



# Board of Visitors

July 7, 2025

*UA Cossatot embraces diversity and is committed to improving the lives of those in our region by providing quality education, outstanding service, and relevant industry training.*

UA Cossatot Mission Statement

**Board of Visitors Meeting  
De Queen, Arkansas  
July 7, 2025**

**UA Cossatot Lockesburg Middle School Community Room**

- I. Light Meal Served: 11:30a
  
- II. Opening Prayer:  
  
Open Meeting:  
  
Introduce Guests:
  
- III. Staff Reports
  - A. Chancellor’s Report by Steve Cole .....4-5
  - B. Financial Report by Charlotte Johnson .....6-7
  - C. Academic Services Report by Ashley Aylett .....8-12
  - D. Public Services & Workforce Development by Tammy Coleman. ....13-17
  - E. College Relations by Madelyn Jones .....18-21
  
- IV. Action Items
  - No. 1 Approve Minutes of May 5, 2025, Board Meeting ..... 23-26
  - No. 2 Review New College Policy 219: Hazing..... 27-29
  - No. 3 Review New College Policy 220: Hazing Prevention ..... 30-31
  - No. 4 Review New College Policy 725: Policy Designation of Multi-Occupancy Restrooms, Changing Rooms, and Sleeping Quarters in Public Buildings ..... 32-35
  - No. 5 Review College Policy 330: Purchasing Policies ..... 36-38
  - No. 6 Review College Policy 216: UA Cossatot Title IX Policy for Complaints of Sexual Assault and Other Forms of Sexual Harassment ..... 39-62

V. Adjournment:

Motion:

Second:

Board of Visitors meeting schedule:

July 7, 2025	UAC Lockesburg Middle School-Community Room
September 8, 2025	UAC Lockesburg Middle School-Community Room
November 3, 2025	UAC Lockesburg Middle School-Community Room
January 5, 2026	UAC Lockesburg Middle School-Community Room
March 2, 2026	UAC Lockesburg Middle School-Community Room
May 4, 2026	UAC Lockesburg Middle School-Community Room

VI. Information Items

1. Dinosaur Statue Placement-Lockesburg Placement .....	64
2. Employee Changes .....	65

COSSATOT COMMUNITY COLLEGE  
OF THE UNIVERSITY OF ARKANSAS

REPORT TO THE BOARD OF VISITORS

July 7, 2025

SUBJECT: Chancellor's Report

DR. STEVE COLE

## I Share My Professional and Personal Goals!

On June 1<sup>st</sup> of this year, the President of the University of Arkansas System, General Jay Silveria, asked all of the System Chancellors to submit their professional and personal goals for the year. After much thought, I wanted to make sure that my goals aligned with all of our goals at UA Cossatot, connecting to our new Strategic Plan and our new Master Facilities Plan. I hope I have made those connections with my goals, and I wanted to share them all with you so our Board of Visitors may follow my (and our) progress more closely. It is an honor to my 2025/26 goals to you:

### Professional Goals

I find it only appropriate to align my professional goals with UA Cossatot's brand-new Strategic and Master Facilities Plans. I think this make sense as it will help us all focus on seeing them through to completion.

1. Oversee the build out of the new cafeteria and merchandise profit center on the DeQueen campus.
2. Shepherd the Congressionally Directed Spending asks through the political system.
3. Work with the CFO in making sure we increase our fund balance by 10%.
4. Push for the writing and securing of at least four federal/state grants.
5. Lay the groundwork for student housing on DeQueen and Nashville campuses.
6. Work with our Athletic Director in adding baseball and softball to our Nashville campus.

### Personal Goals

1. Work on communication skills with employees/departments/Board of Visitors.
2. Begin the process of identifying key leaders at our college and personally tutor them.
3. Strengthen relationships with other UA campuses and spend more time there.

I look forward to looking back at these goals next year to see how I (we) did!

Respectfully submitted,



Dr. Steve Cole

Chancellor

COSSATOT COMMUNITY COLLEGE  
OF THE UNIVERSITY OF ARKANSAS

REPORT TO THE BOARD OF VISITORS

July 7, 2025

SUBJECT: Financial Report

CHARLOTTE JOHNSON

A copy of the Financial Report will be provided on the day of the meeting.

COSSATOT COMMUNITY COLLEGE  
OF THE UNIVERSITY OF ARKANSAS

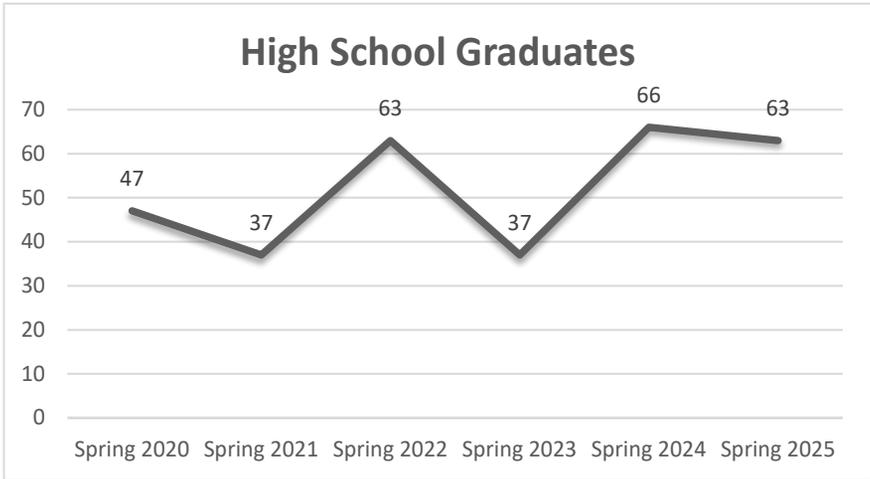
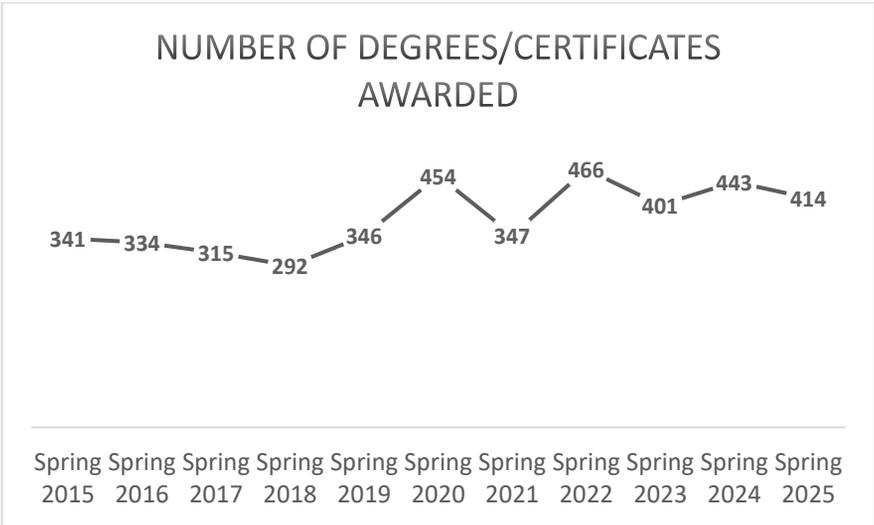
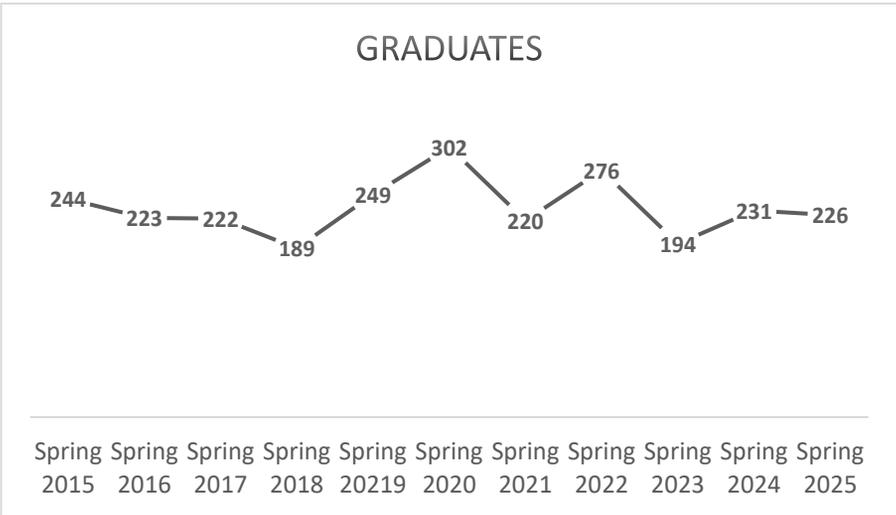
REPORT TO THE BOARD OF VISITORS

