



ARKANSAS STATE UNIVERSITY  
MID-SOUTH

# **Annual Campus Security and Consumer Information Report**

**Fall 2019**

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ARKANSAS STATE UNIVERSITY  
**MID-SOUTH**

Dear Students and Employees:

Federal and state laws require colleges to provide current and prospective students and employees with detailed information about various issues which affect them, including campus crime statistics and security procedures, college policies on alcohol and drug use, college policies on harassment and sexual assault, student rights regarding their education records, graduation and transfer rates, and financial aid regulations.

We have prepared the following information to comply with these regulations. Students who are applying for and/or receiving federal financial aid need to pay particular attention to legislative mandates which may require them to repay funds if they do not meet minimum attendance requirements.

I encourage you to take the time to read through this publication and learn more about the issues which affect all of us. With awareness and understanding, we can all contribute to a positive learning environment.

Sincerely,

Debra West, Ph.D.  
Chancellor

# **Annual Campus Security Report**

**October 2019**

In accordance with the Clery Act regulations, Arkansas State University Mid-South:

- publishes and distributes an Annual Campus Security Report;
- informs prospective students and employees about the Campus Security Report;
- provides timely warnings to the campus community about crimes that are considered to be a threat to their safety;
- maintains a public log of all reported crimes; and
- submits crime statistics to the U. S. Department of Education.

Arkansas State University Mid-South's Annual Campus Security Report includes statistics for the previous three calendar years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by ASU Mid-South, and on public property within, or immediately adjacent to and accessible from, the campus. The report also includes institutional policies concerning campus safety, such as policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, access to information regarding registered sex offenders in the campus community, and other matters. A printed copy of this report may be obtained by contacting the Vice Chancellor for Student Affairs or by accessing the following web link: <https://www.asumidsouth.edu/wp-content/uploads/2019/10/Campus-Safety-and-Consumer-Report-2019.pdf>.

Notification about the electronic address (URL) of the Campus Security Report, a summary of its content, and the provision of paper copies upon request is included in the College's applications for admissions and employment. In addition, the Vice Chancellor for Student Affairs emails this information to all currently enrolled students and current employees by October 1 of each year.

## **Location of the College**

Arkansas State University Mid-South is a non-residential institution, located at 2000 West Broadway in West Memphis, Arkansas. The institution, which has an average credit enrollment of approximately 1,500 students, provides classes and supports other activities on its campus during the day and evening hours.

ASU Mid-South does not support any student organizations which are housed or located off-campus. Sanctioned student activities which occur off-campus are subject to the same safety and security policies that apply on-campus.

## **Procedures for Reporting Unsafe Conditions, Crimes and Other Emergencies**

Employees and students must take an active role in their personal safety and security while on the Arkansas State University Mid-South campus or while attending College-sponsored, off-campus events. Each individual is expected to function responsibly concerning his or her own personal safety, as well as the safety of others. Individuals should not allow themselves to be found or placed in situations which leave them vulnerable to possible bodily harm. Also, they should secure their personal possessions and keep them safe from possible theft or damage by others at all times.

Students and employees who observe situations they perceive to be unsafe should notify any campus safety officer or College employee, who in turn is responsible for immediately notifying the Director of Campus Safety. Direct contact with campus safety personnel can be made by picking up one of the red telephones prominently located in each campus building. All employees have responsibility for responding in a timely manner to notifications of unsafe situations.

Employees or students may contact any of the following administrators for assistance in evaluating or reporting unsafe conditions as needed:

<b>Director of Campus Safety</b> .....	(870) 733-6875
<b>Vice Chancellor for Finance and Administration</b> .....	(870) 733-6830
<b>Vice Chancellor for Learning and Instruction</b> .....	(870) 733-6731
<b>Vice Chancellor for Student Affairs</b> .....	(870) 733-6786
<b>Director of Adult Education</b> .....	(870) 733-6760
<b>Director of the Physical Plant</b> .....	(870) 733-6026

These College officials will assist students in completing crime/incident reports and ensure timely submission of reports to the Director of Campus Safety, who serves as the college's primary safety officer.

Students or employees who are victims of or witnesses to crimes and wish to voluntarily report such activities on a confidential basis may directly contact the Director of Campus Safety or the Vice Chancellor for Student Affairs, who will respect their anonymity to the greatest extent possible.

Campus safety personnel are uniformed officers who are on duty whenever classes or public events are in session. College officials and campus safety personnel are authorized to evacuate buildings, to respond to disciplinary, medical, or criminal incidents, and to contact emergency services as needed. Any criminal activity is reported to the West Memphis Police Department or to the Arkansas State Police, as appropriate.

