

# FEDERAL POLICIES

## FERPA

The Family Educational Rights and Privacy Act (FERPA) is the federal law that governs release of and access to student education records. These rights include:

1. The right to inspect and review your educational record within a reasonable time after the College receives a request for access. If you want to review your non-credit record, contact the Office of Continuing Education Services to make appropriate arrangements.
2. The right to request an amendment of your educational record if you believe it is inaccurate or misleading. If you feel there is an error in your record, you should submit a statement to the Director of Public Services & Workforce Development, clearly identifying the part of the record you want changed and why you believe it is inaccurate or misleading. The Director will notify you of the decision and advise you regarding appropriate steps should you disagree with the decision.
3. The right to consent to disclosure of personally identifiable information contained in your educational records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with “legitimate educational interests.” A school official has a legitimate educational interest if the school official has “a need to know” information from your education record in order to fulfill his or her official responsibilities. Examples of people who may have access, depending on their official duties, and only within the context of those duties, include college faculty and staff, agents of the institution or who serve on official institutional committees, and representatives of agencies under contract with the College.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA. UA Cossatot prohibits release of student record information without the student’s expressed, written consent. Schools may disclose, without consent “directory” information such as a student’s name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. Schools must inform eligible students about directory information and allow students a reasonable amount of time to request that the College not disclose directory information about them. To do so, you must complete a “Request for Non-Disclosure of Directory Information” form, which is available from the Office of Continuing Education Services. Please note two important details regarding placing a “No Release” on your record:
  - UA Cossatot receives many inquiries for directory information from a variety of sources outside the institution, including friends, parents, relatives, prospective employers, the news media, and honor societies. Having a “No Release” on your record will preclude release of such information, even to those people.
  - A “No Release” applies to all elements of directory information on your record. UA Cossatot does not apply a “No Release” differentially to the various directory information data elements.

Schools must notify eligible students of rights under FERPA. The actual means of notification (letter, catalog, and website) is left to the discretion of the College. For a copy of the Act, more details about your rights, or additional information on College policies related to the Act, please refer to the Office of Continuing Education Services.

Questions concerning FERPA should be referred to the Office of Continuing Education Services.

\*Only students should request/submit FERPA waivers allowing access to their records

## TITLE IX

Title IX of the Education Amendments of 1972 states: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance.”

### *Implementing Regulations at: 20 U.S.C. § 1681 & 34 C.F.R. Part 106*

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

All complaints or concerns about conduct that may violate policy should be submitted to the Title IX Coordinator, Title IX Assistant Coordinator or to a Title IX Deputy located on each campus either in person or by calling 1-800-844-4471. A campus police office can direct any individual to a Title IX campus deputy.

Title IX Coordinator--Suzanne Ward, [sward@cccua.edu](mailto:sward@cccua.edu)

Title IX Assistant Coordinator--Kelly Plunk, [kplunk@cccua.edu](mailto:kplunk@cccua.edu)

UA Cossatot has a no-tolerance policy regarding retaliation for reporting, providing information, exercising one’s rights or responsibilities, or otherwise being involved in the process of responding to, investigating, or addressing allegations of Title IX. Individuals taking part in retaliation, intimidation, threats, coercion, or discrimination, undertaken or attempted either directly or by someone acting on behalf of another, will be subject to immediate disciplinary action.

### *FILING A REPORT WITH LOCAL LAW ENFORCEMENT*

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

#### Campus Police Officers

- De Queen – Monte Stringfellow 870-582-5639
- Ashdown – Jason Curtis 870-582-6809
- Nashville – Kisha Jones 870-582-1392

#### Local City Police Department

De Queen Police Department

220 N. Second Street, De Queen, AR 71832 870-642-2213 or 911 for emergency

Nashville Police Department

426 Main Street, Nashville, AR 71852

870-845-3434 or 911 for emergency

Ashdown Police Department

745 Locust Avenue, Ashdown, AR 71822

870-898-5640 or 911 for emergency

#### *STUDENT AND VISITOR RESPONSIBILITY TO REPORT*

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

#### *MANDATORY EMPLOYEE REPORTING*

In order to enable the college to respond effectively and to proactively stop instances of discrimination, harassment, retaliation and sexual misconduct, all employees must, within 24 hours of receiving information regarding a potential violation of this policy, report information to the Title IX Coordinator, Assistant Coordinator, or a Title IX Deputy. Only employees who are statutorily prohibited from reporting such information (e.g., licensed health-care professionals) are exempt from these reporting requirements.

#### *OFF-CAMPUS CONDUCT*

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

#### *CONFIDENTIALITY*

Subject to the other provisions of this policy and the requirements of the law, every possible effort will be made to ensure that all information received as part of the college's Complaint/Grievance Procedure is treated discreetly. All parties to the complaint are required to maintain the confidentiality of all information received during this process. However, it is not possible to guarantee that all complaints will remain confidential because of the college's obligation to investigate allegations of misconduct. All requests to maintain confidentiality shall be directed to the Title IX Coordinator who has the authority to make such determinations.

Except as compelled by law or in the interest of fairness, just resolution or health and safety considerations, disclosure of information contained in complaints, their substance, procedures and the results of investigations will be limited to the immediate parties, witnesses and other appropriate officials. Limited disclosure may also be necessary to conduct a full and impartial investigation.

#### *AVAILABILITY OF COUNSELING AND ADVOCACY*

Counseling and other mental health services for victims of sexual assault are available in the community. Students who are victims of sexual assault should immediately contact UA Cossatot Police. Community mental health agencies, counselors, and psychotherapists in private practice can provide individual and group therapy. Women's shelters or domestic violence and rape crisis programs may assist in making referrals for individual counseling and support groups and identifying non-counseling campus and community resources that may be of additional help and service as a victim advocate upon request.

#### *PREGNANCY AND POSTPARTUM*

Students requesting accommodations for pregnancy or postpartum must follow the Disability Services procedure for requesting academic accommodations.

## **DRUG-FREE SCHOOL POLICY**

Public law 101-226 requires that as a condition of receiving funds of any other form of financial assistance under any Federal program, an institution must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. Alcoholic beverages, controlled substances/illicit drugs, or persons under the influence are strictly prohibited on school premises. Any violation of this regulation will result in expulsion.