partner violence, or any other prohibited conduct. This is the best option to ensure preservation of evidence and to begin a timely investigative and remedial response. Police have unique legal authority, including the power to seek and execute search warrants, collect forensic evidence, make arrests, and assist in seeking emergency protective orders. The College will help any NWACC community member in
coordination with law enforcement, and information about on- and off-campus resources and options for resolution.

Students, faculty, staff, or guests of all campuses are encouraged to report incidents of sexual misconduct, intimate partner violence, or any other criminal conduct to NWACC DPS. If it is an emergency, call 911. If on campus, contact DPS for assistance filing a criminal complaint and preserving physical evidence:

NWACC’s Department of Police and Public Safety
Benton County Campus: Center for Health Professions, Room 1042
Washington County Campus: Lobby
Brightwater: Lobby

(479) 619-4229 (ALL Campuses)
DepartmentOfPublicSafety@nwacc.edu

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

Emergencies 911 (All Campuses)
Bentonville Police (479) 271-3170 (Main Campus and Brightwater)
Benton County Sheriff’s Office (479) 271-1008
Centerton Police (479) 795-4431 (non-campus locations)
Little Flock Police (479) 936-7977 (non-campus locations)
Rogers Police (479) 636-4141 (non-campus locations)
Springdale Police (479) 751-4542 (WC)
Fayetteville Police (479) 587-3555 (non-campus locations)
University of Arkansas Police (479) 575-2222 (non-campus locations)
Washington County Sheriff’s Office (479) 444-5700

An individual may pursue some or all of these steps. When initiating any of the above options, an individual does not need to know whether they wish to request any particular course of action nor how to label what happened. As part of a report to NWACC DPS or the Title IX Coordinator, an individual may also request support services. The College provides support that can assist each individual in making these important decisions and will respect an individual’s autonomy in deciding how to proceed to the extent legally possible. In this process, the College will balance the individual’s interest with its obligation to provide a safe and non-discriminatory environment for all members of the College community.

No Retaliation
Retaliation against any person, who in good faith, exercises their rights or responsibilities to file a complaint of discrimination, participates in an investigation, or opposes a discriminatory employment or educational practices or policies, under any provision of federal or state law, including Title IX, Title VII, and the VAWA or this policy, is strictly prohibited by NWACC policy,
and federal and state law. Retaliation against a Reporting Party, alleged victim (if different from the Reporting Party), Responding Party, any witness and/or any member of the college Title IX Team, process and Conduct Review Board or assigned investigator, is, in itself, a violation of College policy and the law, and is a serious separate offense. Retaliation includes intimidating, threatening, coercing, and/or in any way discriminating against any person or group for exercising rights under these procedures. Retaliation may be present even where there is a finding of “Not Responsible” on the alleged violation of policy. The Office of Community Standards and/or Dean of Students Office, and/or the Office of Human Resources may address reports of retaliation informally through consultation or educational conversation or remand the case to the Conduct Review Board for resolution. A person who believes retaliation has occurred should notify the Title IX Coordinator and/or Title IX Deputy as soon as possible.

**False Reports**

NWACC will not tolerate intentional false reporting of incidents. It is a violation of the Codes of Conduct governing NWACC to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws.

**The Role of the Title IX Coordinator**

NWACC has designated a Title IX Coordinator to oversee the implementation of this policy, to ensure compliance with Title IX and relevant portions of VAWA and Title VII, and to work with campus departments on compliance with the Clery Act and other applicable laws. The college’s Title IX Coordinator is Teresa Taylor:

- **Teresa Taylor**
  - Executive Director & Title IX Coordinator
  - Department of Institutional Policy, Risk and Compliance
  - NorthWest Arkansas Community College
  - One College Drive
  - Bentonville, AR 72712
  - Office phone: (479)619-4188
  - Email: titleIX@nwacc.edu or ttaylor19@nwacc.edu

The College has appointed and trained Deputy Title IX Coordinators to serve on the College’s Title IX Team. The Deputy Title IX Coordinators and Title IX team members report to the College Title IX Coordinator on all allegations of sexual misconduct.

**NWACC Title IX Deputy Coordinators and Title IX Team:**

<table>
<thead>
<tr>
<th>Title IX Deputy (Student Issues)</th>
<th>Title IX Deputy (Employee Issues)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Judd Harbin</td>
<td>Beverly Hill</td>
</tr>
<tr>
<td>Dean of Students</td>
<td>Executive Director Human Resources</td>
</tr>
<tr>
<td><strong>Student Center 225J</strong></td>
<td><strong>Burns Hall 1128</strong></td>
</tr>
<tr>
<td>479-619-4234</td>
<td>479-619-2679</td>
</tr>
<tr>
<td><a href="mailto:Jharbin1@nwacc.edu">Jharbin1@nwacc.edu</a></td>
<td><a href="mailto:bhill3@nwacc.edu">bhill3@nwacc.edu</a></td>
</tr>
</tbody>
</table>
The Title IX Coordinator monitors the College’s overall compliance with Title IX, ensures appropriate training and education, and oversees the College’s investigation, response, and resolution of reports made under this Policy. Upon receiving reports of prohibited conduct, the Title IX Coordinator ensures that appropriate action is taken to eliminate that conduct, prevent its recurrence, and remedy its effects. The Title IX Coordinator is available to advise all individuals — including individuals who have experienced misconduct, individuals who are alleged to be responsible for misconduct, and third Parties — on this Policy and the processes.

The Title IX Coordinator is supported and assisted by Deputy Coordinators. In addition, based on the relationship of the Reporting Party(ies) and/or the Responding Party(ies) to the College, the Title IX Coordinator may be supported by the Vice President for Student Services, the Dean of Students, the Chief of Police, and a representative(s) from the Dean of Students Office and/or Human Resources. Collectively, the Title IX Coordinator and the individuals supporting the Title IX Coordinator are the “Title IX Team.” The Title IX Team is a small committee of individuals who have a “need to know” of any alleged prohibited conduct to effectuate this Policy and procedures. All individuals are employees of the College and have received appropriate training to discharge their responsibilities.

**Review of Title IX Complaints**

The College will investigate and resolve all reports of prohibited conduct in a fair and impartial manner. A Reporting Party, a Responding Party and all individuals involved will be treated with dignity and respect. In response to all reports of prohibited conduct, the College will make an immediate assessment of any risk of harm to the Reporting Party, Responding Party, or to the broader campus community and will take steps necessary to address those risks. These steps may include supportive measures to provide for the safety of the individual and the campus community.

When a Title IX complaint is filed, the Title IX Team will communicate and/or convene to review the information presented and to determine the appropriate course of action. The College may choose to offer and facilitate informal resolution options, such as mediation or restorative justice, so long as both parties give voluntary, informed, written consent to attempt informal resolution. This informal resolution option can only be utilized after a report has been determined to be a possible Title IX violation and the official process has begun. The College may choose to impose supportive measures at its discretion to ensure the safety of all Parties, the broader College community, and/or the integrity of the process.
A reporting party’s wishes with respect to whether the school investigates should be followed unless the Title IX Coordinator, in light of the known circumstances, determines to initiate an investigation over the wishes of the reporting party.

Any report filed through Title IX which does not meet the requirements to be formally investigated through the Title IX process may still be subject to investigation and determination through the Office of Community Standards as a Student Code of Conduct violation. Reports involving College employees will be investigated by Human Resources. This includes any report that is filed due to an incident off campus or part of any college affiliated event (i.e., study abroad).

For Complaints Against Students:
If a formal investigation is filed, the appropriate Title IX Deputy and/or the Director of Community Standards and/or designee will convene an investigation team and will assign the Director of Community Standards and 2-3 members of the Conduct Review Board (CRB) to conduct the investigation. The Director of Community Standards and/or designee will prepare the notice of charges on the basis of the initial information received in the complaint. The Title IX Deputy and/or designee will determine appropriate accommodations for all parties, including but not limited to the Reporting Party, Responding Party, and/or witnesses as needed, and/or other necessary remedial short-term and/or interim actions. The appropriate Deputy or designee will oversee the investigation of the incident and in the enforcement of sanctions, if any. The Title IX Coordinator and/or their Deputy will apprise the Vice President of Student Services of the grievance.

For Complaints Against Employees:
If a formal investigation is filed, the Title IX Deputy for Human Resources (HR) and/or designee will convene an investigation team and will assign 2-3 members of the Conduct Review Board (CRB) to conduct the investigation. The Title Deputy for HR and/or designee will prepare the notice of charges on the basis of the initial information received in the complaint. The Title IX Deputy for HR and/or designee will determine appropriate accommodations for the all parties, including but not limited to the Reporting Party, Responding Party, and/or witnesses as needed, and/or other necessary remedial short-term and/or interim actions. The Title IX Deputy for HR and/or designee will oversee the investigation of the incident and will work with the Title IX Coordinator and/or Title IX Team to suggest appropriate sanctions, if any. The Title IX Coordinator and/or their Deputy will apprise the employee’s supervisor and the Vice President for the appropriate division of the grievance.

Supportive Measures
NWACC may take action to ensure the safety and security of the NWACC community and its members, while resolution of the Title IX case is pending. Interim protections and remedies may
Supportive measures will be reviewed and implemented by the Title IX Team. The College will make reasonable efforts to communicate with the Parties to ensure that all safety, emotional, and physical well-being concerns are being addressed.

Supportive measures are issued pending an investigation of the allegations. Supportive measures may be provided for any member of the NWACC community, including students and/or employees, and may be provided regardless of whether formal disciplinary action is sought by the Reporting Party or the College, and regardless of whether the crime is reported to the campus Department of Public Safety or local law enforcement.

The College will maintain the privacy of any remedial and protective measures provided under this Policy to the extent practicable and will promptly address any violation of the protective measures. All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by an interim measure. The College will take immediate and responsive action to enforce a previously implemented restriction if such restriction was violated.

The College will notify both parties of any supportive measures that will be taken.

These actions may be applied to the Reporting Party(s), the Responding Party(s), or to student groups. Actions can include, but are not limited to:

**Supportive Measures for Students**

- A no-contact order placed between students, or between a student and another member of the college.
- Changes in academic and work schedules, and/or student groups/clubs/organizations.
- Assistance in requesting academic allowances, including rescheduling of exams and assignments
- Providing alternative course completion options (with agreement of appropriate faculty).
- Providing academic support services, such as tutoring.
- Providing an escort to ensure safe movement between class and/or work locations on NWACC campuses.

**Supportive Measures for Employees**

- A no-contact order placed between employees, or between an employee and another member of the college.
- Changes in work, duties assigned, work groups, office location, or supervision.
- Reassignment of Parking.
- Providing an escort to ensure safe movement between class and/or work locations on NWACC campuses.
Advise

Each party is permitted to have an Advisor of their choosing with them throughout the entire process. This can be a family member, an attorney, etc. For the hearing portion of the process, the Title IX Coordinator, or designee, will determine if both parties have an advisor. Either party may request an advisor for the hearing if they are unable to present one. If an advisor is requested for the hearing, the Title IX Coordinator, or designee, will provide them one. The provided Advisor is not considered legal counsel.