Emergencies will receive immediate action to resolve the situation, and campus constituencies will receive timely warnings through email, in-class announcements and/or the public address system about potentially threatening situations. The Director of Campus

Safety, in consultation with the Chancellor, determines the need for warnings issued to the campus community in response to warnings issued by the local police department or campus officials regarding potential or actual threats to personal/college safety or property.

The Director of Campus Safety and other designated persons will test the Emergency Response and Evacuation Procedures annually and document the information concerning a description of the exercise, i.e. date, time and if announced or not announced. This documentation will be kept in the Annual Campus Security and Consumer Information Report paper file located in the Campus Safety office.

Instructors, student organization advisors, Learning Success Center personnel, and employee supervisors are obligated to report disciplinary offenses including harassment, drug and alcohol abuse, possession of weapons, and assault to the Director of Campus Safety, the Director of Human Resources, and/or the appropriate vice chancellor. Reported violations of College policies will be investigated and, where appropriate, adjudicated by the Vice Chancellor for Student Affairs (students) or the appropriate Vice Chancellor (employees).

## **Tracking and Disclosure of Crime Statistics**

The Director of Campus Safety is to be notified immediately of any threatening or dangerous situation occurring on College property or affecting College-sponsored events and activities, regardless of location. Written incident or accident reports must be filed with the Director of Campus Safety. Report forms are available on the administrative shared directory, Kiva2019\Shared\Forms, and campus safety personnel will assist with and ensure the completion of these forms. The Director of Campus Safety has responsibility for maintaining a current log of accident and incident reports.

The ASU Mid-South Technical Center Administrator and the Director of Adult Education have responsibility for informing the Vice Chancellor for Student Affairs at least monthly of all student disciplinary complaints and proceedings and their resolution. The Director of Campus Safety maintains communication with the West Memphis Police Department regarding crimes or other threatening events affecting areas contiguous to the College and reports those to the Chancellor.

The Director of Campus Safety and the Chancellor have responsibility for determining the need for and providing timely warnings to the campus community whenever one of the criminal offenses required to be disclosed in the College's Annual Campus Security Report (CSR) or other threat to personal safety or property is reported either to one of the College security authorities specified in the annual CSR or to the local police agency.

The Director of Campus Safety also has responsibility for maintaining daily logs and compiling the annual CSR for submission to the federal government, for updating the CSR for public information, and for notifying current and prospective students and employees of its availability. The Director of Campus Safety will contact appropriate College personnel

and the West Memphis Police Department to ensure that all relevant disciplinary and criminal activity has been reported for inclusion in the annual report.

## **Crime Log**

The College Crime Log, which covers the previous three calendar years, is available to the public on the College website as part of this Consumer Report or in print form upon request to the Director of Campus Safety. The log includes all crimes that are reported to the institution's campus safety department or to the Vice Chancellor for Student Affairs by other College personnel or the West Memphis Police Department, which have occurred within the patrol jurisdiction of campus safety or in any of the geographic areas covered by the annual CSR and which pertain to one or more of the following categories.

Categories of crime which are logged are as follows:

- 1) murder/manslaughter
- 2) sex offenses
- 3) robbery
- 4) aggravated assault
- 5) burglary
- 6) motor vehicle theft
- 7) arson
- 8) hate crimes (broken down by category)
- 9) simple assault
- 10) larceny-theft
- 11) intimidation
- 12) vandalism
- 13) domestic violence
- 14) dating violence
- 15) stalking
- 16) weapons possession
- 17) drug abuse violations
- 18) liquor law violations
- 19) unfounded crimes

In accordance with the Violence Against Women Reauthorization Act of 2013 (VAWA) (Pub. Law 113-4), institutions are required to include statistics, beginning with the 2013 calendar year, for domestic violence, dating violence, sexual assault, and stalking. Institutions are also required to document the number of unfounded crimes for the reporting period.

Crime log entries include the following:

1. The nature of the crime
2. The date and time of occurrence
3. The general location involved
4. The disposition of the problem, if known.

Log entries will be made within two business days of the receipt of a crime report or of new information requiring an amendment or addition to a previous log entry. Entries may be temporarily withheld when such documentation could jeopardize an ongoing criminal investigation or the safety of an individual.

The campus crime log for the most recent 60-day period is available for public inspection upon request during normal business hours. Crime logs for periods more than 60 days past are available upon request within two business days.

### **Arkansas State University Mid-South Campus Crime Statistics for 2016, 2017 and 2018**

The following crime categories and statistics (see table below) relate to incidents occurring on-campus or within one mile of the College campus.

