



HENDRIX

C O L L E G E

STUDENT HANDBOOK
2019-2020

Student Handbook

2019-2020

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2019-2020 Student Handbook

This handbook is published as an invaluable source to provide all members of the Hendrix community with important information on College policies and procedures relating to College services, student rights, and responsibilities, and student life. It is the responsibility of the readers to familiarize themselves with its contents. While effort is made to present policies and procedures accurately as of the date of the publication, Hendrix reserves the right to add, delete, revise, or modify policies and procedures at any time. Such changes will supersede any previously published policies or procedures on a similar topic. It is the responsibility of the readers to verify current policies or procedures.

History

The Hendrix College bylaws state that the faculty shall organize the discipline of the College and are responsible for the spiritual, moral, social, and intellectual welfare of the students. The implementation of the conduct process is delegated to the Dean of Students and his or her staff.

The student conduct process at Hendrix College is based on an educational model intended to balance the interest of the community with individual freedoms. Activities inconsistent with the Hendrix College Student Code of Conduct philosophy are considered violations and are open to sanctions. Sanctions are intended to challenge students' moral and ethical decision-making and to help them bring their behavior into accord with our community values. When a student is unable to conform his/her behavior to community expectations, the student conduct process

may determine that he/she should no longer share in the privilege of participating in this community. Students should be aware that the student conduct process is quite different from criminal and civil court proceedings.

Every attempt will be made to hear policy violations in a timely manner, taking into consideration a student's right to due process. There may be times during the year when the Dean of Students or Assistant Dean of Students adjudicates complaints in order to expedite the process. (Examples may include, but are not limited to: alleged policy violations that occur prior to the official opening of the College or during the last week of classes and/or during finals). All internal procedures used by the hearing bodies must be in compliance with the policies and regulations set forth in the handbook.

College Policies/Student Code of Conduct

Philosophy Hendrix College cultivates empathy, creativity, self-understanding, rigorous inquiry, informed deliberation, and active learning across the liberal arts, toward the development of the whole person. Through engagement that links the classroom with the world, and a commitment to diversity, inclusion, justice, and sustainable living, the Hendrix community inspires students to lead lives of accomplishment, integrity, service, and joy. Members of the Hendrix community are expected to maintain standards of conduct befitting maturing and responsible citizens in an academic community and reflecting the purposes of the College. The obstruction or disruption of the work of the College will not be tolerated.

Hendrix College adheres to the principle of equal educational and employment opportunity without regard to age, race, gender, disability, sexual orientation, ethnicity, or national origin. Further, the College is committed to the maintenance of an atmosphere of civility and respect for all students, faculty, and staff.

- All members of the community are expected to exhibit integrity and personal honesty in the classroom and in other campus affairs. Evidence of dishonesty such as theft or plagiarism is considered cause for disciplinary action.
- Abuse (physical, written, or spoken) or intimidation of others will not be tolerated; nor will conduct which is endangering or which leads to physical harm to other persons.
- Personal behavior of members of the community must conform to standards of propriety congenial to the College's heritage and aims, as well as to the laws of the state and nation.

- All College-sponsored events are expected to be consistent with the standards of the College.
- The College is committed to maintaining an atmosphere in which free expression is protected and promoted.

At Hendrix College, student members of the community are expected to uphold and abide by certain standards of conduct that form the basis of the Student Code of Conduct. When members of the community fail to exemplify these standards, campus conduct proceedings are used to assert and uphold the Student Code of Conduct.

Crime Reporting Procedures

The College encourages anyone who is the victim or witness to any crime, or who witnesses suspicious behavior, to promptly report the incident to Hendrix Public Safety by calling 501-450-7711, using one of the blue Emergency phones, or visiting the Public Safety office. These methods should also be used to promptly report other types of emergencies to Public Safety for inquiry and investigation.

Members of the community are also encouraged to promptly report crimes to the Conway Police Department when the victim of a crime elects to or is unable to make a report. This can be done by calling 911 or 501-450-6120 for non-emergencies. Tips can be called in anonymously at 501-450-4135, or tips can be texted anonymously by sending a text to CRIMES (274637) using Keyword "CONWAY" at the beginning of the message.

Students who are victims of a crime and do not want to pursue action within the College Conduct system or the Criminal Justice System are encouraged to make a confidential report to the Dean of Students Office (SLTC 209, 501-450-1222) or to a counselor in Hendrix College Counseling Services (501-450-1448). Students who choose this confidential option maintain the right to report the incident to Hendrix Public Safety or Conway Police in the future. If and when they deem appropriate, Hendrix counselors encourage students they are counseling of

procedures to report crimes on a voluntary, confidential basis for inclusion in the annual Clery Act report.

Campus Crime Report

Each year the College will publish an annual security report in accordance to guidelines of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (1998). The Dean of Students Office and the Office of Public Safety prepare this report. The Campus Crime Report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by Hendrix College; and on public property within, or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus security. Those wishing to report crimes voluntarily and confidentially for inclusion in the Clery report may do so by contacting the Dean of Students Office.

For more information and to view the Campus Crime Statistics Report, go to the Hendrix College website at www.hendrix.edu. Under “Current Students” click [Campus Safety](#). Click on [Campus Crime report](#) for a printable report.

Federal Timely Warning Reporting Obligations

In the event that a situation arises, either on or off-campus, that, in the judgment of the Office of Public Safety and/or Dean of Students Office, constitutes an ongoing or continuing threat, a campus-wide “timely warning” will be issued. The warning will be issued through the College email system to students, faculty, and staff, and if circumstances warrant, through the H-Alert system. Victims of crimes — including sexual misconduct — should be aware that College administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to members of the campus community. The College will make every effort to ensure that a victim’s name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

Overview of Conduct Process

An alleged violation of College standards or policies will first be reported. When deemed necessary, the allegations are investigated by an appropriate College official. This involves meeting with individuals involved in the situation and examining the circumstances of the complaint. If conduct charges are pursued, the student in question receives a written description of the specific alleged violation of College standards or policies (charge letter) and information regarding the conduct process. Evidence regarding the alleged violation may be reviewed but not kept by the student. All reporting documentation remains in the student conduct folder.

The Dean of Students and Assistant Dean of Students reserve the right to remove a student from the campus, restrict access to campus property, or restrict contact with other College community members (no-contact order) prior to a formal hearing if there are concerns for the student's emotional or physical welfare or for the well-being of the College community. On occasions when such action is necessary, a hearing will be held as soon as possible. Customarily, pending action taken by the College Conduct Council or pending an appeal, the status of a student and his or her right to be present on the campus or attend classes will not be altered.

Off-Campus Misconduct: Once admitted to Hendrix College, students are expected to conduct behavior in accordance with the policies in the student handbook. In general, the College does not take disciplinary action for off-campus misconduct. At the discretion of the Dean of Students, Hendrix students may be subject to disciplinary proceedings even if those actions take place off-campus, through electronic media, or even if they take place outside of the normal academic year when the actions constitute a major violation of College policy or suggest a danger to the College community. The College may initiate action whether or not legal action has been taken.

On-Campus Misconduct and the Law Normally, on-campus misconduct by students will result in conduct action being taken on campus. On some occasions, however, the College may call on external law enforcement authorities and assist, as appropriate, these agencies in their investigation of alleged on-campus criminal activity. Specifically, actions that cause or threaten serious harm to members of the campus community or that severely impair the essential functions of the College may require the College to call upon off-campus authorities. On such occasions, outside authorities will be summoned only by an official of the College. Students should recognize that the College is obliged to report to off-campus authorities the commission of any act that is considered to be a serious crime.

Conduct Records

Notice of conduct action may be sent to update parent(s) of students who have been declared dependents on the parents' last federal income tax return. The final decision to send notification to parents will be made by the Dean of Students Office. The Office of Student Affairs will maintain records of conduct action. The use of these records is governed by the College policy concerning confidentiality of student records. A student's conduct record will be reviewed by a hearing body in the process of determining sanctions after responsibility is established. Decisions of suspension and expulsion will remain permanently in the student's file. All records of major violation conduct action or conduct probation will remain in the student's file and will be kept by the Dean of Students Office for three years past graduation date. All student records of minor violation conduct action will be expunged after the student graduates. However, all disciplinary records of students continuing in the graduate program at Hendrix will remain available to Hendrix hearing bodies until graduation from the graduate program.

Types of Conduct Complaints Violations of the College Standards and Policies are considered either minor or major complaints based on the nature and severity of the incidents.

- *Minor Complaints* involve violation of a College policy, which, at the discretion of the Assistant Dean of Students or Dean of Students, would typically be heard by either the Peer Conduct Hearing Panel or an Administrative Hearing Officer. Some examples of minor complaints may include, but are not limited to: visitation violations; minor alcohol policy violations; violation of residence hall community standards; excessive noise or quiet hour violations; minor damage to property; violation of fire safety rules and procedures; smoking on campus, or petty theft.

- *Major Complaints* involve violation of a College standard or policy which, at the discretion of the Assistant Dean of Students or Dean of Students, justify the imposition of a sanction of expulsion, suspension, or conduct probation. The College Conduct Council or an Administrative Hearing Officer hears these complaints. Some examples of major complaints may include but are not limited to: violation of the College standards; behavior potentially harmful to other people (including assault, harassment, use of fireworks, violation of fire safety rules, etc.); conduct that leads to the embarrassment of or indignities to other persons; vandalism to property; possession of firearms; major theft; multiple or repeated violation of College policies or use; major alcohol policy violations; and possession or sale of illegal substances.

Offenses Subject to Disciplinary Action

Any student or non-student who violates state, federal, or local laws or ordinances, or any College rules, regulations, or policies while on Hendrix-managed property or while representing the College may be subject to College disciplinary action. In addition, students or non-students found in violation of any of the items listed below may be subject to College disciplinary action. In some cases, students may be charged with a violation for attempting to violate a policy. (The list below should not be seen as all-inclusive).

Harassment and/or Assault

- Persistent actions or communications which create a hostile environment
- Threatening, attempting, or committing physical harm to any person
- Abusive, intimidating, and/or threatening language directed toward members of the Hendrix community, staff, or guests
- Violating provisions of a “no contact order”
- Hazing
- Assault
- Cruelty or mistreatment of animals

Disorderly or Disruptive Behavior

- Disrupting the peace and good order of the College
- Fighting, quarreling, inciting to riot or other disruptive behavior
- Interfering with functions or activities of the College and the educational programs by blocking accesses to or from College facilities
- Failing to comply with the directions of College
- Violating visitation or closing hour regulations
- Aiding or abetting any prohibited conduct
- Entering or exiting a building through a window
- Smoking on campus (see Hendrix Smoking Policy)
- Access to prohibited areas (roofs, ledges, balconies, etc.)
- Public urination
- Tampering with surveillance camera equipment

Destructive Behavior

- Destruction, damage, or attempted damage to personal or College property, including acts of vandalism
- Arson
- Littering, dumping of trash, and any other acts which would necessitate cleaning;

Theft

- Theft, attempted theft, including acts of larceny, burglary, breaking and entering, or robbery.
- Possession of stolen personal or College property,

Dishonesty

- Forgery, alteration, unauthorized possession, or misuse of College documents, records, or instruments of identification.
- Furnishing false information to the College.
- Knowingly presenting a worthless check or forging a money order in payment to the College or to a member of the College community acting in an official capacity, or failure to make satisfactory arrangement for the settling of accounts with the College.
- False reporting of an emergency including, but not limited to, false fire alarms and bomb threats.

Alcohol

- Public Consumption
- Public Intoxication
- Possession by a minor
- Serving to minors
- Possession of alcohol in traditional residence halls
- Over possession as defined by Hendrix College (see the Alcohol Policy)
- Manufacturing alcohol without prior written permission for academic purposes
- Serving to individuals already intoxicated
- Driving under the influence (DUI) and driving while intoxicated (DWI) either on or off-campus.
- Intoxication leading to harm of self or others
- Intoxication leading to property damage, disruption to the community, or other violations of Hendrix College Policy
- The display or consumption of alcohol in public areas (academic buildings, gym, playing fields, residence hall lounges, parking lots, etc.) beyond a student's room or apartment in Hendrix contracted housing

Controlled Substances

- Possession of narcotics, hallucinogens, barbiturates, or amphetamines and other controlled substances defined by Arkansas statutes, except as expressly permitted by law

- Use of narcotics, hallucinogens, barbiturates, or amphetamines and other controlled substances defined by Arkansas statutes, except as expressly permitted by law
- Distribution of narcotics, hallucinogens, barbiturates, or amphetamines and other controlled substances defined by Arkansas statutes, except as expressly permitted by law
- Sale or manufacturing of narcotics, hallucinogens, barbiturates, or amphetamines and other controlled substances defined by Arkansas statutes, except as expressly permitted by law
- Possession of drug paraphernalia

Weapons and Fireworks

- Unauthorized possession, storage, or use of weapons, firearms, and knives
- Possession or use of fireworks

Residence Hall Policies

- Cohabitation
- Sleeping overnight in common area
- Possession of prohibited items
- Escort/Guest policy violation
- Leaving trash in hallways or common areas
- Improper Checkout
- Hosting pets in College-owned Residential Facilities
- Smoking in a Residence Hall building (see Hendrix Smoking Policy)
- Throwing objects out of windows
- Playing or any inappropriate use of sporting equipment in the hallways, stairwells or lounges
- Excessive noise (courtesy hours are in effect 24 hours a day)

Gender-Based Misconduct

- Sexual Harassment
- Non-consensual Sexual Intercourse
- Non-consensual Sexual Contact
- Sexual Exploitation
- Dating Violence
- Domestic Violence
- Stalking

Fire Safety

- Tampering with fire safety equipment
- Unauthorized possession of fire safety equipment

Computer Policy

- Violation of Computer Policy

Vehicle Policy

- Violation of College rules regarding the operation and/or parking of motor vehicles

Hearing Bodies

There are five types of hearing bodies included in the conduct system. Records of the hearings are maintained by the Dean of Students Office.

Administrative Hearing Officer:

- Membership: One or more trained professional staff from the Department of Student Affairs.
- Training: Members will receive training. Any member who does not receive the required training cannot serve.
- Function: Hear all types of complaints, including, but not limited to, sensitive complaints that require a prompt decision, incidents of alleged violence, and sexual misconduct.

Peer Conduct Hearing Panel:

- Eligible Panel Members: Five (5) or more students and a panel advisor who is a professional staff member in the Office of Student Affairs. Students serving on the panel will be nominated by student senate and confirmed by the Dean of Students. Students must be in good behavioral standing in order to serve on this committee.
- Hearing Panel: A minimum of three (3) students are present at each hearing. The panel advisor or their designate is a non-voting ex-officio member of the Peer Conduct Hearing Board.

- Training: Student members will receive training at the beginning of the academic year. New members will be trained on an on-going basis. Any member who does not receive the required training cannot serve.

- Function: Hear all types of minor complaints.

College Conduct Council:

- Eligible Council Members: Three (3) or more faculty members (nominated by the faculty Committee on Committees and elected by the faculty), and three (3) or more students (nominated by Student Senate and confirmed by the Chair of the College Conduct Council and the Dean of Students. Students must be in good behavioral standing in order to serve on this committee).

- Hearing Council: A minimum of two (2) students and three (3) faculty or staff members are present at each hearing. The Chair of the College Conduct Council is appointed by the faculty Committee on Committees and is one of the three (3) faculty members on the Council. In the event that the Chair is unable to serve, another faculty member of the committee may be appointed to serve as chair during the hearing. The Dean of Students or their designate is a nonvoting ex-officio member of the College Conduct Council.

- Training: Members will receive training at the beginning of the academic year. New members will be trained on an on-going basis. Any member who does not receive the required training cannot serve.

- Function: Hear all types of major complaints.

Gender-Based Misconduct Hearing Panel:

- Membership: Three (3) member panel composed of faculty members and professional staff members.

- Training: Members will receive training on the procedures and issues on a yearly basis.

- Function: Hear cases of gender-based misconduct, including sexual misconduct and relationship violence.

Appeals Committee:

- **Membership:** The Committee will consist of two (2) faculty, and one (1) student, who has completed Conduct Council training, and who did not serve in the original hearing. For appeal information for Gender-Based Misconduct proceedings, see the Policy Prohibiting Gender-Based Misconduct.
- **Training:** Members will receive training on appeals and conduct board procedures yearly.
- **Function:** The Appeals Committee will hear all appeals from the College Conduct Council, the Peer Board, or an administrative hearing officer. Decisions made by the Appeals Committee are conclusive and final.

The following Hearing Procedures section applies only to administrative hearings, Peer Hearings, and College Conduct Council Hearings. For information related to Gender-Based Misconduct proceedings, see the “Gender-Based Misconduct” section of this policy.

Hearing Procedures

Administrative Hearings

The majority of conduct hearings are completed with an Administrative Hearing Officer. During Administrative Hearings, the Hearing Officer meets with the accused student to discuss the alleged incident and corresponding alleged conduct violation. If the accused student accepts responsibility for the violation, then the Hearing Officer assigns appropriate sanctions. If the accused student does not take responsibility for the violation, then the Hearing Officer has the discretion to refer the case to a hearing board.

College Conduct Council and Peer Conduct Hearing Panel Procedures

Conduct hearings are closed. Once a hearing has begun, entering and leaving the hearing is to be restricted by the Chair in order to maintain the objectivity and privacy of the proceedings. The Chair of the College Conduct Council is appointed by the faculty Committee on Committees and is one of the three faculty members on the Council. In the event that the Chair is unable to serve, another faculty member of the committee may be appointed to serve as chair during the hearing. In Peer Conduct Hearing boards, the Chair is the administrative Peer Board Advisor or a representative from the Dean of Students Office.

All non-academic discipline hearings will be informal, and strict rules of evidence shall not apply. The student(s) in question shall be notified, in writing, of the alleged charge(s) and of the date, time, and place of the hearing. Every effort will be made to set up a hearing within ten

(10) working days after a **charge letter is issued**; however, factors such as holiday breaks, end of academic term, on-going investigation, etc., may prevent the College from meeting this guideline.

Advisors. The respondent and complainant may seek assistance from an advisor who must be a member of the Hendrix community (faculty, staff, or student) of the student's choosing for College Conduct Council and Peer Conduct Hearing Panels. College conduct hearings are internal conduct proceedings; therefore, the advisor may not be an attorney or anyone outside of the Hendrix community.

Responding to the Charge. For each charge, a student will be asked to enter a statement of Responsible or Not Responsible. In rare cases in which a student faces suspension or expulsion, a student may be given the option to enter a statement of No Contest.

Responsible Statements. If the student in question accepts responsibility in a minor complaint, an appropriate College official will determine an appropriate sanction for the violation. If the student in question accepts responsibility in a major complaint, the student will have a meeting with the College Conduct Council or Administrative Hearing Officer to determine an appropriate sanction. ***By making a statement of responsibility, the student in question waives their right to appeal the merits of the allegation or any procedural matters.*** However, students may appeal based on severity of sanctions.

Not Responsible Statements. If the student in question does not accept responsibility, a hearing is scheduled. In minor complaints, the student in question will have their case heard by a Peer Conduct Hearing Panel or an Administrative Hearing Officer. In major complaints, the College Conduct Council will be convened. From this point on, the student in question is assumed not-responsible concerning the charges which have been leveled against them. It is the responsibility of the College or complainant to provide convincing evidence.

No Contest Statements. If a student is facing suspension or expulsion if found responsible for a conduct violation(s), then that student may be eligible to provide a statement of No Contest to the conduct violations. Allowing a No Contest Statement is at the discretion of the Dean of Students, Assistant Dean of Students, or Chair of the College Conduct Council. Students who enter a Statement of No Contest accept the sanctions issued to them without contesting the conduct charge(s). If a student enters a Statement of No Contest after being informed of the sanction(s) that would be issued as a result of the statement, then the student waives his or her rights to appeal. If the student enters a Statement of No Contest before being informed of the sanction(s) that would be issued as a result of the statement, the student waives the right to

appeal the merits of the allegation or any procedural matters. However, the student may appeal based on severity of sanctions. Conduct violations for which a student enters a Statement of No Contest will appear on that student's conduct record.

A "preponderance of the evidence" standard will be used when a hearing body is determining responsibility. This means that the conduct in question "more likely than not" occurred. In the context of a board hearing, the accused student will be found to be responsible for the alleged conduct violation if the hearing board, by majority vote, concludes that the conduct violation more likely than not occurred based upon careful review of all evidence presented.

Confidentiality in the process

Information provided for review to the complainant and respondent is to be accessed and used only by the respondent, complainant, their advisor, and the employees of the College assigned to adjudicate and monitor the process. Distribution of any document or other verbatim reproduction of any information provided by the College or other party in this process will result in immediate disciplinary action. Charges will be evaluated and may include retaliation under the GBM policy, or failure to comply with the directions of the College under normal College conduct procedures. Distribution of confidential information undermines the process of adjudicating and resolving policy violations on campus and will not be tolerated.

Student Rights in the Process

The student in question has the right to:

Be charged with a specific violation of College standards or policies in order to adequately prepare their case. When a Peer or College Conduct Council hearing is necessary, notice of the hearing will be electronically mailed or delivered via campus mailbox to the student(s) at least three (3) days prior to the hearing. During the hearing phase of the proceedings, it is the right of the student to only answer the charges with which they have been charged.

The student in question and the complainant have the right to:

Be present at the hearing. However, if either or both the student in question and complainant fail to appear at the hearing after being properly notified, the hearing may be held in their absence and a decision rendered accordingly, based on evidence presented.

Present evidence by witness, or by signed written statement if a witness is unable to attend the hearing. Witnesses appearing before the hearing board generally must be members of the Hendrix community. Non-members of the Hendrix community may present written statements pertinent to the charges in question. The Chair of the hearing board has the discretion to allow witnesses who are not members of the Hendrix community to appear before the board. It is the

responsibility of the student in question and the complainant to notify their witnesses of the date, time, and place of the hearing. If witnesses fail to appear, the hearing may be held in their absence. Evidence must be pertinent to the charges in question. Character witnesses are not allowed. Evidence is generally restricted to written reports and witness testimony. The complainant and respondent, along with their advisors, will be granted access to all written materials concerning their complaint at least three (3) days prior to the hearing. These written materials may be viewed in the Dean of Students Office. They may not be copied, reproduced, photographed, or removed from the Dean of Students Office.

Bring an advisor to the hearing. The advisor must be a current member of the Hendrix community – faculty, staff, or student – for CCC or Peer Hearings. Advisors may not participate in examination of witnesses, or in presentation of materials or information to the hearing officer/board. The advisor’s role is limited to providing support and private advice and consultation to the student who is a complainant or respondent in a conduct hearing. Once students receive notification that they will be referred to a Peer or CCC hearing process, advisors may accompany a complainant or respondent to any meeting or hearing related to the conduct case. Advisors of record may review hearing board materials in the company or absence of their advisees, but are not permitted to copy or record materials in any way. The advisor may assist the student in preparation of his or her complaint/response, be present during the hearing, and assist the student during the hearing, but may only address the hearing body at the pleasure of the chair of the hearing body. Advisors must remain quiet and respectful during the conduct hearing. Facial expressions or body movements that are distracting or intimidating will not be allowed. Advisors may be removed from the hearing if these guidelines are not followed. In addition to these specific guidelines for advisors, advisors must follow the timelines and conduct process procedures provided to their advisees.

Question all witnesses present at the hearing. At the discretion of the Chair of the hearing board, the accused and the accuser may be asked to direct their questions for each other to the Chair of the hearing board.

Provide testimony in alternative locations. A complainant or respondent can request to give their testimony via alternative means to being in the physical presence of the other person. Screens and closed-circuit broadcasts may be permitted, but not to the disadvantage of the other student.

Right to be Present for Entire Proceeding. The complainant and respondent have the right to be present for all testimony and questioning. Only deliberation is conducted in closed session without the parties present. The respondent is allowed to be present if findings and sanctions

are presented orally at the end of the hearing. The complainant is permitted to be present during this presentation only in cases involving violence.

Right to Present Own Complaint or Use Proxy. The alleged victim has the right to present their own complaint if they want to do so, or to ask the College to stand as complainant in their place.

Right to Know Outcome and Sanctions. If the complainant is an alleged victim of violence, then the complainant and respondent will receive the outcome and sanctions (if necessary) of the hearing in writing at the same time. In such a case, if findings and sanctions are presented orally at the end of the hearing, the complainant is permitted to be present. Whether or not findings (and sanctions if necessary) are presented orally, notification of the hearing outcome will be sent within two (2) working days of the decision of the hearing board. If there is a change to the result of the hearing, such as when an appeal is filed and accepted, then the complainant and accused will receive the notice of the change in writing at the same time. At the conclusion of such cases, the complainant and accused will receive the notice of the final outcome in writing at the same time. If the complainant is *not* the victim of violence or gender-based misconduct, then the outcome and sanctions will *not* be disclosed to the complainant.

If the victim is deceased as a result of the violation, the Dean of Students Office will provide the results of the conduct hearing to the victim's next of kin, if so requested in writing.

Right to Appeal. Both the complainant and the accused have a right to appeal the outcome of a hearing in cases involving violence. The respondent has the right to appeal in all other cases. A written request for appeal must be submitted to the Vice President for Student Affairs within three (3) business days after a conduct decision is rendered. The decision rendered during the appeal is final. There is no appeal of appeals.

The following procedures and rights pertain to the conduct process (except GBM processes):

Attempted Violations. In most circumstances, Hendrix College will treat attempts to commit any of the violations listed in the *Student Code of Conduct* as if those attempts had been completed.

College as Complainant. As necessary, Hendrix College reserves the right to initiate a complaint, to serve as complainant, and to initiate conduct proceedings without a formal complaint by the alleged victim of misconduct. In cases in which the accuser is not a member of the Hendrix community, the College will serve as the complainant.

False Reporting. Hendrix College will not tolerate intentional false reporting of incidents. It is a violation of the *Student Code of Conduct* to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws.

Group Action. When members of groups, individuals acting collusively, or members of an organization act in concert in violation of any policy, they may be held accountable as a group, and a hearing may proceed against the group as joint accused students. Charges proceeding against a group do not preclude any individual from facing charges or sanctions as an individual.

Amnesty Policy. The Hendrix College community encourages the reporting of crimes. Sometimes, complainants or those who witness allegations of misconduct are hesitant to report to College officials because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. It is in the best interests of this community that as many individuals as possible choose to report to College officials. To encourage reporting, Hendrix College pursues a policy of offering complainants and witnesses of allegations of misconduct immunity from minor policy violations related to the incident.

Notice of When Complaint Delivered to Accused Student. Complainants are notified as to when notice of the complaint is delivered to the accused student.

No-Contact Order. Students are entitled to seek a no-contact order that imposes reasonable restrictions on student contact. The Dean of Students or Assistant Dean of Students will issue the no-contact order.

Witnesses and Documentary Evidence. Our procedures call for an exchange of information between the parties in advance of the hearing, including an exchange of the complaint and answer, witness statements, other written statements, and other evidence that may be available.

Right to Advance Notice of Board Composition and Right to Challenge. The complainant and respondent will receive advanced notice of who will serve on the conduct board or panel and will be given the right to challenge any member on the basis of actual bias prior to the hearing (at least 48 hours prior to the hearing). Any challenge will be decided by the Dean of Students or Assistant Dean of Students for CCC and Peer hearings.

Jurisdiction of the Student Conduct Process. If the complainant is a student, but the accused is a Hendrix faculty or staff member, then the case will be processed by Human Resources. If the

accused is a student, but the complainant is a Hendrix faculty or staff member, then in most instances, the case will be processed through the Student Conduct Process.