Investigation

The Title IX Deputy, Director of Community Standards, and/or designee will be in charge of the Investigation and will oversee the process in conjunction with the Title IX Coordinator. The Investigation will be electronically recorded so that the proceedings may be reviewed in the event of an Appeal.

During the Investigation, the following parties may ask questions that are relevant to the complaint:

- The Title IX Coordinator, the Title IX deputy or designee; and
- The assigned Title IX Investigator
- Hearing Board

The Title IX Investigator will:

- Interview all necessary members of the complaint, Reporting Party, Responding Party, witnesses, etc.
- Complete the investigation promptly, and without unreasonable deviation from the intended timeline;
- Submit a report with all information obtained from the investigation to both parties for review. Either party may have the opportunity to request information be edited if it does not fit what was communicated to the investigator. The request will be reviewed by the Investigator to determine if the information should be changed or not. A determination about possible edits will be made and communicated back to the requesting party.

All evidence from both parties MUST be submitted before the hearing to allow the other party to review.

Hearing Board

Hearing board members will be determined by the Title IX Coordinator, or designee. The hearing board members will be determined through the pool of trained Conduct Review Board members.

The Hearing Board will:
• Be staffed with trained, unbiased faculty/staff and administrators, and special attention will be given to the selection of Hearing Board members to help prevent conflict of interest, personal connections and/or association to parties involved in the case, and to help prevent bias.
• Be presented to both parties for review. Either party may request to have someone removed if concerned of biases, personal connection, or any possible association to either party.
• Determine a chair of the board who will facilitate the pre-hearing meeting, as well as the hearing.
• Reside over the hearing and make the determination on whether a party is found responsible or not responsible for violating NWACC Title IX policy.

Pre-Hearing Meeting
A pre-hearing meeting will be offered with the chair of the hearing board and each party/advisor to make sure the procedures are laid out and any questions can be answered prior to the hearing.

*PLEASE NOTE: If a party or witness does not submit to cross-examination at the live hearing, the decisionmaker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the decision-maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party’s or witness’s absence from the live hearing or refusal to answer cross-examination or other questions.

Hearing
The hearing will determine the official outcome of the investigation. The hearing board will listen to information and evidence from both parties and a determination will be made by the hearing board from the findings.

The hearing will be scheduled by the chair of the hearing board. Class schedules will be taken into account. The date, time, and location of the hearing will be communicated to both parties via their NWACC email. Either party has the opportunity to request a change to the hearing date/time, and that request must be sent to the chair for review.

The hearing may occur in one location on campus, in separate rooms on campus connected via technology, or virtually, if requested by either party.

Hearing board members will be given a copy of the completed investigative report to review and utilize in the hearing.

Hearing board members, advisors, and both parties reserve the right to request witnesses be present at the hearing to provide information. Advisors must request the names of witnesses be present at least three (3) days prior to the hearing.
Cross examination will occur in the hearing where ONLY the advisor has the opportunity to question both parties. One party cannot question the other party.

Both parties MUST be subject to live cross examination. The hearing board may not rely on a prepared statement. If one refuses to answer questions, the hearing board cannot draw an inference of responsibility.

The hearing board may deny any question be asked if it is determined to be irrelevant to the case.

The hearing board has the authority to remove anyone from the hearing who they believe is exhibiting behavior not conducive to the hearing.

Once the hearing has concluded, a determination will be made by the hearing board and the determination letter will be sent to both parties within five (5) business days of the hearing.

Where the findings indicate that the alleged discrimination, harassment and/or sexual misconduct has occurred, an appropriate sanction(s) will be imposed.

Both the Reporting Party and the Responding Party have the right to request an appeal of the investigation and findings. Appeal requests must be filed in writing within five (5) business days upon receipt of final outcome. Appeal requests must be submitted to the Title IX Coordinator, and/or assigned Title IX Deputy or Designee.

Sanctions

Possible Sanctions for Students

If the complaint is against a student, the Title IX Team will discuss and suggest appropriate sanctions to the Vice President of Student Services. The Vice President of Student Services will review and impose appropriate sanctions for the violation in consultation with the Dean of Students.

Sanctions are based on the severity of the incident, as well as taking into account any previous campus code of conduct violations. Types of actions/penalties include, but are not limited to the following:

Disciplinary Sanctions

- Disciplinary Warning. The Student has been given a verbal or written letter of warning by the College. Warning status will be documented in the students’ record.
- Conduct probation. Imposed when a student’s actions are found to be serious, but not serious enough to warrant Suspension or Expulsion. The disciplinary authority shall indicate the length of the probationary period, which may range from one (1) semester to completion. A further violation of the Code of Student Conduct while on Conduct Probation may result in a Suspension or Expulsion.
Conduct Probation may prohibit the student from representing the college, participating in student activities, and/or participating in work study employment.

- Restriction of participation in student organizations, events, and college employment and limited access to designated areas.
- Restitution: Repayment to the College or to an affected party for damages (amount to be determined by the College) resulting in violation of this Code, or the Code of Student Conduct.
- Course or Program Dismissal. In lieu of Suspension from the College, a student may be removed from a class or program entirely, but still be allowed to take other classes or enroll into a different program as specified by the sanction.
- Suspension. Interruption of the student’s educational activities at the college for a definite, stated period.

Suspension involves withdrawal of enrollment privileges for a specified period of time and ordinarily carries with it conditions that must be met for re-enrollment. During the period of Suspension, the student may not come onto campus, except when specifically authorized in writing by the Dean of Students, Title IX Coordinator, or designee. Re-enrollment after a Suspension requires that the student apply to the Dean of Students or designee at the close of the imposed period. The Dean of Students, Title IX Coordinator, or designee determines whether the student has met the conditions imposed and is otherwise eligible for reenrollment. These records are maintained indefinitely.

Suspensions may range from one (1) semester to four (4) semesters.

- Expulsion. Termination of enrollment at the college. Expulsion is an indefinite sanction, and the student will not be allowed to enroll, attend, or visit the college campus(es) in the future. This sanction will remain on the students’ file indefinitely and will be reported on the students’ transcript.

Disciplinary Expulsions may be notated at the bottom of the transcript and will include the initial date of expulsion.

- Revocation of degree. A degree awarded from NWACC may be revoked for violations committed by a student prior to graduation.

Educational Sanctions

- Co-curricular education. An assignment to complete a specific educational requirement directly related to the violation committed, such as completion of a sexual harassment workshop, a diversity awareness workshop, essays, reports, reflective papers, journals, etc.
• Attendance at a mediation meeting.
• Community Service. Completion of a specified number of hours of approved community or college service. The student is permitted to complete a portion of the hours through academic initiatives such as attending programs with the Career Development, tutoring sessions, etc., but must be verified by a College Faculty or Staff member.
• A conduct review which requires the student to meet with a college official for a specific period of time.
• Mandatory professional counseling. The Student is required to seek professional counseling and is required to comply with the professional recommendation(s) of the mental health professional. It is expected that the student will actively engage in this process.
• Educational Conversation with college official.
• Alcohol and/or Drug Assessment. The Student is required to complete a mandatory Alcohol and/or Drug Assessment through a licensed professional mental health practitioner who is licensed or certified by the State of Arkansas. The student is required to comply with the prescribed course of treatment. The selection of the practitioner is the choice of the student and will be paid for by the student. The student must submit documentation of completion of both the assessment and the prescribed course of treatment.

More than one sanction may be imposed for any single violation.

Possible Sanctions for Employees

If the Responding Party is an NWACC employee and they has been found responsible for discrimination, harassment, and/or sexual misconduct, the Vice President for the appropriate division of the complaint, will impose appropriate sanctions for the violation, after consultation with the Title IX Team, Dean and/or Director of the appropriate division, and/or the Title IX Deputy for Human Resources.

Any employee who is found responsible for violating NWACC’s Title IX Policy may be subject to corrective action and appropriate sanctions pursuant to this policy. Sanctions may include, but are not limited to:

• Verbal or Written Warning
• Documented educational conversation
• Suspension of duties, including leave with or without pay
• Change of assigned work duties and/or change of assigned work supervisor
• Probation with warning to terminate employment
• Termination
• Loss of annual pay increase
• Revocation of tenure
• Additional Training

More than one sanction may be imposed for any single violation. Employees Code of Conduct is also regulated under NWACC Policy 5007.1 – Employee Code of Conduct and Ethics Compliance.

Appeals Process Following a Hearing

Both the Reporting Party and the Responding Party have a right to appeal the findings set out in the Hearing.

In the event that the Reporting Party or Responding Party seeks an appeal, they must contact the Title IX Coordinator, or designee, within five (5) business days following receipt of the written letter of determination. The appeal must fall under one of the below conditions.

• Reporting Party: The Reporting Party may submit a written appeal within five (5) business days from receiving the letter of determination under one of the following conditions:
  • If the Reporting Party believes the right to due process was not followed.
  • If the Hearing Board found that the Responding Party did not violate a policy that the Reporting Party believes has been violated.
  • If the Responding Party has been found responsible for one or more policy violations, but not others.
  • If bias has occurred.

Responding Party: The Responding Party may submit a written appeal within five (5) business days from receiving the letter of determination under one of the following conditions:

  • If the Responding Party believes the right to due process was not followed.
  • If new evidence exists that was not previously known during the investigation.
  • If the sanction(s) imposed are not appropriate/too harsh.
  • If bias has occurred.

It is the responsibility of the party requesting the Appeal to contact the Title IX Deputy assigned to the case, the Director of Community Standards, and/or the Title IX Coordinator, in writing or electronically, within five (5) business days of being issued the findings of the hearing. This request can be sent via NWACC issued email only, hand delivered, or delivered via campus mail. It is the responsibility of the individual who is requesting the Appeal to ensure that delivery and receipt of the written request is received by the intended individual or office. The written appeal must state the reason for the appeal request and must fall under one of the above conditions. An email confirmation regarding the receipt of the Appeal will be sent via email to the NWACC issued email address of the requesting party. We encourage all parties to only use their NWACC issued email address. Any correspondence sent from a personal email account must include NWACC issued ID numbers.
All sanctions imposed by the original hearing outcome will be in effect during the Appeal. A request may be submitted to the Title IX Deputy or designee for special consideration in exigent circumstances, but the presumptive stance of the institution is that the sanctions will stand.

The Title IX Team will be responsible for reviewing all Appeals. The party submitting the appeal may be asked to be present during the Appeal Board meeting. During the Appeal, all case notes, interview notes, evidence, written statements, findings, and outcome of the investigation and hearing will be admitted. The Title IX Team is not bound by the finding(s) of the hearing board. The goal of the Appeal is to provide an equitable resolution via an equitable process, respecting the civil and legal rights of all participants.

The Title IX Team can contact any individual, Reporting Party, Responding Party, and/or witness(es) involved in the case for additional information during this Appeals Process.