<b>Criminal Offenses</b>	<b>2016</b>		<b>2017</b>		<b>2018</b>	
	<b>On-Campus</b>	<b>Off-Campus</b>	<b>On-Campus</b>	<b>Off-Campus</b>	<b>On-Campus</b>	<b>Off-Campus</b>
<b>Murder/Non-negligent Manslaughter</b>	0	0	0	0	0	0
<b>Negligent Manslaughter</b>	0	0	0	0	0	0
<b>Rape</b>	0	0	0	0	0	0
<b>Fondling</b>	0	0	0	0	0	0
<b>Incest</b>	0	0	0	0	0	0
<b>Statutory Rape</b>	0	0	0	0	0	0
<b>Robbery</b>	0	0	0	0	0	0
<b>Aggravated Assault</b>	0	0	0	0	0	0
<b>Burglary</b>	0	0	0	0	0	0
<b>Motor Vehicle Theft</b>	0	0	0	0	0	0
<b>Arson</b>	0	0	0	0	0	0



	2016		2017		2018	
<b>Hate Crimes</b>	On-Campus	Off-Campus	On-Campus	Off-Campus	On-Campus	Off-Campus
<b>Murder/Non-negligent Manslaughter</b>	0	0	0	0	0	0
<b>Rape</b>	0	0	0	0	0	0
<b>Fondling</b>	0	0	0	0	0	0
<b>Incest</b>	0	0	0	0	0	0
<b>Statutory Rape</b>	0	0	0	0	0	0
<b>Robbery</b>	0	0	0	0	0	0
<b>Aggravated Assault</b>	0	0	0	0	0	0
<b>Burglary</b>	0	0	0	0	0	0
<b>Motor Vehicle Theft</b>	0	0	0	0	0	0
<b>Arson</b>	0	0	0	0	0	0
<b>Simple Assault</b>	0	0	0	0	0	0
<b>Larceny-Theft</b>	0	0	0	0	0	0
<b>Intimidation</b>	0	0	0	0	0	0
<b>Destruction/Damage/Vandalism</b>	0	0	0	0	0	0

	2016		2017		2018	
<b>VAWA Offenses</b>	On-Campus	Off-Campus	On-Campus	Off-Campus	On-Campus	Off-Campus
<b>Domestic Violence</b>	0	0	2	0	0	0
<b>Dating Violence</b>	0	0	0	0	0	0
<b>Stalking</b>	0	0	0	0	0	0

	2016		2017		2018	
<b>Arrests</b>	On-Campus	Off-Campus	On-Campus	Off-Campus	On-Campus	Off-Campus
<b>Weapons: Carrying, Possessing, etc.</b>	0	0	0	1	0	0
<b>Drug Abuse Violations</b>	0	0	0	0	0	0
<b>Liquor Law Violations</b>	0	0	0	0	0	0

	2016		2017		2018	
<b>Disciplinary Actions</b>	On-Campus	Off-Campus	On-Campus	Off-Campus	On-Campus	Off-Campus
<b>Weapons: Carrying, Possessing, etc.</b>	0	0	0	0	0	0
<b>Drug Abuse Violations</b>	0	0	0	0	0	0
<b>Liquor Law Violations</b>	0	0	0	0	0	0

	2016	2017	2018
<b>Unfounded Crimes</b>	0	0	0

## **Campus Policies Concerning Security and Access to Campus Facilities**

Most campus facilities are available to employees, students, and visitors during normal business hours and for designated periods during special events. Restrictions apply to classrooms which are not open to unsupervised usage. Computer resources in the Barbara C. Baxter Learning Success Center and Sandra C. Goldsby Library and library privileges are available to students and to those who purchase a Community Patron card. Students will be asked to present student identification cards, and other users will be asked to present their community patron cards.

Campus safety staff is on duty any time the college is open for authorized classes or events, including weekend activities. Employees are discouraged from working when the campus is closed, and those who do must have the permission of the appropriate vice chancellor who is responsible for disabling and resetting the alarm system.

## **Enforcement Authority and Relationships with External Law Enforcement Agencies**

The Director of Campus Safety has administrative oversight for campus safety and responsibility for maintaining a current log of crime statistics and compiling the Annual Campus Security Report.

Campus safety is provided by the Director of Campus Safety and by certified part-time law enforcement officers who are on duty when students are on campus. By virtue of their active status, campus safety personnel are well-informed about local criminal activity or threatening situations and have the authority to make arrests when situations warrant. The College maintains a working relationship with the West Memphis Police Department regarding alerts of threatening situations.

The Director of Campus Safety is on duty from 8:00 a.m. to 4:30 p.m. and on call any time the campus is open. Additional support is provided by part-time officers on duty during the day and evening hours until the campus closes, as well as during weekend classes and events as needed. Campus safety officers regularly patrol interior and exterior campus locations and respond quickly to requests for assistance when informed of crimes or suspect activities.