If the accusing individual is not a member of the Hendrix community, but the accused is a Hendrix student, then the case will be processed through the Student Conduct Process, with the College serving as the complainant. The Student Conduct Process does not have jurisdiction over non-Hendrix community members, so it is unable to process cases in which a Hendrix student accuses a non-Hendrix member of misconduct. However, the Dean of Students Office will assist students in filing complaints with the appropriate officials regarding this category of accused.

Procedural Rule for Addressing Prior Conduct Violations

While previous conduct violations by the accused student are not generally admissible as information about the present alleged violation, the Dean of Students or Assistant Dean of Students may supply previous complaint information to the board, or may consider it if hearing the complaint, only if:

- 1) The accused was previously found to be responsible or took responsibility;
- 2) The previous incident was substantially similar to the present allegation; or
- 3) Information indicates a pattern of behavior and substantial conformity with that pattern by the accused student.

General Timeline for Conduct Hearings

Actions prior to a student being charged with a conduct violation:

- An alleged incident is reported.
- The Dean of Students Office investigates the allegation.
- The Dean of Students Office determines there is enough information to charge a student with a conduct violation.

The following provides a general timeline of events leading to the hearing date:

Day 1 - Accused student receives the written conduct charge letter

Day 1 to 3 - Within 48 working hours from receipt of the charge letter, the following occurs:

- The accused student should provide a written statement in response to the charge(s) (if this information has not already been submitted)
- The accused student should ask witnesses to provide a written statement (if this information has not already been submitted)
- The complainant should provide a written statement and ask witnesses to do the same (if this information has not already been submitted)

Day 3 - All initial written statements are due to the Dean of Students Office

Day 4 - All initial written statements are processed by the Dean of Students Office

Day 5 & 6 - The accused student and complainant have 48 hours to review all initial statements, and to provide any additional written evidence or witness statements.

*The initial statements submitted cannot be modified or retracted during this time. Any changes in statements can be presented orally during the hearing, or through written addenda to the statement if the witness is not present during the hearing.

Day 6 - After 48 hours of review, all written evidence available for the hearing is finalized.

The accused and complainant will have access to review all final written materials at least 3 working days before the hearing.

Day 7 - Either party who wants to contest the composition of the hearing board must do so to the Dean of Students Office at least 48 hours before the hearing.

Day 9 - Hearing takes place. The hearing will typically take place within 9-10 days of the issuance of a charge letter.

*This timeline may be modified to allow for an expedited hearing process only if both the complainant and respondent agree to the modified timeline.

Range of Potential Sanctions

The hearing officer or body may impose one or more of the following sanctions for each policy violation.

Expulsion - Permanent dismissal from the College with no possible future readmission to the College. A student who has been expelled is barred from visiting the campus.

Suspension - Mandatory separation from the College for a specified period. An application for readmission will be considered after the time period of the suspension has elapsed. Readmission is subject to stipulations by the College Conduct Council and approval of College officials. A student who has been suspended is barred from visiting the campus unless written permission is granted by the Dean of Students.

Conduct Probation - A sanction serving notice to a student that his or her behavior is in serious violation of College standards and policies. It is assigned for a time period of up to two years. A breach of College standards or policies by a student during the probationary period may result in suspension or expulsion from the College.

Conduct Warning - A sanction serving notice to a student that his or her behavior is in violation of College policy.

Termination or Change in Residency Privileges - A sanction that terminates or changes a student's residency. This sanction is usually accompanied by other conduct sanctions determined by the hearing body.

Restriction or Revocation of Privileges - Temporary or permanent loss of privileges including but not limited to use of a particular facility or service, visitation privileges, and parking privileges.

Campus Work Hours - Work hours coordinated through Facilities Management, Dining Services, or the Dean of Students Office. It is the student's responsibility to schedule work dates and hours in advance of sanction deadlines. Failure to contact appropriate offices in a timely manner will not constitute reason for an extension. It is not the responsibility of offices to accommodate students who do not request hours in a timely manner. Completed and signed verification forms are due to the Dean of Students Office prior to sanction deadline.

Educational Project - Project that encourages reflection and demonstration of knowledge.

Fines - Penalty fees payable to the College as determined by the hearing body for violation of certain College policies. This definition does include administrative charges imposed by the College.

Restitution - Payment made for damages or losses to the College or to individuals as directed by the hearing body.

Counseling Intervention - When behavior indicates that an evaluation or assessment may be beneficial, the student may be referred to the College Counselor or other mental health professional.

Conduct Hold - If a student fails to complete the conditions of a conduct sanction (e.g., College Service Hours, etc.), a Conduct Registration Hold will be placed on his or her Registrar's account. With this hold in place, the student is restricted from utilizing the major functions of the Registrar's Office (e.g., prohibited from participating in registration and course adjustment, requesting transcripts, and from receiving a diploma). The College Conduct Council or the Dean of Students Office will remove the hold when it has been determined that the student is working toward compliance.

Other Appropriate Action - Sanctions not specifically described above that must be approved by the Dean of Students.

Points-Based Sanction System for Controlled Substance and Alcohol Violations - See the Alcohol and Controlled Substance Policy for details.

***NOTE:** The panel reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior. Students must be in good conduct standing in order to be eligible for graduation, including conferring of diploma and access to transcripts. Students will NOT be eligible for conferral of a degree if a Charge Letter has been issued or an investigation has begun.

Appeals

Grounds for Appeal. Both the complainant and the respondent have a right to appeal the outcome of a hearing in cases involving violence. The respondent has the right to appeal in all other cases. A written request for appeal must be submitted to the *Vice President for Student Affairs within three (3) business days after a conduct decision is rendered. A request for appeal must be based on one of the following reasons:

- a. New information exists, unavailable during the original hearing, that could be outcome determinative;
- b. A material deviation from written procedures could have impacted the fairness of the hearing; or
- c. The sanction(s) may be grossly disproportionate to the severity of the offense.

Process Review. The Vice President for Student Affairs will, within three (3) business days after receiving the request for appeal, determine whether the petition meets at least one of the three grounds for an appeal hearing. The Vice President for Student Affairs may:

- a. deny the appeal if it does not meet one of the grounds;
- b. refer the complaint back to the College Conduct Council or the Peer Conduct Hearing Panel for re-opening of the hearing to allow reconsideration in light of whichever of the three ground(s) the appeal is granted upon; or
- c. refer the appeal request to the Appeals Board.

**If the Vice President for Student Affairs is unable to process the appeal, then another member of Hendrix Senior Staff will process the appeal using the same guidelines. If the Vice President for Student Affairs or other Senior Staff member is unable to provide a response to the appeal request within three days, then that official will contact the appealing student in writing within three days of receiving the request to provide an updated timeline for determining the status of the appeal.*

Scope of Response of original hearing body. If the complaint is referred to the original hearing body, then that body may take the following action:

- a. Uphold their original decision;
- b. Increase their original sanction;
- c. Decrease their original sanction; or
- d. Change the finding of responsibility.

Appeals Hearing Procedures. If an appeal hearing is granted either by the original hearing board or the Appeals Committee, then the hearing board or Appeals Committee will review the

appeals document and any written or taped documentation regarding the original hearing, as needed. The hearing board or Appeals Committee may confine their review to written or taped documentation only. However, as determined by the hearing board or Appeals Committee, they may speak with any student or board member involved with the hearing process for more information or clarification. The Appeals Committee will not conduct a new hearing of the original case. The hearing board or Appeals Committee will respond in writing to any request for appeal within ten (10) business days of receiving the appeal from the Vice President for Student Affairs unless extenuating circumstances exist.

Scope of Response of Appeals Committee. The Appeals Committee may take the following action:

- e. Uphold the hearing board/officer decision;
- f. Increase the hearing board/officer sanction;
- g. Decrease the hearing board/officer sanction; or
- h. The Appeals Committee may not change the finding of responsibility.

Finality of Appeals. Decisions made by the Vice President for Student Affairs, the Appeals Committee, and original hearing boards hearing appeals are final. No appeals of appeals are permitted.

Resources Available to Students

Orders of Protection

Hendrix No-Contact Order: Students are entitled to seek a no-contact order that imposes reasonable restrictions on student contact. The Dean of Students Office will issue the no-contact order. Students should contact the Dean of Students office at 501-450-1222, visit the office, or email Dean LeBlanc at leblanc@hendrix.edu or Dean Wiltgen at Wiltgen@hendrix.edu for this request. Because Hendrix No Contact Orders are only institution-based, both parties must be students for the order to be in effect. At the point that either party graduates or is withdrawn from the College, the No Contact Order ends.

Legal Order of Protection: Students may also pursue an Order of Protection from the Faulkner County Prosecuting Attorney's Office. The Victim Service Center of the Prosecuting Attorney's Office should be contacted to pursue this option. The phone number is 501-450-3051. The Dean of Students Office will assist you in pursuing an Order of Protection if you would like to do so. Students should contact the Dean of Students office at 501-450-1222, visit the office, or email Dean Leblanc at leblanc@hendrix.edu or Dean Wiltgen at Wiltgen@hendrix.edu for this request.

See the Policy Prohibiting Gender-Based Misconduct for resources and remedies available to those involved in those processes.

POLICIES

Failure to Comply Policy

To maintain an orderly environment, students must show respect for and follow the requests of College officials, including Resident Assistants, as they carry out their assigned duties. Recurring policy infractions represent a continuous disregard for College policy and may result in enhanced sanctions.

Working with College Officials

You and your guests must follow the direction(s) of College officials at all times. Providing false information or failing to provide information to staff, interfering with staff while they are performing their duties, or being uncooperative, verbally or otherwise abusive to staff is unacceptable. Abusive behavior includes, but is not limited to, physically threatening conduct, verbal threats, use of profanity, name-calling, or noncompliance with staff directions.

ALCOHOL AND OTHER DRUGS

Note: The information presented in this section of the Handbook is intended to meet the provisions of the Student Right to Know and Campus Security Act (1990), the Drug-Free Schools and Communities Act (1989), and the Higher Education Amendments (1992). Through its programs and procedures, the Hendrix Alcohol and Other Drug Policy seeks to accomplish the following objectives:

- To promote a campus climate that encourages individuals to cultivate and exhibit mature, responsible, and lawful conduct relative to the possession and use of alcohol;
- To encourage compliance with the laws of Faulkner County and the State of Arkansas regarding the possession, use, and sale of alcohol and other drugs;
- To influence the social climate and expectations of the campus in ways that promote a positive, safe, and balanced social environment;

- To provide educational programming that informs students of the potential dangers of alcohol and other drug abuse and promotes responsibility and moderation relative to alcohol use; and
- To implement appropriate conduct mechanisms and sanctions for individuals who violate the standards set forth by the Policy.

The educational mission and the high standards of Hendrix require that the campus be free of all illegal drugs. Further, the College prohibits unlawful possession, use of, or distribution of drugs, including alcohol, by students and employees on Hendrix property or at any College-sponsored activity. See further information in the College Policies section of this handbook.

Where it may be effective, the College prefers a policy of developmental discipline and rehabilitative education, as opposed to mandatory punishment. The developmental nature of the College community raises the expectation that assistance will be offered to any member who is suffering from the abuse of any substance. This help may be in the form of educational programs, on-campus counseling, or off-campus counseling referrals. The College will terminate its relationship with students or employees who persist in their use of illegal drugs or in their unlawful possession of any substance, including alcohol. Violators of federal, state, and local laws related to illegal alcohol and drug use will be referred to the proper authorities for prosecution.

Hendrix College does not encourage the use of alcoholic beverages. The display or consumption of alcohol is prohibited in all areas except apartments in Hendrix College-contracted housing, and in other campus locations where events are approved, on a case-by-case basis, by the Department of Student Affairs. Student events are alcohol-free unless otherwise designated.

Students of the College and their on-and off-campus guests who choose to possess and/or consume alcoholic beverages are expected to abide by the laws regarding alcohol in Faulkner County and the State of Arkansas. In matters relating to alcohol, Hendrix students will be held accountable for their own actions and for those of their guests. Irresponsible behavior resulting from the consumption of alcohol is not tolerated. Being under the influence of alcohol may affect sanctions for violating any College policy. Students not in compliance with the Hendrix College alcohol policy will be required to dispose of all alcoholic beverages in their possession or the alcohol will be confiscated and disposed of by a professional staff member or a Public Safety officer.

Amnesty Policy. The Hendrix College community discourages abuse or overconsumption of alcohol and the use of other illegal drugs. Abuse of these substances can create health emergencies for consumers. Sometimes, friends or bystanders are hesitant to report the health concern to College officials because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. It is in the best interests of this community that health emergencies always be reported promptly to College officials.

To encourage reporting, Hendrix College pursues a policy of offering those who report health emergencies immunity from minor policy violations related to the incident.

ALCOHOL POLICY VIOLATIONS

- Alcohol violations include, but are not limited to, the following: possession of alcohol in traditional residence halls (Martin, Hardin, Couch, Galloway, Veasey, Raney, Arkansas, and Conway Corporation Halls, and Market Square South)
- public consumption
- public intoxication
- possession by a minor
- serving to minors
- over possession as defined by Hendrix College. Per person, this includes but is not limited to: quantities over one case (30 – 12-oz. containers) of beer/malted beverage OR two (1L) bottles of wine OR one (1L) bottle of spirits/hard liquor, OR a reasonable combination of these types, kegs (whether full or empty), other common serving containers, etc.
- serving to individuals already intoxicated
- driving under the influence and driving while intoxicated either on or off campus
- intoxication leading to harm to self or others
- intoxication leading to property damage, disruption to the community, or other violations of Hendrix College Policy
- manufacturing alcohol (without prior written permission for academic purposes)

In the absence of clear mitigating circumstances (resident away for the evening, etc.), all residents of the Hendrix room or apartment in which a major Alcohol Policy violation occurs will be charged with the violation.

Controlled Substance Policy Violations

The use, possession, or distribution of narcotics or of illegal non-prescribed drugs such as marijuana, LSD, cocaine, etc., and of related drug paraphernalia is strictly prohibited on the campus and in College residences. The unauthorized use, possession, or sale of drugs

sometimes prescribed for medicinal purposes (i.e., amphetamines, barbiturates, and tranquilizers) will not be tolerated at any time. In matters relating to the Controlled Substances Policy, students of the College will be responsible for their own actions and for the actions of their on-campus and off-campus guests.

Arkansas Medicinal Marijuana Statute

In accordance with Arkansas Law prohibiting the smoking of marijuana in any location in Arkansas, Section 1, Subsection, (a)(2)(B) the amendment does not permit the person to Possess, smoke, or otherwise engage in the medical use of marijuana on the grounds of a daycare center, preschool, primary or secondary school, college or university.

Sanctions for Alcohol and Controlled Substance Policy Violations

It is the intention of the College to create a policy that is effective in addressing drug and alcohol violations. The policy also should to be consistent and clear to students. For the policy to be most effective, it should include elements that help to deter future violations but also support the educational goals of our institution. Additionally, the policy should allow students to come forward to assist friends in need without penalty.

Points Based Sanction System for Controlled Substance and Alcohol Violations

The Points Based Sanction System (PBSS) establishes a 10 point system for alcohol and controlled substance sanctions. Points are assigned to each type of violation and are set in a standardized format. This change does not alter the process for student rights. Students still have a right to be charged in writing for policy violations and they have right to a hearing to address such charges. The points are applied only when a student accepts responsibility, or is found responsible, for their actions.

In addition to holding students accountable for their actions, the system is also set to reward positive behavior and offers students three potential ways to reduce their point totals through action.

The system also offers points amnesty from controlled substance or alcohol-related violations to students who step forward to get medical assistance for themselves or others. While students who have consumed alcohol or controlled substances receive 0 points because they sought help for themselves, or others sought help for them, they still receive a conduct charge.

There are additional sanctions for students who continue to accumulate points. Students who have repeat violations in the same semester receive an extra point for subsequent violations.

Students who are at 6 points or more are placed on Conduct Probation and are not permitted to apply for or to study abroad, or live off campus.

Any student who reaches 10 points will be required to take a medical leave of absence to address their alcohol/drug issues.

Point distribution based on violation		
Points	Description of violation	Fine*
0	Medical Amnesty - Student who has consumed alcohol or drugs in violation of our policies but seeks help for self or another in need of emergency care	
1	Consumption/possession of drugs or alcohol by underage guest of student	
1	Possession of open container of alcohol for student 21+	\$25.00
2	Public intoxication for students 21+	\$50.00
2	Possession of alcohol in traditional residence halls for students 21+	\$50.00
2	Underage consumption or possession of alcohol (2 points and \$75 fine if in a traditional residence hall)	\$50.00
3	Underage consumption or possession of hard alcohol (3 points and \$100 fine if in a traditional residence hall)	\$75.00
3	Providing alcohol to an underage student	\$100.00
3	Use or possession of marijuana or paraphernalia	\$100.00
4	Providing hard alcohol to underage student	\$125.00
5	Possession of a large common source of alcohol (e.g., keg, punches with alcohol)	\$200.00
5	Possession of an amount of marijuana that exceeds personal use	\$250.00
7	Possession of illegal drugs (including prescription drugs) other than marijuana	\$250.00
7	Drinking and driving with BAC above .08	
	* Students may request to complete service hours in lieu of a fine.	
	** Hard alcohol refers to distilled spirits with an alcohol content greater than 15%.	

Additional Points

The following points may be assigned in association with alcohol/drug use as part of the conduct process if the student is found responsible for the charge. If these violations are not associated with a drug/alcohol violation, they will be assessed through the regular hearing process. Only 1 additional point may be assessed for a single incident.

Points	Violation	Other Actions
1	Failure to cooperate with College official or local law enforcement officer	
1	Possession or use of false identification	
1	Repeated sanction within same semester	\$50 fine
1	Vandalism of property	Restitution

Actions Taken for Accumulation of Points

Once a student reaches the total points listed below, they will be subject to the following restrictions based on those levels:

Points

4	*Parental/*Coach/Office of Academic Success notification
6	Placed on Conduct Probation - not permitted to apply for or to study abroad, live outside of campus housing, or access funding to College programs (Murphy, Odyssey, Miller, etc.)
8	Placed on Social Probation - not permitted to participate in College activities outside of classroom requirements
10	Required leave of absence to address alcohol/drug issues

**Coaches may be notified for drug violations before 4 points. Parents may be notified before 4 points in cases with extenuating circumstances.*

Point Forgiveness

Students are able to reduce their point total with the following actions. All reductions will be applied at the completion of the semester.

A	For each complete semester where a student is not responsible for a violation of these policies, the student's cumulative points will be reduced by ONE POINT. Any sanctions due that semester would have to be completed before the point reduction is applied.
B	Students have a one-time opportunity to successfully complete an alcohol education course and reduce their points by ONE POINT.
C	Students who successfully engage in counseling by completing an alcohol/drug assessment and recommended treatment plan will have their cumulative points reduced by ONE POINT.

Students are eligible to reduce their points by a maximum of 2 points per semester. Students may only use options B and C one time each during their time at Hendrix. Students are not permitted to "bank" points. 0 points is the lowest level of points. Students who successfully return from a required leave under this policy will receive a forgiveness of 5 points for that action.

Relationship between the Conduct Record and the Points Based Sanction System for Controlled Substance and Alcohol Violations

All violations of the Student Conduct Policy, including alcohol and controlled substance violations, are recorded on a student's conduct record. While the number of points accumulated by a student may be reduced through actions of the student, the violation that resulted in those points will remain on the conduct record. Decisions of suspension and expulsion will remain permanently in the student's file. All records of major violation conduct action or conduct probation (including as a result of having 6 points on the Points Based Sanction System for Controlled Substance and Alcohol Violations) will remain in the student's file and will be kept by the Dean of Students Office for three years past graduation date. All student records of minor violation conduct action will be expunged after the student graduates.

Alcohol Policy Review

An Alcohol Policy Review Committee will meet at least once a year to assess the effectiveness of the Policy, enforcement, and educational programs associated with alcohol use at Hendrix. The Student Senate, Student Life Committee, and the Vice President for Student Affairs will determine the composition of this committee.

Alcohol and the Law

The information that follows is provided to promote an increased awareness among Hendrix students of state and county laws governing alcohol use. It is intended to be neither a restatement of law nor a summary of all the laws relating to alcoholic beverages. For a full listing of Arkansas laws and penalties, please see www.arkansas.gov.

In Conway and in Arkansas, it is illegal:

- to knowingly or unknowingly sell, give, procure, or otherwise furnish alcoholic beverages to any person under 21 years of age;

Penalties for unknowingly providing:

1st offense: Fine - \$200 to \$500

2nd or subsequent offense: Jail Time - No less than 1 year; Fine - \$500 to \$1000

Penalties for knowingly providing:

1st offense: Misdemeanor; Jail Time - No more than 10 days; Fine - No more than \$500

2nd or subsequent offense: Felony; Jail Time - 1 to 5 years; Fine - No more than \$500

- for a person under the age of 21 years of age to purchase or have in his or her possession any intoxicating liquor, wine, or beer (alcohol inside the body is deemed possession);

Penalties

1st offense: Misdemeanor; Fine - \$100 to \$500; Theme or essay on liquors, wine, or beer; probation

2nd or subsequent offense: Same as 1st offense

- to be publicly intoxicated by either appearing in a public place under the influence of alcohol or a controlled substance to the degree that the person annoys others in the vicinity or is likely to cause injury to self, others, or property, or by consuming an alcoholic beverage in a public place;

- to sell, give away, or dispose of intoxicating liquor to an intoxicated person.

For those arrested for possessing or purchasing alcohol as a minor the following applies:

In addition to the fine, at the time of arrest of a person eighteen (18) years of age or older for violation of the provisions of subsection of this section, the arrested person shall immediately surrender his or her license, permit, or other evidence of driving privilege to the arresting law enforcement officer as provided in § 5-65-402. The Office of Driver Services or its designated official shall suspend or revoke the driving privilege of the arrested person or shall suspend any nonresident driving privilege of the arrested person, as provided in § 5-65-402.

The period of suspension or revocation shall be based on the offense that caused the surrender of the arrested person's license, permit, or other evidence of driving privilege as described in subdivision (e)(1) of this section and the number of any previous offenses as follows:

- (i) Suspension for sixty (60) days for a first offense under subsection (a) of this section;
- (ii) Suspension for one hundred twenty (120) days for a second offense under subsection (a) of this section; and
- (iii) Suspension for one (1) year for a third or subsequent offense under subsection (a) of this section.

Controlled Substances and the Law

It is unlawful for any person to manufacture, deliver, or possess with intent to manufacture and deliver a controlled substance. For a full listing of Arkansas laws and penalties, please see www.arkansas.gov

Drug convictions, and other criminal convictions, may affect your ability to receive federal student aid. The following information is provided by the Federal Student Aid website at <https://studentaid.ed.gov/sa/eligibility/criminal-convictions>:

“Your eligibility might be suspended if the offense occurred while you were receiving federal student aid (grants, loans, or work-study). When you complete the FAFSA form, you will be asked whether you had a drug conviction for an offense that occurred while you were receiving federal student aid. If the answer is yes, you will be provided a worksheet to help you determine whether your conviction affects your eligibility for federal student aid.

If your eligibility for federal student aid has been suspended due to a drug conviction, you can regain eligibility early by successfully completing an approved drug rehabilitation program or by passing two unannounced drug tests administered by an approved drug rehabilitation program. If you regain eligibility during the award year, notify your financial aid office immediately so you can get any aid you’re eligible for.

“If you are convicted of a drug-related offense after you submit the FAFSA form, you might lose eligibility for federal student aid, and you might be liable for returning any financial aid you received during a period of ineligibility.”

Students with questions about criminal convictions and their federal student aid should contact the Hendrix Financial Aid Office at 501-450-1368, or visit <https://studentaid.ed.gov/sa/eligibility/criminal-convictions>.

Health Risks Related to Alcohol

Short-term effects of alcohol use include:

- distorted vision, hearing, and coordination
- altered perceptions and emotions
- impaired judgment
- bad breath
- hangovers

Long-term effects of heavy alcohol use include:

- loss of appetite
- skin problems
- sexual impotence

- malnutrition (food substitution; digestion interference)
- delirium tremors: disorientation, hallucinations, memory loss
- brain damage and possible permanent psychosis
- cancer of the mouth, esophagus, or stomach due to alcohol irritation
- heart disease, enlarged heart, or congestive heart failure
- liver damage, including cirrhosis, liver cancer, and alcohol hepatitis
- irritation of the stomach lining causing ulcers and/or gastritis
- damage to the adrenal/pituitary glands
- fatal bleeding from esophagus
- birth defects or injury to the fetus during pregnancy
- respiratory depression
- increased aggressiveness, possible abuse of others
- impairment of coordination and judgment

Health Risks Related to Controlled Substance Use

The general health risks associated with the use of illegal drugs can be divided into two categories: drug use that can destroy a healthy mind and body by outright organic damage, mental illness, malnutrition, and failure to get treatment of injuries or diseases; and drug use that generally reduces the body's natural immune system and increases the chances for infectious diseases such as hepatitis and AIDS. Drug overdose may cause psychosis, convulsions, coma, or death.

Specific health problems associated with the following drugs:

- Amphetamines: heart problems, malnutrition, possible death, psychological and physical dependence, hallucinations;
- Cocaine: convulsions, coma, death, destruction of nasal membranes, physical dependence, depression, hallucinations, confusion, lesions on the lungs;
- Depressants (Barbiturates, Tranquilizers, Methaqualone): confusion and loss of coordination, physical and psychological intolerance, coma or death, problems when taken with alcohol;
- Marijuana and Hashish: confusion and loss of coordination, psychological dependence, lung damage;
- Hallucinogens (LSD, PCP DMT STP, MDA, Designer Drugs): hallucinations and panic, birth defects, convulsions, coma, death; and

- Narcotics (Heroin, Morphine, Codeine, Opium): lethargy and loss of judgment, physical and psychological dependence, convulsions, coma, death, malnutrition, infection, hepatitis.

Alcohol Education Programs

Residence Hall Council programming - As part of their application process, students applying for candidacy in Residence Hall Council elections are required to attend an informational meeting dealing with the alcohol and other drug education programming requirements for which they will be responsible as members of their Residence Hall Council. Student Affairs staff and current Residence Hall Council members from each hall will conduct this meeting. Within two weeks of their election in the spring, the President and one other selected member from each newly elected Residence Hall Council will meet as a group with the Dean of Students or his or her designee(s) to plan the Hall Council alcohol education and other drug programs to be presented to hall residents in the upcoming fall semester. During the spring semester, these Hall Council members will complete an alcohol and other drug education-training program provided by Student Affairs staff members.

In the fall semester, within two weeks of their arrival on campus, members of each Hall Council will be responsible for conducting alcohol and other drug education and awareness programs for new students in their residence hall. The first program is to be completed prior to the first weekend after the first day of classes; the second program is to be presented within the following week. A third session will be conducted for new students near the end of the fall semester. Hall Councils will be encouraged to work in collaboration with each other and the residence hall staff in planning these three programs for new students. The programs will focus on issues pertaining to alcohol and other drug use and its consequences, specifically addressing negative effects on grades, health risks, the law, and personal liability issues. It is expected that upper-class students, as peers having faced similar challenges as new students, will be effective in communicating information about alcohol use to new students.

Upper-class students will be educated about the Alcohol and Other Drugs Policy, laws regarding alcohol and other drug policy enforcement, and resources for assistance at the first residence hall meeting to be scheduled within the first three weeks of the fall semester. Hall Councils will inform upper-class students about the purpose of the educational programs for new students.