- The Appeal Board will determine the final outcome for the case based on review of all the evidence and relevant information. The following outcomes may occur from an Appeal Board finding:
  - The original decision from the Hearing Board stands.
  - The Appeal Board finds the sanctions to be incorrect and changes them to what they feel necessary.
  - The Appeal Board finds that the Hearing Board outcome was incorrect and changes to what they feel necessary.
  - The Appeal Board finds that new evidence exists and makes a new determination based on the new evidence.

Procedures Governing the Hearing of Appeals:

- The appeal procedure and determination will typically be completed within 20 business days. The procedures governing the hearing of appeals include the following:
  - Sanctions imposed are implemented immediately unless the party determining the sanction stays their implementation in extraordinary circumstances, pending the outcome of the appeal.
  - All parties should be informed in a timely manner of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision;
  - Appeals are not intended to be full re-hearings of the complaint. In most cases, appeals are confined to a review of the written documentation or record of the original investigation, and pertinent documentation regarding the grounds for appeal;
The Title IX Coordinator and/or designee will render a written decision on the appeal to all parties within seven (7) business days, or as soon as possible thereafter from hearing of the appeal.

NWACC will act to end the discrimination or harassment, prevent its recurrence, and remedy its effects on the person(s) who filed the complaint and on the NWACC community.

Complaint and Grievance Process Provisions

Time Periods
All effort will be made to make a determination in no more than 60 calendar days of filing a formal complaint/grievance.

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

Timelines may be modified in cases where information is not clear, judged to be incomplete, relevant parties are not available for interview, and/or other related circumstances as may arise. In the event that this step is necessary, the Title IX Coordinator or his or her respective deputies will notify the reporting party who filed the grievance in writing within the set timeline.

Presumption of Innocence
There is the presumption that the responding party is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

Standard of Proof – Preponderance of Evidence
The facts or evidence presented through an investigation show that a violation more likely than not occurred or did not occur.

Informal Resolutions
Once a report has been filed and the official Title IX process begins, the Title IX Coordinator, or designee, may find through gathering information that other conflict resolution opportunities can be beneficial to help remediate the situation, when appropriate. All parties must mutually agree to the conflict resolution method, including a written agreement of the resolution method. At any point, that agreement can be removed and the process may continue with the investigation and hearing.

Integrity of Proceeding
These procedures are entirely administrative in nature and are not considered legal proceedings, but rather procedures designed to address policy violations. Neither party may audio or video record the proceedings. Recordings will be made available to each party.
Consolidation of Investigations
The college has the discretion to consolidate into one Investigation multiple reports against a Responding Party and/or cross-complainants between a Reporting Party and a Responding Party, if the evidence related to each incident would be relevant and probative in reaching a determination on the other incident. Matters may be consolidated where they involve multiple Reporting Parties, multiple Responding Parties, or related conduct that would regularly have been heard under the Code of Student Conduct.

Training
The College provides training to all individuals within the community who are involved in responding to, investigating, or resolving reports of prohibited conduct. If the College retains an individual outside the community to respond to, investigate, or resolve reports of prohibited conduct, the College requires the retained individual has received adequate training consistent with the College’s standards.

Past Sexual History
In general, a Reporting Party’s prior sexual history is not relevant and will not be provided to the Investigator or Conduct Review Board. Where there is a current or ongoing relationship between the Reporting Party and the Responding Party, and the Responding Party alleges consent, the prior sexual history between the Parties may be relevant to assess the manner and nature of communications between the Parties. As noted in the definition of Consent, however, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Any prior sexual history of the Reporting Party with other individuals is typically not relevant and will not be permitted.

Prior Conduct History
Prior conduct history of the Responding Party will be taken into account for sanctioning, if the Responding Party is found to be responsible for the alleged Title IX violation.

Failure to Comply with Investigation and Disciplinary Process
If an Advisor fails to comply with the procedures as determined in this document, including through a material breach of confidentiality, the College reserves the right to exclude the advisor from further participation in the process. If a participant(s) fails to comply with the procedures as determined in this document, including through a material breach of confidentiality, the College reserves the right to bring additional charges of misconduct against the participant. The Conduct Review Board is responsible for interpreting and applying this provision.

All parties have the right to choose to not participate in this process, however, the College retains the right to review, investigate, and/or determine outcome(s) and/or sanction(s) in the absence of participation.
Privacy and Confidentiality

The College is committed to protecting the privacy of all individuals involved in the investigation and resolution of reports under this Policy. The College also is committed to assisting students, employees, and third Parties in making informed choices. With respect to any report under this Policy, the College will make reasonable efforts to protect the privacy of participants, in accordance with applicable state and federal law, while balancing the need to gather information to take steps to eliminate prohibited conduct, prevent its recurrence, and remedy its effects.

All College employees who are involved in the College’s Title IX response receive specific instruction about respecting and safeguarding private information.

Privacy and confidentiality have distinct meanings under this Policy.

Privacy

“Privacy” generally means that information related to a report of prohibited conduct will only be shared with a limited individuals who “need to know” in order to assist in the assessment, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act ("FERPA"), as outlined in the College’s FERPA policy. The privacy of an individual’s medical and related records may be protected by the Health Insurance Portability and Accountability Act ("HIPAA"), excepting health records protected by FERPA. Access to an employee’s personnel records may be restricted by applicable Arkansas State and federal law.

While there are certain limitations on privacy, the College generally will not release the names of the Reporting Party(ies) or Responding Party(ies) to the general public without express written consent or absent another exception consistent with the law. The release of names will be guided by applicable law, including the Family Educational Rights and Privacy Act (FERPA) and the Clery Act.

In addition, no information shall be released from a proceeding to enforce this Policy except as required or permitted by law and College policy.

Confidentiality

“Confidentiality” generally means that information shared by an individual with designated campus or community professionals cannot be revealed to any other individual without the express permission of the individual.
The confidentiality of information shared by an individual with designated campus or community professionals generally is governed by Arkansas State or federal law, including restrictions on disclosure of information by mental health providers, ordained clergy, rape crisis counselors, and attorneys, all of whom have legally protected confidentiality.

These individuals are prohibited from breaking confidentiality unless there is an imminent threat of harm to self or others.

An individual who seeks confidential assistance may do so by speaking with professionals who have a legally protected confidentiality. Note, however, that these confidential resources are required by state law to notify child protective services and/or local law enforcement of any report which involves suspected abuse of a minor under the age of 18.

Reports Involving Minors or Suspected Child Abuse
Under Arkansas law, an individual must make a mandatory report of suspected child abuse and neglect, including sexual assault when that individual, in their professional capacity or within the scope of their employment, has knowledge of, or observes a minor under the age of 18 whom the individual knows, or reasonably suspects has been the survivor of child abuse or neglect.

All College employees are required to immediately report any suspected child abuse and neglect to the Child Abuse hotline at 1-800-482-5964. Reports can be made anonymously. The source of abuse does not need to be known by the reporting party in order to file a report.

The College will report all suspected child abuse and neglect, including sexual assault, to law enforcement and/or the Arkansas Department of Human Services. The College must act quickly regarding all reasonable suspicions of sexual or physical abuse. It is not the responsibility of any employee, student, or volunteer to investigate suspected child abuse. This is the role of law enforcement authorities.

In addition to notifying the Title IX Coordinator and Director of Police and Public Safety, any individual may make a direct report as follows:

If a child is in immediate danger, call 911.

If there is no immediate danger, contact the Child Protection Hotline 24 hours a day, 7 days a week, at (800) 482-5964.

Conflict of Interest
Members of the Title IX team and Hearing Board will notify the Title IX Coordinator or Deputy if they have a direct connection and/or affiliation to any party and/or witness named in the Title IX complaint which may create a conflict of interest.

Office of Civil Rights Complaint
Although reporting parties are encouraged to attempt to resolve complaints pertaining to discrimination 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 OCR. You may call 1-800-421-3481 to obtain further information about filing a complaint.

Equal Employment Opportunity Commission
For employment related matters, you may contact the local Equal Employment Opportunity Commission (EEOC) at 820 Louisiana Street, Suite 200, Little Rock, AR 72201. Or by calling 1-800-669-4000.

Notice That Cases Will Not Be Re-Heard
Absent new evidence, NWACC will not re-hear a complaint if the same complaint allegations have been filed by the reporting party against the same responding party with another civil rights enforcement agency of the federal, state or local government or through NWACC’s internal complaint procedures, including due process proceedings.

Effective Date
This Complaint and Grievance Policy will be effective upon formal adoption. NWACC reserves the right to make changes and amendments to this policy and procedure as needed, with appropriate notice to the community. However, the policy in force at the time that the complaint is filed will be the policy used throughout the investigation and adjudication process.

Definitions
Reporting party: Any party who makes a complaint/grievance against another student, employee, staff member or campus visitor.

Responding party: The person(s) against whom a complaint has been made.

Definition of Status: A full time employee will be considered as an employee, regardless of student status. A student who is a part-time employee will be considered a student unless the incident under consideration occurred in connection with employment. Allegations of sex discrimination or sexual harassment may require the college to take measures applicable to both student and employee status.

Discrimination (general definition): Actions that deprive members of the community of educational or employment access, benefits or opportunities. Any distinction, preference, advantage for or detriment to an individual compared to others that is based upon an individual’s actual or perceived gender, age, race, color, creed, religion, ancestry, national or ethnic origin, sexual orientation, gender identity, disability, genetic information, military status, veteran status, or familial status that is so severe or pervasive that it unreasonably interferes with or limits a person's ability to participate in or benefit from the college's educational programs or activities. There can be no discrimination related to pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery.
**Discriminatory Harassment**: Detrimental action based on an individual’s actual or perceived gender, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, sexual orientation or other protected status that is so severe or pervasive that it unreasonably interferes with or limits a person’s ability to participate in or benefit from the college’s educational programs or activities. Not all workplace or educational conduct that may be described as “harassment” affects the terms, conditions or privileges of employment or education. For example, a mere utterance of an ethnic, gender-based or racial epithet which creates offensive feelings in an employee or student would not normally affect the terms and conditions of their employment or education.

**Sexual Harassment**: Sexual Harassment is unwelcomed conduct, determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity. It can include unwelcomed sexual advances, requests for sexual favors, and other verbal, nonverbal or physical conduct of a sexual nature, such as sexual assault or sexual violence. The unwelcomed behavior may be based on power differentials, the creation of a hostile environment or retaliation. Examples include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious, unwanted sexual attention; to punish a refusal to comply; to condition a benefit on submitting to sexual advances; sexual violence; intimate partner violence; stalking; and gender-based bullying.

**Hostile Environment**: Any situation in which there is harassing conduct that is sufficiently severe, pervasive and objectively offensive that it alters the conditions of employment or limits, interferes with or denies educational benefits or opportunities, from both a subjective (the alleged victim’s) and an objective (reasonable person’s) viewpoint.