A Responder Fire Alarm and Security System is installed in all buildings and serves as security when the campus is closed for the night and on weekends. The fire alarm systems include smoke and heat sensors monitored on a 24-hour basis. Any deviation from normal results in an automatic call to the West Memphis Fire Department. The alarm and security system includes motion sensors and door mechanisms that, when disturbed, result in both an alarm signal and a call to the West Memphis Police Department.

The Director of the Physical Plant is responsible for ensuring sufficient lighting for the building exteriors and parking lots.

## **Educational Programs and Information in Support of Campus Safety**

Each year educational programs are provided for employees and students in support of campus security and personal safety. The Director of Campus Safety has responsibility for contacting the following departments/personnel annually to compile statistics about the number and type of programs provided:

Barbara C. Baxter Learning Success Center  
Business/Industry Services  
Academic Affairs  
Director of the Physical Plant  
Director of Human Resources  
Director of Adult Education  
ASU Mid-South Disaster Preparedness, Response, & Safety Committee  
ASU Mid-South Technical Center

In addition, the Director of Campus Safety has responsibility for scheduling workshops each year to inform employees about campus safety procedures and crime prevention and to encourage their responsibility for general campus safety. Full-time employees participate in training at least twice per year, and adjunct faculty are informed about policy and procedures during Adjunct Orientation, which is held prior to both the fall and spring semesters.

The Vice Chancellor for Student Affairs and Barbara C. Baxter Learning Success Center personnel have the responsibility for providing appropriate workshops and assemblies for students throughout the year. In addition to a crime awareness component provided during New Student Orientation, Student Affairs personnel provide at least one drug and alcohol awareness workshop and at least one workshop a year on crime prevention and reporting procedures and how to respond to sexual assault.

During the 2018-2019 academic year, the following programming was provided by college departments:

### **Fall 2018**

Fire Drill/Active Shooter Training for all Employees  
Safety Overview for Students at New Student Orientation  
Safety Overview for Adjunct Faculty at Adjunct Faculty Orientation  
Safety Overview for Concurrent High School Students at Concurrent Student Orientation  
Sexual Harassment Training for all Employees  
Child Maltreatment/Mandatory Reporter Training for all Employees

### **Spring 2019**

Safety Overview for Students at New Student Orientation  
Safety Overview for Adjunct Faculty at Adjunct Faculty Orientation

**Other Educational/Training Resources:**

All employees receive electronic copies of the *Employee Handbook*, which outlines the employee conduct code and employee responsibilities for reporting criminal and disciplinary incidents for prompt resolution and recurrence prevention. The College Catalog contains information about the Student Code of Conduct, disciplinary procedures and sanctions, safety and emergency procedures, and harassment and discrimination policies and complaint procedures. Students are directed to this information during Concurrent Student Orientation, New Student Orientation, and as part of the College Success class required for all first-time students.

Students are informed during Concurrent Student Orientation and New Student Orientation about conduct requirements, campus safety personnel and their roles and responsibilities, and the use of the red emergency phones. They are also introduced to key administrative personnel who can provide resources and assistance when crimes or threatening situations arise.

**Sexual Assault: Programs and Procedures**

Students can report sexual assault to any College employee or campus safety officer, who then will notify the Director of Campus Safety or the Vice Chancellor for Student Affairs, so that appropriate warnings will be issued to the campus community if deemed necessary by the circumstances of the alleged assault.

College officials will assist victims in reporting assaults to the local law enforcement agency and in seeking counseling assistance. Every effort will be made to maintain confidentiality, but students should be aware that police reports and College disciplinary procedures may not allow complete confidentiality.

Following the report of an alleged sex offense, victims may request a change in academic schedule or other accommodation to ensure their protection. College officials will provide any requested change or accommodation that is reasonably available.

In accordance with the Student Right to Know and Campus Security Act, the following information regarding campus sexual assault programs and the procedures is provided.

**Procedures Students Should Follow If Sexual Assault Occurs**

All sexual assaults (rape, attempted rape, or acquaintance rape) should be reported to a college official. Individuals should report a sexual assault to any of the vice chancellors at the college. Individuals may also report a sexual assault to the West Memphis Police Department at 870-732-7555.

Any student who is assaulted should report the attack as quickly as possible. If the assault is reported within 72 hours of its occurrence and the victim cooperates with police in providing information and evidence, the State of Arkansas pays for the medical examination.

Also, if the offense is reported to police, Victims Compensation can pay for treatment of other injuries that occurred during rape.

Under any circumstances, a medical evaluation is important because of the possibilities of sexually-transmitted diseases and pregnancy. Victims who choose not to report to the police must cover the cost of the examination. Reporting the offense to the police does not mean that a victim must prosecute.