July 7, 2025

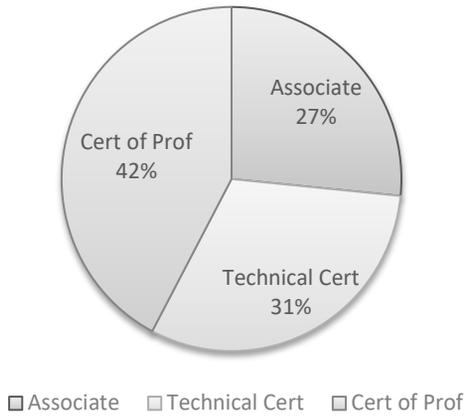
SUBJECT: Academic Services Report

DR. ASHLEY AYLETT

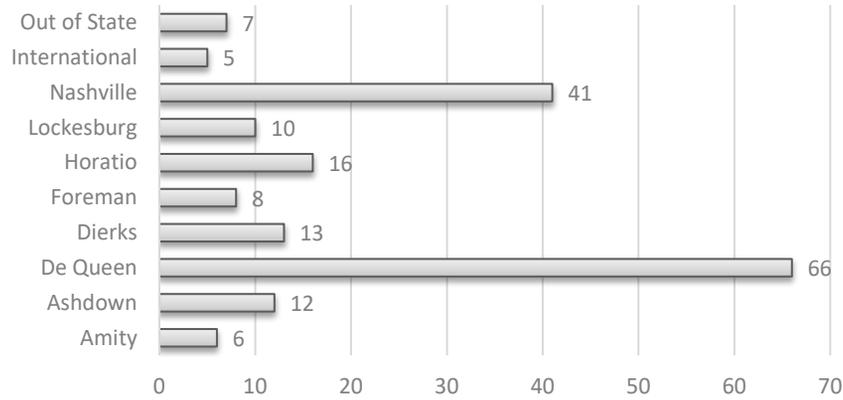
**Academic Services Report—July 2025**



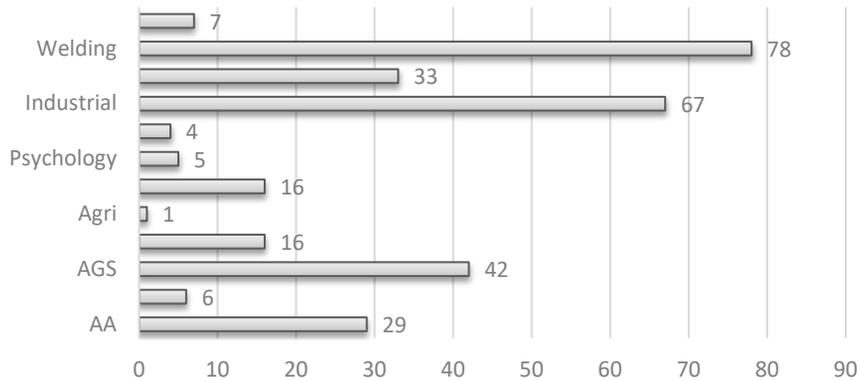
### Spring 2025 Award Types



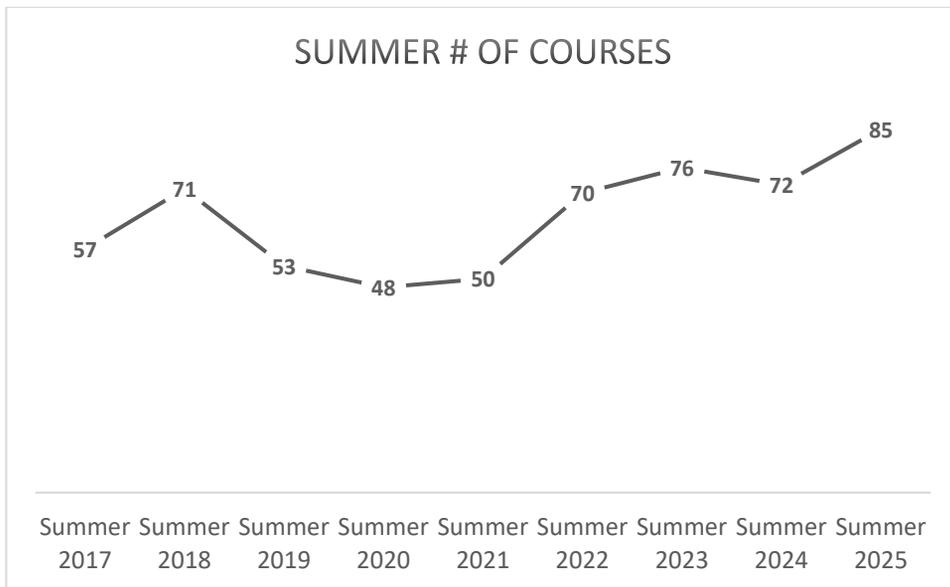
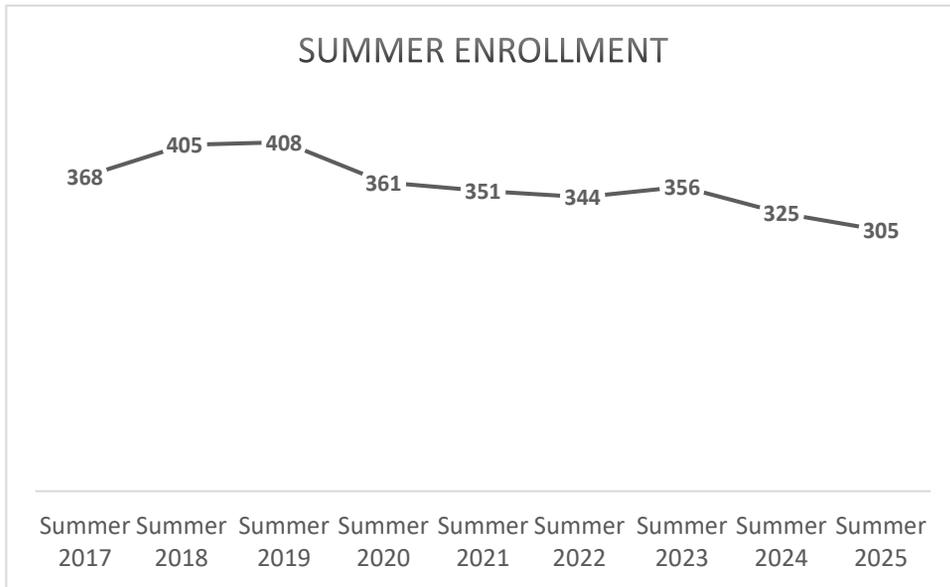
### Spring 2025 Graduate Locations



### Spring 2025 Degree Areas



## Summer Enrollment



UA Cossatot Adult Ed Data	2024-2025
Total Enrollment/student registrations	469
Participants (12+ hours)	290
GED Graduates	42
IET: Paraprofessional (New)	25 enrolled 17 credentials earned
Entered Post-Secondary	9
6 locations 4 counties: (Sevier, Howard, Little River, Pike)	3 full-time sites: NV, DQ, Ash 3 part-time sites: Dierks, Murfreesboro, Glenwood
17 Staff Members	1 full-time Director 5 full-time Certified Instructors 5 part-time Certified Instructors 5 Paras 1 SNAP Coordinator
Programs/Courses	Adult Basic Education GED Prep ESL Digital Literacy Citizenship Paraprofessional College Prep

COSSATOT COMMUNITY COLLEGE  
OF THE UNIVERSITY OF ARKANSAS

REPORT TO THE BOARD OF VISITORS

July 7, 2025

SUBJECT: Public Services & Workforce Development

TAMMY COLEMAN

# Public Services & Workforce Development Report

**Contributing Team Members:** Aerial Lineman Instructor, Dennis Davis; Career Pathways Director, Crystal Bell-Hunter; Continuing Education Coordinator, Nancy Tollett; Continuing Medical and Safety Education Coordinator, Waco Jackson; CRC Team Leader, Gina Duncan; Fiber Network Engineer Instructor, Marty Allen; Workforce Development Coordinator, Michelle Burrell; Youth Build Manager, Leslie Daniels; and Public Services and Workforce Development Director, Tammy Coleman.

1. The college’s broadband programs --- developed in close collaboration with industry partners -- have received outstanding support. According to instructors Dennis Davis (Aerial Lineman) and Marty Allen (Fiber Network Engineer), contributions have reached a total of \$158,237 to date. Generous donors include Calix, Chad Bennett, Electric Cooperatives of Arkansas, Four States Fiber, Hubbell, Juniper, New Venture Telecom, Procom Sales, South Central Connect, and Southwest Arkansas Electric Cooperative.

<b>BROADBAND PROGRAM DONATIONS</b>	
Aerial Lineman Program	\$7,237
Fiber Network Engineer	\$151,000
<b>TOTAL</b>	<b>\$158,237</b>

Most recently, the Electric Cooperatives of Arkansas donated utility poles to help prepare the Aerial Lineman training yard for the incoming 2025–2026 students. Dean McDowell, Sr. Director of Infrastructure & Network Operations for the Electric Cooperatives of Arkansas said, “We are proud to support the next generation of linemen who will play a critical role in keeping our communities connected. By investing in training programs like the one at UA Cossatot, we are strengthening our workforce and ensuring reliable service for the future.”



Southwest Arkansas Electric Cooperative and Four States Fiber generously donated their time, expertise, and equipment to install the new utility poles.