**Quid pro Quo Sexual Harassment**: Exists when there are unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature and submission to or rejection of such conduct results in adverse educational or employment action.

**Retaliatory Harassment**: Any adverse employment or educational action taken against a person because of the person’s participation in a complaint or investigation of discrimination or sexual misconduct. Intentional action taken by an accused individual or allied third party, absent legitimate non-discriminatory purposes, that harms an individual as reprisal for filing or participating in a complaint/grievance procedure.

**Sexual Harassment of a Student by Another Student**: Any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a student toward another student that is so severe, pervasive, and objectively offensive that it unreasonably interferes with or limit’s a student’s ability to participate in or benefit from the college’s educational programs or activities.

**Sexual Harassment of a Faculty/Staff Member by a Student/Another Employee/3rd Party Vendor/Campus Visitor**: Any unwelcome sexual advances, requests for sexual favors, and other
verbal or physical conduct of a sexual nature directed toward a faculty/staff member that is so severe, pervasive, and objectively offensive that it unreasonably interferes with employment or living conditions or deprives the individual of employment access or benefits.

**Sexual Harassment of a Student by a Faculty/Staff Member/3rd Party Vendor/Campus Visitor:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a faculty or staff member, campus visitor, or vendor/3rd party contractor, toward a student are held to constitute sexual harassment when:

- Submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating an individual’s educational development or performance; or
- Such conduct is so severe, pervasive, and objectively offensive that it unreasonably interferes with or limits a student’s ability to participate in or benefit from the college’s educational programs or activities.
- While a particular interaction must be offensive to both a reasonable person and to the victim to be defined as harassment, faculty or staff members and other persons of authority should be sensitive to questions about mutuality of consent that may be raised and to the conflict of interests that are inherent in personal relationships that result from professional and educational interactions.
- Harassment is particularly damaging when it exploits the educational dependence and trust between students and faculty/staff. When the authority and power inherent in faculty/staff relationships with students, whether overtly, implicitly, or through misinterpretation, is abused in any way, there is potentially great damage to the individual student, to the accused individual, and to the climate of the institution. For example, a professor attempts to coerce an unwilling student into having sex with them in exchange for a good grade or some other benefit. This is harassment regardless of whether the student accedes to the request and regardless of the student’s final grade.

**Non-Consensual Sexual Contact:** Non-consensual sexual contact is any intentional sexual touching, however slight, with any object by any person upon any person that is without consent and/or by force.

Sexual Contact includes:

- Intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

**Non-Consensual Sexual Intercourse:** Non-consensual sexual intercourse is any sexual intercourse however slight, with any object by a man or woman upon a man or a woman that is without consent and/or by force.

Intercourse includes:
• vaginal penetration by a penis, object, tongue or finger
• anal penetration by a penis, object, tongue, or finger
• oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact

**Sexual Exploitation**: Occurs when a person takes non-consensual or abusive sexual advantage of another for their own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

• invasion of sexual privacy;
• prostituting another person;
• non-consensual video or audio-taping of sexual activity;
• going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
• engaging in voyeurism;
• knowingly transmitting an STI or HIV to another person;
• or exposing one’s genitals in non-consensual circumstances or inducing another to expose his or her genitals.
• Sexually-based stalking and/or bullying may also be forms of sexual exploitation.

**Consent**: Consent is clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.

• In order to give effective consent, one must be at least 16 years old.
• Sexual activity with someone known to be mentally or physically incapacitated, or based on the circumstances, someone who could reasonably be known to be mentally or physically incapacitated, constitutes a violation of this policy.
• Incapacitation is a state where someone cannot make rational, reasonable decisions because the person lacks the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of the sexual interaction). Alcohol or other drug use, unconsciousness or blackout is an example of incapacitation.
• This policy also covers a person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of rape drugs. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another person is a violation of this policy. More information on these drugs can be found at [http://www.911rape.org/](http://www.911rape.org/)
• Use of alcohol or other drugs will never function as a defense to a violation of this policy.
• Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
• Current or previous dating or sexual relationships or prior consent cannot imply consent to future sexual acts.

**Force:** Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes overt threats, implied threats, intimidation and coercion that overcome resistance or produce consent. For example: “Have sex with me or I’ll hit you. Okay, don’t hit me; I’ll do what you want.”

• Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive. NOTE: There is no requirement that a party resist the sexual advance or request, but resistance is a clear demonstration of non-consent.

**Domestic Violence:** A pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

• Domestic violence can happen to anyone regardless of race, age, sexual orientation, religion, or gender. Domestic violence affects people of all socioeconomic backgrounds and education levels. Domestic violence occurs in both opposite-sex and same-sex relationships and can happen to intimate partners who are married, living together, or dating.
• Domestic violence victims by Arkansas Law are defined as “family or household members.” Arkansas defines “family or household members” as current or former spouses; parents and children; persons related by blood; a child living in the household; persons who currently or previously lived together; people who have a child together; and persons who currently or formerly were in a dating relationship.

**Dating Violence:** A pattern of assaultive and controlling behaviors that one person uses against another in order to gain or maintain power and control in the relationship. It is physical, sexual, or psychological/emotional violence within a dating relationship and can occur in person or electronically by a current or former dating partner. Other terms used include relationship abuse, intimate partner violence, relationship violence, dating abuse, domestic abuse, domestic violence, and stalking.
**Stalking:** A pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear for his or her safety or the safety of others and/or suffer substantial emotional distress.

**Gender Identity:** Refers to one’s sense of oneself as male, female or transgender. When one’s gender identity and biological sex are not congruent, the individual may identify as transgender or another non-binary category.

**Sexual Orientation:** Refers to the sex of those to whom one is sexually and romantically attracted. Categories of sexual orientation typically have included attraction to members of one’s own sex (gay men or lesbians), attraction to members of the other sex (heterosexuals), and attraction to members of both sexes (bisexuals). While these categories continue to be widely used, research has suggested that sexual orientation does not always appear in such definable categories and instead occurs on a continuum.

**Response to Sexual Assault, Domestic Violence, Dating Violence and Stalking**
Your first priority should be safety. If there is any immediate danger, contact Campus Police (479-619-4229) if you are on campus, or call 911 if you are off campus. If you have safety concerns, the Department of Police and Public Safety can escort you to your vehicle on campus. Downloading LiveSafe from the App Store or Google Play is another way to share information with Campus Public Safety, know what resources are around you on campus, and quickly request help in an emergency. NWACC strongly advocates that a victim of sexual assault, domestic violence, or stalking report the incident as soon as possible. You are encouraged to report sexual assault, domestic violence, or stalking to the Title IX Coordinator, and/or the Director of Community Standards, and/or the Dean of Students, and/or Public Safety.

The college can connect you with resources which can help. Community resources provide assistance with safety planning for victims, friends and family members – anyone who is concerned with their own safety or the safety of someone else. NWACC campus contacts:

- NWACC’s Department of Police and Public Safety
  - Emergencies: 911 (All Campuses)
  - Beverly Hill, Executive Director Human Resources: (479) 619-2376
  - Judd Harbin, Dean of Students: (479) 619-4234
  - Rebecca Hudson, Director of Community Standards: (479) 986-6682
  - Teresa Taylor, Title IX Coordinator: (479) 619-4188

Filing a report with an NWACC representative will not obligate you to prosecute, nor will it subject you to scrutiny or judgmental opinions. Filing a report if you are a victim of sexual assault, domestic violence, or stalking will help ensure you get the assistance you need. If you are a victim of sexual assault, domestic violence, or stalking, you may choose for the
investigation to be pursued through the criminal justice system, or in cases where the abuser is an employee or student of NWAAC, through the college conduct processes. A college representative from the Department of Police and Public Safety, the Human Resources Department, the Title IX Office, and/or the Dean of Students Office will guide you through the available options and will support you in your decision. These college representatives will provide options for support and will assist you in connecting with community resources, and local police if desired. Regardless of whether the person who is accused of sexual assault, domestic violence, or stalking is associated with NWACC, the college will provide assistance for any student or employee who is a victim.

You are encouraged to go to a hospital emergency room to receive appropriate medical care and/or evidence collection if you have been sexually assaulted or are injured.

If you decide to pursue criminal action, it is important that evidence be preserved. If possible do not alter the physical scene of the assault, i.e., room, car, etc., not be altered, cleaned up, or disturbed in any way. The decision on how to proceed can be made at a later date, but evidence preservation keeps options open. If you have physical injuries, photograph or have them photographed, with a date stamp on the photo.

Try to document details (physical description, names, license plate number, car description,) if you have time and the ability to do so. If you are experiencing stalking, you are encouraged to document all related behaviors, such as harassing telephone calls, electronic contacts (texts, e-mails, contact via social media), letters/notes, acts of vandalism, and threats communicated through third parties. If possible, try to include the date, time, location, and description of what occurred.

If you decide not to seek medical attention at a hospital in relation to a police investigation (i.e., the forensic evidence kit), still seek medical attention from a physician or a healthcare provider. Victims of sexual assault that are capable of becoming pregnant may choose to talk with a healthcare professional about the “morning after pill”. This type of medication is most effective within 72 hours of the incident. Victims may also want to be screened for sexually transmitted infections.

If you obtain external orders of protection, please notify Campus Police, the Dean of Students, the Director of Community Standards, or the Title IX Coordinator so that those orders can be observed on campus.

**Campus and Community Resources**

After receiving notice of alleged sexual discrimination, harassment or misconduct, and regardless of whether the college determines that the alleged incident occurred, the college will offer resources and/or assistance to impacted members of the campus community.
Confidential Advocates

Some people may choose to start with a Confidential Advocate before making the decision on what steps to take. The following are trained campus advocates:

- Austin Schader  aschader@nwacc.edu  SC 233A  (479) 619-4371
- Juanita Franklin  Jfranklin1@nwacc.edu  SC 223  (479) 619-2204
- Cierra Collins  ccollins15@nwacc.edu  SC 225I  (479) 619-4315
- Eric Vest  evest@nwacc.edu  BH 2213  (479) 619-4345
- Simone Francis  sfrancis4@nwacc.edu  WC 110  (479) 725-4673
- Vince Pianalto  vpianalto@nwacc.edu  Brightwater  (479) 631-8604
- Aria Kagan  akagan@nwacc.edu  Brightwater  (479) 631-8600

Confidential Advocates have been specially trained to provide affirming, empowering, and confidential support. The Advocate will listen and explain options available to you while providing support. It is your decision to pursue available resources or to report an incident to law enforcement or the College. Although rare, there are times when the College may not be able to honor a victim’s request for confidentiality. If a victim discloses an incident to an Advocate but wishes that no investigation into the incident be conducted or disciplinary action taken, the Advocate must weigh that request against the College’s obligation to provide a safe environment for all students, including the victim.

Counseling Services

NWACC provides free counseling for students in the Counseling and Wellness Center. NWACC’s counseling services are available to eligible employees through the Employee Assistance Program (EAP).