Upper-class students will be encouraged to cooperate in this program by supporting these efforts.

Other Education and Awareness Programs - Other alcohol and drug education and awareness programs sponsored by residence halls, student organizations, and Student Affairs offices will be conducted during New Student Orientation and during each semester for students living in residence halls. Specific training programs regarding alcohol and other drug and substance abuse will be incorporated into workshops for Orientation Leaders and Resident Assistants. Substance-free programs and activities developed by students and staff will be implemented throughout the academic year.

Assistance for Students - Hendrix College is committed to providing students with factual information about alcohol and other drugs, as well as confidential referrals to qualified counseling and treatment professionals in Central Arkansas. Students who have a history of alcohol or other drug abuse or problems with drinking or who are concerned about their consumption of alcohol and/or other drugs, should contact a professional staff member in the Office of Student Affairs for further information and assistance.

Endangering Behavior Policy

Hendrix endeavors to create a secure environment for its students. We provide a support network that attempts to prevent harm to any student and that promotes safe behavior. From time to time, however, a student may engage in behavior that is either threatening to self or others. This document states the College's policy and procedures when such behavior occurs.

A student is engaging in or displaying endangering behavior if:

- they pose a substantial threat of harm to self or others
- they behave in ways that are severely disruptive to others
- they refuse or are unable to comply with treatment
- they exhibit behavior or physical condition that deteriorates, suggesting with reasonable probability that harm may occur to self or others.

When a member of the Hendrix College community becomes aware of endangering behavior, that person will notify the Dean of Students, Hendrix College Counselor, and/or Professional Residence Life Staff. These individuals constitute the Crisis Management Team (CMT). When a student who feels threatened by others reports endangering behavior, every effort will be made to protect the confidentiality and/or anonymity of the reporting student.

When the CMT becomes aware of endangering behavior, they will assess the severity of the situation. If the result of the assessment indicates that further action is necessary beyond the scope of services available at Hendrix College, the student will be referred to Counseling Associates, Inc. (CAI) or other treatment facilities. The Dean of Students has the authority to limit campus access during assessment. Faculty and staff are not to transport a student who is engaging in endangering behavior. Instead, the Conway Police Department or an ambulance is to transport the student. In order for a student to be screened by CAI, he/she must be transported to Conway Regional Health System's (CRHS) emergency room or the detention center at the Faulkner County Sheriff's Office, as these are the only two locations CAI is able to conduct an assessment. (Typically, the Conway Police Department is not a location where assessments are conducted; however, they may agree to allow CAI to screen a student there on occasion). A member of the CMT will notify the student's family of the situation, and will make every effort to discuss this notification with the student first.

Before a student is allowed to return to residential facilities and/or attend classes after a hospitalization, a meeting with the College Counselor and the Dean of Students is required, in part, to ensure that the student will receive follow-up counseling. A consent form signed by the student allowing the Hendrix College Counseling Center to request a discharge summary from the hospital and/or treating professional will be necessary. The discharge summary should state whether the student is still considered to be engaging in endangering behavior and should also include follow-up or aftercare plans. If the student refuses to sign a release for hospital records (i.e., the discharge summary), they have the option of presenting certification from the hospital's treating professional that the student is able to return to residential facilities and/or attend classes and that the student is complying with any follow-up or aftercare plans. This information will enable the Dean, in consultation with the College Counselor, to decide whether to authorize a medical leave or allow the student to return to campus. If a student is allowed to return, they may be required to sign and comply with a written behavioral contract/safety plan.

In complaints of endangering behavior where a student poses a clear and present danger to another individual, the above policy is followed, and the individual will be notified in accordance with "duty to warn" guidelines. If a student is making threats against another, "duty to warn" guidelines state that any mental health professional is mandated to warn an intended victim. Campus security will be notified as well. For the well-being of the student at risk and the community, any student may be dismissed from Hendrix College if their endangering behavior violates the College's Code of Conduct.

Hazing Policy

Arkansas Hazing Law

§ 6-5-201. Definition (a) As used in this subchapter, unless the context otherwise requires, "**hazing**" means: (1) Any willful act on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student alone or acting with others which is directed against any other student and done for the purpose of intimidating the student attacked by threatening him with social or other ostracism or of submitting such student to ignominy, shame, or disgrace among his fellow students, and acts calculated to produce such results; or (2) The playing of abusive or truculent tricks on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student alone or acting with others, upon another student to frighten or scare him; or (3) Any willful act on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student 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 from remaining in that school, college, university, or other educational institution, or reasonably to cause him to leave the institution rather than submit to such acts; or (4) Any willful act on or off the property of any school, college, university, or other educational institution in Arkansas by one (1) student 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. (b) The term "**hazing**" as defined in this section does not include customary athletic events or similar contests or competitions and is

limited to those actions taken and situations created in connection with initiation into or affiliation with any organization.

§ 6-5-202. Prohibitions (a) No student of any school, college, university, or other educational institution in Arkansas shall engage in what is commonly known and recognized as **hazing** or encourage, aid, or assist any other student in the commission of this offense. (b) (1) No person shall knowingly permit, encourage, aid, or assist any person in committing the offense of **hazing**, or willfully acquiesce in the commission of such offense, or fail to report promptly his knowledge or any reasonable information within his 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. (2) Any act of omission or commission shall be deemed hazing under the provisions of this subsection.

§ 6-5-203. Penalties (a) The offense of hazing is a Class B misdemeanor. (b) Upon conviction of any student of the offense of hazing, he shall, in addition to any punishment imposed by the court, be expelled from the school, college, university, or other educational institution he is attending.

Harassment and Discrimination Policy

Hendrix College strives to maintain an environment free from discrimination and harassment, where employees treat each other with respect, dignity and courtesy. The College adheres to the principle of equal educational and employment opportunity without regard to age, race, gender (including pregnancy and childbirth), disability, sexual orientation, gender identity or expression, genetic information, or national origin. Further, the College is committed to the maintenance of an atmosphere of civility and respect for all students; individuals who feel that they have been harassed may obtain redress by bringing a complaint, as described below. Complaints about harassment will be responded to promptly and equitably. The right to confidentiality will be respected in both informal and formal procedures, insofar as possible. This policy explicitly prohibits retaliation against individuals for bringing complaints of harassment. All employees of Hendrix College are required to successfully complete sexual harassment, as well as Title IX and Campus SaVE Act trainings. This training will be administered within the first 30 days of employment, and on an annual basis thereafter.

We are committed to the diversity of our community and we recognize the worth and dignity of every individual. As an academic institution, we fully support debate and the free exchange of ideas. However, acts or communications which create a hostile educational environment will not be tolerated.

Harassment charges may be applied when actions or communications constitute conduct that is sufficiently severe, pervasive/persistent and patently offensive so that it alters the conditions of education or employment, from both a subjective (the alleged victim's) and an objective (reasonable person's) viewpoint. The determination of whether an environment is "hostile" must be based on all of the circumstances. See the "Gender-Based Misconduct" policy for specific information on sexual harassment.

Offensive conduct may include, but is not limited to, offensive jokes, slurs, gestures, epithets or name-calling, physical assaults or threats, intimidation, ridicule or mockery, insults or put-downs, offensive objects or pictures, and interference with work or academic performance.

How to Report Incidents of Harassment or Discrimination

Students may report all allegations of harassment or discrimination to the Dean of Students Office. If the accused is part of the Dean of Students Office staff, then the report should be made to the Human Resources Office. The procedure for addressing complaints will vary according to whether the accused is a student, visitor, faculty, or staff member. However, the Dean of Students Office will assist the student in addressing the situation in the appropriate manner. Because incidents of harassment and discrimination affect not only the parties involved, but also influence our community environment, individuals are encouraged to report incidents of harassment and discrimination even if the identity of the accused is unknown.

Dependent upon the nature of the alleged incident, methods of addressing the situation may range from a meeting between the accused and appropriate College officials to mediation between involved parties to filing formal conduct charges against the accused. If a student would like assistance in informally addressing alleged misconduct with the accused party individually, then the Dean of Students Office will assist that student with resources as well.

At times there are concerns related to harassment and discrimination reported which appear to be general climate issues, or systemic in nature. In these cases there are no specific individuals accused, but rather actions are taking place which result in harassment or discrimination. In these instances, the Hendrix College Climate Response Team address the concern.

Discrimination and Harassment Support Services

Students who are victims of offenses are encouraged to seek support through on-campus and off-campus services. Students may contact the campus Counseling Center on-campus at 501-450-1448 to schedule an appointment to speak confidentially with a campus counselor. There is no charge for this service. Students may also speak with the Director of Multicultural Student Services at 501-450-1222, or the Vice President for Diversity and Inclusion at 501-450-3824

regarding issues or concerns related to diversity. Students who would like to discuss gender-based issues may contact the Title IX Investigator and Education Coordinator, Allison Vetter, at 501-505-2901, or the Title IX Coordinator, Shawn Goicoechea, in Human Resources at 501-450-1415. Students who would like to discuss LGBTQ-related issues may contact the advisor for the student organization Unity, Tonya Hale, in Student Activities at 501-450-1291. Students who would like to discuss religion-based issues may contact the Office of the Chaplain at 501-450-1263. Students who would like to discuss disability-based issues may contact Julie Brown in the Academic Success Office at 501-505-2954. Students may also choose to contact support agencies on and off campus which include the following:

Office for Diversity and Inclusion www.hendrix.edu/diversity/

Multicultural Student Services www.hendrix.edu/multicultural

Hendrix Health Services (450-1448)

Residential Life Office professional staff (450-1416)

Dean of Students Office (450-1222)

Hendrix Public Safety Department (450-7711)

Conway Police Department (911)

Faulkner County Prosecuting Attorney's Victim Services Center (501-450-3051)

National Center for Victims of Crime <http://www.victimsofcrime.org>

Arkansas Legal Services Partnership at (1-800-952-9243) or

<http://www.arlegalservices.org/> or for legal assistance

24-hour Conway Women's Shelter Crisis Hotline (866-358-2265)

Rape Crisis Hotline (501-801-2700) or (877-432-5368)

Hope Reinn National Sexual Assault Hotline (800-656-4673)

Just Communities of Arkansas www.arkansasjustcommunities.org

Retaliation

Retaliation is defined as any materially adverse action taken against a person participating in a protected activity because of their participation in that protected activity. Retaliation against an individual for reporting an allegation, for supporting a reporting party or for assisting in providing information relevant to an allegation is a serious violation of College policy.

Retaliation can occur in-person or online by any member of the Hendrix Community (including a witness, Complainant, Reporting Party, or Respondent) or a third party. Acts of alleged retaliation should be reported immediately to the Dean of Students Office. Retaliation is considered an independent allegation that may lead to interim measures and/or disciplinary action if an individual is found responsible.

Hendrix College Assistance Animal Policy

General Considerations

Hendrix College recognizes the importance of service, emotional support, and therapy animals for individuals with disabilities and has established the following policy regarding assistance animals (and Service Animals in Training) and emotional support, and therapy animals, to assist students with life issues. The policy ensures that students with disabilities, who require the use of assistance animals as a reasonable accommodation, receive the benefit of the work or task performed by such animals or the therapeutic support they provide. Hendrix is committed to allowing students with disabilities the use of an assistance animal on campus to facilitate their full participation and equal access to the College's programs and activities. The College also recognizes that the presence of such animals may, however, present health, safety, security, and programmatic issues for other members of the community.

The College reserves the right to enforce all relevant rules for the use of assistance animals through the student conduct code and applicable laws. The College also reserves the right to revoke permission granted for the campus presence of any assistance animal whose owner fails to follow the requirements set forth in this procedure. Additionally, the College reserves the right to change this policy as necessary.

Requests for therapy and emotional support animals will only be reviewed under this policy for college housing. These animals will not be allowed in other campus facilities. Requests that do not carry evidence of the necessity of the animal will be denied.

Definitions

Fair Housing Act

The [Fair Housing Act](#) prohibits discrimination on the basis of disability in all types of housing transactions. The Act defines persons with a disability to mean those individuals with mental or physical impairments that **substantially limit one or more major life activities**. The term mental or physical impairment may include conditions such as blindness, hearing impairment, mobility impairment, HIV infection, mental retardation, alcoholism, drug addiction, chronic fatigue, learning disability, head injury, and mental illness. The term major life activity may include seeing, hearing, walking, breathing, performing manual tasks, caring for one's self, learning, speaking, or working. The Fair Housing Act also protects persons who have a record of such an impairment, or are regarded as having such an impairment.

What is a Disability?

In order to qualify for a reasonable accommodation under the FHA, 504, or the ADA, the student must meet the statutory definition of having a “disability.”

“Disability” is defined as a physical or mental condition or impairment that is medically recognizable, and diagnosable, and that substantially limits one or more of a person’s major life activities. These limitations may include: caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, working, and learning. A person is substantially limited in major life activities if the individual is unable to perform the activity, or is significantly restricted as to the manner in which he or she can perform that activity when compared to the average person. Acceptable documentation of disability can be from either a medical or mental health provider. It should verify the disability as well as the need for an assistance animal.

What is a Service Animal?

A “Service Animal” performs functions and tasks that the individual with a disability cannot perform for him or herself. Service animals are individually trained to do work or perform tasks for the benefit of an individual with a disability. These tasks include, but are not limited to: guiding individuals with impaired vision, alerting individuals who are hearing impaired to intruders or sound, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items. **Please see the [Service Animal](#) document for more details.**

What is a Therapy Animal?

A Therapy Animal may soothe anxiety in some individuals, but does not assist an individual with a disability in activities of daily living. Therapy animals are not service animals and will not necessarily qualify as a reasonable accommodation under ADA. If they meet the qualifications as a reasonable accommodation, then such animals can only be permitted in housing and not in public indoor areas on campus.

What is an Emotional Support Animal?

An “emotional support animal” often referred to as a “companion animal” is an animal whose sole responsibility is to provide calming influence, affection, stability, or security. An emotional support animal should demonstrate a good temperament and reliable, predictable behavior. Unlike a service animal, an emotional support animal does not assist a person with a disability with activities of daily living, nor does it accompany a person with a disability at all times. An emotional support animal, however, may be incorporated in a treatment process to assist in alleviating the symptoms of that individual’s disability. This treatment occurs within the person’s residence. Emotional support animals are not service animals and will not necessarily qualify as a reasonable accommodation under ADA. If they meet the qualifications as a reasonable accommodation, then such animals can only be permitted in housing and not in

public indoor areas on campus. Generally, the presence of only one ESA will be approved for a student, in order to fulfill the intent of the FHA requirements in providing support to the student with a mental health disability.

For ease in interpreting this document, all prospective animals will be labeled as ‘**assistance animals.**’

Approved Animal

An “approved animal” is an assistance animal that has been granted as a reasonable accommodation under this policy.

Owner

The “owner” is the student or other covered person who has requested the accommodation and has received approval to bring the “approved animal” on campus.

Procedures

How can I apply for an assistance animal?

Students may apply for an assistance animal through the Office of Academic Success (OAS). Assistance animals may not reside in College housing without express approval from College officials. Such requests should be processed as follows:

1. Submit the following forms:
 - Assistance Animal Request Form
 - Signature block from Animal Policy
 - Medical Verification form (this form must be completed by an off-campus healthcare provider, and also requires a letter from the same healthcare provider)

It is important to note that the College may approve your request to have an ESA, but not approve the specific animal you hoped to bring to campus. For example, most reptiles, rodents and monkeys may be rejected because of health and safety concerns, as they can carry zoonotic diseases which pose a threat to the general welfare of residents in the communal living environment. Assistance animals (dogs and cats specifically) must be at least one year of age, to ensure reasonable independence and maturity.

2. Register with the OAS
3. Provide verification of disability to OAS
4. Provide letter from medical provider stating purpose for assistance animal

5. If student receives conditional approval from first round of forms, the student must then submit the following forms:
 - A. Animal Registration Form;
 - B. Roommate/Suitemate Acknowledgment Form;
 - C. veterinary (immunization) records, particularly rabies;
 - D. photograph of animal
 - E. proof of licensing in Faulkner County if the animal is a dog or a cat.
6. Provide documents verifying the animal provides assistance to mitigate or alleviate a symptom of the identified disability

***Applicants should make arrangements with their external healthcare provider for the exchange of information with Hendrix College, since the student's healthcare provider may be contacted for clarification. Healthcare providers must be certified/accredited in one of the following categories:**

- A. M.D.**
- B. Ph.D.**
- C. Nurse Practitioner**
- D. Licensed counselor or therapist**

Verification of Disability and Need for an Assistance Animal

NOTE: Only Service Animals have access to non-residential College-owned facilities (except restricted areas). Emotional support and therapy animals are restricted to housing only.

A student seeking the assistance of an assistance animal to use College facilities and services must provide verification to the OAS that he or she has a qualifying disability and that the assistance animal is needed for the use and enjoyment of the College facilities and services. The student's health care provider, who is qualified to make the requested assessment, must submit a signed letter on professional letterhead expressing the following:

1. The provider's diagnosis of the person's condition.
2. The provider's opinion that the condition affects a major life activity.
3. The provider's professional opinion that the service animal is used to help with the person's daily living activities, and is necessary to effectively utilize College facilities and services. **(Appropriate context must also be provided for assistance animals.)**
4. **The provider's description of what service(s) the assistance animal will specifically provide.**
5. Any additional rationale or statement the College may reasonably need to understand the basis for the professional opinion.

*Documentation of the disability may not be required if the specific disability is already known to the College. Documentation of the need for the service animal may not be required if the need for the disability-related service animal is already known to the College.

The Assistance Animal Committee will meet three times per year (April, July, and November) to review requests for housing accommodations. The following deadlines for requesting housing accommodations apply:

Hendrix College incoming first-year students:

July 1 for the fall semester

November 1 for the spring semester

Hendrix College returning students:

March 1 for the fall semester

November 1 for the spring semester

Applications will **not** be accepted during the month of August, unless the student has experienced an exceptionally significant change in circumstances.

Hendrix staff will review documentation and, if the Assistance Animal Committee approves the request, then a representative of the OAS will arrange a meeting with the person requesting an assistance animal. This policy will be carefully reviewed with the person at that time.

If a student's request to house an assistance animal is denied, then he or she will have the opportunity to appeal such decisions. All appeals are reviewed by the Vice President of Student Affairs. The student will receive information about the appeals process via email, and this information will be sent to the student within one week of the denial decision.

Upon approval of an assistance animal, the student's roommate(s) or suitemate(s) will have the choice of rooming with the student with the assistance animal OR being moved to another location. Professional and student residential staff will be notified.

Conflicting Health Conditions

Residence Life personnel will make a reasonable effort to notify students in the residence building where the approved animal will be located.

Students with medical condition(s) that are affected by animals (e.g., respiratory diseases, asthma, severe allergies) are asked to contact the Residence Life Office if they have a health- or safety-related concern about exposure to an assistance animal in residential facilities. Students with medical condition(s) that are affected by animals are asked to contact the OAS if they have a health- or safety-related concern about exposure to an assistance animal in non-residential facilities on campus. The College is prepared to also reasonably accommodate individuals with such medical conditions that require accommodation when living, working, or studying in proximity to assistance animals.

The Assistance Animal Committee, in collaboration with Residence Life, will resolve in a timely manner any conflict arising from the presence of assistance animals. Staff members will consider the conflicting needs and/or accommodations of all persons involved. The Office of Academic Success staff may use Hendrix Health Services as a resource for information on health issues. The Office may consult with the Assistance Animal Committee at its discretion. In the event that an agreement between conflicting parties cannot be reached, the OAS' decision is final and not subject to appeal.

Owner's Responsibilities for Having an Approved Animal on Campus

1. The owner is responsible for assuring that the Approved Animal does not unduly interfere with the routine activities of the College or cause difficulties for other members of the College community. The owner and approved animal are both responsible for abiding by the conduct policies outlined in the Student Handbook. The owner may be charged with a violation of student conduct for inappropriate behavior of an approved animal.
2. **Service Animals** may travel freely with their owner throughout College facilities. Therapy or emotional support animals must be contained within the approved student's privately assigned residential area (room, suite, and apartment) at all times, except when transported outside the private residential area in an animal carrier or controlled by leash or harness. When outside the residence, the owner of an assistance animal shall carry proof that the animal is an approved animal.
3. The owner is responsible for posting official animal signage on all external doors of their campus residence. This signage is obtained through the OAS and must be posted continuously as long as the animal is in residence on campus.

4. The owner is financially responsible for the actions of the Approved Animal including bodily injury or property damage. The owner's responsibility covers, but is not limited to, replacement of furniture, carpet, windows, wall covering, and the like. **Carpet replacement expenses alone can cost several thousand dollars; final restitution costs will vary depending upon the original condition of the residence and other factors.** The owner is expected to cover these costs at the time of repair and/or move-out. **In sum, the owner is personally and financially responsible for the actions of an assistance animal.**

5. In the event two or more roommates have an assistance animal, there is an expectation that the animals live harmoniously together. Any conflicts between the animals should be worked out between the residents. If there is animal-related damage to your residential unit, then the College's policy on room damage charges will apply. If one resident takes responsibility for damages in a common area, then that resident will be charged. If neither resident claims responsibility for the damage, any fines and/or repair fees will be split evenly between the residents with animals.

6. The owner is responsible for any expenses incurred for cleaning above and beyond a standard cleaning or for repairs to College premises that are assessed after the student and animal vacate the residence. The College shall have the right to bill the student account of the owner for unmet obligations.

7. The owner must notify the OAS in writing if the Approved Animal is no longer needed as an approved animal or is no longer in residence. **To replace an approved animal, the owner must file a new Request for Reasonable Accommodation.**

8. The owner's residence may be inspected for fleas, ticks, or other pests twice a semester or as needed. Residence Life or Facilities will schedule the inspection. If fleas, ticks or other pests are detected through inspection, the residence will be treated using approved fumigation methods by a College-approved pest control service. The owner will be billed for the expense of any pest treatment above and beyond standard pest management in the residential facilities.

9. (For students in the Residence Halls and/or Apartment shares) All roommates or suitemates of the owner must sign an agreement allowing the approved animal to be in residence with them. In the event that one or more roommates or suitemates do not approve, either the owner and animal or the non-approving roommates or suitemates, as determined by Residence Life, may be moved to a different location.

10. Approved Animals may not be left overnight in College Housing to be cared for by another student. Animals must leave campus if the owner leaves campus for a prolonged period, including overnight. **For a partial list of animal boarding businesses, check the last page of this document.**

11. Housing has the ability to relocate the owner and approved animal as necessary according to current contractual agreements.

12. The owner undertakes to comply with the “Guidelines for Maintaining an Approved Animal at Hendrix College” as set forth in this policy.

13. The owner agrees to continue to abide by all other College policies. Any violation of the above rules may result in immediate removal of the animal from the College and may be reviewed through the Student Conduct Process and the owner will be afforded all rights of due process and appeal as outlined in that process. Should the approved animal be removed from the College premises for any reason, the owner is expected to fulfill housing obligations for the remainder of the housing contract.

Guidelines for Maintaining an Approved Animal at Hendrix College

Introduction

The following guidelines apply to all approved animals and their owners, unless the nature of the documented disability of the owner precludes adherence to these guidelines, and permission for a variance from the guidelines has been granted.

Care and Supervision:

The student who received approval for the animal is responsible for the animal’s care and supervision at all times. The person is required to maintain control of the animal at all times. This includes the cleanup of the animal’s waste in accordance with College policy. Outdoor solid animal waste must be picked up immediately and disposed of in outside trash dumpsters. Indoor animal waste, such as cat litter, must be placed in a sturdy plastic bag and securely tied up before being disposed of in outside trash dumpsters. Litter boxes should be placed on mats so that waste is not tracked onto carpeted surfaces. Hendrix Housekeeping is not responsible for disposing of animal waste.

Animal Health and Well-Being:

1. **Identification:** All approved animals are required to obtain and wear Hendrix identification at all times. If wearing the identification is not feasible for the animal, then the identification will be affixed to the animal's carrier and or containment apparatus.
2. **Vaccination:** In accordance with local ordinances and regulations the animal must be immunized against diseases common to that type of animal. Dogs must have current vaccination against rabies and wear a vaccination tag. Local licensing requirements must be followed.
3. **Health:** Animals housed in College housing must have an annual clean bill of health from a licensed veterinarian. Documentation can be a vaccination certificate for the animal or a veterinarian's statement regarding the animal's health. The College has authority to direct that the animal receive veterinary attention. (Local licensing law is followed.)
4. **Licensing:** The College reserves the right to request documentation showing that the animal has been licensed if applicable. **All applicants should contact the Faulkner County Animal Control Office at 501-450-6160 to ensure compliance with local ordinances.**
5. **Assistance Animals and Conduct Policy violations:** Students in violation of the controlled substance, alcohol, or any other Hendrix conduct policy that may put the animal at risk, may have their Assistance Animal approval revoked. Students can apply for reinstatement of the Assistance Animal. An interim period of one semester or longer may be required between the violation and the reinstatement of the Assistance Animal.
6. **Leash:** The animal must be on a leash or crated anytime it is outside the owner's private residential facility, including residential common areas. The only exception to this rule would be if the leash would inhibit the animal's ability to be of service. If the owner is not able to put the animal on a leash, then it should be in a carrier when leaving the private residential facility of the owner. The owner is required to maintain control of the animal at all times. The city of Conway has a leash law.
7. **Spaying, neutering, pregnant Assistance Animals:** The Assistance Animal committee strongly endorses spaying or neutering for all assistance animals. No offspring of assistance animals will be permitted to reside in campus housing.
8. **Containment of assistance animal during owner temporary absence:** Any assistance animal left in a residential facility while the owner is away temporarily from that facility for any length of time, must be housed in a crate or other appropriate containment apparatus. Roommates or suitemates cannot be left in charge of assistance animals to avoid this requirement, nor can animals be moved to another room on campus, if the owner is not present. The owner of the animal retains responsibility for the animal at all

times. If the student needs assistance locating a local kennel, they can contact Julie Brown at brownj@hendrix.edu.

9. **Containment of assistance animal when College officials are present:** If the owner is present in the residential facility and a College official comes to that facility on College-related business, then the assistance animal must be placed in the containment apparatus for the duration of the time the College official is present. If the owner needs a small amount of time to contain the animal before College officials enter the facility, then the owner should open the door enough to prohibit the animal from escaping out of the door to request a small amount of time to contain the animal. If the owner's disability prohibits the student from placing the animal in a containment apparatus, then that animal should be leashed and sitting beside the owner while College officials are present.
10. **Cleaning of assistance animals:** Animals may not be washed in College residence halls. See last page of document for partial list of grooming businesses.
11. **Other Conditions:** The Office of Academic Success may place other reasonable conditions or restrictions on the animals depending on the nature and characteristics of the animal.

Requirements for Faculty, Staff, Students, and Other Members of the College Community

Members of the College community are required to abide by the following practices:

1. They are to allow a Service Animal to accompany its owner at all times and in all places on campus, except where animals are specifically prohibited.
2. They are not to touch or pet an assistance animal unless invited to do so by its owner.
3. They are not to feed an assistance animal without permission from the owner.
4. They are not to startle an assistance animal deliberately.
5. They are not to separate or to attempt to separate an owner from his or her assistance animal.
6. They may not inquire about the owner/student's health status or specific services provided by the animal.

Service animals will be given access to ADA-appropriate buildings/rooms unless:

(1) the animal is out of control and its handler does not take effective action to control it; (2) the animal is not housebroken (i.e., trained so that, absent illness or accident, the animal controls its waste elimination); or (3) the animal poses a direct threat to the health or safety of others that cannot be eliminated or reduced to an acceptable level by a reasonable modification to other policies, practices, and procedures.