Thanks to these donations, students gain continued access to a hands-on training facility that replicates real-world broadband installation environments --- equipping them with the practical skills and experience needed to thrive in industry roles after graduation.

2. Continuing Education and Workforce Development:

<b>CONTINUING EDUCATION &amp; WORKFORCE DEVELOPMENT</b>	<b>April 2025</b>	<b>May 2025</b>
<b>Hours of Classroom Instruction Offered</b>	663.49	265.74
<b>Registrations Processed</b>	55	16

Courses offered:

- Aerial Lineman: Communications
- Basic Life Support Renewal
- Broadband Essentials
- Commercial Truck Driving
- Fiber Network Engineer
- Forklift Operator
- HeartCode Basic Life Support
- Heartsaver First Aid CPR AED: Total
- Hundreds of non-credit courses made available online monthly in partnership with Cengage Learning

3. YouthBuild enrollment and credential attainments are as follows for the grant cycle through May 2025.

<b>YOUTHBUILD</b>	
<b>Enrollment</b>	62
<b>Credentials Earned</b>	268
22 – GED 27 – Arkansas Workforce Alliance for Growth in Economy (WAGE) Certificates 59 – Heartsaver First CPR AED Certifications 59 – Bloodborne Pathogens 16 – Forklift Operator Certification 21 – OSHA 10: Construction Certifications 37 – OSHA 30: Construction Certifications 49 – National Center for Construction Education Research (NCCER) Core: Introduction to Basic Construction Skills Certifications 04 – Arkansas Certified Nurse Aid License	

4. Career Pathways enrollment and credential attainments are as follows for the grant cycle through May 2025.

<b>CAREER PATHWAYS</b>	
<b>Enrollment</b>	97
<b>Credentials Earned</b>	41
05 – Certificates of Proficiency 18 – Technical Certificates 09 – Associate Degrees 09 – Certificates of Completion	

### Arkansas Carrer Pathways: Nechelle Bell-Iverson Shares Her Story

Career Pathways has had a significant impact on both my education and career development, helping me to align my interests, skills, and goals. Career Pathways provided a structured approach to my education, offering a roadmap that directed me as a student toward specific fields of interest. This program allowed me to gain specialized skills and knowledge to succeed and go on to complete the Licensed Practicing Nurse program in the 2023/2024 academic year. Without the help of this program, I would not have been able to financially afford to be a full time student. Although I was able to work part time, Career Pathways helped ensure that crucial resources were provided. A few of the resources that were available were gas vouchers, tuition payment, and the necessities needed to succeed in the Licensed Practicing Nurse program; scrubs, nursing shoes, stethoscopes, etc. Without the help of the advisors giving me motivation and helping me stay focused, I would not be where I am today. Crystal, Hanna, and Linda all encouraged me to take on opportunities for advancement to help further my career. With their help I was able to pursue a career in healthcare, making it one step closer to fulfilling my dream of becoming a Registered Nurse.



In summary, with the help of Career Pathways I was able to not only continue my education but also succeed. I was also given the building blocks to continue my education when the time is right. This program has so many benefits to help students get to where they want to be in life. I am now able to secure a career in a field that I am passionate about. ~ *Nechelle Bell-Iverson*

#### 5. Career Readiness Certification Services:

<b>CAREER READINESS CERTIFICATION SERVICES</b>	<b>April 2025</b>	<b>May 2025</b>
<b>WorkKeys Curriculum</b>	5	2
<b>WorkKeys</b>	4	2
<b>Total Participants</b>	<b>9</b>	<b>4</b>
<b>AR NATIONAL CAREER READINESS CERTIFICATIONS EARNED</b>	<b>April 2025</b>	<b>May 2025</b>
<b>Platinum</b> - Has core employability skills for approximately 99% of jobs profiled by WorkKeys	1	0
<b>Gold</b> - Has core employability skills for approximately 90% of jobs profiled by WorkKeys	0	1
<b>Silver</b> - Has core employability skills for approximately 65% of jobs profiled by WorkKeys	2	1
<b>Bronze</b> - Has Core employability skills for approximately 30% of jobs profiled by WorkKeys	1	0
<b>Total Earned</b>	<b>4</b>	<b>2</b>

UA Cossatot is a one-stop provider for Arkansas National Career Readiness Certification (AR NCRC®). The primary purpose of the *free* Arkansas National Career Readiness Certificate Program is to positively impact the economy in Arkansas by helping job seekers build their workplace skills, respond to employer needs, and increase the likelihood of a job seeker's success.

The CRC team consisting of staff members associated with multiple departments within the college:

- Verify job seekers have an Arkansas Job Link Account
- Administer WorkKeys Curriculum Pretests to determine if the job seeker is ready to take the WorkKeys assessments
- Provide remediation training using WorkKeys Curriculum, if the individual does not score adequately on the WorkKeys Curriculum Pretest
- Conducts WorkKeys Assessments
- Prints and distributes AR National Career Readiness Certificates (AR NCRCs) to successful examinees

COSSATOT COMMUNITY COLLEGE  
OF THE UNIVERSITY OF ARKANSAS

REPORT TO THE BOARD OF VISITORS

January 8, 2024

SUBJECT: College Relations

MADELYN JONES

## **College Relations Report Board of Visitors Meeting – July 7<sup>th</sup>, 2025**

### **Social Media**

The Facebook Insights report for UA Cossatot covering the period from May 2 to June 30 shows strong and encouraging growth across key engagement metrics. The page received an impressive 821,221 views, marking a 33% increase compared to previous activity. Interactions soared by 217%, totaling 20,841, indicating that followers are actively engaging with the content. Additionally, the page gained a net increase of 162 followers during this period.

Weekly trends reveal steady engagement throughout the two-month span, with notable spikes in mid-June—likely tied to well-received posts or events, such as the Baby Colts & Junior Colts Camp. Content performance remains healthy, with 1,202 views recorded across published and scheduled posts. The page remains in good standing with no issues reported, and page tools such as access permissions, linked accounts, and the content library continue to be actively used.

Engagement data shows a total of 15,886 actions, with 39 recent comments and 3 tags. These interactions suggest that the audience is not only viewing content but is also participating in discussions and acknowledging posts. One highlighted comment praised the Junior Colts event, showcasing positive public perception.

### **Colts Athletics**

We have officially hired a Sports Information Coordinator, Jake Howard. College Relations is helping to promote all summer athletic campus via social media.

### **UA Cossatot Foundation**

Fiesta Fest took place May 3<sup>rd</sup> in Downtown De Queen. All proceeds go towards Non-Pell Eligible Scholarships. As of 7/1//25, we are looking to net profit at least \$15,000. Which is a 455% increase in profits from the last two years. We had two live bands, over 40 vendors from informational booths, arts and craft vendors, and food trucks. Using resources from our FRIENDS committee, we will be able to look at total number of attendees and where they were coming in from. We were also gifted \$9,200.00 from the Arkansas Arts Council grant.

**EZ BAND**

**10<sup>TH</sup> ANNIVERSARY**  
 UA COSSATOT  
**FIESTA FEST**

**MAY 3, 2025**  
**11 A.M. - 9 P.M.**  
**DOWNTOWN DE QUEEN**

**kinetic**

**UA Cossatot FOUNDATION**

**LIVE MUSIC**      **BEER GARDEN**      **FREE ENTRY**

**WWW.FIESTAFEST.ORG**

Current UA Cossatot Foundation assests: \$877,830.00 (as of 7/1//2025)

The Foundation has also recently gone live with the new Student Emergency Fund. The UA Cossatot Student Emergency Fund, made possible through private donations to the UA Cossatot Foundation, is designed to assist currently enrolled students who are experiencing unexpected financial hardships. This fund provides short-term, one-time support to help students overcome emergency situations that may jeopardize their ability to continue their education. Applications will be reviewed by the Student Emergency Fund Review Committee.

**Ed 88**

In this past quarter, Ed88 has focused on transitioning out with the radio station purchase by Feed Local, LLC. College Relations will be working to transition all Ed88 content to a landing page with the UA Cossatot website.

**Upcoming Events:**

**UA Cossatot 50<sup>th</sup> Anniversary Celebration** will be celebrated with events during Wednesday, Sept 3<sup>rd</sup> – Saturday, Sept. 6<sup>th</sup>. We invite all BOV members to any and ALL events they would like to attend. A corresponding 50<sup>th</sup> Anniversary Giving Campaign will take place from July 21<sup>st</sup> – September 6<sup>th</sup> and we will move our annual “GIVING DAY” to Sept. 6<sup>th</sup> as well.