There are several important steps that should be taken after a sexual assault:

1. **DO NOT** shower, bathe, change clothes, urinate (if possible), brush your teeth or rinse your mouth, or change bedding or disturb the area where the assault occurred (if the assault occurred in your place of residence). Remember that it is important to preserve the evidence.
2. **TELL SOMEONE.** Call a friend, counselor, or anyone who can provide you with emotional support. Seek medical attention at the local hospital. Go to a doctor or hospital as quickly as possible for evidence to be gathered and to be checked for injury. Having someone with you as you go through this process is helpful. Take along extra clothing, toothpaste, and toothbrush to clean up after the examination.
3. **WRITE DOWN** detailed information about the assault—where, when, who, etc. If the assailant is a stranger, try to remember his or her height, hair color, scars, clothing, eye color, or other distinguishing characteristics. Gathering evidence and writing information should be done, even if you do not intend to file criminal charges.
4. **FINALLY**, if you have or have not done any of the things suggested in steps one through three, tell a college counselor, a friend, or someone at the local mental health service or rape crisis center about the assault. It is important that you get help and support. This is a time with many confusing emotions and difficult decisions.

### **Counseling Options**

Students who have been victims of sexual assault may receive counseling through a referral from the Barbara C. Baxter Learning Success Center. The college offers free and confidential counseling through CONCERN Student Assistance Program. Counseling services are also available through public and private sources in the community. Students may contact any of the following agencies for counseling assistance:

#### **CONCERN Student Assistance Program**

901-458-4000, 1-800-445-5011

#### **Arkansas Coalition Against Sexual Assault**

Statewide Sexual Assault Crisis Response Hotline

1-800-977-5776

**Child Abuse Hotline**

1-800-482-5964, 1-800-843-6349 (TDD)

**Crittenden County Health Department**

870-735-4334

**Families in Transition**

870-732-4077

**National Domestic Violence Hotline**

1-800-799-SAFE (7233), 1-800-787-3224 (TTY)

The College does not include crime statistics from these agencies in its annual Campus Safety Report.

**Campus Notification about Registered Sex Offenders and Residential Restrictions for Registered Sex Offenders**

The Campus Sex Crimes Prevention Act, 42 U.S.C. § 1407(j) and 20 U.S.C. § 1092 (f)(1)(I) and Arkansas Code Ann. §12-12-913(b) et seq. require the tracking of convicted sex offenders enrolled at or employed by institutions of higher education. Sex offenders are required by law to register in the state and to provide notice of enrollment or employment at an institution of higher education.

The State of Arkansas requires a sex offender to register in each law enforcement jurisdiction where he or she lives, attends school, is employed, or volunteers.

Local law enforcement has the responsibility and liability to notify ASU Mid-South concerning registered sex offenders and determines the plan for disclosure that will be made by the College. Determinations are guided by the offender's risk assessment level in accordance with guidelines established by the Arkansas Sex Offenders Assessment Committee. The local law enforcement agency that decides to disclose information shall make a good faith effort to conceal the identity of the victim(s) of the sex offender's offense.

Notification will be guided by the following risk assessment information provided by the State:

1. **Low Risk:** Usually these are individuals with no prior history of sexual acting out, and no strong antisocial tendencies, sexual compulsions or psychological factors impairing judgment.
2. **Moderate Risk:** Usually these are individuals with limited or circumscribed prior history of sexual acting out, possess some antisocial personality characteristics, predatory tendencies, or deviant sexual interest or behavioral patterns that increase

the general level of risk these offenders pose. They may have mild or well controlled mental disorders, and/or developmental disabilities.

3. **High Risk:** These individuals usually have histories of repeat sexual offending, and/or strong antisocial, violent or predatory personality characteristics. Sexual compulsions are likely to be present, but may be kept under control when relapse prevention plans are followed and treatment is continued. The offense patterns of these individuals reflect a relatively high probability of re-offense and/or a risk of substantial injury to victims should re-offense occur.
4. **Sexually Violent Predator:** These are individuals with impaired judgment or control who have sexual or violent compulsions that they lack the ability to control. This may be due to pedophilia or other disorder of sexual attraction, mental illness or personality disorder that distorts thinking, interferes with behavioral control, and predisposes the person to acts of predatory sexual violence.

Local law enforcement will contact Arkansas State University Mid-South's Director of Campus Safety regarding registered sex offenders and the plan of disclosure that should be followed. Once notified, the Director of Campus Safety will provide timely and appropriate notification to the campus community about the presence of registered sex offenders enrolled in, attending, or employed by the College. Such notification will occur through campus email and/or through announcements on the plasma screens located in each building. A written summary of campus guidelines and the notification plan for each offender will be maintained by the Director of Campus Safety.