Removal of Approved Animal

The College may exclude/remove an approved animal when 1) the animal poses a direct threat to the health or safety of others, or 2) the animal's presence results in a fundamental alteration of the College's program, or 3) the owner does not comply with Owner's Responsibilities as outlined in this policy, or 4) the animal or its presence creates a significant disturbance or interference within the Hendrix community.

Damage

Owners of Approved Animals are solely responsible for any damage to persons or College property caused by their animals.

Areas off limits to Service Animals

The College may prohibit the use of Service Animals in certain locations because of health and safety restrictions (e.g., where the animals may be in danger, or where their use may compromise the integrity of research). Restricted areas may include, but are not limited to, the following areas: custodial closets, boiler rooms, facility equipment rooms, research laboratories, classrooms with research/demonstration animals, areas where protective clothing is necessary, wood and metal shops, swimming pools, rooms with heavy machinery, and areas outlined in state law as being inaccessible to animals.

Exceptions to restricted areas may be granted on a case-by-case basis by contacting OAS and the appropriate department representative; the person directing the restricted area has the final decision.

Areas off limits to therapy and emotional support animals

Assistance animals are approved for specific private residential spaces only. All indoor areas (**including common residential spaces**) are off limits to approved emotional support and or therapy animals without prior authorization from the OAS.

****Partial list of local veterinarians, animal boarding, and/or grooming businesses:**

- **Chestnut Animal Clinic; 612 Chestnut; 501-327-4413**
- **Hounds' Hideaway (boarding, grooming); 1238 McNutt Rd.; 501-358-6598**
- **PetSmart (grooming, supplies); Conway Commons – 650 Elsinger; 501-548-6083**

- **St. Francis Veterinary Clinic; 3180 Dave Ward Dr.; 501-327-9200**

For further information, please contact AssistanceAnimals@hendrix.edu.)

Computing

Computer resources at Hendrix College are available to authorized students, faculty, staff, and off-campus constituents. Access to these resources is obtained from the Director of Technology Services. Access is granted with the understanding that the resources will be used as stated in the request and in keeping with the idea that one's interest ceases when it invades the rights of personal and/or institutional property, demonstrates a potential for loss, creates the possibility for embarrassment or litigation to the individual and/or institution, or because of an otherwise irresponsible use of a limited resource. It is the policy of the Office of Technology Services to avail these resources to as many users as possible and, to the extent possible, keep the number of restraints and restrictions on the individuals to a minimum consistent with the ability to provide service to all who request use.

For such a policy to work, it is essential that users observe responsible and ethical behavior in the use of the resources. Proper computing and networking use follows the same standards of common sense and courtesy that govern the use of other public facilities. Improper use violates those standards. Improper use is defined as: Any use of computing and/or networking facilities or services that is unrelated to legitimate instructional, research/creative activity, or administrative requirements; that interferes with another's legitimate access; that violates another's intellectual property rights; and/or that violates any local, state, or federal law.

Users have responsibilities as members of the Hendrix College electronic community. These responsibilities include:

- Respecting an individual's right to privacy and freedom from intimidation, harassment, and unwarranted annoyance;

- Respecting copyright and other intellectual property rights. Unauthorized copying of files or passwords belonging to others may constitute plagiarism or theft. Modifying files without authorization (including altering information, introducing viruses or Trojan horses, or damaging files) is unethical, may be illegal, and may lead to sanctions;
- Maintaining secure passwords;
- Using resources efficiently;
- Recognizing the limitation to privacy afforded by electronic services;
- Learning to use software and information files correctly. Users should maintain and archive backup copies of important work;
- Abiding by security restrictions on all systems and information to which access is permitted. Users should not attempt to evade, disable, or “crack” passwords or other security provisions; these activities threaten the work of others and are grounds for immediate suspension or termination of privileges and possible further sanctions.

The following behavior will be considered to be misuse or inappropriate use of computing resources at Hendrix College:

- Intentionally interfering with the normal operation of computer resources at Hendrix or on any network accessible from computer equipment at Hendrix;
- Excessive use of computer resources, including ignoring posted workstation time limits, using more than one workstation at a time, playing games on workstations when they are needed for College-related assignments or similar activities;
- Attempting to access without authorization, discover the password, or otherwise circumvent the security of computer systems, accounts or files at Hendrix on any network accessible from computer equipment at Hendrix;
- Using computer resources for personal profit making activities not related to the mission of the College;
- Using electronic mail or other forms of computer-based communication to impersonate, deceive, or defraud another user, or to send messages which are harassing, abusive, or obscene;
- Using or copying computer software in a manner, which violates U.S. copyright laws or Software vendor licenses;
- Using computer resources to copy and plagiarize the intellectual output (programs, written assignments, etc.) of other persons;
- Using computer resources to violate any state, federal, or international laws, or the published policies of other host institutions or networks;
- Using computer resources in a manner inconsistent with the “Hendrix Standards of Conduct” as published in the Hendrix Student Handbook.

The Office of Technology Services should be contacted for clarification of these guidelines or to report guideline violations.

It is the responsibility of all users to report to the Office of Technology Services any violation of the Code of Computer Resource Use. The Code is posted in a prominent location in all Hendrix College computer laboratories. Failure to comply with the Code will subject the violator to appropriate conduct action. Whenever there is an indication of abuse of the user's privilege that interferes with the intended functions of the system, or impinges on another user's rights, or is an otherwise irresponsible use of the computer resource, the Office of Technology Services reserves the right to investigate and implement those actions deemed necessary to protect the system and/or other users. Such an investigation will require prior authorization from the appropriate Hendrix College offices: for students, the Vice President for Student Affairs; for faculty, the Vice President for Academic Affairs; and for staff, the supervisor of the staff member.

COMPUTER LABS

Technology Services manages the Acxiom Computer Center, located in the Jennings L. Snoddy wing of the Bailey Library, and the Othaout Technology Center (OTC) in the Student Life and Technology Center. The Acxiom Computer Center houses 40 computers, a digital scanner, and two laser printers. The lab is open 24 hours a day, seven days a week. The OTC houses 30 computers and allows the Hendrix community access to color printing, 3D printing, and poster printing.

Other open computer labs on campus are provided by Natural Sciences (Reynolds Hall, 12 Power Macintosh computers) and Economics and Business (Mills Building, seven systems running Microsoft Windows). Numerous other computer labs are located in departments on campus and are available for students taking classes in that department.

INTERNET

Students can have internet access from their residence hall rooms 24 hours a day, as well as the 24-hour access from the Bailey Library Lab. The internet can be accessed through any device connected to the Hendrix College network.

Wireless connectivity is available in all residence halls, classroom buildings, and most outdoor spaces on campus to any wireless device that supports the WPA2 encryption (sorry, most gaming consoles cannot be connected to our wireless network).

PUBLIC ACCESS CATALOG (PAC)

The Hendrix Library has automated its card catalog and circulation systems. Users of the PAC system can search for specific materials by author, subject, title, date, and/or keyword and determine if the materials are currently available. PAC is available on the Hendrix College Network.

College Security Camera Policy

Purpose

Hendrix College is committed to enhancing the quality of life of the campus community by integrating the best practices of safety and security with technology. We have added security cameras to a portion of our campus to assist in making our campus as safe as possible. The deployment of cameras is supported by Student Senate and approved by the Student Life Committee. The Student Life Committee is responsible for the oversight and approval of camera locations.

These cameras are not actively monitored, but they are intended to deter crime and assist in investigation of crimes and recovery. This policy addresses the College's safety and security needs while respecting and preserving individual privacy.

To ensure the protection of individual privacy rights in accordance with the College's values and state and federal laws, this policy is adopted to formalize procedures for the installation of surveillance equipment and the handling, viewing, retention, dissemination, and destruction of surveillance records. The purpose of this policy is to regulate the use of camera systems used to observe and record public areas for the purposes of safety and security.

Policy

All video footage will be secured and will be managed by the Office of Public Safety with

technical support provided by the Technology Services department. Any requests to view camera footage will be submitted to the Office of Public Safety.

The Office of Public Safety shall monitor developments in the law and in security industry practices and technology to ensure that camera surveillance is consistent with best practices and complies with all federal and state laws.

The Hendrix College Student Life Committee will review proposals and recommendations for camera installations and review specific camera locations to determine that the perimeter of view of fixed location cameras conforms to this policy.

The Dean of Students Office will review any complaints regarding the utilization of surveillance camera systems and determine whether this policy is being followed.

The Dean of Students Office will review all external requests to release records obtained through security camera surveillance. The College will seek consultation and advice from the General Counsel as needed related to these requests prior to the release of any records outside of the College. Video surveillance records will generally not be released to the public, students, general employee, and parent or law enforcement agency. The content of the video is a student and College record subject to administrative regulations regarding confidential student records. While College personnel will typically review the footage, the College reserves the right to allow individuals to view video footage if that is a necessary action as part of an investigation of a crime, code of conduct violation, significant campus safety concern, or campus policy violation.

General Principles

Cameras are not actively monitored. They are viewed only upon report of a crime or violation. Information obtained from the cameras shall be used exclusively for campus policy enforcement, including, where appropriate, student judicial functions or to assist local law enforcement and campus/local crime. Information must be handled with an appropriate level of security to protect against unauthorized access, alteration, or disclosure.

All appropriate measures must be taken to protect an individual's right to privacy and hold College information securely through its creation, storage, transmission, use, and deletion.

All camera installations are subject to federal and state laws.

Placement of Cameras

Cameras will be located so that personal privacy is protected. No audio shall be

recorded. Camera positions and views of residential housing shall be limited to external areas. The view of a residential housing facility must not violate the standard of a reasonable expectation of privacy.

All video camera installations should be visible. The exact location, number and function of all cameras will generally be considered confidential for security purposes and not be released to the general public, guests or employees. The College reserves the right to place cameras in areas that are not open to the campus or general public (e.g., closed buildings or secured areas).

Anyone who tampers with video equipment will be subject to disciplinary action through the Dean of Students Office.

Access and Monitoring

All recording or monitoring of activities of individuals or groups by College security cameras will be conducted in a manner consistent with College policies, state and federal laws, and will not be based on the subjects' personal characteristics, including age, color, disability, gender, national origin, race, religion, sexual orientation, or other protected characteristics. Furthermore, all recording or monitoring will be conducted in a professional, ethical, and legal manner. All personnel with access to College security cameras should be trained in the effective, legal, and ethical use of monitoring equipment.

When an incident is reported, the personnel responsible for the area in question may request the Public Safety to review the images from the camera. As circumstances require, the Dean of Students may authorize others to review images. A log will be kept of all instances of access to, and use of, recorded material. This log will be discarded at the end of each academic year.

Appropriate Use and Confidentiality

Personnel are prohibited from using or disseminating information acquired from College security cameras, except for official purposes. All information gathered and/or observations made in the use of security cameras is considered confidential and can only be used for official College and law enforcement purposes upon the approval of the Dean of Students or designee. Personnel are expected to know and follow this policy.

Use of Cameras for Criminal Investigations

The use of video equipment may be used in criminal investigations on behalf of the College. Individuals or agencies from outside of the College must request access to view materials in accordance with our policies governing student records. Video records will be destroyed within

seven (7) days at the conclusion of any investigation and subsequent hearing process.

Exceptions

This policy does not apply to cameras used for academic purposes. Cameras that are used for research, communications, or class projects would be governed by other policies involving human subjects and are, therefore, excluded from this policy.

Safety and Security Camera Acceptable Use Policy

This policy does not address the use of student/employee personal cameras, webcams, videotaping events, or live streaming for general use by the College. This policy also does not apply to the use of video equipment for the recording of public performances or events, interviews, or other use for broadcast or educational purposes. Examples of such excluded activities would include videotaping of athletic events for post-game review, videotaping of concerts, plays, and lectures, live stream activity, or videotaped interviews of persons. Automated teller machines (ATMs), which may utilize cameras, are also exempt from this policy.

Procedures

Departments requesting security cameras will be required to follow the procedures outlined in this policy.

Training

Camera control operators shall be trained in the technical, legal, and ethical parameters of appropriate camera use. Camera control operators shall receive a copy of this policy and provide written acknowledgment that they have read and understood its contents.

Operation

Video surveillance will be conducted in a manner consistent with all existing College policies. Camera control operators shall monitor based on suspicious behavior, not individual characteristics. Camera control operators shall not view private rooms or areas through windows. All operators and supervisors involved in video surveillance will perform their duties in accordance with this policy. Abuse of standard operating policies or inappropriate camera control operations will result in disciplinary action.

Storage and Retention of Recordings

No attempt shall be made to alter any part of any surveillance recording. Surveillance centers and monitors will be configured to prevent camera operators from tampering with or duplicating recorded information.

All surveillance records shall be stored in a secure location for a period of 21 days and will then promptly be erased or written over unless retained as part of a criminal investigation or court proceedings (criminal or civil), or other bona fide use as approved by the Dean of Students. Individual departments shall not store video surveillance recordings.

A log shall be maintained of all instances of access to or use of surveillance records. The log shall include the date and identification of the person or persons to whom access was granted.

Smoking and Tobacco Policy

Tobacco products (including e-cigs and vapor smoking devices) are prohibited from use on the Hendrix College campus, including parking lots, grounds adjacent to buildings, and athletic fields.

Solicitation, Merchandising, Posting

Unauthorized soliciting and/or distribution of materials, including mailings, posters, and advertisements for events, merchandising and canvassing by non-community members is prohibited. Students should ask solicitors, vendors, or canvassers for proof of authorization. Permission for activities of this type must be obtained from the Office of Student Activities. Activities of this nature occurring in Hendrix-owned housing must receive permission from the Office of Residence Life. Unauthorized solicitation should be reported to Public Safety. Campus organizations wishing to sell or solicit in the residence hall lobby must obtain permission from the Office of Residence Life at least one week prior to the event. Door-to-door solicitation is prohibited. No solicitation or selling by non-Hendrix College recognized organizations is allowed in the residence halls.

Student Organizations

There are more than 70 student clubs and organizations at Hendrix College for the varied interests of the student body (www.hendrix.edu/studentactivities). Such organizations include student government, honorary societies, academic clubs, special interest groups, club sports, and service organizations. Students are encouraged to participate in those activities that offer opportunities for personal, cultural, intellectual, spiritual, and social growth. By becoming involved in the organizational life of the campus, students are able to become more active in their community and to gain valuable skills to enhance their personal and academic success.

Organization Registration Policy and Privileges. Registered student organizations must have purposes and objectives that are compatible with the heritage and aims of Hendrix College.

Organizational membership policies and practices must be consistent with the principle of equal educational and employment opportunity without regard to age, race, gender, disability, sexual orientation, gender identity or expression, genetic information, or national origin. A student group must be an officially registered student organization in order to use the Hendrix College name, to be listed in official publications, and to be eligible to receive funds from the student activity fee through the Student Senate. Registered student organizations have priority over unregistered groups in access to campus facilities and media.

Registration Process. Student groups that desire to be officially registered at Hendrix College must submit an application to the Student Activities Office requesting registration of the group. The application must include the following information:

- the name of the organization
- statement of purpose
- membership policies
- names of three student leaders responsible for the organization
- name of the organization's advisor (full-time faculty or staff member)
- a current membership list
- a constitution

After review of this request, the Student Activities Office may grant provisional registration status to the student group until such time as the Committee on Student Life grants final registration of the group. Student Activities will forward the registration to the Chair of the Committee on Student Life, who will then contact the student leaders of the group. Student leaders will be requested to meet with the Committee to discuss their request. Upon approval by the Committee, the Chair will communicate that decision in writing with appropriate documentation to the Student Activities Office, which will then officially register the organization.

Annual Renewal Process. Each student organization must update the following information annually with the Student Activities Office:

- the name(s) of the group's officers/leaders
- the name(s) of the group's advisor(s)
- the group's updated constitution (preferably in electronic format)

Student organizations are subject to review by the Department of Student Affairs and the Committee on Student Life. Official registration may be withdrawn from an organization that fails to meet its objectives and basic responsibilities.

Student Responsibilities Within Organizations. Organizations desiring official registration with the resulting privileges must follow the stated registration policies and procedures. All students in an organization associated with Hendrix College, whether registered or unregistered, will be individually subject to the rules of the College (see the section entitled “Standards of Conduct”) and of the community. Students and organizations are free to support causes by orderly means that neither disrupt the regular and essential operations of the institution nor in any other way violate the rules of the College. Any student has the right to associate freely with off-campus organizations without being punished or in any way harassed for this membership or association. Students and student organizations are free to examine and discuss all questions of interest and to express opinions both publicly and privately. Students may invite and hear any persons of their own choosing. Before a guest speaker is invited to campus, routine procedures should be followed. Facilities should be properly scheduled, and adequate preparation should be taken to ensure the program is conducted in a manner appropriate to the academic community. These procedures should not be used to censor unpopular opinions. The academic and larger community should recognize that in public demonstrations, expressions, or programs, students or student organizations speak for themselves. Sponsorship of guest speakers or programs does not necessarily imply approval or endorsement of the views expressed either by the sponsoring group or the College.

Fundraising by Faculty or Student Organizations. Except as provided herein, all fundraising activities on behalf of Hendrix College must be conducted only under the auspices of the Office of Advancement (OA).

The OA is responsible for coordinating all fundraising except grants related to professional development (e.g., NSF, NEH, residencies, etc.). Charitable support through fundraising is sought from individuals, corporations, foundations, and other private sources. All efforts to seek philanthropic support from these sources must receive prior approval as described below, and shall be coordinated through the Office of Advancement.

All fundraising efforts by administrative departments, academic departments (including individual faculty members) and any student organization must first be approved by the Senior Leadership Team member who is responsible for the area seeking funding. The Senior Leadership member will then seek approval from the OA. Fundraising efforts for athletics must be approved by the Athletics Director prior to being reviewed by the OA. Upon approval by the

OA, all gifts and grants received, except grants related to professional development, must be received and documented by the OA in accordance with their processes and procedures.

Vehicles and Parking

In order to provide a safe and efficient traffic system that ensures the maximum vehicle and pedestrian protection, all vehicles operated on the campus by Hendrix College faculty, staff, and students must be registered with the Office of Public Safety.

Registration

All vehicles must be registered online through your CampusWeb account. Once registration is completed, you can pick up your permit/decal from the Public Safety Office on Washington Ave. The \$160.00 decal/registration fee will be charged to every student's account. Students who do not intend to operate a vehicle on campus will receive a refund of the fee upon completion of a vehicle waiver form, also through your CampusWeb account. If more than one vehicle is to be used on campus, each of the vehicles must be registered. After the purchase of one decal, additional decals may be obtained at no charge. If you submit a waiver stating you will not have a vehicle on campus but are found to be operating a motor vehicle, you will be cited for falsifying your registration in addition to "No Decal/Permit Displayed" violation, your waiver will be reversed, and the \$160.00 decal/registration fee will be charged to your account. As soon as you acquire a vehicle, it is your responsibility to contact the Business Office to have your waiver removed within two business days; otherwise, you will not be able to register your vehicle. Once your waiver is removed, you will be assessed the \$160.00 decal/registration fee. An accumulation of three citations for "No Decal/Permit Displayed" violation could result in your vehicle being towed at the owner's expense and subsequent revocation of campus parking privileges.

To register a vehicle, the following information is required: year, make, model, color, and license number [Example: 1999, Ford, Mustang, red, 123 ABC (AR)].

Decals must be permanently affixed to the left rear bumper or the lower left of the rear window and to the rear fender of motorcycles. Prior to application, make sure that the area is clean and dry. It is not permissible for a decal to be taped or displayed from the vehicle interior.

Temporary registration decals are available from the Office of Public Safety at no charge. These decals are to be used by visitors remaining on campus for more than one day and by students or staff using unregistered vehicles on campus for short periods of time.

Traffic and Parking Regulations

The vehicle owner is responsible for all violations committed by a vehicle displaying the decal issued to the owner. If one loans their vehicle, its proper operation is the owner's responsibility. Persons operating a vehicle on the Hendrix campus are held responsible for acquainting themselves with and obeying the traffic regulations of the College. Vehicles bearing the registration decal on the left rear bumper or window (rear fender of motorcycles) are entitled to use the roadways and parking areas on campus as specified in these Traffic and Parking Regulations.

The lack of a parking space or the lack of knowledge of traffic and parking regulations is not a valid or justifiable excuse for violations of any parking regulations, and will not be considered as a basis for appeal.

Parking

Visitor Parking - Visitor parking spaces are all marked in the Mills Center, Markham Street, Fausett Hall, and Dawkins parking lots. There are approximately 30 spaces reserved for visitors. The visitor spaces for the Dawkins Welcome Center are reserved for visitors 24 hours a day, seven days per week. All other visitor spaces are reserved from 8 a.m. to 5 p.m. Monday through Friday.

Service Parking - Parking will not be allowed in service spaces at any time. Unauthorized vehicles parked in service spaces will be cited and/or towed at the owner's expense.

Reserved Parking - Each Area Coordinator and Head Resident Assistant has a parking space reserved near their residence hall. This is to provide easy access to their vehicles in case of an emergency situation. Unauthorized vehicles parked in these spaces will be cited and/or towed upon request.

Parking on Red Curbs/Fire Lane - Red curbs signify fire lanes and/or sight areas such as an intersection. Parking in and/or blocking a fire lane creates a substantial risk to the safety of the campus. Vehicles parked on red curbs will be cited and are subject to being towed.

Parking on Lawns, Fields or Sidewalks - Parking is prohibited in areas such as the lawns, fields, or sidewalks. Vehicles found parked in these areas will be cited and are subject to being towed. This includes vehicles parked or driven on the lawn while loading or unloading personal belongings.

Double Parking - Double parking is allowed for no more than 15 minutes when loading or unloading a vehicle in a residence hall parking lot. Parking is not permitted in Couch Circle at any time. Double parked vehicles must not be parked in such a manner that they obstruct the flow of traffic.

Disabled Parking - Parking spaces for the disabled are provided for the benefit of physically challenged persons 24 hours a day, seven days a week. Unauthorized use of disabled spaces will result in fines as well as towing.

In addition to state disabled licensing, a Campus Disabled Permit is required on any vehicle registered to a Hendrix College student, faculty, or staff member using disabled parking spaces. The Office of Public Safety will issue these permits to individuals who present proof of a disabled permit or license plate. Such proof shall be the Disabled Person's Access to Parking Application Form issued by the state with the special plate or placards. Temporarily disabled permits are available from the Office of Public Safety and are approved by the Director of Public Safety.

Motor Vehicle Operation

Vehicles operated on Hendrix College roadways and parking lots must be operated in a safe and courteous manner, not to exceed 10 miles per hour, and must yield to all pedestrians. Owners of vehicles observed by Public Safety being operated in an unsafe manner will be referred to the Dean of Students Office for disciplinary action. If it is a Staff or Faculty member, the Director or Assistant Director of Public Safety will contact the appropriate Department Head or Supervisor.

Registration Revocation

Vehicle registration may be revoked for individuals who repeatedly fail to comply with the parking regulations of Hendrix College or as deemed necessary by the Director of Public Safety. An accumulation of 5 or more vehicle operation/parking violations will be deemed a refusal to comply with the parking regulations, and a warning letter will be sent to the owner/operator of the vehicle. After receiving advice and counsel concerning their traffic violations in writing, an individual's continued refusal to comply with the motor vehicle regulations at Hendrix College will be sufficient cause for revoking the registration of the vehicle. Upon evidence of such refusal, the Director of Public Safety will notify the owner/operator in writing that their registration decal has been voided, and that their vehicle is barred from campus. A vehicle with a voided decal will be towed if it is found in the campus parking lots, roadways, or other areas.

Fines

Accumulation of three citations for the No Decal/Permit Displayed violation could result in the vehicle being towed and revocation of parking privileges. All fines are payable at the Business Office in Fausett Hall. The following is the violation fines schedule.

PARKING ON SIDEWALK	\$35.00
OVERLINE PARKING	\$35.00
DOUBLE PARKING	\$35.00
BLOCKING ENTRANCE/EXIT	\$40.00
IMPROPER DISPLAY OF DECAL	\$50.00
RESERVED PARKING	\$50.00
NO PARKING AREA	\$50.00
VISITOR PARKING	\$50.00
DRIVING/PARKING ON GRASS	\$75.00
NO DECAL/PERMIT DISPLAYED	\$80.00
FIRE LANE/RED CURB	\$100.00
ALTERING/MISUSING DECAL	\$120.00
DISABLED PARKING/ACCESS	\$120.00
FALSIFYING REGISTRATION	\$125.00

Appeals

All traffic violation appeals must be submitted in writing within ten (10) calendar days of the date of the citation. Appeals will not be accepted after this time period has elapsed. Appeal forms may be obtained from and returned to the Office of Public Safety. All appeals will be turned over to the Traffic Appeals Committee (which is a subcommittee of the Peer Conduct Hearing Council). The decision of the appeals committee is final and will be recorded on the bottom of the appeal form. The appeal committee will meet quarterly. A copy of the completed form will be sent to the individual filing the appeal, the Office of Public Safety, and to the Business Office.

Recreational Equipment

Vehicles, including but not limited to skateboards, scooters, or skates, may not be used in the interior of buildings, on balconies, catwalks, exterior corridors, or in any areas which may cause injury to individuals or damage to facilities.

This equipment may be stored in student rooms and other designated areas outside the residence halls. Stairwells and lobbies in the College residences are not to be used for the storage or holding of personal items. All personal items brought to campus are to be stored in

student rooms or specially designated areas (e.g., bike racks located outside of residential buildings).

No motorized vehicle or parts of a motorized vehicle may be stored or brought into a building.

Hoverboards are banned from campus.

For policies on bicycles, please see the Bicycle Policy section.

Bicycle Policy

Bicycles

Hendrix College recognizes that bicycles are an important and legitimate means of transportation, provided they are operated with due regard and concern for the safety of the general public.

In order to provide a safe and efficient means of managing a large number of bicycles on campus, all bicycles operated by Hendrix College faculty, staff, and students must be registered with the Department of Public Safety.

Hendrix College assumes no responsibility for the care and protection of any bicycle, attached accessories, or contents at any time.

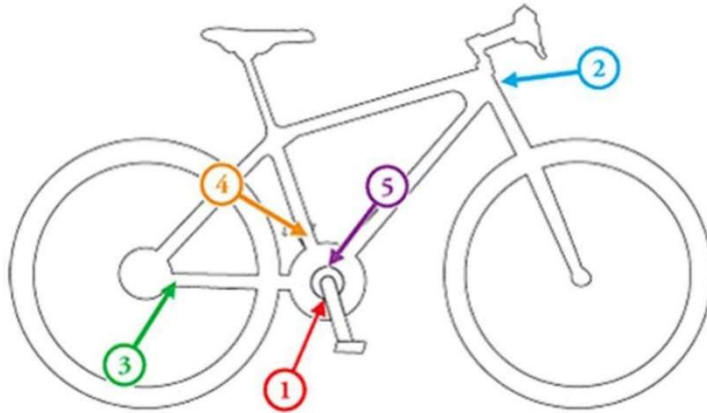
Registration

All bicycles operated and stored on campus must be registered online through your CampusWeb account. Once registration is completed, you can then pick up your bicycle permit at the Office of Public Safety. There is no charge to register your bicycle.