*Tentative Schedule of Events:*

**Wednesday, Sept 3<sup>rd</sup> –**

“Chancellor’s Brew and Chat: 50 Years of Progress”

Nashville Campus – 8:30am, Ashdown Campus – 10:30am

**Thursday, Sept 4<sup>th</sup> –**

“Fifty Years of Sweet Success: Cookies and Cupcakes with Students”

All Campuses – 10:00am – 2:00pm

**Friday, Sept 5<sup>th</sup> –**

“Golden Service Luncheon: Celebrating 50 years with Employees”

Lockesburg Gymnasium – 11:30am

**Saturday, Sept 6<sup>th</sup> –**

“Cossatot’s Golden Journey: Celebrating 50 Years with our Community”

VIP Breakfast Reception – 9:00am

Community Cookout – Hot Dogs, Music, Bounce Houses, Tshirts, and MORE! 10:00am-1:00pm

COSSATOT COMMUNITY COLLEGE  
OF THE UNIVERSITY OF ARKANSAS

BOARD OF VISITORS

ACTION ITEMS

July 7, 2025



MINUTES OF MEETING  
COSSATOT COMMUNITY COLLEGE OF THE UNIVERSITY OF  
ARKANSAS BOARD OF VISITORS  
May 5, 2025

Chair Mike Cranford called the regular meeting of the Board of Visitors to order at 12:22 p.m. following a light meal at the UA Cossatot Lockesburg Community Room.

Present:       Mike Cranford           Brenda Tate           Dr. Glenn Lance       Dori Gutierrez  
                  Angie Walker           Joe Martinez          Barbara Dixon        Tim Pinkerton

Absent:        Barbara Horn

**Staff Reports**

Chancellor Cole presented the Chancellor’s Report, highlighting the exceptional work done over the past year on the college’s Strategic Plan and Master Facilities Plan. He commended the two committees involved and shared that these finalized plans would be presented during the upcoming UA Board of Trustees meeting, which will also be hosted on the UA Cossatot Nashville campus. Dr. Cole emphasized how both plans are forward-thinking, measurable, and will serve as guiding documents for the college’s development over the next 5 to 10 years. He also noted that the plans will be made publicly available on the college’s website. Dr. Cole expressed pride in the positive momentum of the semester and acknowledged the work ahead, particularly with graduation scheduled for May 16 and significant facilities improvements planned for the summer. He stated that the graduation ceremony would serve as the starting point for a busy but productive summer.

Vice Chancellor Charlotte Johnson presented the financial report, noting that revenues and expenditures were slightly above those from the same period last year. The institution remains in strong financial standing. Accounts receivables were down compared to earlier months, indicating successful collections. In standings of Grants and Other Restricted programs, activity remains high with more than \$9 million in active awards, although some are nearing expiration. Additionally, Cash reserves and investments have grown, including notable increases in CD interest and endowment balances. Charlotte then reviewed the proposed FY 2025–2026 budget, which includes \$12.3 million in unrestricted revenue and \$11.9 million in expenses. A \$49,000 transfer will be used to balance auxiliary operations, in accordance with system policy. The budget highlights include 2% raises for faculty and staff, increased healthcare premiums, the addition of a new financial aid advisor, and updates related to continuing education and Workday system classifications.

Dr. Ashley Aylett, Vice Chancellor of Academics, presented the Academic Services report. She reviewed licensure pass rates for several key programs: the Occupational Therapy Assistant (OTA) program had 6 out of 6 students pass, with two still pending; the Physical Therapist Assistant (PTA) program achieved a 100% pass rate; Practical Nursing (LPN) had a 96% pass rate; and the ARNEC LPN-RN bridge program reported a 94% pass rate. Dr. Aylett announced that commencement will be held on Friday, May 16, 2025, at the De Queen Amphitheater, with an alternate indoor venue available in case of rain. She provided a summary of graduate totals over the past four spring semesters, noting 405 total awards expected in Spring 2025. Fall 2025 enrollment is trending upward with 401 students enrolled as of April 24, compared to 220 at the same time last year. Additionally, high school outreach was conducted across the region to support incoming fall students. Dr. Aylett herself attended Nashville, De Queen, Dierks, and Ashdown

Tammy Coleman shared an update from the Public Services and Workforce Development Report, summarizing several major initiatives. A Career Fair was held on April 9 on the De Queen campus, drawing employers, alumni, and community members. The newly launched Fiber Network Engineer Program began a pilot session in April, with industry donations supporting its development and a grand opening planned for August. A soft opening for the new program space on April 14 exceeded expectations, attracting over 60 visitors, including donors and vendors. Continuing Education and Workforce Development offered a wide range of courses in early 2025, from CPR and commercial truck driving to OSHA certifications. The YouthBuild program enrolled 61 students and awarded 268 industry-recognized credentials. The Career Pathways program enrolled 97 students, awarding 31 academic and technical credentials. Career Readiness Certification Services supported job seekers with training and credentialing, resulting in the issuance of two Arkansas National Career Readiness Certificates during the February–March reporting period.

### **Action Items:**

**No. 1 Approve Minutes of March 3, 2025, Board Meeting** Dr. Lance motioned for passage and Brenda Tate seconded the motion. The motion passed with a vote of 8-0.

**No. 2 Review Board of Visitors Meeting Schedule for 2025-2026.** Barbara Dixon motioned for review and Dr. Lance seconded the motion. The motion passed by a vote of 8-0.

**No. 3 Review Operating Budget for 2025-2026.** Barbara Dixon motioned for passage and Dori Gutierrez seconded the motion. The motion passed by a vote of 8-0.

**No. 4 Review Tuition and Fees for 2025-2026.** Barbara Dixon motioned for review. Dori Gutierrez seconded the motion. The motion passed by a vote of 8-0.

**No. 5 Review Career Service for 2025-2026.** Joe Martinez motioned for review and Brenda Tate seconded the motion. The motion passed by a vote of 8-0.

**No. 6 Review Salaries for 2025-2026.** Tim Pinkerton motioned for passage and Dr. Lance seconded the motion. The motion passed by a vote of 8-0.

**No. 7 Review College Policy 464: Progressive Discipline Policy.** Dr. Lance motioned for review. Barbara Dixon seconded the motion. The motion passed by a vote of 8-0.

**No. 8 Review College Policy 450: Grievance Policy.** Tim Pinkerton motioned for passage and Dori Gutierrez seconded the motion. The motion passed by a vote of 8-0.

**No. 9 Review College Policy 427: Compensatory Time.** Brenda Tate motioned for review. Tim Pinkerton seconded the motion. The motion passed by a vote of 8-0.

**No. 10 Review College Policy 428: Time and Attendance for Non-Exempt Employees.** Joe Martinez motioned for review. Tim Pinkerton seconded the motion. The motion passed by a vote of 8-0.

**No. 11 Review College Policy 466: Information Technology User Access Control.** Brenda Tate motioned for passage and Tim Pinkerton seconded the motion. The motion passed by a vote of 8-0.

**No. 12 Review College Policy 521: International Students.** Tim Pinkerton motioned for review. Brenda Tate seconded the motion. The motion passed by a vote of 8-0.

**No. 13 Approve Pursuing with Adding UA Cossatot Men & Women's Cross Country 2025-2026 Academic Year.** Joe Martinez motioned for review. Brenda Tate seconded the motion. The motion passed by a vote of 8-0.

**No. 14 Review Strategic Plan and Master Facilities Plan.** Tim Pinkerton motioned for passage and Barbara Dixon seconded the motion. The motion passed by a vote of 8-0.

The meeting concluded with appreciation for the efforts made across all departments. Chair Mike Cranford asked for a motion to adjourn the meeting. Tim Pinkerton made the motion to adjourn; Chair Mike Cranford adjourned the meeting at 1:12 p.m.

Respectfully submitted,

Angie Walker, Secretary

wg

**Board of Visitors Meeting – July 7, 2025**

**Action Item No. 2: Review New College Policy 219: Hazing.**

**1. Background information:** This new policy was developed in compliance with the Stop Campus Hazing Act, a federal mandate designed to enhance transparency, accountability, and prevention efforts related to hazing incidents on college campuses. The policy follows guidance previously issued by the University of Arkansas System.

**2. Why action is needed at this time:** This is the first Board of Visitors meeting since the policy was developed.

**3. Chancellor's Recommendation:** The Chancellor recommends the Board reviews the New College Policy 219: Hazing.

**4. Board of Visitors Action:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Motion by:**

**Seconded by:**

**Yeas:**

**Nays:**

**HAZING**

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At the University of Arkansas at Cossatot, all students, faculty, staff, alumnus, and volunteers should understand that hazing is not only unacceptable and a violation of the University of Arkansas at Cossatot's rules and policies but is also against the law.