The Federal Campus Sex Crimes Prevention Act designates certain information concerning a registered sex offender as public information and therefore amends and supersedes the Family Educational Rights and Privacy Act (FERPA) and other federal and state laws that previously prohibited the disclosure of such personal information.

### **Educational Information Provided by the College**

The College Catalog provides information dealing with sexual assault. The Barbara C. Baxter Learning Success Center has additional printed materials which deal with sexual assault, including date rape. This literature on rape and sexual offenses is available to any student, faculty or staff member upon request. Each year, the College sponsors workshops and student forums to provide educational information about sexual offenses. These programs include procedures to be followed in the event of an assault.

### **Information about Registered Sex Offenders**

Law enforcement agency information provided by the state concerning registered sex offenders may be obtained by checking the Arkansas Sex Offenders listing (<https://www.ark.org/offender-search/index.php>) or by contacting the West Memphis Police Department (<http://www.westmemphispolice.org/index.html>; 870 732-7555). Registration and information dissemination standards are determined by the State of Arkansas.

## **College Disciplinary Procedures for Sexual Assaults**

Sexual assault should be reported to the appropriate vice chancellor or to any college employee the victim feels comfortable approaching. When the alleged perpetrator is a College employee or student, the appropriate College official will complete a written report and notify the Director of Campus Safety and the Chancellor. The Director of Campus Safety will notify the accused party of the allegation in writing and request a written response. The College's disciplinary procedures will apply, and procedural due process will be followed in all hearings of violations of College policies.

Student disciplinary procedures and possible sanctions are outlined in the College Policies chapter of the College catalog. The catalog is available online at [https://www.asumidsouth.edu/wp-content/uploads/2019/07/College\\_Catalog\\_2019-20\\_final.pdf](https://www.asumidsouth.edu/wp-content/uploads/2019/07/College_Catalog_2019-20_final.pdf). Employee disciplinary procedures and possible sanctions are outlined in the Employee Handbook. The handbook is available on-line through the following link: <https://www.asumidsouth.edu/wp-content/uploads/2019/09/19-20-Emp-Handbook-FINAL-2019.09.10.pdf>. Printed copies may also be obtained from the Barbara C. Baxter Learning Success Center or from the Vice Chancellor for Student Affairs.

Procedural due process does not provide for legal representation or confrontation at the hearing by either party, but the accuser and the accused are entitled to the same opportunities to have others present. Both the accuser and the accused will be informed of the outcome of the disciplinary proceeding and any sanctions imposed as a result of such determination.

A decision reached by a conduct administrator or committee finding a violation and/or imposing a sanction(s) may be appealed by the accused student (or by the complaining student if there is one) to the appeal officer within five (5) business days of the decision. Such appeals shall be in writing and shall be delivered to the Vice Chancellor for Student Affairs. During the appeal process, a student who has received a sanction of a suspension of ten (10) or more days or expulsion for non-academic misconduct may choose to be represented at the student's expense by a licensed attorney or, if the student prefers, a non-attorney advocate who, in either case, may fully participate during the appeal process. If the disciplinary appeal proceeding arises from a complaint by a student against another student, both students can be so represented. (Arkansas General Assembly, Act 1194 of 2015, effective July 22, 2015).

## **Drug-Free Schools and Communities Act Amendment of 1989 Compliance Statement for Students**

The Drug-Free Schools and Communities Act Amendment of 1989 requires the college to annually distribute, in writing, to each student, information concerning the use of alcohol and illicit drugs.



## **College Policies and Sanctions**

Students enrolled at Arkansas State University Mid-South are expected to conduct themselves as responsible individuals. Students are subject to the jurisdiction of the College on College matters during their period of enrollment, and the College reserves the right to take disciplinary action against those students who, in the opinion of the College, have not acted in the best interest of the student or the institution.

The use of alcohol or illegal drugs is strictly prohibited on College property. Any student found guilty of using alcohol or drugs, being under the influence of, or in possession of, or distributing either, is subject to disciplinary action and/or state and/or federal law. The college's disciplinary action may consist of verbal reprimand, restitution for damages, restriction of privileges, suspension, or dismissal. Students have the right to due process. More information about Arkansas State University Mid-South's Substance Abuse Policy can be found in chapter five of the College catalog ([https://www.asumidsouth.edu/wp-content/uploads/2019/07/College\\_Catalog\\_2019-20\\_final.pdf](https://www.asumidsouth.edu/wp-content/uploads/2019/07/College_Catalog_2019-20_final.pdf)).

## **Alcohol and Illicit Drug Health Risks**

The use of alcohol and other drugs has many adverse effects on the body. Initially, alcohol causes an increase in the heart rate and then momentarily causes depression of the central nervous system. This depression leads to a decrease in the heart rate, blood pressure, and respiratory rate. It also causes the brain to function in an abnormal manner resulting in slow reactions, speech and vision impairments, and problems with mechanical tasks such as walking and driving.