In the event of theft of the bicycle, the Hendrix decal will provide an additional method of identification for use during the investigation. We encourage bicycle owners to file a Conway Police report if their bicycle or accessories are stolen, in addition to reporting the theft to Public Safety. We also recommend checking the Conway Police Recovered Bicycle Inventory at <http://conwaypd.org/index.php/news-information/recovered-bicycle-inventory>

The following information is required to register a bicycle: make, model, color, type, and serial number. [Example: Huffy, Extreme, Red, Mountain, 123456789.]

Locating your bike's serial number



1. Underside of crank
2. Headset
3. Rear stays
4. Seat down tube, next to crank
5. Top of crank

Decals must be permanently affixed to the left side of the down tube, below the seat or to the top side of the top tube of the bicycle. Prior to application, make sure that area is clean and dry.

Decal Placement

Top side of Top Tube

Left side of Down Tube



Bicycle Regulations

The bicycle owner is responsible for complying with all bicycle regulations. Persons operating a bicycle on the Hendrix campus are responsible for acquainting themselves with and obeying the bicycle regulations of the College. Bicycles bearing the registration decal, applied as indicated above, are entitled to use the roadways, sidewalks, and bicycle racks on campus as specified in these Bicycle Regulations.

Operation

- Pedestrians in crosswalks, on sidewalks, and at all other locations designated for pedestrian traffic shall have the right-of-way over bicycles.
- Bicycles shall NOT be operated within buildings, or on the patio/breezeway/ramp areas of campus.
- Bicycles and cyclists shall in all respects comply with applicable state laws and regulations, including but not limited to turn signals, lighting, brakes, lane changing, etc.
- Cyclists are responsible for controlling the speed of the bicycle so as not to endanger any pedestrian.
- Bicycles should be operated so that both wheels remain in contact with the ground at all times.
- A light must be used when traveling at night.
- Bicycles parked on campus must be parked in a bicycle rack.
- Bicyclist must provide right-of-way to vehicles when entering traffic lanes from sidewalks

Prohibited Activities

- No individual shall park, store, or leave a bicycle in such a manner as to cause the said bicycle to block or otherwise impede normal entrance to or exit from any building on campus, or in a manner that constitutes a safety hazard.
- No individual who operates a bicycle on campus shall carry any other individual on the bicycle.
- Bicycles shall not be parked or stored in a walkway, on a sidewalk, in a hallway, on a handicap ramp, or in or near a doorway except where use is made of a parking rack furnished by the College.
- No individual shall operate at night on the campus or streets of Hendrix College any bicycle not equipped with headlight and taillight or reflector.
- Operating bicycles inside residences or buildings is prohibited.
- Chaining bicycles to objects other than authorized bicycle racks is prohibited. Bicycles found improperly parked or secured to inappropriate objects (i.e., light poles, handrails, doors, trees, etc.) may be removed and impounded by the Office of Public Safety.
- No individual operating a bicycle on campus shall in any way attach it to, or cling to a moving vehicle.
- No individual shall operate any bicycle while under the influence of alcohol or drugs.

Fines

Citations will be issued to the owner or operator of any bicycle found to be in violation of any bicycle regulation. The fine for violating any of the bicycle regulations of Hendrix College is \$20.00 for each violation.

Impoundment

Any Office of Public Safety Officer or another person explicitly authorized by the Director of Public Safety may move, relocate and/or impound any bicycle by removal of securing devices as necessary which:

- Blocks or otherwise impedes traffic in any roadway, path or sidewalk, stairway, or handicapped access rail, or creates any safety hazard.
- Is not parked in a bicycle rack.
- Blocks or impedes normal entrance to or exit from any building on the campus.
- Is abandoned or appears abandoned.
- Is reported stolen to a law enforcement agency.
- Impedes the performance of maintenance or construction on College property.

Neither Hendrix College nor Hendrix College employees authorized to remove and impound a bicycle shall be liable to the owner of the bicycle for damage or the cost of repair or replacement of any securing device.

Any bicycle impounded pursuant to any part of this section shall be stored in a secure facility designated for such purpose by the Director of Public Safety.

Release of an impounded bicycle requires payment of outstanding citations. Unregistered bicycles must be registered prior to release.

Weapons Policy

All firearms, explosives, and related paraphernalia are strictly prohibited in the residence halls and on-campus property, including vehicles. This includes, but is not limited to, handguns, B.B. guns, pellet guns, air guns, stun guns, brass knuckles, knives, and any other type of weapon or item that appears to be a weapon.

Hunting rifles, shotguns, bows and arrows, knives with blades longer than six (6) inches, however, must be registered with the Office of Public Safety and be stored under the locked storage system provided by Public Safety. All guns must be unloaded and cased when brought

to the Office of Public Safety. Students who have items in storage who appear under the influence of drugs or alcohol will not be permitted to checkout registered stored weapons.

The possession, sale, and/or use of any type of gun, firearm, fireworks, and other explosives and weapons (including hunting equipment, martial arts weapons, etc.) is prohibited in the residence halls and on campus. Items found in residence facilities will be confiscated and held by Public Safety until a determination is made by the Dean of Students on the return of the item(s). Possession of a weapon or explosive, depending upon potency, can result in the immediate suspension of the student.

Possession of fireworks, toxic chemicals, and gas grills is also prohibited on campus property and in the residence halls.

Key Policy

Keys

In order to provide a safe and secure environment for faculty, staff, and students, all Hendrix College keys are issued and controlled by the Department of Public Safety.

Issue

Requests for student keys must be submitted by the appropriate faculty or staff advisor via the Key Request Form located on the Hendrix College website. The request will be received by the Department of Public Safety for review and processing. Upon completion of processing, the keyholder and requestor will be sent a notice via campus e-mail that key(s) are ready for pick up.

Return

Keys are due for return to the Department of Public Safety based on the due date established by the faculty/staff requestor when they submitted the Key Request Form. Keys must be returned by this date unless the appropriate faculty/staff advisor has submitted a formal request to Public Safety to extend the due date. Keyholders are responsible for knowing when their key(s) is/are due for return. The Business Office will send a reminder if keys are not returned as required; do not ignore this reminder. Keys not returned to Public Safety by the due date will be considered lost, and the keyholder will be assessed the applicable fee(s).

Lost/Delinquent Keys

Lost keys (including keys not returned by the due date) will result in the keyholder being assessed a fine of \$100.00 per key. If a keyholder returns their key(s) after the lost key fine(s) has/have been assessed, they will be refunded 50 percent of the lost key fine per key returned.

Housing Keys

Housing keys are issued by the Department of Public Safety to Residence Life and managed by Residence Life staff. Safety and security concerns resulting from a lost residential room or apartment key require that the room or apartment be re-cored and new keys be issued to residents. Lost housing keys must be immediately reported to Residence Life.

On-Campus Living Policies

Hendrix is a residential campus, and as such all students are required to live on campus until they graduate. A limited number of students are approved each year to live off-campus through the Dean of Students Office. Please see the section “Residence Requirement Exemption.”

Residence Life policies and community expectations contained in this section reflect the belief that everyone living in College-owned facilities plays a role in maintaining a living environment conducive to academic and personal growth. Each Hendrix resident has the right to live in a safe, peaceful, and secure environment. With these rights come the inherent responsibilities to uphold and practice integrity, patience, and respectfulness, which contribute to a healthy living and learning environment.

We encourage you to read the following policies and procedures so that you fully understand and appreciate your rights and responsibilities while living in College-owned and operated housing. Residential facilities refer to halls, houses, or apartments in any facility owned and operated by Hendrix College for which a student has contracted a space. Hendrix College reserves the right to update and/or change policies as deemed necessary.

Rights and Responsibilities

The following outlines your rights and responsibilities as a resident of Hendrix College’s residential facilities. These rights and responsibilities have been created for all residents to enhance the community of their apartment complex, house, or hall. Your ability to enjoy life in the residential facilities will depend on the thoughtful consideration that you demonstrate toward others.

Basic rights of a resident include:

- The right to read, study, and relax free from undue interference in one’s room due to unreasonable noise and other distractions.
- The right to sleep without undue disturbance from guests of roommate(s) and/or other residents.

- The right to expect that a roommate will respect others' personal belongings.
- The right to a clean living environment.
- The right to privacy.
- The right to host guests with the expectation that guests are to respect the rights of the host's roommate(s) and other building residents.
- The right to be free from fear of intimidation and physical and/or emotional harm.
- The right to have free access to one's room and facilities without pressure from roommate(s) and other residents.

Basic responsibilities of a resident include:

- The responsibility to address grievances in an appropriate and timely manner.
- The responsibility to communicate concerns in the event of roommate or resident difficulties. First, address your concerns with the person(s) involved and try to resolve the problem. If unsuccessful, contact your RA and/or your Area Coordinator.
- The responsibility to cooperate in a reasonable manner regarding the use of items shared within a living space.
- The responsibility for the behavior of guest(s) as well as others within the living space.
- The responsibility to act as a mature adult.

Cohabitation

Guest(s) may stay no more than three (3) nights without the permission of the Office of Residence Life. It is a violation for guest(s) to stay 3 nights, leave and return for additional 3 nights without the permission of the Residence Life Office and the roommate(s).

Common Area Responsibilities

Common areas include but are not limited to: hallways, bathrooms, stairwells, lounges, parlors, study rooms, utility rooms, storage rooms, laundry rooms, TV rooms, kitchens, and patios. Furnishings in common areas are for use by all members of the community. Common areas are

provided for the use and benefit of all residents, and should not be monopolized. Residents may not remove furniture from common areas. Students who move furniture from common areas are subject to a fine of \$40 per item, per day.

Sleeping (overnight) in common areas is not permitted.

Spontaneous gatherings in common areas are allowed as long as members of the gathering do not outnumber the room capacity limit according to the Conway Fire Department and all College policies are being observed. The capacity differs from room to room and can be located in each common area, posted on a red sign. All students must be mindful of their noise levels and are responsible for cleaning up after themselves. Because common areas are in residential buildings, noise should be kept to a minimum. The area should be left better than it was found. Damage(s) to common areas will be charged to all residents of a particular wing, floor or living area unless it can be determined who is specifically responsible for the damage(s).

Use of common areas for group activities or social events must be approved by an Area Coordinator or Director of Residence Life seven (7) days prior to the event. Students in charge of the event are responsible for clean-up after the event.

No unapproved, loud, unruly and/or alcohol-related events are permitted in the residence halls. Any residential events, allowed only in designated areas, must have seven-day prior written approval from the Office of Residence Life. Students should register and seek approval of events through their Area Coordinator. Students will be required to close down any event that violates these policies. Students in charge of the event are responsible for clean-up after the event. As explained under the common area spontaneous gatherings in common areas are allowed as long as members of the gathering do not outnumber the room capacity limit according to the Conway Fire Department and all College policies are being observed.

These policies are not intended to define appropriate and inappropriate behaviors in exhaustive terms. In situations not covered by specific regulations, you are expected to use common sense and conduct yourself at all times as a mature, responsible adult.

Violations of Residence Life policies and community standards are grounds for conduct action. For more information, contact your building staff or the Residence Life Office.

Facilities Policies

Repairs and Maintenance. All repairs or maintenance problems should be reported to Facilities Management. On-line work order forms may be found at http://www.hendrix.edu/physicalplant/physicalplant.aspx?id=16490&ns1_mid=178. Facilities Management can also be reached at 501-450-1348. Repairs and maintenance must be performed by authorized personnel only. Residents must report maintenance concerns to Facilities Management in a timely manner. Failure to do so may result in charges being assessed to residents.

Residents may not modify locks, College-owned appliances, plumbing, electrical circuits, or other structural elements of their rooms/apartments or anywhere in the building.

Tapping into cables and College satellite dishes is prohibited.

Facilities Management personnel are permitted access to the living units in order to make repairs. When possible, notice of room entry and completion of work order will be left in room or on exterior door.

Laundry Facilities. Laundry facilities are available in most buildings. All campus residents have access to buildings with laundry facilities. If clothing or belongings are damaged due to machine malfunction or when a machine is inoperable, residents should call the telephone number listed on the laundry equipment. These machines are owned and serviced by an outside company. Residents must follow posted regulations in the laundry rooms. When the laundry cycle is complete, remove your clothes from the machine promptly so that others may have a turn.

Always use the minimum amount of HE detergent necessary for each load. Overuse of detergent causes over-sudsing, under-rinsing, which results in wetter clothes at the end of the wash cycle. Then it will take the dryer two cycles to dry them, and they may be crunchy. Also, don't overload the machines with too big of a load.

Laundry machines are coin-free during the academic year. During other times of the year, the machines are coin-operated.

When you are finished with the washing machines, please leave their doors open. These machines are airtight and will begin to smell if they are not allowed to "breathe" between loads.

Housekeeping. Although our housekeeping staff cleans all common areas during the week, residents are responsible for regularly cleaning their own rooms/apartments. Failure to

maintain living quarters to the expected minimum standard of cleanliness is cause for conduct action and eviction from College-owned housing.

Under no circumstances are trash cans, trash bags or trash to be left in the hallways, outside student rooms/apartments, or in common areas.

A good rule to follow is to pick up after yourself and always leave spaces cleaner than you found them.

Vandalism

Each student is responsible for treating all areas of the residential facilities as a home and keeping them damage-free. Vandalism is prohibited at Hendrix College. Thus, each student is responsible for any damage resulting from acts of vandalism committed by themselves and/or a guest(s). Residents are expected to report acts of vandalism to the Residence Life staff. Damage(s) to common areas will be charged to all residents of a particular wing, floor or living area unless it can be determined who is specifically responsible for the damage(s).

Windows

Window screens are to be fastened at all times. Removing or tampering with the screens is prohibited. Security screens must be kept fastened at all times. Residents are responsible for keeping their window screens in good condition. Screens that are found damaged or missing will be replaced. The cost for replacement will be charged to the occupants of the room or apartment. If screens or windows are vandalized, residents should immediately report the incident to Facilities Management and the building staff.

For safety and security reasons, neither people nor are objects permitted to pass through windows in College-owned or operated residential facilities.

Residents may not install or place any objects, appliances or equipment in or on windows, sills, roofs or ledges. Prohibited objects/equipment include, but are not limited to, satellite dishes, air conditioners, fans, lights, plants, containers of any type, shoes, and clothing.

In order to prevent the growth of mold, windows must be kept closed when the room's air conditioning unit is turned on.

Guest Policies

You are responsible for all actions of your guest(s) at all times. Should your guest(s) violate Residence Life policies, you will be held accountable, and your guest(s) may be asked to leave. You and your guest(s) are contractually responsible for emergency information and policies outlined in this handbook.

Students are responsible for any activity that occurs in their room, whether or not they are present at the time. Do not allow others to use your room without your presence or supervision.

Escort Policy. Each year, each residence hall on campus will have the opportunity to choose its own escort policy. An escort policy is a program that requires that each non-Hendrix student guest be escorted by whomever they are visiting. The above-described escort policy will be in effect during the first two weeks of the school year. After these two weeks, each hall will hold a meeting to explain to students, especially the new students, the possible escort policy options. The hall's president, senator, and Residence Hall Coordinator will lead the discussion at this meeting. Voting by secret ballot will take place the next day in each residence hall as outlined below. All residents of the hall are qualified to vote. A 3/4 majority of the eligible voters is required to pursue the option of an alternative to the escort policy in that residence hall. All votes not cast will be regarded as support for the continuance of the escort policy in that hall which was in place the first two weeks of the school year. If the vote from a hall has a 3/4 majority in favor of an alternative to the existing escort policy, the Hall Council must propose an alternative to the hall that will be voted on within one week of the original vote. A 3/4 majority of eligible voters is needed to approve the alternate policy. As stated above, all votes not cast by those eligible will be regarded as support for the continuance of the existing policy. If the proposed alternative policy does not receive the 3/4 majority required, the hall has the option to suggest a second alternative plan that is to be voted on in one week. If a second vote on an alternative visitation procedure does not produce the 3/4 majority required, the existing escort policy will be in effect for the residence hall. Regardless of votes in each residence hall, the existing policy from the previous year will not carry over to the following school year. Each residence hall must vote yearly on an alternative to the escort policy, as stated above.

If an emergency situation arises during the school year that is a result, in part or totally, of the escort policy that is in effect, the Hall Council must seek the approval of the Dean of Students in order to amend the escort policy that is in effect. Another hall-wide vote (including all current residents) with a 3/4 majority of those eligible to vote for change will be required. If the Dean of Students concludes that an emergency situation exists that is a result of the escort policy in effect, the Dean may determine that said policy return to the default policy for a period of time equal to or less than the time remaining until the end of the school year. Some circumstances

that involve information that cannot be revealed to the community as a whole may warrant such a move. The Vice President of Student Affairs and Dean of Students is not required to provide the reasons that prompted the changes under these circumstances. The time of the suspension of the alternative escort policy may be shortened or lengthened by the Dean of Students, as the Dean deems necessary.

Visitation Policy

Residents are responsible for their guests' actions. The residence hall visitation policy at Hendrix is one that promotes growth of the personal and social responsibilities of each student. By allowing the residents to determine the visitation arrangement best suited for the residence hall, the College recognizes an environment of responsible choice as a fundamental premise of College policy.

At the beginning of the fall semester, residents within each individual residence hall will have the option to adopt either a limited visitation policy or an open visitation policy. Adoption of a visitation policy must occur during the third week of school and will be administered by the Residence Life staff. A 3/4 majority vote of all residents is required to adopt the open visitation policy. Unless and until residents vote to adopt Option II, Option I will be in effect. A neutral (not directly connected to the hall) Residence Life staff member will be present to explain both options and discuss community standards involved with each option before the vote takes place. The decision to switch options may take place after the second floor meetings. A petition for reconsideration of the options must be signed by 1/4 of the hall's residents to call a vote. A 3/4 majority vote is necessary to change options. The detailed descriptions of visitation policy options are as follows:

Option I: Limited Visitation. The residence hall submits to the Office of Residence Life a proposal regarding its visitation hours. The hours requested in each proposal must fall within the following parameters: Sunday-Thursday, 11 a.m. to midnight and Friday and Saturday 11 a.m. to 2 a.m.

Option II: Open Visitation. Students under this option may entertain their guests with the ordinary freedom of private living. There will be no restrictions on the time within which this visitation option may be exercised. However, in order to stay more than three continuous nights, overnight guests must obtain permission from the Office of Residence Life; acts of inconsideration and cohabitation are violations of the visitation policy. Visitors will use the restroom facilities of the hall specifically set aside for guests.

A roommate's right to free access to the room at all times must not be restricted by visitation. A roommate must not be deprived of the right to privacy, study time, or sleep because of a guest.

Thus, all students wishing to entertain a guest must always have the permission of their roommate(s). Such courtesy must always be extended to roommates. If a roommate feels his/her right to free access of the room is being violated, he/she should contact the appropriate Residence Life staff member as in any other roommate conflict situation.

Housing Processes

Consolidation of Empty Spaces

Room consolidation is required of any student with a vacancy in an under-assigned living unit. When a space becomes available in a room, that student has three options:

- 1) move to another room with a vacancy
- 2) accept a roommate who is also being required to consolidate
- 3) buy out their vacant space from the Residence Life Office (see below for details)

If a student ignores or refuses attempted contacts by the Residence Life Office for this purpose, decisions about consolidation may be made at the discretion of the Residence Life Office. Such resistance may result in possible fines and conduct action.

If a student has a vacancy in their living unit, they may contract with the Residence Life Office for a double-as-single room rate at an additional cost of current room charges.

Priority for contracting for double-as-singles will be determined based on the waiting list of the Office, with consideration given to upperclass students first.

Triples which are only occupied by two residents at the time of consolidation may be contracted as triples-as-doubles, provided that the space is available.

If a student ignores or refuses attempted contacts by the Residence Life Office for this purpose, decisions about consolidation may be made at the discretion of the Residence Life Office. Such resistance may result in possible fines and conduct action.

Mid-year Assignments. During the year, it may become necessary to assign new students or to move current residents to different spaces. If the student has not purchased the double room as a single (or triple as a double) but has occupied it alone for an extended period of time, a roommate can be assigned to the space at any time during the semester and the room must be ready to accommodate them at a moment's notice.

Housing Contract

Students will sign housing contracts online via CampusWeb. Keys will only be issued after the housing contract is signed. By signing a housing contract, students commit to on-campus housing for the entire academic year. The agreement is a contract between Hendrix College and the individual mentioned in this document and may not be transferred or assigned to another person. The space assigned may not be sublet. The academic year, with reference to housing, is defined as the day on which the residence halls open at the beginning of the fall semester, through the last day of final examinations at the end of the spring semester. Seniors and specially designated participants in the graduation exercises will be permitted to remain in their rooms until graduation day, at which time they must vacate the facilities.

Check-In. During check-in, each resident is issued a room key and a Room Condition Report (RCR). It is the resident's responsibility to thoroughly examine the room and its contents, indicating the room condition and the absence or presence of its furnishings. This form gives residents the opportunity to document the condition of their room/apartment at move-in and will be used when students move out to note any damages incurred during their stay. Students must complete and sign this form when checking in to their new assignment. Otherwise, it will be assumed the room was in excellent condition at move-in, and all damages at check-out will be assumed to be the responsibility of the resident(s). The signed form should be submitted to the staff of the assigned facility during the day of check-in. Failure to do so will result in a fine, and if applicable, an additional lock change and key replacement fee.

Whenever possible, a staff member will accompany the resident to the assigned space and assist the resident with any questions or concerns as the resident examines the space during the check-in process. No resident will be held responsible for conditions, damages, or shortages which existed prior to the time they assumed occupancy, provided these items are noted on the RCR at the time of check-in. Failure to return the completed form may result in charges for room deficiencies for which the new occupant is not responsible.

All residents must sign a housing contract and are responsible for all policies and procedures listed therein.

Check-Out. Residents are responsible for the condition of their rooms/apartments, including the furnishings and equipment, and will have their room/apartment inspected at the time of check-out for damages that were not present at check-in. Final damage and inspection and charges will be conducted by a professional staff member. The proper checkout steps are listed below.

Vacate and clean your room completely. This includes cleaning the floor, removing trash from the building, and returning the room to the condition it was in at check-in. There is a fee per person, per room left in unacceptable condition. Other charges may apply. Residents must remove all personal belongings from their living space and thoroughly clean prior to their check-out appointment.

Return your key to the staff member responsible for checking you out. This staff member will check the room for damages or missing items. Charges for damages, missing items, and/or items remaining in the room/apartment/common area will be applied to the student's account. Students will be billed for any damages not due to normal wear and tear and for any cleaning or hauling of trash left in the room/apartment/common area.

In individual rooms and apartments, damage charges will be divided equally among all residents unless the person(s) responsible for the damage informs the Residence Life Office in writing that the roommates are not equally responsible for the damage. Damage charges will be assessed by a professional staff member during a room/apartment inspection after residents move out.

Improper Check-Out. Failure to properly check-out will result in a fee. When permanently checking out of a room, residents must make an appointment for check-out at least 24 hours in advance. At the end of the year, you will receive instructions about how to sign up for a checkout time. You must sign up for a checkout time at least 24 hours in advance of your departure. If you do not check out with your RA, a fee of \$75 will be charged to your student account. If a key is not returned, an additional fee will be charged for a key re-core of the room or apartment. Students who leave after scheduled closing times without permission from the Residence Life Office will be assessed a \$75 fee.

Withdrawals and Leaves of Absence. Students who withdraw are dismissed from the College, or leave voluntarily are required to follow proper check-out procedures within 24 hours of their withdrawal, dismissal or leave. Exceptions are determined through the Dean of Students Office.

Abandonment of Personal Property. Personal property left in a living unit after you have moved out, whether by proper or improper checkout, will be deemed to have been abandoned and will be removed at your expense. The College will not be responsible or liable for any losses of or damages to any abandoned property.

Storage

Due to limited space, the Office of Residence Life is not able to provide storage facilities for residents. Residents needing storage space should arrange for a privately owned storage unit in the community.

Residence Hall Government

Individuals who are elected to the offices of Hall Council President, Vice President, Secretary, Treasurer, and Historian, and who submit their housing request forms by the deadline, will be guaranteed housing in their residence hall. Hall Senators, Religious Life Representatives, Multicultural Development Committee Representatives, and Social Committee Representatives are also guaranteed housing. However, the list of Hall Officers must be submitted to the Residence Life Office prior to the room selection process if housing is to be guaranteed.

Residency Requirement Exemptions

Hendrix is a residential college; therefore, students are required to live in Hendrix-owned facilities. Residence Life is part of the College's educational program in the belief that a residential community provides a more effective context for the type of education to which Hendrix is devoted. Students desiring to live off-campus must request exemption status due to a documented disability, financial need or medical need; be married; have dependent children; or, be 23 years of age by the first day of classes. Students may also apply as a regular candidate and will be considered on a space-available basis after other requests have been processed. It is the student's responsibility to provide sufficient documentation to justify exemption status. Students should not sign a lease until they are approved to reside off-campus. Unless they are approved, students are still responsible for all College residence fees. Housing exemptions will not be made after July 1. Off-campus permission is valid for one academic year. Students must request permission on a yearly basis. For more information regarding residency requirement exemptions, please visit the Office of Residence Life.

Returning to Campus Housing

For Spring Semester. Students who were not on campus during the fall semester but are scheduled to return in the spring will receive an email in late November to their Hendrix address with instructions for requesting housing preferences. Every effort is made to accommodate the requests of students as vacancies allow. The Residence Life Office reserves the right to assign students to any available spaces.

While there is not a way to predict an exact number of vacancies in the spring, spaces will open as students leave to go abroad or otherwise. Returning students will be placed on a spring housing list in the order that they reply with their housing preferences. If off-campus housing is preferred, please see the Residency Requirement Exemptions section.

For Fall Semester. Students who were not on campus during the spring semester but are scheduled to return the following fall will receive an email to their Hendrix address before Housing Reapplication begins with instructions for gaining access to the reapplication system. Each returning student is responsible for reapplying for housing. Failure to do so will result in random placement. If off-campus housing is preferred, please see the Residency Requirement Exemptions section.

Room Changes

Room Change. If you wish to change rooms within your current assigned building, you must receive authorization from your Area Coordinator (AC). Please follow the steps below:

- Discuss the situation with your RA. They may be able to help you work out the situation. If not, then email your AC.
- Your AC must approve the room change before you move.
- No room changes may be approved or done prior to the end of the second week of classes.
- Race, national origin, or religion will not be considered in making roommate reassignments.
- If you change rooms improperly, you will be assessed a charge, and you may be required to return to your original room.
- If space becomes available, you will be contacted via email and given instructions on how to properly complete your room change.

Building Change. All requests for change in residential facility will be handled through the Residence Life Office. If you wish to be placed on a waiting list for a room in a different building, you may email your request to housing@hendrix.edu. The requests will be considered on a first-come, first-served basis depending on the building you have requested and the date and time your name is added to the waiting list. If space becomes available, you will be contacted via email.

Unauthorized room changes. Students who wish to make room changes must have prior written approval from the Residence Life Office. Occupying any space other than the one you have been assigned is cause for conduct action, a minimum fine of \$50, and you will also be moved back to your original room.

Room Selection Process

The room selection process for fall returning students' housing typically begins in late February, when students receive an email stating that the instructions for the process have been posted

to the website. The process is divided into three nights based on the year you arrived at Hendrix (your cohort). Each student within each cohort is randomly assigned a draw number. On the whole, super and rising seniors will attend the first night; rising juniors will attend the second night, and rising sophomores will attend the third night. Students will select rooms on their night in draw number order. When it is your turn to select, you will have an opportunity to select any room that has not already been selected. This information will be available each year on the Residence Life website.

New students are assigned based on deposit date and housing application preferences well after returning students have been placed.