"Hazing" means:

- a. A willful act on or off the property of the University by one Student, alumnus, or volunteer or employee of a fraternal organization if the volunteer or employee is acting on behalf of, or in the name of, the fraternal organization, acting alone, or acting with others when the conduct is directed against any other Student and done for the purpose of intimidating the Student attacked by threatening him or her with social or other ostracism or of submitting such Student to ignominy, shame, or disgrace among his or her fellow Students, and acts calculated to produce such results;
- b. The playing of abusive or truculent tricks on or off the property of the University by one Student, alumnus, or volunteer or employee of a fraternal organization if the volunteer or employee is acting on behalf of, or in the name of, the fraternal organization, acting alone, or acting with others, upon another Student to frighten or scare him or her;
- c. A willful act on or off the property of the University by one Student, alumnus, or volunteer or employee of a fraternal organization if the volunteer or employee is acting on behalf of, or in the name of, the fraternal organization, acting alone, or acting with others which is directed against any other Student done for the purpose of humbling the pride, stifling the ambition, or impairing the courage of the Student attacked or to discourage him or her from remaining in that school, college, university, or other educational institution, or reasonably to cause him or her to leave the institution rather than submit to such acts; or
- d. A willful act on or off the property of the University by one Student, alumnus, or volunteer or employee of a fraternal organization if the volunteer or employee is acting on behalf of, or in the name of, the fraternal organization, acting alone, or acting with others in striking, beating, bruising, or maiming; or seriously offering, threatening, or attempting to strike, beat, bruise, or maim; or to do or seriously offer, threaten, or attempt to do physical violence to any Student of any such educational institution; or any assault upon any such Student made for the purpose of committing any of the acts, or producing any of the results, to such Student as defined in this section.
- e. The term "hazing"

- i. Does not include customary athletic events or similar contests or competitions; and
- ii. Is limited to those actions taken and situations created in connection with initiation into or affiliation with an organization, extracurricular activity, or sports program.

### Reporting

Complaints or concerns of hazing should be reported to the Vice Chancellor for Academics/Dean of Students or to the local police. The Vice Chancellor for Academics/Dean of Students can be contacted at [aaylett@cccua.edu](mailto:aaylett@cccua.edu) or 870-584-1125.

### Investigation Process

Complaints or concerns of hazing reported to the institution will be investigated and handled using the process identified in the Student Code of Conduct. The Student Code of Conduct is found at [Policies](#) (Policy 530).

### Arkansas Law on Hazing

Arkansas law on hazing can be found at Ark. Code Ann. §§ 6-5-201 to 202. Arkansas law provides that:

(a) A student, alumnus, or volunteer or employee of a fraternal organization of a school, college, university, or other educational institution in Arkansas shall not knowingly engage in hazing or encourage, aid, or assist any other student, alumnus, or volunteer or employee of a fraternal organization in hazing.

(b)(1) A person shall not knowingly permit, encourage, aid, or assist another person in committing the offense of hazing, or knowingly acquiesce in the commission of the offense of hazing, or fail to report promptly his or her knowledge or any reasonable information within his or her knowledge of the presence and practice of hazing in this state to an appropriate administrative official of the school, college, university, or other educational institution in Arkansas.

Hazing is a Class B misdemeanor in the State of Arkansas and requires expulsion of the student convicted of hazing from the school, college, university, or other education institution the he or she is attending.

Ark. Code Ann. § 6-5-202.

**Board of Visitors Meeting – July 7, 2025**

**Action Item No. 3: Review New College Policy 220: Hazing Prevention.**

1. **Background information:** This new policy was developed in compliance with the Stop Campus Hazing Act, a federal mandate designed to enhance transparency, accountability, and prevention efforts related to hazing incidents on college campuses. The policy follows guidance previously issued by the University of Arkansas System.
  
2. **Why action is needed at this time:** This is the first time the Board of Visitors will meet since the development of this policy.
  
3. **Chancellor's Recommendation:** Chancellor Cole recommends the Board review the New College Policy 220: Hazing Prevention.

4. **Board of Visitors Action:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Motion by:**

**Seconded by:**

**Yeas:            Nays:**

**HAZING AWARENESS AND PREVENTION PROGRAMS**

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Hazing awareness and prevention programs will be provided to students, staff, and faculty related to hazing awareness and prevention education. These programs may be offered online or in person and will be targeted to reach all members of the college community, will be research-informed, and will include primary prevention strategies. For more information on hazing awareness and prevention programs, please review [identify / insert link, if applicable]. Hazing awareness and prevention programs will be described in more detail and published on an annual basis in the University of Arkansas at Cossatot's Annual Security Report.

**Board of Visitors Meeting – July 7, 2025**

**Action Item No. 4: Review New College Policy 725: Policy on Designation of Multi-Occupancy Restrooms, Changing Rooms, And Sleeping Quarters in Public Buildings**

1. **Background information:** A new policy is being developed to comply with Act 955, concerning multi-occupancy restrooms and changing rooms.
  
2. **Why action is needed at this time:** This is the first Board of Visitors meeting since the new policy was developed.
  
3. **Chancellor's Recommendation:** The Chancellor recommends the Board review the New College Policy 725: Policy on Designation of Multi-Occupancy Restrooms, Changing Rooms, And Sleeping Quarters in Public Buildings.

4. **Board of Visitors Action:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Motion by:**

**Seconded by:**

**Yeas:**

**Nays:**

**POLICY ON DESIGNATION OF MULTI-OCCUPANCY RESTROOMS, CHANGING ROOMS, AND SLEEPING QUARTERS IN PUBLIC BUILDINGS**

I. Purpose

The purpose of this policy is to set rules for designating multi-occupancy restrooms, changing rooms, and sleeping quarters for the exclusive use of males or females in compliance with Arkansas law.<sup>1</sup> This policy does not apply to a single-occupancy restroom, changing room, or sleeping quarter, or a family restroom, changing room, or sleeping quarter.

Employees, students, and visitors to campus are prohibited from entering a restroom or changing room that is designated for the exclusive use of females or males unless he or she is a member of the designated sex or the individual's use of the restroom or changing room falls within one of the exceptions set out in this policy.

II. Definitions

- A. “Changing room” means a room or area in which a person may be in a state of undress in the presence of others, including without limitation a locker room or a shower room;
- B. “Female” means an individual who naturally has, had, will have, or would have but for a congenital anomaly or intentional or unintentional disruption the reproductive system that at some point produces, transports, and utilizes eggs for fertilization;
- C. “Male” means an individual who naturally has, had, will have, or would have but for a congenital anomaly or intentional or unintentional disruption the reproductive system that at some point produces, transports, and utilizes sperm for fertilization;
- D. “Multi-occupancy” means a space designed for use by multiple persons simultaneously;
- E. “Restroom” means a room that includes one or more toilets or urinals;
- F. “Sex” means an individual's biological sex, either male or female; and
- G. “Sleeping quarter” means a room with a bed in which more than one individual is housed overnight.

III. Designations of Multi-Occupancy Restrooms and Changing Rooms

The Facilities Director shall designate each multi-occupancy restroom and changing room in every building or related facility occupied by the campus for the exclusive use of females

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<sup>1</sup> Act 955 of 2025; Ark. Code Ann. § 22-3-2202.

or males. A sign shall be posted outside of each multi-occupancy restroom and changing room indicating if it is for the exclusive use of females or males. The Facilities Director may redesignate a multi-occupancy restroom or changing room designated for exclusive use by one sex to a designation for exclusive use by the opposite sex as needed.

IV. Designations of Sleeping Quarters

The Facilities Director shall designate each sleeping quarter in every building or related facility occupied by the campus for the exclusive use of females or males. The Facilities Director shall keep a written or electronic record of the designation assigned to each sleeping quarter. The Facilities Director may redesignate a sleeping quarter designated for exclusive use by one sex to a designation for exclusive use by the opposite sex as needed.

V. Use of Exclusively Designated Restrooms, Changing Rooms, and Sleeping Quarters

Every restroom, changing room, or sleeping quarter that is designated for the exclusive use of females or males shall only be used by a member of the designated sex. A person shall not be required to share a sleeping quarter with a member of the opposite sex. A person shall not enter a restroom or changing room that is designated for the exclusive use of females or males unless he or she is a member of the designated sex or falls within one of the exceptions listed below.

A person is not prohibited from entering a restroom, changing room, or sleeping quarter designated for the exclusive use of members of the opposite sex to:

- (1) Perform custodial services or maintenance;
- (2) Render medical assistance;
- (3) Perform duties arising under the course and scope of employment as a law enforcement officer, employee, or contractor;
- (4) Seek protection in a designated shelter area during a threat of an emergency or natural disaster;
- (5) Provide aid during a threat of a natural disaster or a serious threat to good order or safety;
- (6) Assist an individual protected by the Americans with Disabilities Act of 1990;
- (7) Accompany young children in need of assistance;
- (8) Assist an elderly person requiring aid; or
- (9) Address, supervise, or treat athletes that the individual is overseeing as a coach or an athletics personnel member during a reasonable time before an athletic event, during an athletic event, or immediately following an athletic event if:
  - a. The coach or the athletics personnel member verifies that no person is in a state of undress at any time while the coach or athletics personnel member is present; and
  - b. An adult other than the coach or athletics personnel member is also present.

VI. Policy Enforcement

This policy shall be posted on the University's website.

Any person who encounters a person of the opposite sex in a restroom or changing room designated for the exclusive use of one sex may report the encounter to the Facilities Director by phone or email at:

Barry Reed  
870-584-1462  
reedb@cccua.edu

The Facilities Director shall forward the matter for review to the Vice Chancellor of Academics if the alleged violation involved a student or the Chancellor if the alleged violation involved an employee. Following a determination that a violation has occurred, the Facilities Director shall take appropriate action to prevent future violations of this policy.

Employees shall adhere to applicable privacy laws during the review and response to a violation reported under this policy.