Over a long period of time, alcohol consumption may lead to cirrhosis of the liver; enlarged heart; congestive heart failure; gastritis; gastric ulcers; cancers of the mouth, esophagus and stomach; weakened muscles and bones; personality disorders; brain damage, and possibly, psychosis.

Alcohol consumption also causes malnutrition due to the fact that alcohol robs the body of many vitamins and minerals by interfering with their absorption. The decrease in appetite caused by alcohol and the substitution of alcohol for food are also contributors to nutritional deficits.

Other popular drugs such as anabolic steroids, cocaine, and marijuana also have severe health risks. Anabolic steroids may cause over aggressiveness and sterility; cocaine causes severe depression, possible hallucinations and paranoia, and a change in blood pressure, heart rate, and respiratory rate which may lead to congestive heart failure; and marijuana causes alterations in mood, memory, motor coordination, cognitive ability, and self-perception.

## **Counseling and Treatment Services**

Students wishing to seek help with alcohol or illicit drug problems may contact the Associate Vice Chancellor for Student Success. The college provides free counseling services through a contract with CONCERN Student Assistance Program.

**CONCERN Student Assistance Program**  
901-458-4000, 1-800-445-5011

**Policy on FERPA**

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records.

**Annual Notification**

As required by Section 99.7 of the FERPA regulations to provide students annual notification of their FERPA rights, the College makes available summary information at regular registrations and on the Arkansas State University Mid-South web site found at: <http://www.asumidsouth.edu>. Additional information is available on FERPA at <http://www.ed.gov> or from the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, DC 20202-5920, 1-800-872-5327.

**Procedure to Inspect Education Records**

Students may inspect and review their education records upon request to the appropriate record custodian.

**TYPES OF RECORDS**

Arkansas State University Mid-South provides the following list of educational records maintained and the title of the individual(s) in custody of those records:

Type of Record	Custodian of Record
1. Admissions:	Registrar
2. Academic:	Registrar
3. Discipline:	Vice Chancellor for Student Affairs
4. Health:	Registrar
5. Placement:	Registrar
6. Financial Aid:	Director of Financial Aid

Students should submit to the record custodian or an appropriate College staff person a written request which identifies as precisely as possible the record or records they wish to inspect.

The record custodian or an appropriate College staff person will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. Access must be given within 45 days of receipt of the request. When a record contains information about more than one student, the requestor may inspect and review only the records which relate to him/her.

## Disclosure of Education Records

Arkansas State University Mid-South will disclose information from a student's education records only with the written consent of the student, except:

1. To school officials who have a legitimate educational interest in the records. A school official is defined as follows:
  - A person employed by the College in an administrative, supervisory, academic or research, or support staff position.
  - A person appointed to the Board of Trustees.
  - A person employed by or under contract to the College to perform a special task, such as the attorney or auditor.A school official has a legitimate educational interest if he or she is:
  - Performing a task that is specified in his or her position description or by a contract agreement.
  - Performing a task related to a student's education.
  - Performing a task related to the discipline of a student.
2. To officials of another school, upon request, in which a student seeks or intends to enroll.
3. To certain officials of the U.S. Department of Education, the Comptroller General, and state and local educational authorities, in connection with certain state or federally-supported education programs.
4. In connection with a student's request for or receipt of financial aid, as necessary to determine the eligibility, amount or conditions of the financial aid, or to enforce the terms and conditions of the aid.
5. If required by a state law requiring disclosure that was adopted before November 19, 1974.
6. To organizations conducting certain studies for or on behalf of the College.
7. To accrediting organizations to carry out their functions.
8. To parents of an eligible student who claim the student as a dependent for income tax purposes.
9. To comply with a judicial order or a lawfully issued subpoena.
10. To appropriate parties in a health or safety emergency.
11. To an alleged victim of any crime of violence or the results of any institutional disciplinary proceeding against the alleged perpetrator of that crime with respect to that crime.

## **Record of Requests for Disclosure**

Arkansas State University Mid-South will maintain a record of all requests for and/or disclosure of information from a student's education records. The record will indicate the name of the party making the request, any additional party to whom it may be disclosed, and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the parents or eligible student.

## **Correction of Education Records**

Students have the right to ask to have records corrected that they believe are inaccurate. They should contact the College official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate. If the College decides not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment.

Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing. The student has a right to file a complaint with the U.S. Department of Education for alleged school or educational agency failure to comply with FERPA requirements.