The Residence Life Office reserves the right to (1) assign applicants to available spaces; (2) alter any assignment at any time in instances of administrative or conduct action; (3) deny the privilege of housing to any student who has demonstrated behavior which significantly disrupts the residential environment; (4) alter any assignment of any student who has failed to meet the minimum GPA requirement.

The student housing reapplication process begins early in the spring semester when students who request special permission to live in specific on- or off-campus housing assignments make these special requests to the Residence Life Office.

Roommate Preference

If a student wishes to room with a specific student, both students must make mutual requests. Both must be received in the Residence Life Office before their respective deadlines. In most cases, returning students are paired with other returning students as roommates. Whenever possible, first-year students will be assigned to a room with another first-year student. Some transfer students may be assigned to a room with an upperclass student.

Roommate Relations

Roommates who value and exercise mutual respect and consideration for one another are much more likely to have a successful and lasting roommate relationship. An integral part of community living is learning to resolve concerns and issues in an appropriate and effective manner. Dealing with conflict as a student can be challenging, especially when the conflict is with someone you interact with each day. When trying to address a concern or resolve a conflict, here are some things to keep in mind:

- Get to know your roommate and neighbors. This will help you anticipate each other's individual needs and schedules and encourage cooperative behaviors. Become familiar with housing policies, procedures, and resources available to you within your hall.
- Be respectful of others' personal belongings and space, and encourage the same respect toward your space and property.
- When a conflict arises, talk with the other party regarding your concerns. Chances are they may not even know their behaviors are affecting you.
- Try not to procrastinate from resolving the problem. Avoiding conflicts usually means they will escalate and become more difficult to address later.
- Find a time and place when and where you will both be able to comfortably and openly discuss your concerns.
-

If you are uncomfortable speaking with your roommate regarding a conflict, contact someone neutral who can assist you. Resident Assistants are trained in conflict mediation and are willing to help with a roommate conflict, concern, or to discuss your options. In addition, the Counseling Center and the Residence Life Office can be of assistance.

Remember that it is your right and responsibility to be comfortable in your room and make your room a safe and secure environment. If you feel that you are not able to do this, it is your responsibility to speak up and address the issue with the offending parties.

New students and roommates that are new to each other as roommates are required to fill out and sign a roommate contract with their roommate(s). The contract will address standards and expectations for behavior toward one another in regard to sharing a room. The contracts will be distributed by your Resident Assistants and can be revisited at any time to accommodate all roommates.

Keys and Lockouts

Room keys. Each resident is issued one room key. The key is not transferable; the reproduction of keys to the halls and the unauthorized possession, loaning, or distribution of any Hendrix College key is prohibited. When a room key is lost, you will be charged a fee, which will automatically cover the cost to change the room lock and key. If a new key is issued and the original key is found, no refunds will be made.

If you lock yourself out of your room, please follow these steps in the order they are listed.

1. Call your roommate(s).

2. Ask your RA to open your door.
3. Ask another RA in the building. Between 9 p.m. and 8 a.m., ask the RA on duty.
4. Ask your Area Coordinator. Between 8 a.m. and 5 p.m. on weekdays, you can stop by the Residence Life Office.
5. Call Public Safety at 501-450-7711.

ID Cards. Your student ID card will allow you to access the exterior door of your residential building (except for College-owned apartments and the Language House). All residence halls have been wired with a keyless card reader entry system. Tampering with, disabling, or destroying the card readers, motion sensors, and door alarms is a serious issue that may impact the safety and well-being of students. Students found damaging or tampering with card readers or alarms will be subject to conduct action.

Students are required to carry their identification cards, which are issued free of charge when entering Hendrix College, at all times and to produce or surrender them when requested by College officials. Student ID cards are the property of Hendrix College and are a primary means of maintaining a secure campus environment. They may not be transferred to another person or possessed by another person.

When an ID card is lost, a new card will be issued for a fee of \$25.00. Broken ID cards will be replaced at no cost, provided the student is able to turn in the pieces of the original card.

Personal Property

Although many precautions are taken to maintain adequate security for you and your guests, you should not discount your role in security. Security must begin with YOU. You should be careful not to allow non-residents to follow you into your hall or house. You should remember to lock your room/apartment door whenever you are away from your room/apartment, even if for a minute. The College cannot be held responsible for articles that become lost, misplaced, stolen, damaged, or abandoned. The College and/or Residence Life Office assume no responsibility for loss or damage to personal property for any reason. The College and its insurance carrier do not assume responsibility for the loss or damage to articles and personal property that occurs in its buildings or on its grounds. Residents should seek coverage for their personal belongings through their parents' or guardians' homeowner's policy or individual coverage from a company that offers this type of insurance.

Recreational Equipment

Vehicles, including, but not limited to skateboards, scooters, or skates may not be used in the interior of buildings, on balconies, catwalks, exterior corridors, or in any areas which may cause injury to individuals or damage to facilities.

This equipment may be stored in student rooms and other designated areas outside the residence halls. Stairwells and lobbies in the College residences are not to be used for the storage or holding of personal items. All personal items brought to campus are to be stored in student rooms or specifically designated areas (e.g., bike racks located outside of residential buildings).

No motorized vehicle or parts of a motorized vehicle may be stored or brought into a building.

For policies on bicycles, please see the Bicycle section.

Pets and Other Prohibited Items

In compliance with fire and safety codes, the following appliances are not approved for use in any residential facility:

- Hoverboards
- Halogen lamps
- Cooking appliances with an exposed heating surface
 - *College-provided stoves in apartments are the only exceptions.*
- Space heaters
- Refrigerators larger than 5.4 cubic feet
 - *A fridge with a very low electrical draw and a high energy star rating is recommended.*
 - *College-provided refrigerators in apartments are the only exception.*
- Microwave ovens larger than 1.5 cubic feet

Other materials that are prohibited from use in residential facilities include:

- Flammable liquids and chemicals
- Cut Christmas trees or boughs
- Candles or other items with a wick, lit and unlit
- Incense, lit or unlit
- Halogen or quartz light bulbs and lamps
- Extension cords without circuit breakers
- Firearms and fireworks

Prohibited practices involving fire safety include: any modification of existing electrical equipment such as outlets, light fixtures, wiring, etc.; running electrical cords under carpeting; running electrical cords through a doorway or window; connecting high wattage appliances or other electronic equipment to outlets by extension cords that do not contain breaker switches; decorating a student room by hanging or placing items such as tapestries, flags, or posters on the ceiling or in a way which covers vents on appliances or electronic equipment; overloading an electrical outlet; any practice which constitutes a fire hazard (i.e., careless use of smoking materials, etc.).

Pets

For health and sanitation reasons, no animals, reptiles, or pets, including laboratory specimens, are permitted in College-owned residential facilities. This includes pets of guests or visitors who may be present in the building for a short time. This policy does not apply to fish in a tank of 20 gallons or smaller. Pets will be removed from the building, and the owner(s) will be subjected to disciplinary action and a minimum fine of:

- \$50.00 per pet, per day
- Current flea treatment charge
- Cleaning/damage/replacement costs attributed to the presence of the pet

Satellite Dishes

The installation of television satellite dishes to College-owned apartments is prohibited.

All College-owned apartments are pre-wired for cable television, and students may obtain this service through the Conway Corporation, the city's cable TV provider. The installation of satellite dishes and coax and related equipment can cause damage to roofs, eaves, and walls of apartments.

Quiet Hours in All College-Owned Facilities

An atmosphere conducive to normal living and studying must be maintained 24 hours a day in all living areas. As a courtesy, loud televisions, stereos, and radios, as well as boisterous and excessively noisy activities such as of amplified musical instruments and drums, are expressly forbidden at all times.

Hall Council members will conduct a quiet hours vote during the first week of fall opening with the minimum requirement of 70 hours per week. During quiet hours, radios, televisions, stereos, and the like will be turned to a low volume. Singing, loud talking, and other noisy activity will be expected to cease.

Prior to each building's elections, each residence facility will observe Quiet Hours from 10 p.m. until 8 a.m. on days preceding classes and from 1 a.m. until 8 a.m. on days not preceding classes. All residents must refrain from causing any noise or disruptions that could infringe on other students' rights to study or sleep during these times. The general guideline is that noise from one's room or apartment should neither be audible outside the door nor in adjacent rooms. At other times, all residents and guests must be sensitive to their neighbors, who may need quiet during times other than Quiet Hours.

During final exam week, 23 ½-hour Quiet Hours will be enforced beginning at 8:00 p.m. on the last day of classes. Programs taking place in the residential buildings may only be scheduled during this break as long as the 23.5 Hours of Quiet policy is in effect. Any conduct at any time that is disruptive to normal order and disturbing to other residents is cause for conduct action. The first responsibility for enforcement/observation lies with individual residents. Residence Life staff will assist in the observance of regulations. Violators will be subject to the denial of certain privileges that may include the confiscation of certain equipment (stereos, etc.) and/or dismissal from the residence hall.

Quiet Hours during academic holidays are the same as above. The building staff will post quiet hours during breaks. Students attending College functions in facilities adjacent to housing facilities are expected to be courteous at all times.

Responsibility For Your Room

The College provides basic room furniture. No alterations are to be made to this furniture, and no structures are to be built on which furniture pieces will be placed. You may loft your furniture by means of the headboard/footboard pieces and bunking pins provided, but may not build or use any sort of platform or item with the intention of using it for this purpose. Beds may not be triple bunked. Mattresses must be on a bed frame – never resting directly on the floor.

As College-owned furnishings meet our safety standards, and storage space is non-existent, residents may not remove furniture from rooms/apartments or put it in the hallway. Furniture items that are damaged and/or missing from rooms at the end of the year will be charged to all occupants of the room at the replacement rate. Additional furniture brought into the room must be freestanding and clear of all existing fixtures, heaters/ air conditioners, windows, window screens, and mechanical equipment.

Closet doors must be left attached.

Residents may not paint any part of their room, apartment, furniture or equipment. Contact paper is also prohibited as it is difficult to remove and will cause damage. Residents may not add any flooring that will attach to the provided floor covering.

Students should be careful when removing anything adhered to any painted surface. Even though some products claim to remove safely and easily, they do not always live up to their word. Any paint damage caused by the removal of any adhesive product will be charged to the student. Stickers and decals may not be applied to windows, furniture, walls, or doors. Dartboards are prohibited. No decorations of any kind should be placed on or hung from the ceiling. Additionally, no decorations of any kind should be placed between the glass and blinds on windows. Any curtains should be located on the side of the blinds facing the interior of the room. Items visible from a window that are inappropriate or offensive will be subject to removal. Also, no decorations of any kind may be placed across hallways or walk spaces. Residents may not use any object in such a manner which creates a hole, no matter the size, in any wall, ceiling, or piece of furniture provided.

All decorations should reflect College standards and values and comply with College policy.

Right of Entry

The College respects an individual's right to privacy; however, authorized College personnel may enter student rooms/apartments without notice for the reasons listed below:

- For normal maintenance of College property
- To inspect for or make necessary repairs to rooms/apartments and equipment
- To verify occupancy
- Where there is determined to be imminent danger to life, health, safety, or property
- To ensure that health and safety standards are being met
- When breach of College policies is suspected

The College reserves the right to search a student's room without notice when it is deemed necessary for the safety or the security of its residents. Any search of residence hall rooms conducted by the College will be carried out only with adequate cause and with authorization of the Dean of Students, Assistant Dean of Students or their designee. Resident(s) of the room are allowed to be present at the time of the search, though they may be asked to stand in the hallway or another designated area so as to not hinder the search. Otherwise, the students will be notified as soon as possible after the search is completed. The College also reserves the right to search a student's vehicle parked on campus when it is deemed necessary for the safety and security of the campus community.

Authorized personnel must carry appropriate College identification and show it upon student request.

Facilities Management Personnel. Two uniformed, ID-carrying Facilities Management staff members may enter a student's room/apartment to make requested repairs. When possible, notification of the entry and work performed will be left in the room/apartment if entry is made when the resident is not present.

While fulfilling their administrative responsibility to enforce College regulations, members of the Office of Residence Life staff may enter student rooms at any time.

An inspection of residence hall rooms will be conducted at least once each semester to ensure the observance of basic safety, fire and health standards, and to recover College furniture not issued to the student rooms. A one-day notice will be given for this type of room inspection. If the resident is not present during the inspection, the Residence Life staff member will be accompanied by another member of Residence Life.

In cases of emergencies, staff members may use a master key to enter the room/apartment. As a matter of courtesy, staff members will always knock on the door, announce who they are, and ask to enter the room/apartment. If there is no response or an unusual delay in opening the door, the staff member may use a master key to enter the room/apartment. The master key cannot be used to enter a student's room/apartment to retrieve personal property. College personnel will not grant access to student rooms/apartments to friends, relatives, or other students without written request from the student.

Where vacancies exist in a room/apartment, such vacancies may be shown to prospective occupants when accompanied by a member of the staff. Insofar as is reasonable, advance notification will be given.

Safety Policies

The policies in this section of the student handbook are specifically designed to increase safety and outline safe procedures for our students. Safety is always our first priority. Students who ignore safety guidelines or place other students in harm's way with their actions will be subject to strong disciplinary action.

Students who have concerns about their safety should contact our Office of Public Safety immediately. It is important that students understand that some individual actions have an

impact on safety for the entire community. We need students to work with each other and with the extended Hendrix community to create a safe home for all. All crimes should be reported to Hendrix Public Safety at 501-450-7711.

Building Security

Security is primarily the responsibility of the student. Hendrix Public Safety Officers make regular rounds checking residential facilities' exterior doors. Tampering or disabling exterior door security/access systems will result in conduct action. For your safety and the safety of others, please follow these guidelines:

- Do not prop or block exit doors or doors leading to fire exits and/or fire escapes.
- Close any door that you find propped open. (After doors have been propped a certain amount of time, a loud alarm will sound.)
- Do not allow strangers to enter the residential facilities.
- Escort guests at all times while in the residential facilities.
- Report any unescorted nonresidents to Public Safety.
- Report any security issues to the Residence Life staff and Public Safety.
- Close and lock all doors when leaving your room/apartment and residential facility.

Fire Equipment Tampering Policy

Any misuse or tampering with fire extinguishers, alarms, or equipment jeopardizes residents' safety and should be reported immediately to Public Safety or a Residence Life staff member if the event occurred in Hendrix College-owned housing. Fire equipment includes, but is not limited to, room and hallway smoke detectors, exit signs, fire alarms, breaker panels, fire extinguishers, etc. Students are reminded that removing batteries from smoke detectors is a violation. Report any problems with fire equipment to Public Safety or a Residence Life staff member if in Hendrix College-owned housing.

Tampering with fire safety equipment in a residence hall, such as covering a smoke detector, is cause to initiate a room search. The penalty for tampering with fire safety equipment is a fine up to \$200 per resident in the space in which the safety equipment is located. If a smoke detector appears to be malfunctioning, the student should immediately submit a Facilities Work Order Request Form. When submitting the form, choose "smoke detector" as the issue. If the request is submitted after hours (such as Monday through Friday after 5 p.m., on the weekends, or during holidays), then the student should also call Public Safety at 501-450-7711 to report the problem.

Fire Safety Equipment, Procedures, Prevention

Equipment. It is a serious offense to tamper with fire safety equipment. Individuals who are found tampering with the fire alarms, extinguishers, smoke detectors or other fire prevention equipment or pulling the fire alarm under false pretenses will be subject to swift and decisive disciplinary action with eviction from College-owned housing being the most viable sanction. Do not tamper with the fire/life safety equipment.

Fire extinguishers are located throughout the residence halls and apartment buildings. They are to be used only in the event of a fire. They are considered fire equipment and are not to be disturbed. Do not tamper with the fire extinguishers or use them for anything other than to extinguish a fire.

Exit signs are located strategically throughout the buildings. Their purpose is to indicate exit routes, particularly in emergency situations. Do not remove or tamper with any of these signs.

Evacuation. Specific evacuation procedures for each building will be explained by the Residence Life Staff at the first floor meeting and are posted in the building. When the fire alarm sounds, the building must be thoroughly and immediately evacuated with no exceptions. Failure to do so may result in Conduct Action.

After the fire alarm sounds, Public Safety is automatically notified. Do not panic. Please familiarize yourself with the emergency procedures for your building as soon as you move in. Follow these simple instructions:

1. Turn off room lights except for ceiling light. Leave blinds (and curtains) open.
2. Close windows and lock door.
3. Grab a coat, shoes, and a towel to cover your face and head and leave in an orderly fashion as instructed in the evacuation procedures.
4. Walk quickly and quietly and use the closest exits.
5. Stand away from the building at the designated area. The Residence Life Staff will inform students when they may return to the building. Deliberately remaining in a building during an evacuation is a danger to yourself and to others who will enter the building to find you. This policy also applies to fire drills. Students found in buildings when a fire alarm is active may be subject to Conduct Action.

6. The Residence Life Staff will check each room to make certain that everyone has evacuated (as the nature of the emergency permits).

If a fire is outside your room/apartment and it is unsafe to exit:

1. Crack a window and remain near the opened window.
2. Hang a bed sheet or any large light-colored cloth out the window. This will signal your location to emergency personnel.
3. Keep close to the floor and near the outside wall. Remember, smoke rises.
4. Do not panic. Remain calm and cooperate with the staff and emergency personnel during emergencies.

Prevention. The best fire safety starts with prevention. To prevent fires and accidents, residents must use common sense and follow these simple guidelines:

1. Smoking is prohibited in College-owned buildings and on campus. (See Hendrix Smoking Policy)
2. Completely extinguish matches before discarding them.
3. Use only UL-approved electrical appliances. Use caution when using these appliances. Do not leave electrical appliances unattended.
4. Halogen lamps are not permitted in College-owned housing facilities.
5. Make certain that materials used for decorating purposes are fireproof or fire retardant.

Open flames of any type, including candles, the burning of incense, coals, possession of combustible chemicals including propane and other fuels, and the use of multiple (“octopus”) electrical adapters, appliances with frayed wires, and ungrounded electrical appliances are not permitted inside residential facilities. For a complete list of items and practices prohibited in residential facilities under the fire code, please refer to the Electrical Appliances section.

Prohibited practices involving fire safety include: any modification of existing electrical equipment such as outlets, light fixtures, wiring, etc.; running electrical cords under carpeting; running electrical cords through a doorway or window; connecting high wattage appliances or other electronic equipment to outlets by extension cords that do not contain breaker switches; decorating a student room by hanging or placing items such as tapestries, flags, or posters on the ceiling or in a way which covers vents on appliances or electronic equipment; overloading an electrical outlet; any practice which constitutes a fire hazard (e.g., careless use of smoking materials, etc.).

Residents are not permitted to leave belongings in the hallways, stairwells, and/or common areas as this creates an obstacle to safe access to and from the building.

A fire drill is conducted at least once each semester for each residence hall and house. All persons in the building must participate in the drill and evacuate the building. The purpose of the fire drill is to acquaint residents with a rapid and orderly means of exit during an emergency. Participation in fire drills is mandatory. Residents who do not comply with this procedure are subject to conduct action. Residents are to follow evacuation procedures as listed above.

Fire Safety policies will be enforced through casual observation and announced periodic fire safety inspections of residential facilities by Residence Life staff. Materials and items prohibited from campus that are found in residence hall rooms will be confiscated, receipted, and held in a secure place until the owner safely removes them from campus at the time of check-out. Violations of this policy will be addressed through the College conduct process.

Inclement Weather

The route to your building's safety area is posted in each building. You should familiarize yourself with the location before bad weather sets in. It is advisable to prepare an emergency disaster kit that can be grabbed at a moment's notice. In your kit include the following:

- flashlight/batteries
- extra set of clothing/shoes
- bottled water
- medication
- blanket
- poncho
- protein bars/chocolate/ hard candy
- battery-powered radio

Keep in contact with your RA for special instructions as they occur. In case of high winds or hail, stay away from windows or glassed areas. Remain in the building until instructed to report to the evacuation site and keep your emergency kit with you.

If a tornado warning siren sounds, grab your kit, lock your door and go immediately to your designated safety area. Notify the person in charge of any special medical needs. Stay in the designated area until the “All Clear” siren has sounded, or you are notified of your safety by a member of the Residence Life Staff.

After the storm, check for damages, water leakage, etc. and report them immediately. Be extremely careful of flooded areas, contaminated water, fallen power lines, and other hazardous conditions attributed to the storm.

Missing Persons for Students Residing On-campus

If you are concerned about a potential missing student, please contact the Hendrix Public Safety Office immediately at 501-450-7711. If a student is reported potentially missing to you, then you must report this information to Hendrix Public Safety immediately. The Public Safety office will work with Student Affairs to make contact with the missing student and to identify their most recent contact points on campus (card access, meals, class attendance, etc.).

If we are unable to make contact with the missing student within a reasonable timeframe (up to 24 hours from notification), the College will notify the confidential emergency contact and Conway Police Department within 24 hours of the determination that the student is missing.

All students may designate an emergency contact person. On-campus students complete an emergency contact form when they check into their housing assignment. Off-campus students are encouraged to contact the Residence Life Office to complete an emergency contact form. Students residing on-campus have the option to designate a confidential emergency contact person for missing person investigations only. A student’s confidential contact information will be accessible only to authorized campus officials and law enforcement in the course of the missing person investigation. If the student did not designate a confidential emergency contact for missing person cases, then the general emergency contact persons will be contacted. If the student is under 18 and not emancipated, then the custodial parent or guardian will be contacted in addition to any other emergency contacts listed.

Emergency Response and Evacuation Procedures

Notification

In the event of the confirmation of a significant emergency or dangerous threat to the health or safety of our campus community, Hendrix College will contact the campus community through our H-Alert text message system. All students, faculty, and staff members are automatically enrolled in H-Alert as long as they have provided the institution with a cell phone number. Campus members can contact the IT HelpDesk if they have any questions about their enrollment in the system. Community members are able to “opt-out” of the program but are discouraged from doing so because of the emergency notification system. Because H-Alert has limited character capability, an email may follow the initial text message with additional details as necessary. Community members who encounter an emergency or dangerous situation are encouraged to contact Public Safety (501-450-7711) immediately.

The Institutional Emergency Process

1. The College will work swiftly to confirm that there is a significant emergency. Public Safety will investigate the report to confirm the situation and activate the notification system and the crisis communication team. In the event of a weather emergency, Public Safety will be notified by state weather officials that an emergency exists and will send the alert to the campus. All campus members should contact Public Safety if they encounter a dangerous situation.
2. Once confirmed, the crisis communication team will determine which portion of the campus community is affected by the emergency and alert that segment of the population. In most cases, the alert will be sent to the entire community.
3. The crisis communication team will work with Public Safety to determine what information will be contained in the text message. The alert may just provide information, but may also provide specific directions to shelter or to stay away from a particular space on campus.

After confirmation of a significant emergency or dangerous situation, Hendrix College will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the

professional judgment of the responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Campus Emergency Response Team

The Office of Public Safety (David Bugh, Interim Director)

The Dean of Students Office (Jim Wiltgen, Dean of Students)

The Crisis Communications Team (Rob O'Connor, Amy Forbus)

Facilities Management (Sharron Russell)

In the event of a specific emergency related to the following areas:

Medical Officer (Necie Reed)

Technology Officer (Sam Nichols)

Food Services (Mike Flory)

Shelter and Evacuation (Jim Wiltgen)

Hazardous Materials (Shelly Bradley)

Trauma Support (Mary Anne Seibert)

Legal Officer (W. Ellis Arnold III)

Providing Emergency Information to the Larger Community

Parents and guardians are welcome to sign up for H-Alert information through the campus web portal. Hendrix Public Safety will work with other law enforcement agencies in the city and state as appropriate. The Crisis Communication Team will work with local information agencies to disseminate information that is appropriate for the larger community.

Testing the Emergency Response and Evacuation Procedures

Hendrix College conducts tests of the H-Alert system on an annual basis during the first month of classes. At the discretion of the College, we may select to conduct subsequent tests as needed. Evacuation drills of the residence halls are scheduled and conducted each semester by the Office of Public Safety in cooperation with the Residence Life Staff. Evacuation routes are posted in each facility. The emergency response team will also conduct exercises each year and participate in community emergency response exercises. The emergency response team will meet on a regular basis to review testing, materials, and drills.

Hendrix College will publicize our procedures and testing processes to the campus community each year through the email system and in Hendrix Today.

Hendrix College will track each of our emergency tests, which will include a description of the exercise, date of test, timing of test (start to finish), category of test (announced or

unannounced) and will keep this information on file for seven years. H-Alert testing will be tracked by the Communications office, and other evacuation drills will be tracked by Public Safety.

HENDRIX COLLEGE SAFE SHELTERS

Acxiom Hall – Basement hallway, lower level, south end
Art Building A – Men’s & women’s restrooms
Art Building B – Art A’s men’s & women’s restrooms
Art Building C – Art A’s men’s & women’s restrooms
Bailey Library – Snoddy study carrels and northeast stairwell
Brown House – Stairwells or bedroom closets
Smith House – Stairwells or bedroom closets
Dickinson-McCreight House – Stairwells or bedroom closets
Cook-Browne House – Stairwells or bedroom closets
Buhler Hall – First floor interior hallway or stairwell to bike room
Cabe Theatre – Voms (entrance to theatre beneath theatre seating)
Clifton Apartments – Bathroom
Dawkins Welcome Center- First floor long hallway
Front Street Apartments – Lower level bathroom
Huntington Apartments – Lower level bathroom
Couch Hall – First floor stairwell or interior hallway
Ellis Hall – Basement or evacuate to Fausett Hall
Fausett Hall – North or south stairwells or basement
Galloway Hall – Stairs, restrooms, closets, hallways
Greene Chapel – Stairs, restrooms
Hardin Hall – First floor restrooms, north stairwell, closets
Hendrix Corner A – First floor bathroom, stairs
Hendrix Corner B – First floor bathroom, stairs
Hendrix Corner C – First floor bathroom, closets
Young-Wise Memorial Stadium – Evacuate to WAC
IT Building – Interior hallways
Language House – Hallways connecting bedrooms, north bathroom
Marketing Communications – Kitchen area and adjacent hallway
Martin Hall – First floor lobby, hallways
Miller Creative Quad – North and South Stairwells
Mills Center – Lower floor corridor or lower floor interior space
Murphy House – Stairs and bathrooms

Facilities Management Offices, Shops – Restrooms
Public Safety – Interior hallway
Raney Hall – Hallway, stairs, study room (overflow housing)
D.W. Reynolds Life Sciences – Anywhere in interior basement hallway
Staples Auditorium – Stairs and restrooms
SLTC – Bathrooms and hall outside bathrooms
Sturgis Athletics Center – Interior east-west hallway
Tennis Center – Evacuate to Sturgis Center
Trieschmann Hall – Basement hallway, practice rooms
Veasey Hall – Hallways, bathrooms
Village C Apartments – First floor stair or apartment bathroom
Village D Apartments – First floor stair, apartment bathroom, hallways
Market Square South – First floor stairway, hallways, bathrooms
Wellness and Athletics Center – Any first floor dressing room

EMERGENCY PROCEDURES

EMERGENCY

Hendrix Public Safety 1-501-450-7711

Conway Police 9-911 (from campus phones)

GETTING INFORMATION

During an emergency, information will be distributed to the campus community via:

H-Alert

Campus email

Hendrix College Facebook and Twitter

CodeRED

(a free service; to sign up, visit www.faulknercounty.org)

WHAT TO DO



CAMPUS INCIDENTS

Call 1-501-450-7711 to report the emergency. Be prepared to answer the following questions:

- › Location of the incident
- › Nature of the incident
- › Nature of any injuries
- › Description of the person(s) involved
- › Location of perpetrator, if known
- › Direction of travel of perpetrator, if known
- › STAY CALM and don't hang up



FIRE

- › Upon discovering a fire, close the door to the room where the fire is located and immediately activate the building fire alarm
- › Call 911 and give specific location of the fire, then call 1-501-450-7711.
- › When an alarm is activated, everyone must leave immediately in a calm manner, even if there are no immediate signs of a fire
- › Do not use elevators
- › If in a residence hall, put on shoes and a jacket before leaving the building
- › Evacuate to a distance of at least 300 feet and follow directions provided by building coordinators and/or emergency personnel
- › Do not return to the building until instructed to do so by Hendrix Public Safety or other proper authority



TORNADO OR OTHER SEVERE WEATHER

- › We recommend that you sign up in advance for Code Red Weather Alerts, a free service of Faulkner County, at www.faulknercounty.org
- › Tornado Watch: Tornadoes possible; no immediate danger; remain alert for passing storms
- › Tornado Warning: A tornado has been sighted or indicated by weather radar. Sirens will sound if a tornado is in or near Conway. Danger exists – move to your designated area of safety, usually on the lowest floor of the building and away from windows
- › Severe Thunderstorm: Remain in a safe place indoors; stay away from doors and windows
- › Ice/Snow Storms: Operations will continue while students are on campus – in the rare event that campus is closed and classes are canceled, you will be notified by H-Alert
- › Use your best judgment regarding travel: If you can't travel safely, don't travel!