**Board of Visitors Meeting – July 7, 2025**

**Action Item No. 5: Review College Policy 330: Purchasing Policies.**

1. **Background information:** An update to College Policy 330: Purchasing Policy was needed following feedback from a recent audit. A new section that is labeled in Section E was added to clarify technology-related purchases.

2. **Why action is needed at this time:** To keep our policy up to date.

3. **Chancellor's Recommendation:** The Chancellor recommends the Board review the College Policy 330: Purchasing Policies.

4. **Board of Visitors Action:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Motion by:**

**Seconded by:**

**Yeas:**

**Nays:**

**PURCHASING POLICIES**

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**A. Purchasing Policy - General**

All college purchases shall follow in accordance with applicable state laws and in a business, manner reflecting favorably on this institution.

The responsibility for the implementation of procedures to accomplish this policy belongs to the Vice Chancellor for Business Services.

The Board directs the development of an appropriate approval procedure, ensuring the review of all purchases by the appropriate division/dean prior to any obligation incurred on the part of the College.

The Board further directs the review of that all purchases for compliance with state laws and procedures prior to spending being incurred.

The Board further resolves the adoption of the Department of Finance and Administration Office of Accounting's Financial Management Guide as the college's official accounting procedures manual. UA Cossatot will implement the procedures therein for requisitions, purchase orders, payment approval and processing, travel allowance reimbursements, etc.

Additionally, state purchasing procedures and laws as contained in the Office of State Procurement Law and Regulations Manual shall serve as the standard operating procedures for UA Cossatot in the procurement of goods and services. The college shall issue Purchasing Standards and Guidelines to all employees of the college for guidance during the purchasing process. Included in these guidelines is information on proper Contracting Authority, the Procurement Process, Dollar Thresholds for Signatures, Gratuity and Kickbacks, and Violations of the procedures. It is a breach of ethical standards for an employee of the college to accept a gratuity or any other type of kickback in connection with a decision during the procurement process that would influence the outcome of the purchase and allow the employee to personally gain from the transaction. Any acceptance of these gratuities or kickbacks by a college employee is grounds for immediate dismissal.

**B. Promotional Items**

Merchandise with monetary value given to recipients as a means to promote a particular program or institutional goodwill is a promotional item. The item may or may not identify the program or institution. The specific identification and approval by the funding agency of promotional items is necessary, whether it is the college or an outside agency supporting the college. The administrator in charge of the specific program or institution must verify authorization of the promotional item by the funding party and ensure it meets the funding agency's rules, regulations, guidelines, or statutes. Any unauthorized purchases of

promotional materials shall constitute misuse of college/agency funds with appropriate disciplinary action.

The Director of Marketing shall review all purchases of promotional materials prior to approval by the Chancellor.

#### C. Printing Services and Items (Amendment 54 Items)

Printing is a service that requires special purchasing procedures. These procedures are strictly governed by Arkansas Law and the Office of Procurement. All Amendment 54 items must be bid no matter what the amount of the requested purchase. Exceptions to the bidding process for these services and items are use of state contracts, printing in-house, or use of printing services by another state agency.

#### D. Emergency Purchasing

Emergency procurements means the acquisition of commodities or services, which if not immediately initiated, will endanger human life or health, state property, or the functional capability of a state agency. In accordance with State Purchasing Laws and Regulations, the college shall establish and maintain an Emergency Purchasing Plan and procedures of which to adhere.

#### E. Information Technology Purchasing

All information technology purchases will adhere to established UA Cossatot and UA System policies and procedures for technology procurement, including obtaining approval from the Chief Information Officer (CIO). The approval of the CIO should be obtained before any technology-related items are purchased. This approval is required prior to the issuance of any purchase order or commitment of funds for technology-related purchases.

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#### **Policy History:**

July 7, 2014  
March 26, 2012  
January 1, 2011  
January 25, 2010  
November 19, 2007  
May 23, 2005  
July 30, 2001

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**Board of Visitors Meeting – July 7, 2025**

**Action Item No. 6: Review College Policy 216: UA Cossatot Title IX Policy for Complaints of Sexual Assault and Other Forms of Sexual Harassment.**

**1. Background information:** Changes to College Policy 216 come from the UA System. The changes to Title IX Policy are to address Act 731 (the Arkansas Student Due Process and Protection Act) from the 2025 Legislative Session.

**2. Why action is needed at this time:** To keep our policies up to date.

**3. Chancellor's Recommendation:** The Chancellor recommends the Board review the College Policy 216: UA Cossatot Title IX Policy for Complaints of Sexual Assault and Other Forms of Sexual Harassment.

**4. Board of Visitors Action:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Motion by:**

**Seconded by:**

**Yeas:**

**Nays:**

**UA COSSATOT TITLE IX POLICY FOR COMPLAINTS OF SEXUAL ASSAULT AND OTHER FORMS OF SEXUAL HARASSMENT**

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**NOTICE OF NONDISCRIMINATION UNDER TITLE IX**

Cossatot Community College of the University of Arkansas (“the 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 C.F.R. 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.

**JURISDICTION AND SCOPE**

Sexual harassment as defined in this policy (including sexual assault) is a form of sex discrimination and is prohibited. Title IX requires the College to promptly and reasonably respond to sexual harassment in the College’s education programs and activities, provided that the harassment was perpetrated against a person in the United States. At the time that a formal complaint is filed, the complainant must be participating in (or attempting to participate in) an education program or activity of the College. An education program or activity includes locations, events, or circumstances over which the College exercised substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution.

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

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

**REPORTING**

All complaints or reports about sex discrimination (including sexual harassment) should be submitted to the Title IX Coordinator(s):

<b>Suzanne Ward, Title IX Coordinator</b> CCCUA De Queen Campus 183 College Drive	<del><b>Kelly Plunk, Assistant Title IX Coordinator</b></del> <del>CCCUA De Queen Campus</del> <del>183 College Drive</del>
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De Queen, AR 71832 870-584-1143 <a href="mailto:sward@ccua.edu">sward@ccua.edu</a>	De Queen, AR 71832 870-584-1102 <a href="mailto:kplunk@ccua.edu">kplunk@ccua.edu</a>
<b>Holly Norman, Title IX Deputy</b> UA Cossatot Ashdown Campus 1411 N. Constitution Ave. 71822 Ashdown, AR 71822 870-584-1477 <a href="mailto:hnorman@ccua.edu">hnorman@ccua.edu</a>	<b>Rachel Hickey, Title IX Deputy</b> UA Cossatot Nashville Campus 1558 Hwy 371 West Nashville, AR 71852 870-584-1337 <a href="mailto:rhickey@ccua.edu">rhickey@ccua.edu</a>

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

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

### AMNESTY

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

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

### FILING REPORT WITH LOCAL LAW ENFORCEMENT

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

<b>Campus Police Officers</b>	<b>Local City Police Departments</b>
<p>Monte Stringfellow – DeQueen Campus  183 College Dr.  De Queen, AR 71832  Office: 870-584-1116  Cell: 870-582-5639  Email: <a href="mailto:mstringellow@cccua.edu">mstringellow@cccua.edu</a></p> <p>Jason Curtis – Ashdown Campus  1411 N. Constitution Ave.  Ashdown, AR 71852  Office: 870-584-1476  Cell: 870-582-5609  Email: <a href="mailto:jcurits@ccua.edu">jcurits@ccua.edu</a></p> <p>Lakisha Jones – Nashville Campus  1558 Hwy 371 West  Nashville, AR 71853  Office: 870-584-1392  Cell: 870-557-1714  Email: <a href="mailto:ljones@ccua.edu">ljones@ccua.edu</a></p>	<p>De Queen City Police Department  220 N. 2<sup>nd</sup> St.  De Queen, AR 71832  Phone: 870-642-2213  Emergency: 911</p> <p>Ashdown City Policy Department  745 Locust Ave.  Ashdown, AR 71822  Phone: 870-989-5640  Emergency: 911</p> <p>Nashville City Police Department  426 Main St.  Nashville, AR 71852  Phone: 870-845-3434  Emergency: 911</p>

**PRESERVING EVIDENCE**

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

**EMPLOYEES’ DUTY TO REPORT TO TITLE IX COORDINATOR**

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

**OFF-CAMPUS CONDUCT**

Conduct that occurs off campus that is the subject of a formal complaint or report will be evaluated to determine whether the matter falls within the College's jurisdiction under Title IX or should be referred to a different department or official within the College.

## **CONFIDENTIALITY**

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

## **AVAILABILITY OF COUNSELING AND ADVOCACY**

Counseling and other mental health services for victims of sexual assault are available on campus and in the community. Students may use the Dr. Randy Walker Clinic pursuant to a partnership with the College formed in June 2022. Employees of the College may be able to seek help through the Employee Assistance Program. Community mental health agencies and private clinics, such as the Southwest Arkansas Counseling and Mental Health Center (1-800-652-9166), may also provide therapy and other services.

## **EDUCATION AND AWARENESS PROGRAMS**

The College's Title IX Coordinator is responsible for planning and coordinating campus education and awareness programs about all forms of sexual harassment. Programs are presented regularly throughout the academic year for students and employees in settings that are likely to reach people throughout the campus community. Campus-wide education and awareness activities are also conducted during Sexual Assault Prevention and Awareness Week.