Telephone-based behavioral/mental health visits for NWACC employee and dependents covered by NWACC’S medical plan will cover and pay for telephonic counseling by in-network behavioral health professionals, not just physicians. Specifically, the plan will pay for telephone-based counseling to plan participants or beneficiaries by any in-network Certified Nurse Practitioners, Advance Practice Nurse Practitioners, Physician Assistants, Psychologists, Licensed Certified Social Workers and Licensed Professional Counselors (together with M.D.s and D.O.s, “Telephonic Providers”). Please note that all copays, coinsurance and deductibles still apply.

If you are struggling with work/life balance, maintaining normalcy, adjusting to college life, keeping a daily routine and accessing community resources, NWACC's counselors can help. Licensed counselors from NWACC's Counseling and Wellness Center are available to help students, faculty and staff in person, by video or phone.

Counseling and Wellness Center

NWACC Benton County Campus
Student Center, 2nd floor
https://www.nwacc.edu/studentservices/healthandwellbeing/personalcounseling.aspx
479.619.4128

To Schedule an Appointment:
counseling@nwacc.edu
479.619.4128

Description:
Individuals seek personal counseling services for a myriad of reasons. Some issues that clients seek our counseling services for include, but are not limited to, college life, cultural shock, depression, anxiety, anger, substance use/abuse, relationship challenges, etc. Counselors are trained to be supportive, relate to others and are sensitive to a client's background and life experience. Counseling can offer a client an ear to listen, help you learn how to address issues and how to manage and cope with symptoms.

PLEASE NOTE: Our counselors do not prescribe medication, nor provide medication management.

Medical Resources
NWACC strongly advocates that a victim of sexual assault report the incident as soon as possible. Time is a critical factor for evidence collection and preservation. You are encouraged to go to a hospital emergency room to receive appropriate medical care. A special exam should be conducted to ensure your physical well-being and to collect evidence that may be useful in criminal proceedings. The exam can be conducted without the involvement of law enforcement personnel. The exam is generally performed by a Sexual Assault Nurse Examiner (SANE). After the evidence is collected it can be stored in case you wish to press criminal charges. If the assault is reported within 72 hours of its occurrence and you cooperate with the police in providing information and evidence, the State of Arkansas Victims Compensation may pay for the medical examination and treatment of other injuries that occurred during the assault.

Community Providers
NorthWest Arkansas Center for Sexual Assault

1670 W. Sunset Ave. Suite B
Springdale, AR 72762
Office: 479-347-2304
24 Hour Hotline: 1-800-794-4175
https://nwasexualassault.org/

NorthWest Arkansas Women’s Shelter
NorthWest Arkansas Women’s Shelter provides safe and temporary shelter, 24-hour confidential crisis line, court advocacy, Spanish bilingual services, children's advocacy, and support groups for victims of domestic violence, sexual assault, and the children of those victims.

479-246-9999
24 Hour Crisis Line: 1-800-775-9011
www.nwaws.org

Peace at Home Family Shelter

Provides emergency shelter to women and children in danger. Works with survivors to help them remain independent of their abuser. Peace at Home offers emotional support through weekly support groups including parenting, substance abuse, and sexual assault and domestic violence recovery.

24 Hour Crisis Lines:
Local- 479-442-9811
Toll Free- 1-877-442-9811
www.peaceathomeshelter.org

Arkansas Coalition Against Sexual Assault (ACASA)

501-246-3276
www.acasa.us

Arkansas Coalition Against Domestic Violence

1-800-269-4668

Ozark Guidance Center
2508 SE 20th St.
Bentonville, AR 72712
479-273-9088 1-800-234-7052
www.ozarkguidance.org

Benton County Prosecutor’s Office
Victim Witness Coordinator
479-271-1030

Washington County Prosecutor’s Office
Victim Assistance Coordinator
479-444-1570

Rape Abuse & Incest National Network (RAINN)
Prevention and Education Programs

NWACC offers ongoing prevention and awareness campaigns for students, faculty, and staff related to sexual harassment, sexual assault, domestic violence, dating violence, and stalking. These programs include the same information as the college’s primary prevention and awareness programs. Mandatory online training is provided for faculty and staff, online and live training is provided for students. At events information about Title IX, resources, and reporting options are distributed. The college also provides training for all athletics department staff and student athletes.

During the summer 2014, NWACC joined the national Red Flag Campaign for prevention, awareness and education for students, faculty, and staff, on issues surrounding Domestic Violence, Dating Violence, Stalking, and Sexual Assault. (https://www.nwacc.edu/studentservices/healthandwellbeing/redflagcampaign.aspx).

This program has continued throughout 2022 with continued success. Due to the COVID-19 Pandemic Response, the program was offered mostly online for 2021.

“The Red Flag Campaign is a public awareness campaign designed to address dating violence and promote the prevention of dating violence on college campuses. The campaign was created using a “bystander intervention” strategy, encouraging friends and other campus community members to “say something” when they see warning signs ("red flags") for dating violence in a friend’s relationship. The campaign posters reflect racially and ethnically diverse models, and illustrate both heterosexual and same-sex relationships.” (www.theredflagcampaign.org)

This bystander intervention campaign helps the campus to create more awareness and provides resources and outreach for issues surrounding domestic violence, dating, stalking and sexual assault through use of social media, emails campaigns, bathroom flyers in all campus locations, campus events, classroom discussions, online training forums, speaking events, and guest presentations/speakers.
Sex offense awareness and prevention programs are presented regularly throughout each semester across campus. All faculty, staff, and students are invited to attend. Guest speakers may also be brought to the campus for presentations open to the entire campus community. Materials including pamphlets covering sex offense awareness and prevention and similar materials are also available in the Student Center.

For more information on the Red Flag Campaign email: redflag@nwacc.edu

Through these efforts, students and employees are informed of preventive actions such as the following:

Protecting yourself

Determine what you want and what you don't want and communicate your limits clearly. No one should pressure you into unwanted sexual activity. If you are uncertain about what you want, ask your partner to respect your feelings.

Know that you have the right and power to say "No" and the right and power to defend yourself against someone who won't listen to you. If you say "No", say it firmly and directly.

Trust your intuition. If you feel something is wrong, it likely is. Remove yourself from the situation and get to a safe space as quickly as you can.

Be careful with alcohol and drugs. Some people think that a drunk or stoned companion has automatically consented to sex.

Attend parties with friends you can trust. Agree to 'look out' for one another. Try to leave with a group, rather than alone or with someone you don't know very well.

Look for danger signals in a dating relationship. If your partner restricts your activities, isolates you from friends, and displays jealous behavior, they may eventually rape and/or beat you.

Talk with your friends about ways you've learned to prevent rape and violence.

Protecting your partner and friends

Respect your partner's feelings and needs. Don't pressure anyone to go beyond the limits they have set. Listen carefully to your partner and ask for clarification if your partner seems unclear or is giving you a 'mixed message'.

Respect the person when they say "No" to sexual activity and comply. "No" does not mean "Yes"; "No" means "No".
If you see someone in a vulnerable position, find a non-threatening way to help. Don't ignore a potential case of rape-- get involved if you believe someone is at risk.

With alcohol and drugs, remember that they can interfere with your ability to assess situations and to communicate effectively. If you have sex with a person under these conditions, the situation could be understood as rape, meaning trauma and legal consequences could result.

Be careful in group situations- resist pressure from friends to participate in or be subjected to violent or criminal acts.

Specifically for men, don't make assumptions about a woman's behavior. Don't automatically assume a woman wants to have sex just because she drinks heavily, dresses provocatively, or agrees to go back to your room.
Sex Offender Registry

The Campus Sex Crimes Prevention Act of 2000 is a federal law that requires institutions of higher education to advise the campus community where information concerning registered sex offenders may be obtained. It also requires sex offenders to provide notice to each institution of higher education at which the person is employed, is a student, or carries on a vocation. NWACC DPS maintains a record of all registered sex offenders on campus. To view this information, visit the DPS office in Center for Health Professions during business hours.

For more information about NWACC’s Sex Offender Registration Policy 9006 visit: https://nwacc.policystat.com/policy/token_access/dd3e5c33-50e0-4f47-a737-d03c903fe643/

In Arkansas, convicted sex offenders must register with the law enforcement agency in the jurisdiction where their residence is located. You can view this information by accessing: https://www.ark.org/offender-search/index.php
Concealed Weapons on Campus

Effective September 1, 2017, Arkansas Act 562 of 2017 allows the possession of concealed handguns in buildings and on the grounds of NWACC, provided certain conditions are met. NWACC is committed to complying with the law while also providing a safe and secure environment for our students, faculty, staff, and guests. See NWACC Policy # 2005: Possession of Weapons on Campus/Concealed Carry.

NWACC’s Concealed Carry Policy

It is unlawful for any person to knowingly possess a weapon, defined as a handgun, knife or club, other than a law enforcement officer or a commissioned officer in the employment of NWACC, in any NWACC owned or operated building or on any College grounds. However, effective September 1, 2017, possession of concealed handguns in buildings and on the grounds of NWACC is permitted, provided all of the following conditions are met:

- Licensee has a license to carry a concealed handgun, and
- Licensee has completed required endorsement training as approved by the Director of the Department of Arkansas State Police, and
- Licensee is 21 years of age or over (exceptions to minimum age are noted below). Handgun must be concealed at all times.

Notwithstanding the above, Licensee has the ability to store concealed handgun in his or her locked vehicle on a publicly owned and maintained parking lot.

Exceptions:

Concealed carry is not allowed in the following:

- Public K-12 schools and private spaces not owned or leased by NorthWest Arkansas Community College.
- Brightwater: A Center for the Study of Food
- Documented grievance and disciplinary meetings, provided additional requirements are met.

Exceptions to the age requirement limiting concealed carry as follows:

- Twenty-one (21) years of age; or
- Eighteen (18) years of age and is:

Currently a federally recognized commissioned or noncommissioned officer or an enlisted member on active duty in the United States Armed Forces;

In the National Guard or a reserve component of the United States Armed Forces; or
A former member of the United States Armed Forces who has been honorably discharged.
Emergency Response Procedures

An emergency response and recovery program has been developed to ensure response to and recovery from emergencies of all types and magnitudes and the continuation of College operations following an emergency. The plan is carried out by the Emergency Response Team and the Disaster Recovery/Business Continuity Response Team. The Department of Institutional Policy, Risk Mgmt. & Compliance and Department of Police and Public Safety will be responsible for establishing plan priorities, writing and distributing the plan and training personnel in the plan.

NWACC’s first priority when an emergency occurs is employee, student and guest safety and emergency response, and their second priority is disaster recovery and business continuity. This plan encourages the development of high levels of resilience where required and the wise use of resources to ensure that when an emergency occurs, NWACC’s normal functions continue and, in the case of a major emergency, its mission essential functions are restored as soon as possible followed by the restoration of all College functions.