INTRUDER/ DANGEROUS PERSON

- › If you see any dangerous or suspicious persons or activity, call Hendrix Public Safety at 501-450-7711.
- › Remain calm and do not engage the intruder
- › If a firearm is observed or discharged, DO NOT move toward the incident, if it can be done safely, quickly move away from the area and call 911, then call 1-501-450-7711 immediately to report the incident and its location
- › If in a building
 - › Leave if you can do so undetected. Otherwise, remain out of sight behind cover and shelter in place
 - › Remain calm and turn off cell phone vibration and ringer
 - › If with a group, one person should call 1-501-450-7711 to report your location, where the danger is, and the condition of the others
 - › Remain where you are until the danger has passed, emergency personnel are on the scene, or instructed to leave by law enforcement.

Rev updated 12/2014/2015

Academic Integrity Policy

The Hendrix College Academic Integrity policy can be found at the following link:

[https://www.hendrix.edu/Catalog/2019-2020/Academic Policies and Regulations/Policies and Appeals/Academic Integrity/](https://www.hendrix.edu/Catalog/2019-2020/Academic%20Policies%20and%20Regulations/Policies%20and%20Appeals/Academic%20Integrity/)

Hendrix Name, Seal, & Logo

A strong brand is an asset to the institution and a reflection of our reputation and high standards. Using the official Hendrix College symbols (e.g., name, seal, logo) in an appropriate and consistent manner will strengthen our brand. Hendrix introduced a new graphic image in Fall 2004 and updated it in 2015. Hendrix uses Orange 158 in the Pantone Matching System as its official color, along with black. Our brand guidelines are online at www.hendrix.edu/graphicidentity.

The Seal of the College appears on official documents (e.g., diplomas, transcripts), on the College banner, on the President's Chain of Office, and is used for other ceremonial purposes. The Vice President for Marketing Communications must approve any other use of the Seal. To protect the integrity and value of the College's graphic identity and to maintain consistent quality standards, all proposed uses of the symbols of the College should be reviewed by Marketing Communications. Marketing Communications staff members are happy to answer questions about appropriate use of the symbols of Hendrix.

Community Contract

Reaching your best self at Hendrix requires personal commitment and active engagement. I, as a Hendrix student, understand that I am responsible for knowing the information contained in the College course catalog and the Student Handbook. I also understand that I am responsible for the following commitments:

A. Hendrix students are expected to attend ***class in accordance with the catalog and individual course syllabi***. Students who regularly attend class have a better learning experience with stronger connections to their professors and their peers. Active engagement in class is essential

to academic success; chronic absences typically result in reduced academic achievement, including failing grades.

B. Hendrix students are expected to use, and respond to, official communication from the College (email, phone calls, and texts). Difficulty in accessing or utilizing Hendrix email or the website should be reported to the Media Center (SLTC first floor) or helpdesk@hendrix.edu. Students will be held responsible for information communicated via official mediums.

C. Hendrix students are expected to tend to their own mental and physical health. Campus health resources are available for short-term conditions. Persistent or chronic health problems may require care beyond the campus resources. Students should discuss academic options with their advisor, professors, or the Office of Academic Success if persistent health concerns impact their ability to complete educational tasks.

D. Hendrix students should respect the educational environment of the community. The richness and diversity of the campus community is a defining factor at Hendrix, and students, staff and professors are protectors of as well as contributors to that community. Behaviors that interfere with the educational pursuits of others may result in administrative action.

A portion of this code of conduct was reviewed by Brett Sokolow from the National Center for Higher Education Risk Management (www.ncherp.org) in 2008. Some of the language may be proprietary and copyrighted. It is licensed to Hendrix College for its use and publication, but all other uses and copying of NCHERM work product are prohibited without express permission from NCHERM.

If you believe you have experienced gender-based violence:

1. Get to a Safe Place Quickly - If the perpetrator is still in the area, or their presence on campus is threatening, call the Hendrix Public Safety Department (501-450-7711), the Conway Police Department (911), or use a blue light emergency phone.

2. Contact Someone to Help - Contacting a supportive friend or family member, or a professional resource can be helpful when recovering from gender-based misconduct.

On-campus resources:

Hendrix College Public Safety – 501-450-7711 (24/7)
Counseling Services – 501-450-1448 (there is no charge for this service)
Hendrix Health Services – 501-450-1448
Chaplain's Office – 501-450-1263
Hendrix Title IX – title9@hendrix.edu, 501-505-2901
Dean of Students Office – 501-450-1222
Residential Life Professional Staff – 501-450-1416

Off-campus resources:

Arkansas Crisis Center – 1-888-274-7472
Rape Crisis Hotline – 501-801-2700 or 877-432-5368
Hope Rainn National Sexual Assault Hotline – 800-656-4673
Faulkner County Prosecuting Attorney's Victim Services Center – 501-450-3051
National Center for Victims of Crime – www.victimsofcrime.org
24-hour Conway Women's Shelter Crisis Hotline 866-358-2265
Arkansas Legal Services Partnership at 800-952-9243 or <http://www.arlegalservices.org/> for legal assistance

3. Preserve Physical Evidence – In addition to getting to a safe space, the College encourages individuals to preserve all evidence to assist the individual with their options of reporting. Preserving evidence may help prove an offense occurred and aid in obtaining a protection order. The following are tips for preserving evidence:

General Tips:

Do not alter, dispose of, or destroy any physical evidence.

- If there is suspicion that a drink may have been drugged, inform a medical assistance provider and/or law enforcement as soon as possible so they can attempt to collect potential evidence (e.g., from the drink, or through a urine or blood sample).
- Preserve evidence of electronic communications by saving them and/or by taking screenshots of text messages, instant messages, social networking pages or other electronic communications, and by keeping pictures, logs, or copies of documents that relate to the incident and/or respondent.
- Even if complainants choose not to make a complaint regarding sexual misconduct, they should nevertheless consider speaking with **Hendrix Public Safety** or other law enforcement to preserve evidence in the event that they change their mind at a later date.

Specific to Sexual Assault:

- Do not change out of the clothing you were wearing at the time of your assault. If you must change, place your old clothes in a paper bag and do not wash them.
- Pack a change of clothes to bring to campus **Health Services** or a local hospital.
- Do not shower, bathe, brush teeth, eat, drink, or change bedding before going to the hospital or seeking medical attention.

4. Seek Timely Medical Attention – If you have been injured, you are encouraged to go for a medical exam as soon as possible because injuries should be treated promptly and evidence deteriorates quickly.

Conway Regional Health System
2302 College Ave
Conway, AR 72034
www.conwayregional.org

Baptist Health Medical Center
1555 Exchange Ave
Conway, AR 72032
www.baptist-health.com

Conway Regional Women's Center
www.conwayregional.org/locations/womenscenter
501-513-5240

5. Develop a safety plan - If you are experiencing relationship violence, developing a safety plan is important. This includes changing your routine, arranging a place to stay, and having a friend or relative go places with you. Decide in advance what to do if the stalker or abuser shows up at your home, work, school, or somewhere else. Memorize important phone numbers, such as the people to contact or places to go in an emergency. Keep spare change, calling cards, or a cell phone handy for immediate access to communication. Have money available for transportation if you need to take a taxi to escape. For more information see: <https://www.domesticpeace.com/safety-plan>

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Title IX Staff

The Title IX Coordinator and Title IX Investigator may be contacted simultaneously at:
title9@hendrix.edu
(also: titleix@hendrix.edu, titlenine@hendrix.edu)

Or individually:

Title IX Coordinator:

Shawn Goicoechea, goicoechea@hendrix.edu, 1545 Washington Ave, 501-450-1415

Title IX Investigator & Education Coordinator:

Dr. Allison Vetter, vetter@hendrix.edu, SLTC 150, 501-505-2901

Title IX Deputies:

Vicki Lynn, VP of Human Resources, lynn@hendrix.edu

Dr. Terri Bonebright, Provost of the College, bonebright@hendrix.edu

Jim Wiltgen, Dean of Students, wiltgen@hendrix.edu

Kesha Baoua, Interim VP for Diversity & Inclusion, Assistant Dean of Students and
Director of Student Rights and Responsibilities, baoua@hendrix.edu

Amy Weaver, Director of Athletics, weaver@hendrix.edu

Policy Prohibiting Gender-Based Misconduct

Hendrix College strives to maintain an environment free from discrimination and harassment, where members of our community treat each other with respect, dignity, and courtesy. The College adheres to the principles of equal educational and employment opportunity without regard to age, race, color, gender, disability, religion, sexual orientation, gender identity or expression, genetic information, or national origin. Accordingly, all acts of discrimination, harassment, retaliation, and sexual misconduct as defined by this policy are prohibited. The Hendrix College Policy Prohibiting Gender-Based Misconduct has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated.

I. Policy

All members of the College community are expected to conduct themselves in a manner that does not infringe upon the rights of others. This policy is intended to define community expectations and to establish a mechanism for determining when those expectations have been violated. Upon notice of gender-based discrimination or sexual misconduct as described by this policy, appropriate measures will be taken to end the conduct, remedy the effects on individuals and the Hendrix community, and prevent recurrence.

The expectations of our College community regarding sexual misconduct can be summarized as follows: In order for individuals to engage in sexual activity of any type with each other, there must be clear, knowing, and voluntary consent prior to and during sexual activity. Consent is permission. Consent can be given by word or demonstrated by action, however non-verbal consent is not as clear as talking about what you want sexually and what you don't want. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Previous consent or a sexual or intimate relationship does not imply consent to sexual activity in the future. Silence or passivity – without actions demonstrating permission – cannot be assumed to show consent. Consent can be withdrawn at any time. There must be a clear indication that consent is being withdrawn.

Alcohol or other drug use can place the capacity to consent in question. A person will be considered unable to give consent if they are incapacitated, meaning they cannot fully understand the details of a sexual interaction (who, what, when, where, why, or how) because they lack the capacity to reasonably understand the situation. Anything but a clear, knowing and voluntary consent to any sexual activity is equivalent to a “no.”

The College encourages any individual who has been subject to discrimination or sexual misconduct to report the incident(s) directly to Dr. Allison Vetter (SLTC 150), Title IX Investigator and Education Coordinator, or to Shawn Goicoechea (1545 Washington Ave), Title IX Coordinator. A conversation with a Title IX official does **not** require an individual to proceed with conduct charges or the process outlined below. The College is committed to the preservation of the rights of both the complainant and the respondent (See Rights &

Responsibilities); however, the determination as to whether to proceed with conduct charges against an individual ultimately lies with the College.

In order for the College to respond effectively and to proactively stop instances of discrimination, harassment, retaliation, and sexual misconduct within the College community, all faculty, adjunct instructors, and administrative staff, including coaches, are required to notify the Title IX Coordinator, Investigator, or Deputies immediately after receiving information regarding a potential violation of this policy. These individuals are encouraged to explain their reporting obligations prior to receiving any information that is subject to mandatory reporting. Only employees who are statutorily prohibited from disclosing such information (Student Counseling and Health Services staff, Campus Chaplain, and support staff such as frontline dining services and facilities staff) are exempt from these reporting requirements.

Faculty/Staff Relationships with Students:

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as teacher and student, supervisor and employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation of this policy. The College does not wish to interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of the College. For the personal protection of members of this community, relationships in which power differentials are inherent (faculty-student, staff-student) are strongly discouraged.

Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the attention of their supervisor at the outset. This notification will likely result in the removal of the employee from the supervisory or evaluative responsibilities or in changes to prevent an individual from being supervised or evaluated by someone with whom they have established a consensual relationship. Failure to self-report such relationships to a supervisor as required is a violation of this policy and may result in disciplinary action for an employee. Employees are cautioned that in many circumstances an imbalance of power, perceived or real, may occur in employee-student relationships. In such cases, consent is not an acceptable defense against an allegation of non-consensual sexual relationships.

Jurisdiction

Title IX protects the Hendrix community from sexual discrimination, harassment, and misconduct in connection with all academic, educational, extracurricular, athletic, and other College programs, whether those programs take place on College property, in College transportation, during College-sanctioned trips, at a class or training program sponsored by the

College at another location, online, or elsewhere. This policy also applies, regardless of where the alleged sexual discrimination, harassment, and misconduct occurred, if the conduct impacts the College environment for the College's academic, educational, athletic, or extracurricular programs or activities. However, the College does not have disciplinary authority over third parties who are not students or employees of the college. Also, while there is no geographical limitation to the jurisdiction of this policy, conduct that is alleged to have occurred outside College property may be more difficult to investigate.

Alleged sexual discrimination, harassment, and misconduct will first be considered under the Policy Prohibiting Gender-based Misconduct.

If the respondent is a student, but the complainant is a Hendrix faculty or staff member, then in most instances the case will be processed through this policy.

If the complainant is a student, but the accused is a Hendrix faculty or staff member, the case will be processed by Human Resources in accordance with the employee handbook.

If the complainant is not a member of the Hendrix community, but the respondent is a Hendrix student, the case will be processed through this policy, with the College serving as the complainant.

The Policy Prohibiting Gender-based Misconduct does not have jurisdiction over non-Hendrix community members. However, the Title IX office will assist students in filing complaints with the appropriate officials. Allegations of misconduct that do not fall under this policy will be forwarded to the Dean of Students Office to be evaluated under the student handbook.

Attempted Violations. In most circumstances, Hendrix College will treat attempts to commit any of the violations listed in the *Policy Prohibiting Gender-Based Misconduct* as violations of the policy.

Standard of Proof. The standard of proof for determining responsibility for alleged violations of the *Policy Prohibiting Gender-based Misconduct* will be the preponderance of evidence. When considering a complaint, the Panel will determine if the information gathered and evidence presented establishes that it is more likely than not the respondent(s) committed the violation.

False Reporting. Hendrix College will not tolerate intentional false reporting of incidents. It is a violation of the *Policy Prohibiting Gender-based Misconduct* to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws. A panel finding of not responsible is strictly a statement that a panel did not determine an alleged policy violation met the preponderance of the evidence and is not automatic grounds for a claim that a report was intentionally false. Any report determined to have been made in good faith will not be subject to false reporting sanctions.

Group Action. When members of groups, individuals acting collusively, or members of an organization act in concert in violation of any policy, they may be held accountable as a group, and an investigation and panel deliberation may proceed against the group as joint accused students and/or the organization itself. Charges proceeding against a group do not preclude any individual from facing charges or sanctions as an individual.

Retaliation. Retaliation against an individual for reporting an allegation, for supporting a reporting party or for assisting in providing information relevant to an allegation is a violation of the *Policy Prohibiting Gender-Based Misconduct* and is subject to the full range of sanctions as any other policy violation. Retaliation can occur in-person or online by any member of the Hendrix Community (including a witness, complainant, reporting party, or respondent) or a third party. Acts of alleged retaliation should be reported immediately to the Title IX Coordinator, Title IX Investigator, or any Title IX Deputy. Alleged violations of retaliation may be investigated along with the underlying complaint of sexual misconduct, or separately, at the discretion of the Title IX Coordinator. Retaliation is defined as any materially adverse action taken against a person participating in a protected activity because of their participation in that protected activity.

Amnesty Policy. The Hendrix College community encourages the reporting of both violations of this policy and criminal activity. Sometimes, complainants or those who witness allegations of misconduct may be hesitant to report to College officials because they fear they themselves may be accused of policy violations, such as underage drinking. It is in the best interest of this community that as many individuals as possible choose to report to College officials. To encourage reporting, the College pursues a policy of offering complainants, their witnesses, and witnesses presented by the respondent, amnesty from minor policy violations related to the incident.

II. Support Services

If you have an emergency, contact the Conway Police Department by dialing 9-1-1.

If a student or employee reports experiencing gender-based discrimination or sexual misconduct to the Title IX Coordinator, Title IX Investigator, Title IX Deputies, Human Resources, or the Dean of Students Office, those offices will provide written notification to the student or employee about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the Hendrix community and the Conway community. Third parties who report information regarding gender-based discrimination/misconduct of a Hendrix community member also have the right to receive the same information listed above and in writing.

Students are encouraged to seek support through on-campus and off-campus services. Students may contact the following on-campus services:

Hendrix College Public Safety – 501-450-7711

Counseling Services – 501-450-1448 (there is no charge for this service)

Hendrix Health Services – 501-450-1448

Chaplain's Office – 501-450-1263
Dean of Students Office – 501-450-1222
Student Outreach Services (SOS) – 501-450-1330, sos@hendrix.edu
Residential Life Professional Staff – 501-450-1416
Hendrix Office of International Student Services – 501-450-1265 – for visa and immigration assistance
Hendrix Office of Financial Aid – 501-450-1368

Students may also choose to contact support agencies off campus which include the following:

Arkansas Crisis Center – 1-888-274-7472
Rape Crisis Hotline – 501-801-2700 or 877-432-5368
Arkansas Coalition Against Sexual Assault – <https://acasa.us/>
Arkansas Coalition Against Domestic Violence – www.domesticpeace.com
Hope Rainn National Sexual Assault Hotline – 800-656-4673
Faulkner County Prosecuting Attorney's Victim Services Center – 501-450-3051
National Center for Victims of Crime – www.victimsofcrime.org
24-hour Conway Women's Shelter Crisis Hotline – 866-358-2265
Arkansas Legal Services Partnership – 800-952-9243, or <http://www.arlegalservices.org/> or for legal assistance

To report any education discrimination on the basis of race, sex, disability, etc., or to request information on compliance programs or filing complaints, or to access regulatory documents, students may contact the U.S. Dept. of Education regional office.

U.S. Department of Education – Office of Civil Rights

One Petticoat Lane
1010 Walnut Street, 3rd floor, Suite 320
Kansas City, MO 64106
Telephone: 816-268-0550
FAX: 816-268-0599; TDD: 800-877-8339
Email: OCR.KansasCity@ed.gov

III. Reporting and Investigation Procedures

Any member of the community who believes they have experienced discrimination or misconduct that violates the Hendrix College Policy Prohibiting Gender-Based Misconduct should report that conduct to the Title IX Investigator, Title IX Coordinator, or Title IX Deputies listed in this policy. Reports of discrimination or misconduct will be investigated in a manner that is prompt, thorough, equitable, impartial, and fair to all parties involved.

A. Initial report and notification of allegations: In order to provide sensitive personal information to as few people as possible during the reporting phase, it is recommended that students report incidents of gender-based misconduct or discrimination directly to the Title IX Investigator and Education Coordinator (Allison Vetter, vetter@hendrix.edu, SLTC 150) or Title IX Coordinator (Shawn Goicoechea, goicoechea@hendrix.edu, 1545 Washington Ave) to reduce

the number of times they must recount their allegations. You may also email title9@hendrix.edu to report gender-based misconduct.

The Title IX Administrator who receives the initial report will review the information collected with the Title IX Coordinator and determine if a policy violation is alleged to have occurred. The wishes of the Complainant will be considered before proceeding with a formal investigation and conduct process, however it is ultimately the discretion of the Title IX Coordinator as to whether or not the College will proceed. The College may determine, when considering the safety of the community, that it is necessary to proceed against the wishes or without the participation of the complainant. In the event the alleged misconduct is not a violation of the Policy Prohibiting Gender-Based Misconduct, the Complainant will maintain their access to support services and/or Interim measures as appropriate.

Both the Complainant and Respondent will have the opportunity to have an initial meeting with the Title IX Investigator to discuss the investigative process, request interim measures, learn about support resources, and otherwise ask questions of the Title IX representative without providing a statement for the investigation. The Complainant and Respondent have the right to an advisor of their choice at the initial meeting and thereafter (See Rights & Responsibilities).

If either party elects to provide a statement about the alleged incident during the initial meeting, that statement will be recorded. Statements may also be submitted in writing. In general, any information provided about the alleged incident to a College employee not listed as a confidential resource may be included in the investigative packet.

After initial interviews with the Complainant and Respondent, the Investigator will work with appropriate College officials to enact any interim measures deemed reasonable and necessary, assist students in accessing support resources as needed, and determine if a formal investigation will proceed.

B. Interim Measures. Unless circumstances dictate otherwise, the Investigator will promptly issue a “no contact” directive to all parties upon notice of any sexual assault complaint. In all cases, the College may implement any necessary interim measures, deemed appropriate and reasonably available, regardless of whether a complaint has been filed or whether an investigation has commenced. Interim Measures may include, but are not limited to:

- Issuing no contact directives.
- Providing counseling services.
- Providing academic support services.
- Rescheduling class work, assignments, and examinations.
- Changing class schedules.
- Providing an escort to ensure that an individual can move safely between classes, work, and/or activities.
- Changing work arrangements or location.

- Arranging for the complainant to take an incomplete in a class.
- Reassigning on-campus housing.
- Dissolving a campus housing contract and offering a prorated refund.
- Providing alternative course completion options.
- Permitting a temporary withdrawal from the College.

Violations of Interim Measures by either party are considered to be violations of the *Policy Prohibiting Gender-Based Misconduct*. Failure to abide by interim measures is a violation of this policy (irrespective of whether the underlying complaint of sexual conduct is substantiated) and is subject to the full range of sanctions as any other policy violation. Any person who believes interim measures are being violated should report the alleged violation in the same manner for reporting sexual misconduct. Alleged violations of interim measures may be investigated along with the underlying complaint of sexual misconduct, or separately, at the discretion of the Title IX Coordinator.

C. Informal Resolution: If so desired, and the College determines that it is appropriate, a complainant and respondent may both agree to enter into a process of informal resolution mediated by the Title IX Investigator. The ability to enter into an informal resolution is at the discretion of the Title IX Coordinator and may not be appropriate for more severe charges such as non-consensual sexual intercourse. Informal resolutions may result in sanctions, excluding suspension or expulsion. Parties electing to pursue an informal resolution will forfeit their right to pursue the formal investigative process.

D. Investigation Procedures

An initial investigative report and evidence packet will be compiled by the investigator. This will include relevant evidence including the statements of complainants and respondents, witness interviews, and material evidence or information submitted by either party (e.g. text messages, social media posts, images, etc.). The investigator will review the initial investigative report and evidence packet to determine which policy(ies) if any, has been/are alleged to have been violated. In the event the investigator determines the alleged conduct, if true, represents a policy violation, a Charge Letter will be issued to both the respondent and complainant by the Title IX official investigating the case.

E. Responding to the Charge

For each charge outlined in the Charge Letter, Respondents will have four (4) calendar days to enter a statement of Responsible, Not Responsible, or No Contest.

Responsible Statements

If the student in question accepts responsibility in a gender-based misconduct case, the student will provide a statement for the Gender-Based Misconduct Panel to determine an appropriate sanction. By accepting responsibility, the student in question is waiving their right to appeal any procedural matters or on the basis of newly discovered evidence. Respondents may accept responsibility for charges at any time during the process. At such time, all available information,

along with final statements from either party, will be submitted to the panel for determining sanctions.

Not Responsible Statements

If the responding student does not accept responsibility the investigation will proceed and a Gender-Based Misconduct Panel may be convened. From this point on, the student in question is assumed not-responsible concerning the charges which have been leveled against them.

No Contest Statements

If a student is facing possible suspension or expulsion, the student may be eligible to provide a statement of No Contest. Allowing a No Contest Statement is at the discretion of the Title IX Coordinator. Students who enter a Statement of No Contest accept the sanctions issued to them without contesting the conduct charge(s). If a student enters a Statement of No Contest the student waives their right to appeal based on any procedural matters or on the basis of newly discovered evidence. Conduct violations for which a student enters a Statement of No Contest will appear on that student's conduct record.

F. Response to Initial Investigative Report & Evidence Packet, and Cross-Examination

Both parties will be provided access to the initial report and evidence packet for review. Complainants and Respondents will have four (4) calendar days to review the initial evidence packet and submit additional information, including witnesses and documents or additional statements to the investigator.

Complainants and Respondents may also submit questions they would like to be asked of any of the involved parties. The investigator will review questions for relevance and notify the submitting party if any questions are deemed not relevant. Questions will be administered by the investigator in a timely manner and responses will be transcribed. Investigators may ask follow-up questions of their own as they see fit to ensure thoroughness. Responses will be added to the Final Investigative Packet which will be provided to all parties for review.

The Initial Evidence Packet will also include the names of panelists who will be assigned to review the case. Complainants and Respondents have one (1) calendar day to request the recusal of panelists for good cause such as bias or conflict of interest. Requests must be submitted in writing to the investigator or Title IX Coordinator and include a rationale. Both parties will be notified of any panel changes and provided at least one (1) calendar day from notification of changes to contest the new panel composition. Each party may only challenge the panel (any members) once, if the change is granted that party may not challenge the new selection.

G. Final Investigative Packet and Final Statements

Once the period for submitting evidence has ended, the information will be compiled and a Final Investigative Packet will be provided to the complainant, respondent, and panelists. At this time no additional evidence may be submitted unless it was unknown or unavailable and could not have been known or available at the time of the submission period.

The packet will include, but is not limited to:

- Initial statements (as written or transcribed) by both parties.
- Transcription of relevant information gathered via witness interviews. Information not meeting evidentiary standards will be redacted.
- Any additional statements provided by the Complainant and Respondent.
- Evidence deemed relevant by the investigator including, but not limited to: text messages, images, other communications.
- Transcription from cross-examination conducted by the investigator on behalf of the complainant and respondent.
- Investigator synthesis of relevant evidence, timeline notes (where appropriate), and credibility assessments.

Upon delivery of the Final Investigative Packet, the complainant and respondent will have two (2) calendar days to submit a final statement. Final statements will be promptly made available to the panel.

H. Panel Composition and Deliberations

Panel membership is limited to full-time faculty and staff of the College who have been nominated by any Title IX Administrator, or any member of the current Sanctions panel, and who have been adequately trained within 12 months of the start of panel deliberation.

Panelists will deliberate as a group, and panel deliberations will be closed to all parties. Panelists may ask questions of the assigned investigator. In the event panelists request additional information from the investigator, both parties will receive an updated packet with any new information and may be given, at the panel's discretion, an opportunity to respond to the new information.