## **Policy for the Return of Title IV Funds**

Students who have received federal aid (Federal Pell Grant and/or Federal Supplemental Educational Opportunity Grant) should be aware that a percentage of that money must be repaid if they withdraw from all classes during the first sixty percent (60%) of the semester. Students should carefully consider this repayment responsibility prior to withdrawal.

The Return of Title IV Funds Policy process will take place at the time of withdrawal or at the end of the semester when all final grades have been submitted by Instructors. If a student completely withdraws during a semester, ASU Mid-South must calculate, according to a specified formula, the portion of the total scheduled financial assistance the student has earned. If a student receives, or the college receives on his/her behalf, more assistance than has been earned, the unearned excess funds must be returned to the U.S. Department of Education.

Any funds earned at the time of withdrawal do not have to be returned. If the student has not yet received all earned funds, the college will calculate the amount due and mail a check within fourteen days to the student's address on record.

The portion of the federal grants a student is entitled to receive is calculated on a percentage basis by comparing the total number of days in the semester to the number of days the student completed before withdrawal. Students who complete at least sixty percent (60%) of a semester will earn one hundred percent (100%) of their awards. Withdrawal date will be determined by the date a student began the college's withdrawal process (as described in the Schedule of Classes and college Catalog) **OR** the date the student officially

notified the Admissions Office and/or Registrar’s Office of the intent to withdraw; **OR**, in the case of a student receiving all F’s the return will be calculated at the fifty percent (50%) mark of the semester. If the student can provide proof of attendance or a course related activity after the fifty percent (50%) date, consideration will be made to calculate the return on the new information.

The college shares the responsibility of returning excess funds. The college’s portion of the excess funds to be returned is equal to the lesser of:

- the entire amount of the excess funds, or
- the total tuition and fee charges multiplied by the percentage of unearned funds

If the college is not required to return all of the excess funds, the student must return the remaining amount. If the student must return any grant funds, the law provides that the amount to be repaid is to be reduced by 50%. If the return of the unearned federal assistance causes any portion of the college’s tuition and fees to become uncovered, the college will bill the student accordingly.

Any award money which a student must return is considered a federal grant overpayment. The student must either repay that amount in full to the college and/or to the U.S. Department of Education within 45 days of notification of overpayment. Students who fail to do so risk losing their eligibility to receive further federal financial assistance at any school.

### Example of a Refund of Tuition and Return of Title IV Financial Aid

The following example illustrates a typical refund for a student attending the first 12 days of a semester that is 114 days in length.

#### Tuition Refund Calculation

Step 1	Total Charges for Tuition and Fees	\$516.00
Step 2	100% refund if withdrawn before official enrollment date	\$516.00

#### Example of Return of Title IV Aid Calculation

Step 1	<b>Federal aid awarded</b>	
	Pell Grant	\$1,000.00
	Total aid	\$1,000.00
Step 2	Percentage of Title IV federal aid earned as of the 12 <sup>th</sup> day of a 114-day term (10.53% of the term)	10.53%
Step 3	Amount of Title IV aid earned: $\$1,000 \times .1053 = \$105.30$	\$105.30
Step 4	Total Title IV aid to be returned: $\$1,000 - \$105.30 = \$894.70$	\$894.70
Step 5	Amount of unearned Title IV aid returned by the college: NOTE: Must use original tuition and fee charges.	Pell Grant \$343.56

	$\$384.00 \times .8947 = \$343.56$	
Step 6	<p>Remaining amount of unearned Title IV aid returned by the Student. Federal law requires a student to return only 50% of the amount of a Pell Grant.</p> <p><math>\\$894.70 - \\$343.56 = \\$551.14</math></p> <p>Pell Grant of <math>\\$551.14 \times 50\% = \\$275.57</math></p> <p>NOTE: The college will return the funds, but the amount will be charged back to the student's account.</p>	Pell Grant \$275.57
Step 7	Total Title IV aid returned to federal program (School portion $\$343.56 +$ Student portion $\$275.57 = \$619.13$ )	\$619.13
Step 8	Charge back to Student's account	\$619.13

The amount of \$619.13 must be paid in full to Arkansas State University Mid-South before the student can register for future courses. The amount cannot be charged to future financial aid disbursements.

### **Arkansas State University Mid-South's Graduation/Transfer Rate**

In accordance with federal guidelines, Arkansas State University Mid-South provides the following graduation rate information on first-time, full-time, degree seeking (cohort) students who began in the fall of 2014 and completed degrees or certificates by June 30, 2018:

#### **Fall 2015**

Full-time Cohort	198
Completers	13%
Documented Transfers	18%
Still Enrolled	4%

The group of students being reported to comply with federal student right-to-know regulations made up only 10% of the total Fall 2015 semester enrollment at ASU Mid-South. These rates do not represent the success rates for the other 90% of students who attended in Fall 2015.