The College publishes its Quick Reference Emergency Procedures Guide that is distributed to all employees and copies are also available in the DPS Office and online at: https://www.nwacc.edu/administrativeservices/riskmanagement/emergencyresponseplanning/emergencyresponsebusinesscontinuityplans.aspx

Additionally, Emergency Procedures are located throughout all NWACC facilities. The leaders of the institution have access to an Emergency Operations Plan that includes operational guidelines and leadership command structure for the institution in the event of a campus emergency. Training exercises are held at least once a year under the direction of DPS and the Department of Institutional Policy, Risk Mgmt. & Compliance. These exercises will consist of training, tabletop exercises, full-scale exercises, drills, and/or tests of the BCAalert text messaging system, mass notification system, NWACCs LiveSafe Smart Phone App, Everbridge Safety and the Wireless Emergency Notifications Systems. The Disaster Recovery/Business Continuity Response Team members will participate along with appropriate first responder representatives. If required, all College emergency personnel and occupants of the affected building(s) are to participate fully in these exercises and drills, which may be announced or unannounced.

When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually the DPS, along with local Police, Fire and EMS. These first responders typically work together to manage the incident. Depending on the nature of the incident, other NWACC departments and other local agencies could also be involved in responding to the incident.
Emergency Evacuation Procedures

Students, faculty, staff, and guests are expected to evacuate campus buildings if they hear a fire alarm, if they are notified by first responders, or if the campus administration determines that an evacuation is necessary. All persons will receive information about evacuation and shelter-in-place procedures via one or more of the following: e-mail, BCAAlert text messaging system, mass notification system, NWACCs LiveSafe Smart Phone APP, Everbridge Safety APP, Social Media and/or verbally by Administration or DPS personnel in person or by phone. Information surrounding these procedures is also published in the Quick Reference guide.

Shelter-in-Place Procedures – What it means to “Shelter-in-Place”

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to seek shelter indoors. Thus, to “shelter-in-place” means to utilize the building that you are in as shelter from danger that is outside of the building or in other areas of the building. With a few adjustments, these locations can be made even safer and more comfortable until it is safe to go outside.

Basic “Shelter-in-Place” Guidance

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, NWACC ID Card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, proceed to the predesignated evacuation point or to a safe location. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to “Shelter-in-Place”

A shelter-in-place notification may come from several sources, including e-mails, BCAAlert text messaging system, mass notification system, and the NWACC Life Safe phone app, as well as Social Media.

How to “Shelter–in-Place”

No matter where you are, the basic steps of “shelter-in-place” will generally remain the same. Should the need ever arise; follow these steps, unless instructed otherwise by local emergency personnel:

- If you are inside, stay where you are. Collect any emergency “shelter-in-place” supplies and a telephone to be used in case of emergency. If you are outdoors, proceed inside the closest building quickly or follow instructions from emergency personnel on the scene.
- Locate a room to shelter inside. It should be:
an interior room above ground level without windows or with the least number of windows if there is a large group of people inside a particular building, several rooms may be necessary

- Shut and lock all windows and close exterior doors.
- Turn off air conditioners, heaters, and fans.
- Close vents to ventilation systems as you are able.
- Make a list of the people with you and ask someone to call the list in to the campus police dispatcher at (479) 619-4229. In the event that the dispatch station cannot be manned calls will be forwarded to an appropriate location or back-up phone line.
- Turn on a radio or TV and listen for further instructions.
- Remain calm and make yourself comfortable.

**Lockdown**

A "Lockdown" is the temporary sheltering technique utilized to limit civilian exposure to an "Active Shooter" or similar incident. When alerted, occupants of any building within the subject area will lock all doors and windows and will not allow entry or exit to anyone until the all clear has been sounded. Notice that a "Lockdown" has been issued will be broadcast over the mass notification system and by other appropriate means.

**How to Lockdown**

The basic steps for how to lockdown will be the same regardless of your location. Follow these steps, unless instructed otherwise by local emergency personnel:

- Try to remain calm.
- Remain indoors, e.g. your office or classroom. Once in "Lockdown" you would be allowed to move about to facilitate certain needs, e.g., bathroom, water; but you should not leave the building unless an all clear has been sounded.
- If not in your typical surroundings, proceed to a room that can be locked.
- Close and lock all doors.
- Turn off all lights.
- Occupants should be seated below window level, toward the middle of a room, out of view from windows and doors, as low to the ground as possible.
- Remain silent.
- Turn off all radios or other devices that emit sound.
- Silence cell phones and turn off vibration functions.
- If gunshots are heard, lay on the floor using heavy objects, e.g., tables, filing cabinets for shelter.
• If safe to do so, turn off gas and electric appliances, e.g., heater, fan, coffee maker, gas valves, lights and locally controlled ventilation systems, e.g., air conditioner. Use phones only for emergency notification to emergency responders.
• Do not shelter in open areas such as hallways or corridors. Go to the nearest office, classroom, lecture hall or auditorium that can be locked.
• A message may be broadcast giving specific locations and directions for entering certain shelter sites.
• Do not unlock doors or attempt to leave until instructed to do so by emergency responders. The "All-clear" will be announced over the mass notification system or other appropriate system when it is considered safe.

Emergency Medical Response Procedures
After notifying 911, students, faculty, staff, and visitors in campus facilities should report any medical situations to NWACC DPS at (479) 619-4222 (or 4222 from a campus phone). The NWACC DPS dispatcher will send NWACC officers to the scene. NWACC DPS officers are trained as first responders and can provide assistance until an ambulance arrives to campus.
Guidance for Safety on Campus During the COVID-19 Pandemic

- Before coming onto campus, review the daily screening checklist located here [https://www.nwacc.edu/administrativeservices/riskmanagement/emergencypreparedness/coronavirus/](https://www.nwacc.edu/administrativeservices/riskmanagement/emergencypreparedness/coronavirus/)
- Stay home if sick. Follow daily screening checklist above.
- Ensure that employees/students also review and follow the protocols on our webpage.
- Encourage everyone to wash their hands frequently and/or use alcohol-based hand sanitizers provided throughout campus.
- Utilize Microsoft TEAMS, email, telephone and other technology to avoid in-person meetings.
- Clean and disinfect frequently touched areas such as keyboards, phones, handrails, and doorknobs.
- Maintain an open line of communication with your instructor and/or supervisor regarding any COVID related questions or concerns.
- Be a proactive part of the solution by utilizing disinfecting materials that are supplied by the College to work areas/departments and classrooms.

Reporting COVID-19 Symptoms/Exposure/Diagnosis:

If you have experienced one or more of the following:

- Symptoms related to COVID-19 and/or
- Tested positive for COVID-19 and/or

The CDC has updated guidance for persons who are exposed to the virus. View [CDC information on exposure](https://www.cdc.gov/coronavirus/). DO NOT COME TO CAMPUS until you have been directed to do so by your instructor (if student) or supervisor (if employee).

If you are a student, please do the following:

Email your instructor(s) to let them know you have experienced one (or more) of the items on the list above and cannot come to campus. Your instructors will provide information on next steps.

If you are an employee, please do the following:

Report this information to your direct supervisor.
COVID-19 Testing

If you are experiencing COVID-19 symptoms – fever, chills, cough, shortness of breath, sore throat, loss of smell or taste, etc. – or have been exposed to someone who has COVID-19. You should get tested at a health care provider, the Department of Health, or use an at home test.

For a list of local testing providers visit: https://nwacouncil.org/covid-resources/testing/
For information about at home testing visit: https://nwa.uams.edu/covid/testing/

Cleaning / Disinfecting on Campus

Classrooms.
NWACC's custodial crew clean classrooms and high-touch areas such as knobs, buttons, restrooms, handrails, etc. regularly. Although the college's custodial crew is vigilant with additional cleaning and disinfecting, employees are asked to do our part to keep areas and classrooms clean and safe. Sanitizing wipes/spray bottles and gloves are available to all employees for use in classrooms and offices. Rooms are not disinfected between each class, but supplies are available in each classroom for instructors and/or students to pitch in and assist with disinfecting. When rooms are regularly disinfected, it only takes a couple of minutes to dry and can be used soon afterward.

Offices.
The college’s custodial crew will not go into every office/space to disinfect on a daily basis; the college does not have the manpower to do so. Employees are asked to do our part and disinfect/clean after themselves. The college provides each classroom and department with a spray bottle of disinfectant and a roll of paper towels. The college's custodial crew will refill as needed. If employees run out of spray or towels during the day, a work order can be submitted online.

NWACC has purchased a Clorox 360 machine which pairs an electrostatic sprayer with Total 360 Disinfectant Cleaner, Spore Defense Cleaner Disinfectant or Anywhere Hard Surface Sanitizing Spray to deliver superior coverage in an efficient, cost-effective way. The electrostatic system causes the disinfectant to cling on and around surfaces. Clorox 360 is used in special circumstances, such as areas used by someone who has tested positive for COVID-19 or even a secondary contact. This will typically be performed after waiting at least 24 hours after the area has been vacated.

Air Quality & Circulation
The HVAC systems are designed to exhaust air while bringing in fresh air. The amount of fresh air is calculated during the design of the building and is built into the programming of the building management system. If you feel there is an issue with air quality or circulation, employees can submit a work order request.

NWACC has installed enhanced air filtration systems in every building on campus. This needlepoint bipolar ionization systems provides hospital-level air filtration in all classrooms,
offices and meeting areas. This system reduces particulates in the air by neutralizing unpleasant odors, killing airborne pathogens and saving energy. A recent independent lab study on this system reported this system can neutralize the coronavirus with an efficacy of 99.4% in 30 minutes. This technology allows NWACC to improve indoor air quality which is a key component to keeping our campus safe and healthy.

Additionally, NWACC’s air handling units are maintained on a regular basis. A high-quality pleated filter is used and changed on a regular basis. The coils and drain pans are also cleaned on a regular basis. The college is in the process of using the Clorox 360 machine to disinfect the inside of the air handling equipment as well.

Disinfecting Electronic Equipment

The following guidelines provide instruction on how NWACC’s IT department is properly cleaning and disinfecting computers, hardware, and other electronic equipment throughout campus. Electronic equipment in shared or public locations should be frequently cleaned and disinfected. While the following information was obtained from the CDC, Apple, and Microsoft, the IT Department will always follow the manufacturer’s instructions for cleaning and disinfecting electronic equipment.

General Cleaning Guidelines

- Wear disposable gloves to clean and disinfect.
- Manufacturers recommend powering down and unplugging all external power sources.
- Use a soft, lint-free cloth to wipe down the item. If necessary, slightly dampen the cloth in plain water.
- Avoid excess wiping and placing pressure on screens when cleaning as these can cause damage.
- Keep liquids away from the device, unless noted for specific products.
- Ensure moisture does not get into any opening to avoid damage.
- Never spray cleaners directly on an item.
- Never use aerosol sprays, bleach, or abrasive cleaners.