## **GRIEVANCE PROCEDURE**

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

## **BASIC REQUIREMENTS**

The College's grievance process shall adhere to the following principles:

- All relevant evidence—including both inculpatory and exculpatory evidence—will be evaluated.
- Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.
- The Title IX Coordinator, investigator, hearing officers or panel members, decision-makers on appeal, persons involved with the informal resolution, and any other persons that play a significant role in the Title IX grievance process shall not have a conflict of interest or bias for or against complainants or respondents generally or for or against an individual complainant or respondent. The College shall carry out its disciplinary proceedings in a manner that is free from conflicts of interest by ensuring that there is no commingling of administrative or adjudicative roles. An advisor, investigator, adjudicator, and appellate adjudicator shall not carry out more than one role: however, it is not a conflict of interest for the College's investigator to present evidence to an adjudicator.
- The respondent is presumed to not be responsible for the alleged conduct until a determination of responsibility is made at the conclusion of the grievance process.
- The time frames for concluding the grievance process shall be reasonably prompt, as set forth in more detail in the procedures below.
- The grievance process may be temporarily delayed, and limited extensions of time frames may be granted, for good cause. In such instances, written notice to the complainant and the respondent of the delay or extension and the reasons for the action will be provided. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurring law enforcement activity; or the need for language assistance or accommodations of disabilities.
- Questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege will not be required, allowed, relied upon, or otherwise used. The College shall not consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in the capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the College obtains that person's voluntary, written consent to do so for a grievance under this section.
- No party shall be restricted from discussing the allegations under investigation or to gather and present relevant evidence.
- A party whose participation in a hearing, investigative interview, or other meeting shall be provided with a written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
- The College shall maintain an administrative file that includes without limitation all documents and evidence in the institution's possession or control that is relevant to an alleged violation and the College's investigation. The parties shall have reasonable continuing access to the administrative file and may ask the Title IX Coordinator to

schedule a reasonable time to inspect it. The administrative file shall not include privileged documents, internal communications, or communications from nonparties that the institution does not intend to introduce as evidence at a disciplinary proceeding. The administrative file shall include, without limitation,

- Exculpatory evidence;
- Statements by an accuser or an accused student or a student organization;
- Third party witness statements;
- Written communications;
- Social media posts;
- Demonstrative evidence;
- Documents submitted by any participant involved in disciplinary procedures; and the College's choice of a video recording, audio recording, or a transcript of any disciplinary proceeding ultimately held on the matter.

## **INITIAL REPORT/INTAKE PROCESS**

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

- Provide a copy of this policy and a copy of ~~Act 470 of 2023~~ the Arkansas Student Due Process and Protection Act, codified at Ark. Code Ann. § 6-602-1401 et seq.
- Explain the process for filing a formal complaint and provide a copy of the Sexual Harassment Complaint Form on which the complainant may, if he or she agrees to disclose the information, provide details regarding the allegation, including the name of the accused individual and the date, location, and general nature of the alleged violation of policy
- Explain avenues for resolution, including informal and formal
- Explain the steps involved in an investigation and hearing under this policy
- Discuss confidentiality standards and concerns
- Refer to law enforcement, counseling, medical, academic or other resources, as appropriate
- Discuss, as appropriate, possible supportive measures, which are available with or without the filing of a formal complaint

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

## **FORMAL COMPLAINT PROCESS**

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

***Filing by Title IX Coordinator:*** The Title IX Coordinator may initiate the grievance process, even where the complainant declines to file a formal complaint, if the Coordinator determines that the particular circumstances require the College to formally respond to and address the allegations. Circumstances to be considered include, among others, a pattern of alleged misconduct by a respondent and whether the complaint has alleged use of violence, weapons, or other similar conduct. The Title IX Coordinator will also consider the complainant's wishes with respect to supportive measures and desired response by the College. Where a report is made anonymously and the Title IX Coordinator files the complaint, both the complainant and respondent will receive notice of the allegations with written details and identities of the parties if known.

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

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

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

***Notice of Formal Complaint:*** Upon receipt of the formal complaint, the Title IX Coordinator will send simultaneous notifications of the filing of the complaint to the complainant and the respondent (if known). If, in the course of an investigation, the Title IX Coordinator decides to investigate allegations about the complainant or respondent that are not included in the initial

notice, the Title IX Coordinator will provide notice of the additional allegations to the parties whose identities are known. The initial notice will contain the following:

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

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

- Provide a copy of this policy and a copy of ~~Act 470 of 2023~~ the Arkansas Student Due Process and Protection Act, codified at Ark. Code Ann. § 6-602-1401 et seq. (if not previously provided)
- Explain avenues for resolution, including informal and formal
- Explain the steps involved in an investigation and hearing under this policy
- Discuss confidentiality standards and concerns
- Discuss non-retaliation requirements
- Inform of any supportive measures already determined and being provided to the complainant that would directly affect the respondent
- Refer to law enforcement, counseling, medical, academic or other resources, as appropriate
- Discuss, as appropriate, possible supportive measures that can be provided to the respondent
- At least 24 hours before a student may be questioned regarding the events giving rise to the complaint, the student must be notified of the student's rights under ~~Act 470 of 2023~~ the Arkansas Student Due Process and Protection Act, including the right to have the assistance of an advisor.

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

***Emergency Removal:*** The College may remove an accused student from the College's programs or activities on an emergency basis if the College;

- Undertake an individualized safety and risk analysis;
- Determines that an immediate threat or the safety of a student or another individual is threatened, arising from the allegations of misconduct justifies removal of the accused student; and
- Provides the accused student with notice and an opportunity to challenge the decision immediately following his or her removal.
- An institution that removes an accused student on an emergency basis shall:
  - Within 24 hours of an institution removing an accused student on an emergency basis, provide written notice to the accused student that explains the institution's reasons for removing the accused student on an emergency basis;
  - Within 3 business days of the written notice, unless otherwise waived by the removed student, convene an interim hearing to determine whether there is substantial evidence that the removed accused student poses a risk to the health or safety of any student or other individual and that the emergency removal of the accused student is appropriate to mitigate that risk.
  - At the interim hearing, the removed accused student and the accusing student may be represented by an attorney or non-attorney advocate who may fully participate to the same extent as in a final hearing to determine responsibility.
  - An accused student's waiver of his or her right to be represented by an attorney or a non-attorney advocate shall not constitute an admission of guilt or a waiver of additional rights.

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

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

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

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

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

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

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

## **COMPREHENSIVE INVESTIGATION**

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

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

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

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

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

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

After the gathering of evidence has been completed but prior to completion of the investigative report, the Investigator will provide to each party and party’s advisor, if any, any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence (whether obtained from a party or other source), so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation. The evidence will be provided in an electronic format or a hard copy. The parties will have 10 days to submit a written response to the evidence, which will be considered by the Investigator prior to completion of the investigative report. The evidence will be made available for the parties to use at the hearing to determine responsibility.

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

- The dates of the Title IX Coordinator’s initial receipt of a report of alleged sexual harassment against the complainant, intake meeting, and the filing of the formal complaint

- A statement of the allegation(s), a description of the incident(s), the date(s) and time(s) (if known), and location of the alleged incident(s)
- The names of all known witnesses to the alleged incident(s)
- The dates that the complainant, respondent, and other witnesses were interviewed, along with summaries of the interviews
- Descriptions or summaries of any physical or documentary evidence that was obtained (e.g., text messages, emails, surveillance video footage, photographs)
- Any written statements of the complainant, respondent, or other witnesses
- The response of College personnel and, if applicable, College-level officials, including any supportive measures taken with respect to the complainant and respondent

The Investigator shall provide a draft of the investigative report to the Title IX Coordinator for review before the report becomes final. An electronic or hard-copy version of the final investigative report will be provided to each party (and each party's advisor) concurrently. The investigative report shall be provided as soon as practicable after the parties have submitted their written responses to the evidence (if any) and at least 10 calendar days prior to the determination hearing. The parties may provide a written response to the investigative report within 5 calendar days after receiving it.

## **DETERMINATION HEARING**

Following the conclusion and distribution of the investigative report, a hearing will be conducted to determine the outcome and resolution of the complaint. The parties and their advisors, if any, will be notified by the Hearing Officer, Hearing Panel chairperson, or Title IX Coordinator of the date, time and location of the hearing, as set forth in the notice provisions below. A student or student organization may waive the right to be present at a disciplinary proceeding, but the waiver must be in writing and signed by the student. A copy of the signed waiver shall be provided to the student and placed in the administrative file. If a student waives the right to be present at a disciplinary proceeding, the student shall not have a right to appeal the College's initial decision regarding whether the student is responsible for violating this policy.

***Hearing Officer or Hearing Panel:*** Within 3 days of the release of the investigative report to the parties, the Chancellor or his/her designee will appoint (1) a single Hearing Officer, who may be (but is not required to be) an outside person not permanently employed by the College, or (2) a three-member Hearing Panel, which shall be composed of at least 2 faculty and/or staff members and may include (but is not required to include) one outside person who is not permanently employed by the College. If a Hearing Panel will be used, the Chancellor or his/her designee will select one member of the Hearing Panel to act as the Chair. The Title IX Coordinator will provide a copy of the formal complaint and the investigative report, along with the parties' written responses to the investigative report, to the Hearing Officer or each member of the Hearing Panel.