COVID-19: Disinfecting Guidelines

- Use a 70% isopropyl alcohol wipe or Clorox Disinfecting Wipe. If no wipes are available, use 70% isopropyl alcohol spray on a soft, lint-free cloth. Remember to never spray the item directly!
- Gently wipe the hard, nonporous surfaces of the item which includes displays, keyboards, mice, and exterior surfaces.
- Refer to the cleaning product label to determine the appropriate contact time. It may be necessary to use more than 1 wipe to thoroughly disinfect the item.
- Do not use bleach to disinfect computers and other electronic equipment.

References
• **CDC: Cleaning and Disinfecting Your Facility**
• **Apple: How to Clean Your Apple Products**
• **Microsoft: Clean and Care for Your Surface**
• **Microsoft: How do I Clean My Microsoft Mouse or Keyboard?**
Appendix A - NWACC 2022 Biennial Report

NorthWest Arkansas Community College – Bentonville, AR
Alcohol and Other Drugs Biennial Review

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Dean of Students, NWACC

Meagan Ruffing
Interim Director Counseling and Wellness

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Cecil White
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Beverly Hill
Executive Director Human Resources

Introduction
The Drug-Free Schools and Campuses Regulations (EDGAR Part 86) require that, as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education (IHE) must certify that it has adopted and implemented a program “to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees” both on the institution’s premises and as part of any of its activities. According to the Part 86 regulations, if an IHE fails to submit the necessary certification when requested to do so or violates its certification, the Secretary of Education may terminate all forms of financial assistance whether from the Dept. of Education or other federal agencies (34 CFR Section 86.1 and 20. USC & 1145g.).

The Drug-Free Schools and Campuses Regulations also require IHEs to conduct a biennial review of the AOD (alcohol and other drugs) programs and policies to determine program effectiveness and consistency of policy enforcement and to implement any changes needed to either.

This legislation directs the NorthWest Arkansas Community College (NWACC) to maintain a written policy on alcohol and other drugs and to maintain a process that ensures policy distribution to all students, staff and faculty. The written policy must enumerate federal, state
and/or local sanctions for unlawful possession or distribution of illicit drugs and alcohol, describe health risk associated with alcohol abuse or illicit drug use, describe College drug and alcohol programs available for students and employees, and specify disciplinary sanctions imposed on students and employees for policy violations. Also, the College is required to conduct biennial reviews to assess the effectiveness of its alcohol and drug prevention programs.

In compliance with federal legislation, the Director of Community Standards in the division of Student Services for NWACC has prepared this biennial review.

This biennial review has the following dates of coverage:

September 1, 2020-August 31, 2022

Creating a program that complies with the regulations requires an IHE to do the following:

1. Annually notify each employee and student, in writing, of standards of conduct; a description of appropriate sanctions for violations of federal, state, and local laws and campus policies; a description of health risks associated with AOD use; and a description of available treatment programs/options.
2. Develop a sound method for distributing annual notification information to every student and staff/faculty member each year.
3. Prepare a biennial report on the effectiveness of its AOD programs and the consistency of sanction enforcement.
4. Maintain a copy of the biennial review on file, available for inspection by the U.S. Department of Education.

The following campus units provided information for this report:

• Dean of Students
• Office of Community Standards
• Office of Student Life and Activities
• NWACC Department of Public Safety
• Office of Policy, Risk Management, and Compliance
• Human Resources
• Office of Counseling & Wellness

The intention of this document is to meet the legal requirements of conducting a biennial review and summarize the programs and activities related to alcohol and drug prevention and awareness on NWACC’s campus during the 2020-2021 and 2021-2022 academic years. This report is published each year in our Annual Security Report.
Materials Reviewed

- Complying with The Drug-Free Schools and Campuses Regulations (EDGAR Part 86), A Guide for University and Campus Regulations prepared by the Higher Education Center
- The Higher Education Amendments of 1998 (P.L. 105-244) and the Drug-Free Schools and Communities Act Amendments of 1989, (P.L. 101-226)
- Alcohol and Other Drug Policy documents printed for distribution on campus
- Arkansas State Laws for Alcoholic Beverages
- NWACC Police Department drug and alcohol arrest reports
- Annual reports compiled by conduct staff from the Office of Community Standards and the Dean of Students Office
- Code of Student Conduct Policies and Procedures for NWACC
- NWACC Policies and Procedures for Staff (HR Policies)
- NWACC Drug and Alcohol Abuse Resources webpage for students (On Student Community Standards website)
- NWACC Drug and Alcohol Resources on Campus and Community Resources webpage (Counseling & Wellness)
- NWACC Student Handbook
- NWACC College Catalogue
- NWACC link to Clery Act Annual Security Report

Biennial Review Report

The NorthWest Arkansas Community College continues to be committed to an environment that discourages the inappropriate or illegal use of alcohol and drugs and to providing an environment that supports healthy decisions and lifestyles. The campus has established policies and procedures in place to enforce this commitment and provides education and information to those who need assistance as a result of their alcohol or drug use. In compliance with the requirements of the Biennial Review, we have completed the following checklist to serve as a guide for ensuring our campus population receives all required information:

1. Annually notify each employee and student, in writing, of standards of conduct; a description of appropriate sanctions for violations of federal, state, and local laws and campus policies; a description of health risks associated with AOD use; and a description of available treatment programs/options.
   a. Email to all NWACC community which will include information on campus policies (student and employee), conduct procedures and sanctions for violations, health risks associated with AOD usage, and a list of local, state and national resources and treatment programs/options
   b. This information will be included on the Wellness website for the DOS and links will be listed in the email
2. Develop a sound method for distributing annual notification information to every student and staff/faculty member each year.
   a. Create email notification to be distributed by PR/Marketing to all NWACC faculty, staff and students (including adjuncts, online students, and part time)
   b. Email will be sent no later than September 30th of each academic year
3. Prepare a biennial report on the effectiveness of its AOD programs and the consistency of sanction enforcement.
   a. Due to the small number of alcohol and drug violations that take place it is not possible to measure the effectiveness of the awareness and prevention programs that the college offers.
4. Maintain a copy of the biennial review on file, available for inspection by the U.S. Department of Education.
   a. File will be maintained by DOS, Office of Community Standards, and Risk Management Director.

Publications
Printed fliers and documentation on alcohol and drug usage are available in the Bentonville and Springdale Student Centers. Currently in the process of updating materials to make more recent information and statistics.

Compliance with Clery Act
The NorthWest Arkansas Community College maintains annual compliance with the Clery Campus Safety Act. The Annual Security Report is published each year on or before October 1st. Copies are kept on file for immediate review by any member of the community who makes a request at the Department of Public Safety Office. In addition, our college’s website hosts the link to the report at the bottom of all webpages. You can find the report at this link: https://www.nwacc.edu/_documents/riskmgmt/clery-annual-report.pdf.

We also publish the following information on our website at this link: https://www.nwacc.edu/administrativeservices/campussafety/securityreport.aspx

Your Right to Know:
Your personal safety, and the security of the campus community are of vital concern to NorthWest Arkansas Community College. A copy of the college’s annual security report is available upon request. This report includes statistics for the most recent three-year period concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by NorthWest Arkansas Community College, and on public property within or immediately adjacent to and accessible from the campus. The report also includes information regarding the law enforcement authority of the college police, policies concerning campus security such as crime prevention, alcohol and drug abuse, sexual assault,
obtaining the name(s) of any registered sex offender who may be employed by, or be a student at NorthWest Arkansas Community College, and the reporting of any crimes which may occur on the campus. You can obtain a copy of this report by contacting the College Police Department, Burns Hall 1205, NorthWest Arkansas Community College, One College Drive, Bentonville, AR., 72712. This information is also on file along with the data from other institutions of higher education at http://ope.ed.gov/security

For questions or comments, please contact 619-4229 or email departmentofpublicsafety@nwacc.edu

Campus Policies and Procedures
NWACC has the following policies related to alcohol and/or drug use on campus and/or at college functions: (policies are printed and attached to report)

3. Code of Student Conduct policy on alcohol and drug usage: https://nwacc.policystat.com/policy/token_access/81244d8e-ea70-4ecf-b18f-d7441d6d7164/

Prevention and Wellness (Education and Outreach)
Alcohol and Drug (AOD) awareness programs take place on our college campus yearly. A few examples are listed below:

Community Resource Fair August 2022 - Included representation from area agencies that provide support services for students on alcohol and drug education, addiction counseling, etc.

Drug & Alcohol Awareness Week March 16 &17, 2021 and March 15 & 16, 2022 – Community resources and events for students.

Student Ambassador & Government Association Annual Spring Semester Event – During Alcohol & Drug Awareness Week.

Information provided through Successful First Year Student Course textbook utilized in the Successful First Year Experience courses.

Counseling Services
NWACC opened the Counseling & Wellness Center in August 2017. Counseling services are provided to assist students in times of stress or to help overcome barriers to student success. Our counseling services are at no charge to the student and is available 5 days a week. Our
counselors provide personal counseling that can include substance abuse issues when addressed. Sometimes collaboration occurs with our counseling services and other campus departments about the specific resource/referrals a student may need in order to receive the best treatment. Student Support staff and faculty work in conjunction with our campus counselors to provide educational sessions for students to attend. The website is: https://www.nwacc.edu/studentservices/healthandwellbeing/personalcounseling.aspx

Orientation Materials
All first-time, degree seeking students must participate in an online orientation. This orientation contains information on The Code of Student Conduct, the Dean of Students Office, Safety on Campus, how to access counselors on campus and much more. This orientation serves as a great resource to students as they begin to navigate college life.

Community Standards Website
The Dean of Students Office maintains the Community Standards website for NWACC. The website can be located at: https://www.nwacc.edu/studentservices/conduct/default.aspx. This website contains student information which can be easily located and accessed. This website informs the student about the conduct process, Student Code of Conduct, where to find information and resources on topics such as: Wellness, alcohol and drug resources, sexual assault and sexual harassment, professional counseling, domestic violence, public safety, campus policies, equality information and much more.

The following link includes our information on drug and alcohol resources: https://www.nwacc.edu/studentservices/healthandwellbeing/drugalcoholabuse.aspx

Dean of Students Office/Director of Community Standards
The DOS welcomes students’ ideas and concerns as it is their mission for all students to be connected to the college.

The college endeavors to make the campus community a place of study and work where all people are treated with respect and courtesy. The office of Community Standards strives to protect the college environment and to provide a quality learning environment, one that is safe, secure, and conducive to academic pursuits.

Every student on the NWACC campus is responsible for reading and understanding the Code of Student Conduct. Student Conduct Policies and Procedures can be located at the following link: https://nwacc.policystat.com/policy/token_access/81244d8e-ea70-4ecf-b18f-d7441d6d7164/

Office of Student Life
The Office of Student Life (OSL) provides many entertaining, non-alcoholic activities for students to participate in. Each semester they have continuous activities engaging students and promoting student leadership and involvement. Additionally, OSL provides AOD educational
programming for students, faculty, and staff by hosting events focused on the risks associated with alcohol and drugs.