Promptly after the appointment of the members of the Hearing Panel, the Title IX Coordinator will provide concurrent written notice to the complainant and the respondent, setting forth the names of the individuals selected to serve as the Hearing Officer or member of the Hearing Panel. The parties may challenge the participation of any decision-maker based on bias or a conflict of interest

by submitting a written objection to the Chancellor or his/her designee within 3 calendar days of receipt of the notice. Any objection must state the specific reason(s) for the objection. The Chancellor or his/her designee will evaluate the objection and determine whether to select a new Hearing Officer or alter the composition of the Hearing Panel. Failure to submit a timely and proper objection will constitute a waiver of the objection. Any changes in the Hearing Officer or Hearing Panel will be provided in writing to both parties prior to the date of the hearing.

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

***Notice of the Hearing:*** Not less than 5 days but not more than 10 days after delivery of the notice of the Hearing Officer's identity or initial composition of the Hearing Panel, the Hearing Officer or Chair of the Hearing Panel will provide a separate notice to the complainant, respondent, and any other witnesses whose testimony the Hearing Officer or Hearing Panel deems relevant, requesting such individuals to appear at the hearing to determine responsibility. The notice should set forth the date, time, and location for the individual's requested presence. The Hearing Officer or Hearing Panel shall provide, in its notice to the parties, the names of the witnesses that the Hearing Officer or Hearing Panel plans to call. The hearing shall be conducted promptly but no sooner than 10 calendar days after release of the investigative report.

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

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

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

***Advisor's Role at Hearing:*** The complainant and respondent may be accompanied by an advisor during the hearing to determine responsibility. A party must identify his or her advisor (if any) at least 5 days prior to the hearing. The advisor may fully participate to the same extent as a party, including by (1) making an opening and closing statement, (2) presenting relevant evidence, and (3) cross-examining adverse witnesses. The advisor can be anyone, including an attorney. A party may arrange for the party's advisor of choice to attend the hearing at the party's own expense. Alternatively, the College will select and provide an advisor to assist a party at the hearing to determine responsibility, without fee or charge, upon request. In either scenario, the advisor may only participate in the hearing to the extent allowed under this policy. A party who wants an advisor to be provided by the College should notify the Title IX Coordinator at least 15 days after the filing or receipt of the formal complaint.

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

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

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

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

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

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

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

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

***Written Determination of Responsibility:*** As soon as practicable following the hearing (and ordinarily within 10 days thereafter), the Hearing Officer or Panel Chair shall complete a report of the decision-maker's findings. The Hearing Officer or Panel Chair will send simultaneous notification of the decision to both parties and their advisors, where applicable, with the following information:

- Identification of the allegations potentially constituting sexual harassment under the policy
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence and the hearing held

- Findings of fact that support the determination
- Conclusions regarding the application of the College’s conduct standards to the facts
- A statement and rationale for the result as to each allegation, including a determination as to responsibility using the preponderance of the evidence standard
- Any disciplinary sanctions imposed on respondent
- Whether any remedies designed to restore or preserve equal access to the College’s education program or activity will be provided to the complainant (description of remedies is not included)
- Procedures and permissible bases for the parties to appeal

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

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

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

**No Retaliation:** The Title IX Coordinator will take steps to prevent any harassment of or retaliation against the complainant, the respondent, or third parties, such as informing them about how to report subsequent problems, following up with them to ensure that there are no subsequent problems, and providing training for the campus community.

## APPEALS

**Procedure for Appeals:** Both the complainant and the respondent may appeal from (1) the Title IX Coordinator’s dismissal of a formal complaint or any allegations therein or (2) the Hearing Officer or Hearing Panel’s determination. The appeal should be submitted in writing to the Title

IX Coordinator within ~~75~~ days of receipt of the Hearing Officer or Hearing Panel's decision. The Title IX Coordinator will forward the appeal to the Chancellor. The appeal will be decided based on the written record and without deference to the decision of the Hearing Officer or Hearing Panel.

If the respondent is an employee, the Chancellor or his/her designee will decide the appeal. If the respondent is a student, the appeal will be decided by the Chancellor or his/her designee or, in the alternative, the Chancellor will designate an Appeal Panel comprised of at least two faculty and/or staff members. One of the members of the Appeal Panel can be (but need not be) an outside person who is not an employee. If an Appeal Panel is utilized, the Chancellor shall designate one of the panelists as the Chair of the Appeal Panel. The Chair of the Appeal Panel (in cases where the respondent is a student and a panel is utilized) or the Chancellor or designee (in other cases) shall make any decisions concerning appellate jurisdiction under the permissible grounds for appeal described below.

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

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

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

***Decision on Appeal:*** As soon as practicable after receiving the parties' written submissions (and ordinarily within approximately 10 days), the Chancellor (or designee) or Appeal Panel will issue a written decision describing the result of the appeal and the rationale for the result. The decision on appeal may uphold the decision, modify it, or remand for further factual development. The decision-maker on appeal will concurrently notify the complainant and the respondent of the decision, with a written copy provided to the Title IX Coordinator.

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

## **CERTIFICATION OF COMPLIANCE**

At the conclusion of a hearing an appeal (if any), the Chancellor or Vice Chancellor for Academics shall certify that the substantial rights of student complainants and respondents as established in ~~Act 470 of 2023~~ the Arkansas Student Due Process and Protection Act, Ark. Code Ann. § 6-60-1401 et seq., have been followed. The certification shall be maintained in the administrative file.

## **TIME PERIODS**

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

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

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

## **RETALIATION PROHIBITED**

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

## **FALSE REPORTS**

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

## **EXTERNAL REPORTING AGENCIES**

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

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

**Office of Civil Rights (OCR)**

U.S. Department of Education  
1999 Bryan St., Suite 1620  
Dallas, TX 75201-6810  
Toll Free: 1-800-421-3481  
Telephone: 214-661-9600  
Fax: 214-661-9587  
Email: [OCR.Dallas@ed.gov](mailto:OCR.Dallas@ed.gov)

**NSF Grantees Only**

National Science Foundation  
Office of Diversity and Inclusion  
2415 Eisenhower Ave.  
Alexandria, VA 22314  
Telephone: 703-292-8020  
Fax: 703-292-9072  
Email: [programcomplaints@nsf.gov](mailto:programcomplaints@nsf.gov)

**EFFECTIVE DATE**

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

**RETENTION OF RECORDS**

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

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

Documentation pertaining to terminations, expulsions or educational sanctions may be retained indefinitely.

## DEFINITIONS

**Complainant:** Any individual who is alleged to be the victim of conduct that could constitute sexual harassment. At the time of the filing of a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the recipient with which the formal complaint is filed. Any person may report sex discrimination, including harassment, whether or not the person reporting is the person alleged to be the victim of discrimination or harassment.

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

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

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

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

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

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

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

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

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

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

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

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

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

***Party:*** The complainant or respondent.

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

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

***Sanctions:*** The determination of sanctions to be imposed against a respondent who is found to have been responsible for violating this policy will depend upon the nature and gravity of the misconduct, any record of prior discipline for a violation of this Policy, or both. Sanctions against

students may include, without limitation, expulsion or suspension from the College, disciplinary probation, expulsion from campus housing, mandated counseling, and/or educational sanctions. Sanctions against employees and other non-students may include, without limitation, a written reprimand, disciplinary probation, suspension, termination, demotion, reassignment, revision of job duties, reduction in pay, exclusion from campus or particular activities, and/or educational sanctions deemed appropriate.

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

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

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

- (1) An employee of the College conditioning the provision of an aid, benefit, or service of the institution on an individual’s participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the College’s educational programs or activities; or
- (3) Any of the following:
  - (A) “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v) and this policy

(B) “Dating violence” as defined in 34 U.S.C. 12291(a)(10) and this policy

(C) “Domestic violence” as defined in 34 U.S.C. 12291(a)(8) and this policy

(D) “Stalking” as defined in 34 U.S.C. 12291(a)(30) and this policy

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

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

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**Policy History:**

January 9, 2023

September 11, 2023

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COSSATOT COMMUNITY COLLEGE  
OF THE UNIVERSITY OF  
ARKANSAS

BOARD OF VISITORS

INFORMATION ITEMS

July 7, 2025

**Board of Visitors Meeting – July 7, 2025**

**Information Item No. 1: Dinosaur Statue Placement- Lockesburg Campus.**

- 1. Background information:** A dinosaur statue is being placed on the Lockesburg campus as part of recent campus enhancements. The statue serves as a distinctive and engaging feature intended to enrich the campus environment and provide educational and community interest.
  
- 2. Why action is needed at this time:** The update is provided to inform the Board of this addition and to address any questions or feedback regarding its placement and purpose.

## **EMPLOYEE CHANGES**

### **Newly Hired**

Talia Amaro

Hire Date: July 1, 2025

Position: Administrative Specialist I/Intake Specialist

Salary: \$25,500