**Department of Public Safety**

In conjunction with the Dean of Students and the Office of Community Standards, NWACC Department of Public Safety (DPS) officers enforce alcohol and drug abuse laws and related campus policies. They respond to alcohol and other drug complaints: intervening where necessary, issuing citations, making referrals to the Director of Community Standards when appropriate, and handling emergencies.

DPS also maintains and publishes the “Clery Act Annual Security Report”, which provides alcohol and drug related information and statistics related to criminal activity.
Statistics and Reports on Alcohol and/or Drug Violations (list by year)

In the Clery reporting category for Additional Arrests (not required), the following were violations on our campus:

Liquor Law Violations (Arrest and Referrals)

**Arrests:**
- 2019: 4
- 2020: 0
- 2021: 3
- 2022: Not Published Yet

**Referrals:**
- 2019 – 2021: 0

Drug Abuse Violations (Arrest and Referrals)

**Arrests:**
- 2019: 0
- 2020: 6
- 2021: 1
- 2022: Not Published Yet

**Referrals:**
- 2019 – 2021: 0

**Summary**

The NorthWest Arkansas Community College is in compliance with the requirements for federal regulations including the Drug Free Schools and Campuses Regulation, has an effective AOD policy, consistently enforces standards of behavior related to AOD abuse and distributes the policy in writing to students.

Due to the small population, lack of community housing and general unique nature of the campus, the actual abuse of alcohol and/or drugs by our students and employees appears to be minimal, based upon the information and research available. We will continue to develop, evaluate, assess, and pursue the best practices for our campus to create a safe and healthy environment for our students and campus community.
Appendix B - Notice of Non-Discrimination

NWACC’s Statement of Non-Discrimination:
NorthWest Arkansas Community College (NWACC) adheres to all federal and state civil rights laws banning discrimination in publicly funded institutions. NWACC does not discriminate on the basis of gender, age, race, color, creed, religion, ancestry, national or ethnic origin, sexual orientation, gender identity, disability, genetic information, military status, veteran status, familial status, or any other protected category under applicable local, state, or federal law, ordinance or regulation, including protections for those opposing discrimination or participating in any complaint process. Sexual harassment, which includes acts of sexual violence, is a type of sex discrimination prohibited under Title IX of the Education Amendments of 1972.

For more information or to report allegations of discrimination in employment, contact:

- Beverly Hill, Executive Director Human Resources, Burns Hall 1128, 479-619-2679 or email bhill3@nwacc.edu.
- For more information or to report allegations of discrimination or disability grievances regarding students under ADA/Section 504 contact: Erin Campbell, 479-936-5173 or ecampbell7@nwacc.edu.
- For sexual harassment/sex discrimination under Title IX, contact: Teresa A. Taylor, IX Coordinator, Center for Health Professions 3048, 479-619-4188 or ttaylor19@nwacc.edu, titleix@nwacc.edu.

Noticia de la Póliza de No Discriminación:
El reconocimiento de y el respeto por la dignidad de cada ser humano son fundamentales para nuestra misión de aprendizaje para la vida. Discriminación, acoso o cualquier otra conducta que disminuya el valor de una persona es incompatible con el objetivo fundamental de servir y fortalecer a la comunidad.

NorthWest Arkansas Community College (NWACC) observa toda ley y derecho civil federal y estatal que prohíbe la discriminación en toda institución financiada por el público. NWACC no discrimina en base a género, edad, raza, color, credo, religión, ascendencia, origen nacional o étnico, orientación sexual, identidad de género, discapacidad, información genética, estatus militar, condición de veterano, condición familiar o cualquier otra categoría protegida bajo la ley local, estatal o federal aplicable, ordenanza o reglamento, incluyendo protecciones para oponerse a la discriminación o para participar en cualquier proceso de queja. El acoso sexual, que incluye actos de violencia sexual, es un tipo de discriminación sexual prohibida bajo el título IX de las Enmiendas de Educación de 1972.

Para mayor información o para hacer una denuncia de discriminación en el empleo, comuníquese con:

- Beverly Hill, Executive Director Human Resources, Burns Hall 1128, 479-619-2679 or bhill3@nwacc.edu
Para mayor información o para hacer denuncia de discriminación con respecto a un/una ADA/504, comuníquese con: Erin Campbell, 479-936-5173 or ecampbell7@nwacc.edu.

Para mayor información o para hacer una denuncia de discriminación con respecto el Titulo IX, comuníquese con: Teresa A. Taylor, IX Coordinator, Center for Health Professions 3048, 479-619-4188 or email: ttaylor19@nwacc.edu, titleix@nwacc.edu.
Appendix C - Rights of the Reporting Party/Victim

Statement of Rights of the Reporting Party/Victim

- The right to be treated with respect by college officials;
- The right to investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith to college administrators;
- The right to have an advisor or advocate to accompany and assist in the campus investigation and/or Appeal process. This advisor can be anyone, including an attorney (provided at the Reporting Party’s own cost), but the advisor may not take part directly in the investigation and/or Appeal itself, though they may communicate with the Reporting Party as necessary. The college should be notified five (5) business days in advance of the investigation if an advisor or advocate will accompany the Reporting Party.
- The right not to be discouraged by college officials from reporting harassment and/or an assault to both on-campus and off-campus authorities;
- The right to be informed in a timely manner of the outcome and sanction of any disciplinary investigation and/or Appeal involving sexual misconduct, usually within five (5) business days of the end of the conduct investigation and/or Appeal;
- The right to be informed by college officials of options to notify proper law enforcement authorities, including on campus and local police, and the option to be assisted by campus authorities in notifying such authorities, if the Reporting Party so chooses. This also includes the right not to report, if this is the victim’s desire;
- The right to be notified of available counseling, mental health, and/or student services for victims of sexual assault, both on campus and in the community;
- The right to notification of options and assistance for changing academic or employment situations after an alleged sexual assault incident. These changes will be made if they are reasonably available and desired by the victim. No formal complaint, or investigation, campus or criminal, need occur before this option is available.

Accommodations may include:
- Exam (paper, assignment) rescheduling;
- Taking an incomplete in a class;
- Transferring class sections;
- Temporary withdrawal;
- Alternative course completion options;
- Alternative work assignments and/or supervisory changes.
- The right not to have irrelevant prior sexual history admitted as evidence in a campus investigation and/or Appeal;
- The right not to have any complaint of sexual assault mediated (as opposed to adjudicated);
• The right to make a victim-impact statement at the campus conduct proceeding and to have that statement considered by the board in determining its sanction;
• The right to a campus no contact order against another person who has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the complaining person or others;
• The right to have complaints of sexual misconduct responded to quickly and with sensitivity by campus disciplinary officials;
• The right to appeal the finding and sanction of the conduct body, in accordance with the standards for appeal established by the institution;
• The right to review all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law;
• The right to be informed of the names of all witnesses who will be called to give testimony, within 48 hours of the investigation and/or Appeal, except in cases where a witness’ identity will not be revealed to the accused Responding Party for compelling safety reasons (this does not include the name of the alleged victim/Reporting Party, which will always be revealed);
• The right to preservation of privacy, to the extent possible and allowed by law;
• The right to a conduct process that is closed to the public;
• The right to petition that any member of the Conduct Review Board be removed on the basis of demonstrated bias;
• The right to give testimony in a campus investigation and/or Appeal by means other than being in the same room with the Responding Party;
• The right to ask the investigators to identify and question relevant witnesses, including expert witnesses;
• The right to be fully informed of campus conduct rules and procedures as well as the nature and extent of all alleged violations contained within the complaint;
• The right to be present for all testimony given and evidence presented before the conduct body;
• The right to have complaints heard by conduct and appeals officers who have received annual sexual misconduct training;
• The right to conduct boards comprised of representatives of both genders;
• The right to have college policies and procedures followed without material deviation;
• The right to request a case/investigation status update from the Title IX Team, case investigator, and/or Conduct Review Board.
• The right to be informed in advance, when possible, of any public release of information regarding the complaint;
• The right to a fundamentally fair process, as defined by these procedures;
• The right not to have released to the public any personally identifiable information about the Reporting Party, without their consent;
• The right to a campus conduct outcome based solely on evidence presented during the conduct process. Such evidence shall be credible, relevant, based in fact, and without prejudice.
Appendix D - Rights of the Responding Party/Accused

Statement of Rights of the Responding/Accused Party

- The right to be treated with respect by college officials;
- The right to investigation and appropriate resolution of all credible complaints of sexual misconduct made in good faith to college administrators against the Responding Party;
- The right to have an advisor or advocate to accompany and assist in the campus investigation and/or Appeal process. This advisor can be anyone, including an attorney (provided at the Responding Party’s own cost), but the advisor may not take part directly in the investigation and/or Appeal itself, though they may communicate with the Responding Party as necessary. The college should be notified five (5) business days in advance of the investigation if an advisor or advocate will accompany the Responding Party.
- The right to be informed in a timely manner of the outcome and sanction of any disciplinary investigation and/or Appeal involving sexual misconduct, usually within five (5) business days of the end of the conduct investigation and/or Appeal;
- The right to be informed of available counseling, mental health, and/or student services, both on campus and in the community;
- The right not to have irrelevant prior sexual history admitted as evidence in a campus investigation and/or Appeal;
- The right to make an impact statement at the campus conduct proceeding and to have that statement considered by the board in determining its sanction;
- The right to have complaints of sexual misconduct responded to quickly and with sensitivity by campus disciplinary officials;
- The right to appeal the finding and sanction of the conduct body, in accordance with the standards for appeal established by the institution;
- The right to review the Reporting Party’s testimony and all documentary evidence available regarding the complaint, subject to the privacy limitations imposed by state and federal law;
- The right to be informed of the names of all witnesses who will be called to give testimony, within 48 hours of the investigation and/or Appeal, except in cases where a witness’ identity will not be revealed to the Responding Party for compelling safety reasons (this does not include the name of the alleged victim/complainant, which will always be revealed);
- The right to preservation of privacy, to the extent possible and allowed by law;
- The right to a conduct process that is to the public;
- The right to petition that any member of the Conduct Review Board be removed on the basis of demonstrated bias;
• The right to ask the investigators to identify and question relevant witnesses, including expert witnesses;
• The right to be fully informed of the nature, rules and procedures of the campus conduct process and to timely written notice of all alleged violations within the complaint, including the nature of the violation and possible sanctions;
• The right to have complaints heard by conduct and appeals officers who have received annual sexual misconduct adjudication training;
• The right to conduct boards comprised of representatives of both genders;
• The right to have college policies and procedures followed without material deviation;
• The right to request a case/investigation status update from the Title IX Team, case investigator, and/or Conduct Review Board.
• The right to be informed in advance, when possible, of any public release of information regarding the complaint;
• The right to and investigation of the complaint, including timely notice of the investigation date, and adequate time for preparation;
• The right to a fundamentally fair process, as defined in these procedures;
• The right to a campus conduct outcome based solely on evidence presented during the conduct process. Such evidence shall be credible, relevant, based in fact, and without prejudice.