Panelists will determine responsibility for each charge and will base each determination on the preponderance of the evidence, whether it is more likely than not that the alleged conduct occurred and if so, whether it constituted a policy violation. Responsibility will be determined by a majority of panelists. The panel will have five (5) calendar days from receipt of Final Statements to deliberate and make a decision.

The Complainant and Respondent will be notified simultaneously and in writing, within two calendar days of the panel's decision. A decision will be stated for each charge, and any sanctions will be accompanied by a rationale.

I. Procedural Rule for Addressing Prior Conduct Violations

While previous conduct violations by the responding student are not generally admissible in an investigation, the Title IX Coordinator, their designee, or the Dean/Associate Dean of Students may supply previous complaint information to the panel, or may consider it if they are hearing the complaint, only if:

- 1) The respondent was previously found to be responsible or took responsibility;
- 2) The previous incident was substantially similar to the present allegation; or
- 3) Information indicates a pattern of behavior and substantial conformity with that pattern by the responding student.

J. Sanctions*

The panel may impose one or more of the following sanctions for each policy violation.

Educational Project - Project that encourages reflection and demonstration of knowledge.

Restriction or Revocation of Privileges - Temporary or permanent loss of privileges including but not limited to use of a particular facility or service, visitation privileges, and parking privileges.

Termination or Change in Residency Privileges - A sanction that terminates or changes a student's residency.

Conduct Registration Hold - If a student fails to complete the conditions of a sanction (e.g., College Service Hours, etc.), a Conduct Registration Hold will be placed on their Registrar's account. With this hold in place, the student is restricted from utilizing the major functions of the Registrar Office (e.g., prohibited from participating in registration and course adjustment, requesting transcripts, and from receiving a diploma). The Panel or a Title IX Administrator will remove the hold when it has been determined that the student is working towards or has returned to compliance.

Conduct Probation - A sanction serving notice to a student that his or her behavior is in serious violation of College standards and policies. It is assigned for a specified time period. A breach of College standards or policies by a student during the probationary period may result in suspension or expulsion from the College.

Suspension - A student may be subject to mandatory separation from the College for a specified period of time. An application for readmission will be considered after the time period of the suspension has elapsed. Readmission is subject to stipulations by the panel and approval of College officials. A student who has been suspended is barred from visiting the campus unless written permission is granted by the Title IX Coordinator.

Expulsion - Expulsion is permanent dismissal from the College with no possible future readmission. A student who has been expelled is also barred from visiting the campus.
Any student found responsible for violating the policy on Non-Consensual Sexual Intercourse will likely face a sanction of suspension or expulsion.

Other Appropriate Action - Sanctions not specifically described above must be approved by the Title IX Coordinator.

*NOTE: The panel reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior. Students must be in good conduct standing in order to be eligible for graduation, including conferring of diploma and access to transcripts. Students will NOT be eligible for conferral of a degree if a Charge Letter has been issued or an investigation has begun. An investigation may continue during school breaks as determined necessary by the Title IX Coordinator.

K. Appeal Process

Both the Complainant and the Respondent have a right to appeal the finding(s). A written request for appeal must be submitted to the Title IX Coordinator (Shawn Goicoechea, goicoechea@hendrix.edu) within three (3) calendar days after a panel's decision is rendered. A request for appeal must be based on one of the following reasons:

- a. New relevant information exists that was unavailable during the original investigation and panel deliberation;
- b. A material deviation from written procedures could have impacted the fairness of the panel review;
- c. The sanction(s) may be grossly disproportionate to the severity of the offense.

Appeal Review. The Title IX Coordinator will, within three (3) calendar days after receiving the request for appeal, determine whether the petition meets at least one of the three grounds for an appeal. The Title IX Coordinator may:

- d. deny the appeal if it does not meet one of the grounds;
- e. refer the complaint back to the Panel for re-opening of deliberations;
- f. refer the complaint to a new panel for deliberations.

In the event the Title IX Coordinator is unable to process the appeal, another Title IX Deputy will process the appeal using the same guidelines. If the Title IX Coordinator or other assigned deputy is unable to provide a response to the appeal request within three days, that official will notify both parties in writing within three days of receiving the request to provide an updated timeline for determining the status of the appeal.

Appeals Procedures. If an appeal is granted and sent back to the panel, the panel will review the appeals document, any instructions or comments on the granting of appeal by the Title IX Coordinator, and any written or taped documentation regarding the original deliberation, as needed. The panel may confine their review to written or taped documentation only. However, they may speak with any student or employee involved with the investigative process for more information or clarification. The panel will respond in writing within five calendar days of receiving the appeal from the Title IX Coordinator, unless extenuating circumstances exist, in which case the parties will be notified of the modified timeline.

Response to the Appeal. An appeal may be referred to the original panel or, at the discretion of the Title IX Coordinator, a new panel may be assigned the appeal. The assigned panel may take the following action:

- i. Uphold their original decision.
- j. Increase their original sanction.
- k. Decrease their original sanction.
- l. Change the finding of responsibility.

Finality of Appeals. Decisions made by the Title IX Coordinator and/or the panel are final.

IV. Student Rights & Responsibilities

Gender-based misconduct proceedings must be conducted by officials who do not have a conflict of interest or bias for or against either party. Requests for recusal of an investigator must be submitted in writing to the Title IX Coordinator. In the event the Title IX Coordinator is the individual whose recusal is being requested please submit the request to the President of the College who will assign the task of determining the merit of the recusal to an appropriate deputy for consideration.

Both Complainant and Respondent have the following rights:

Confidentiality in the process:

Distribution of confidential information undermines the process of adjudicating and resolving policy violations on campus and will not be tolerated. Information provided for review by the Complainant and Respondent is to be accessed and used only by the Respondent, Complainant, their advisor, and the employees of the College assigned to adjudicate and monitor the process. Distribution of any document or other verbatim reproduction of any information provided by the College or other party in this process will result in immediate disciplinary action. Violations of confidentiality by either party are considered to be violations of the Policy Prohibiting Gender-Based Conduct. Failure to adhere to confidentiality is a violation of this policy (irrespective of whether the underlying complaint of sexual conduct is substantiated) and is subject to the full range of sanctions as any other policy violation. Any person who believes confidentiality has been violated should report the alleged violation in the same manner for reporting sexual misconduct. Alleged violations of confidentiality may be investigated along with the underlying complaint of sexual misconduct, or separately, at the discretion of the Title IX Coordinator.

The right to one advisor of your choosing. Students must provide the name of their Advisor to the investigator as soon as one is selected. Students may change their Advisor at any time during the process provided they notify the investigator immediately. Advisors may accompany a complainant or respondent to any meeting related to the gender-based conduct case. The advisor's role is limited to providing support and private advice and consultation to the student who is a complainant or respondent. Advisors may not participate in examination of witnesses or presentation of materials or information to the panel members, investigator or appeals person. Advisors may review the investigative packet, but are not permitted to copy or record materials in any way. The advisor may not directly question or submit information on behalf of

the advisee. The investigator will communicate directly with complainants and respondents. The advisor may assist the student in preparation of his or her complaint/response. In addition to these specific guidelines, advisors must follow the timelines and conduct procedures provided to their advisees. The identity of the Advisor will not be withheld from either party. Advisors may be asked to leave any meeting in which their conduct is unprofessional or disrespectful of College officials and if the guidelines for advisor conduct outlined here are not followed.

Present evidence by witness. Non-members of the Hendrix community may be interviewed or present written statements pertinent to the charges in question. If witnesses fail to respond to requests for information or reasonable attempts to conduct interviews or collect statements, the process will progress without that information. Evidence must be pertinent to the charges in question. Character witnesses are not allowed. Evidence is generally restricted to written reports and witness interviews conducted by the investigator assigned to the case. The complainant and respondent, along with their advisors, will be granted access to all written materials in accordance with the timelines outlined in this policy.

Submit questions for all witnesses. Upon review of the Initial Investigative Report and Evidence Packet the Complainant and Respondent may submit questions to be asked of the opposing party and/or any witnesses. Questions must be relevant to the investigation and may not include prohibited character/sexual history questioning. It is at the discretion of the investigator as to whether questions are allowed/administered, and if questions or their responses are included in the Final Investigative Report and Evidence Packet for panel review.

Right to Advance Notice of Panel Composition and Right to Challenge. The complainant and respondent will receive advance notice of who will serve on the panel and will be given the right to challenge any member on the basis of actual bias or conflict of interest prior to the start of panel review and deliberation. Any challenge will be decided by the Title IX Coordinator or designee.

Right to Know Outcome and Sanctions. The complainant and respondent will receive the outcome and sanctions (when applicable) in writing at the same time. Notification of the outcome will be sent within two (2) calendar days of the decision of the panel. If an appeal is filed and accepted, the Complainant and Respondent will receive notice of the appeal in writing at the same time and will receive notice of the final outcome in writing at the same time. Third-party reporters will not be notified regarding the outcome of a gender-based misconduct case.

If the victim is deceased as a result of the violation, the Title IX Office will provide the finding(s) to the victim's next of kin, if so requested in writing.

Right to Appeal. Both the complainant and the respondent have a right to appeal an outcome. A written request for appeal must be submitted to the Title IX Coordinator within three (3) calendar days after a conduct decision is rendered. The decision rendered during the appeal is

final. There is no appeal of appeals. (For more information on appeals, please see the appropriate policy section.)

Right to not participate. Any party may choose not to participate in an investigation or appeal; however, their exercise of that option will not preclude the Title IX Coordinator or their designee from making a determination regarding the complaint filed against the respondent. Students will be notified by the Title IX Administrator If the process is moving forward without their participation.

Parties to an investigation are expected to respond to the Title IX Administrator within a reasonable timeframe. Failing to respond will NOT stop an investigation from proceeding. Any party provided proper notice of proceedings but fails to respond to requests to meet with the Title IX Coordinator or their designee, fails to provide requested information to the College, or fails to otherwise cooperate with the investigation, absent extenuating circumstances, that party will be deemed to have waived their opportunity to participate in the investigation.

The complainant has the right to:

Present Own Complaint or Use Proxy. The complainant has the right to present their own complaint, or to ask the College to serve as the complainant in their place. A complainant choosing not to participate in a conduct process may limit the College's ability to respond. Upon notice, some situations may require the College to respond against the wishes of the complainant in order to ensure the safety of the campus community.

Be Notified When a Complaint is Delivered to Respondent(s). Complainants are notified when a notice of allegations is delivered to the Respondent(s).

The respondent has the right to:

Be Charged with a Specific Violation of College Policies. Respondents have the right to be heard and defend themselves against allegations by participating in an investigation. In order to adequately prepare their case, it is the right of the Respondent to answer only the policy violations with which they have been charged.

V. Definitions

Consent is:

- clear,
 - ongoing,
 - knowing, and
 - voluntary
 - words or actions,
 - that give permission for specific sexual activity.
- Consent is active, not passive.
 - Silence, in and of itself, cannot be interpreted as consent.

- Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding willingness to engage in (and the conditions of) sexual activity.
- Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
- Previous relationships or prior consent cannot imply consent between those same individuals to future sexual acts.
- Consent can be withdrawn once given, as long as that withdrawal is clearly communicated. If there is any question about whether consent still exists, the individuals should clarify that consent still exists.
- In order to give consent, one must be at least 16 years old.
- Sexual activity with someone you know to be or should know to be incapacitated constitutes a violation of this policy. The question of what the responding party should have known is objectively based on what a reasonable person in the place of the responding party, sober and exercising good judgment, would have known about the condition of the reporting party.
- The following examples demonstrate how incapacitation can occur:
 - Incapacitation can occur mentally or physically, from developmental disability, by alcohol or other drug use, including prescription drug use, or some combination thereof.
 - Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction).
 - This policy also covers a person whose incapacity results from mental disability, sleep, unconsciousness, involuntary physical restraint, or from the taking of rape drugs. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another student is a violation of this policy. More information on these drugs can be found at <http://www.911rape.org/>.

Force:

Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcomes free will or resistance or that produces consent (“Have sex with me or I’ll hit you.” “Okay, don’t hit me, I’ll do what you want.”).

- Coercion is unreasonable pressure for sexual activity. There is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. When someone makes clear to you that they do not want sex, that they want it 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. Coercion is determined by evaluating the combined effect of the frequency, intensity, duration, and pressure applied. Additionally, isolation of parties at the time of incident in question will be considered as a contextual factor.

- *Duress* means a direct or implied threat of force, violence, danger, hardship, or retribution that is enough to cause a reasonable person of ordinary sensitivity to do or submit to something that he or she would not otherwise do or submit to. When deciding whether the act was accomplished by duress, all the circumstances, including the age of the impacted party and his or her relationship to the responding party, are relevant factors.
- *Menace* means a threat, statement, or act showing intent to injure someone.

NOTE: There is no requirement for a party to resist the sexual advance or request, but resistance is typically an indication of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.

Definition of Offenses

Sexual Misconduct Offenses include, but are not limited to:

1. Sexual Harassment
2. Non-Consensual Sexual Intercourse (or attempts to commit same)
3. Non-Consensual Sexual Contact (or attempts to commit same)
4. Sexual Exploitation

Sexual Misconduct Charges

1. Sexual harassment is:

- Unwelcome,
- Sexual, sex-based and/or gender-based verbal, written, online and/or physical conduct.

Sexual harassment may be disciplined when it takes the form of quid pro quo harassment, retaliatory harassment and/or creates a hostile environment.

Types of Sexual Harassment:

A hostile environment is created when sexual harassment is:

- sufficiently severe, or
- persistent or pervasive, and
- objectively offensive that it:
- unreasonably interferes with, denies or limits someone's ability to participate in or benefit from the College's educational and/or employment, social and/or residential program.

Quid Pro Quo Harassment is:

- Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature
- By a person having power or authority over another constitutes sexual harassment when:
- Submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating or evaluating an individual's educational or employment progress, development, or performance.

- This includes when submission to such conduct would be a condition for access to receiving the benefits of any educational or employment program.

2. Non-Consensual Sexual Intercourse is

- any sexual intercourse (anal, oral, or vaginal),
- however slight,
- with any object,
- by a person upon a person,
- that is without consent as defined by this Policy.

By way of example, this includes:

vaginal or anal penetration by a penis, object, tongue or finger, and oral penetration or mouth to genital contact, no matter how slight the penetration or contact.

3. Non-Consensual Sexual Contact is

- any intentional sexual touching,
- however slight,
- with any object,
- by a person upon a person,
- that is without consent and/or by force.

Sexual Contact includes:

Intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts

4. Sexual Exploitation:

- Occurs when one person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:
 - Invasion of sexual privacy;
 - Offering another person for sexual activity for purpose of benefiting oneself;
 - Non-consensual digital, video or audio recording of nudity or sexual activity;
 - Unauthorized sharing or distribution of digital, video or audio recording of nudity or sexual activity;
 - Engaging in voyeurism;
 - Going beyond the boundaries of consent with respect to viewing, recording or transmission (such as letting your friend hide in the closet to watch you having consensual sex);
 - Knowingly exposing someone to or transmitting an STI, STD or HIV to another person;

- Intentionally or recklessly exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals;
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation
- Removing a condom during sex without the consent of the partner, or "stealthing"

Relationship Violence Offenses

1. Dating Violence
2. Domestic Violence
3. Stalking

Relationship Violence Charges

1. Dating Violence

- Violence committed by a person who is or has been in a social relationship of a romantic nature with the victim. Dating violence includes sexual or physical abuse or the threat of such abuse.
 - The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

2. Domestic Violence

- Violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child, or a person cohabitating with the victim.

3. Stalking

- A course of conduct directed at a specific person that is unwelcome and would cause a reasonable person to either fear for his or her safety or the safety of others or suffer substantial emotional distress.
 - Stalking is the repeated following, watching or harassing of a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others, or (b) suffer substantial emotional distress.

VI. Active Bystander and Risk Reduction Tips

How to Be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it."¹ We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list² of some ways to be an active bystander.

Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are OK.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on- or off-campus resources listed in this document for support in health, counseling, or with legal assistance.

For initiators of sexual activity

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk for being accused of sexual misconduct:

1. DON'T MAKE ASSUMPTIONS About consent; About someone's sexual availability; About whether they are attracted to you; About how far you can go; About whether they are physically and mentally able to consent to you;
2. Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
3. Mixed messages from your partner should be a clear indication that you should step back, defuse the sexual tension, and communicate better. Perhaps you are misreading them. Perhaps they haven't figured out how far they want to go with you yet. You need to respect the timeline with which they are comfortable.
4. Don't take advantage of someone's drunkenness or drugged state, even if they did it to themselves.
5. Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Don't abuse that power.
6. Understand that consent to some forms of sexual behavior does not necessarily imply consent to other forms of sexual behavior.
7. On this campus, silence and passivity cannot be interpreted by you as an indication of consent. Read your potential partner carefully, paying attention to verbal and nonverbal communication and body language.

Risk Reduction Tips

With no intent to victim blame and recognizing that only abusers are responsible for their

abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

- If you have limits, make them known before things go too far.
- **Tell a sexual aggressor "NO"** clearly and loudly, like you mean it.
- Try to extricate yourself from the physical presence of a sexual aggressor.
- Grab someone nearby and ask for help.
- Be responsible for your alcohol intake/drug use and realize that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
- **Be aware of incapacitating drugs** like Rohypnol and GHB. See the detailed information below or go to www.911rape.org.
- **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
- **Walk with purpose**. Even if you don't know where you are going, act like you do.
- **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
- **Make sure your cell phone is with you** and charged and that you have cab money.
- **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
- **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
- **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
- **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- **Don't accept drinks from people you don't know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- **Watch out for your friends, and vice versa**. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately. A real friend will get in your face if you are about to make a mistake. Respect them if they do.
- **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.)**. Be explicit with doctors so they can give you the correct tests (you will need a urine test and

possibly others).

- If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

VII. Education/Awareness/Resources

Programs to prevent sexual misconduct and relationship violence

Hendrix College provides programming to students and employees to prevent sex offenses, dating violence, domestic violence, and stalking. These programs include primary prevention awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees. We are committed to providing such programs that are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome. In planning and implementing these programs we consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

These programs are sponsored by diverse departments and organizations on campus. For example, the Human Resources department provides programming for incoming employees. The Office of Student Activities and the Dean of Students Office provide programming for incoming students. Ongoing programming is provided by these departments and other departments and organizations throughout campus, including Residence Life, the Coalition on Gender and Sexuality, and Counseling Services. Examples of programming include freshmen orientation events Choices 101 and 102, sexual harassment training provided to employees, including student employees, the Take Back the Night event, and the posting and distribution of informational posters and brochures.

Federal Timely Warning Reporting Obligations

Victims of sexual misconduct should also be aware that College administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to members of the campus community. The College will make every effort to ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

Federal Statistical Reporting Obligations

Certain campus officials – those deemed Campus Security Authorities – have a duty to report certain crimes, including but not limited to sexual assault, domestic violence, dating violence and stalking for federal statistical reporting purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the Annual Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. Mandated federal reporters for reports of Clery crimes include: student/conduct affairs, campus law enforcement, local police, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations and any other official with significant responsibility for student and campus activities. The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the victim and may be done anonymously.

Legal Definitions

This section is for reference only and definitions in this policy are independent of state and federal legal definitions. All conduct processes address violations of Hendrix College Student Handbook and are not intended to take the place of criminal proceedings. In the event that a student would like to pursue criminal charges they may do so without interfering with or otherwise altering any above mentioned process or rights. The Title Investigator (501-505-2901) or Public Safety (501-450-7711) will assist students who wish to make a report to law enforcement and the request of the student.

Arkansas state law definitions pertaining to sexual assault, domestic violence, dating violence, and stalking. THESE ARE THE DEFINITIONS USED FOR LAW ENFORCEMENT. These definitions do NOT apply to the College's definitions of prohibited conduct.

Sexual Assault - is a generic term that is defined as any involuntary sexual act in which a person is threatened, coerced, or forced to engage against his/her will to include (but not limited to rape, acquaintance rape, date rape, and gang rape).

Arkansas legal definition of rape - A person commits rape if he/she engages in sexual intercourse or deviant sexual activity with another person: (a) by forcible compulsion; (b) who is incapable of consent because he/she is physically helpless; or, (c) who is less than fourteen (14) years old (the assailant must be two years older than the victim for this to apply); or (d) where

the victim is less than sixteen (16) years old and is incapable of consent because of being mentally defective or mentally incapacitated. Rape is a Class Y 114 felony.

Arkansas legal definition of sexual misconduct – A person commits sexual misconduct if he/she engages in sexual intercourse or deviate sexual activity with another person not his/her spouse who is less than sixteen (16) years old. Sexual misconduct is a Class B misdemeanor.

Acquaintance rape refers to a rape committed by a non-stranger who is known to the victim, and can include a friend, acquaintance, family member, neighbor, classmate, or co-worker.

Date rape refers to a type of acquaintance rape where the victim has consented to accompany or go on a date with the perpetrator.

Gang rape is a rape that involves more than one perpetrator.

The Arkansas statute on rape is genderless, which means that both men and women can be rape victims and perpetrators. Sexual assault can occur whenever consent is not freely given by the victim; whenever the victim fears that he/she will be injured if he/she does not submit; whenever the victim is incapable of giving consent or resisting due to alcohol or drugs; and whenever the perpetrator uses physical force, threat, coercion, or intimidation to overpower the victim.

Incest occurs when a person, being sixteen (16) years of age or older, purports to marry, has sexual intercourse with, or engages in deviate sexual activity with another person sixteen (16) years of age or older whom the actor knows to be: **(1)** An ancestor or a descendant; **(2)** A stepchild or adopted child; **(3)** A brother or sister of the whole or half-blood; **(4)** An uncle, aunt, nephew, or niece; or **(5)** A step grandchild or adopted grandchild. Incest is a Class C felony.

Sexual Assault

Sexual assault in the first degree occurs when the person engages in sexual intercourse or deviate sexual activity with a minor who is not the actor's spouse and the actor is **(A)** Employed with the Department of Correction, the Department of Community Correction, the Department of Human Services, or any city or county jail or a juvenile detention facility, and the victim is in the custody of the Department of Correction, the Department of Community Correction, the Department of Human Services, any city or county jail or juvenile detention facility, or their contractors or agents; **(B)** A mandated reporter under § 12-18-402(b) and is in a position of trust or authority over the victim and uses the position of trust or authority to engage in sexual intercourse or deviate sexual activity; or **(C)** An employee in the victim's school or school district, a temporary caretaker, or a person in a position of trust or authority over the and uses his or her position of trust or authority over the victim to engage in sexual intercourse or deviate sexual activity. Sexual assault in the first degree is a Class A felony.

Sexual assault in the second degree occurs when (a) A person (1) Engages in sexual contact with another person by forcible compulsion; (2) Engages in sexual contact with another person who is incapable of consent because he or she is: Physically helpless; Mentally defective; or Mentally

incapacitated; (3) Being eighteen (18) years of age or older, engages in sexual contact with another person who is: Less than fourteen (14) years of age; and not the person's spouse. Sexual assault in the second degree is a Class B felony.

Sexual assault in the second degree is a Class D felony if committed by a minor with another person who is: Less than fourteen (14) years of age; and not the person's spouse.

Sexual assault in the third degree occurs when a person engages in sexual intercourse or deviate sexual activity with another person who is not the actor's spouse, and the actor is: (A) Employed with the Department of Correction, Department of Community Correction, Department of Human Services, or any city or county jail, and the victim is in the custody of the Department of Correction, Department of Community Correction, Department of Human Services, or any city or county jail; (B) Employed or contracted with or otherwise providing services, supplies, or supervision to an agency maintaining custody of inmates, detainees, or juveniles, and the victim is in the custody of the Department of Correction, Department of Community Correction, Department of Human Services, or any city or county jail; or (C) A mandated reporter under § 12-18-402(b) or a member of the clergy and is in a position of trust or authority over the victim and uses the position of trust or authority to engage in sexual intercourse or deviate sexual activity; or being a minor, engages in sexual intercourse or deviate sexual activity with another person who is: less than fourteen (14) years of age; and not the person's spouse. Sexual assault in the third degree is a Class C felony.

Sexual assault in the fourth degree occurs when a person being twenty (20) years of age or older: **(A)** Engages in sexual intercourse, deviate sexual activity, or sexual contact with another person who is: less than sixteen (16) years of age; and not the person's spouse; or Sexual assault in the fourth degree under subdivisions (a)(1)(A) and (a)(2) is a Class D felony. Sexual assault in the fourth degree under subdivision (a)(1)(B) is a Class A misdemeanor if the person engages only in sexual contact with another person as described in subdivision (a)(1)(B).

Domestic Violence

Domestic battering in the first degree.

(a) A person commits domestic battering in the first degree if: **(1)** With the purpose of causing serious physical injury to a family or household member, the person causes serious physical injury to a family or household member by means of a deadly weapon; **(2)** With the purpose of seriously and permanently disfiguring a family or household member or of destroying, amputating, or permanently disabling a member or organ of a family or household member's body, the person causes such an injury to a family or household member; **(3)** The person causes serious physical injury to a family or household member under circumstances manifesting extreme indifference to the value of human life; **(4)** The person knowingly causes serious physical injury to a family or household member he or she knows to be sixty (60) years of age or older or twelve (12) years of age or younger; or **(5)** The person: **(A)** Commits any act of domestic battering as defined in § 5-26-304 or § 5-26-305; and **(B)** For conduct that occurred within the ten (10) years preceding the commission of the current offense, the person has on two (2) previous occasions been convicted of any act of battery against a family or household

member as defined by the laws of this state or by the equivalent laws of any other state or foreign jurisdiction. Domestic battering in the first degree is a Class B felony.

However, domestic battering in the first degree is a Class A felony upon a conviction under subsection (a) of this section if: **(A)** Committed against a woman the person knew or should have known was pregnant; or **(B)** The person committed one (1) or more of the following offenses within five (5) years of the offense of domestic battering in the first degree: Domestic battering in the first, second, or third degree or a violation of an equivalent penal law of this state or of another state or foreign jurisdiction.

Domestic battering in the second degree.

(a) A person commits domestic battering in the second degree if: **(1)** With the purpose of causing physical injury to a family or household member, the person causes serious physical injury to a family or household member; **(2)** With the purpose of causing physical injury to a family or household member, the person causes physical injury to a family or household member by means of a deadly weapon; **(3)** The person recklessly causes serious physical injury to a family or household member by means of a deadly weapon; or **(4)** The person knowingly causes physical injury to a family or household member he or she knows to be sixty (60) years of age or older or twelve (12) years of age or younger. Domestic battering in the second degree is a Class C felony.

However, domestic battering in the second degree is a Class B felony if: **(A)** Committed against a woman the person knew or should have known was pregnant; **(B)** The person committed one (1) or more of the following offenses within five (5) years of the offense of domestic battering in the second degree: Domestic battering in the first, second, or third degree or a violation of an equivalent penal law of this state or of another state or foreign jurisdiction or **(C)** The person committed two (2) or more offenses of battery against a family or household member as defined by a law of this state or by an equivalent law of any other state or foreign jurisdiction within ten (10) years of the offense of domestic battering in the second degree.

Domestic battering in the third degree.

(a) A person commits domestic battering in the third degree if: **(1)** With the purpose of causing physical injury to a family or household member, the person causes physical injury to a family or household member; **(2)** The person recklessly causes physical injury to a family or household member; **(3)** The person negligently causes physical injury to a family or household member by means of a deadly weapon; or **(4)** The person purposely causes stupor, unconsciousness, or physical or mental impairment or injury to a family or household member by administering to the family or household member, without the family or household member's consent, any drug or other substance.

Domestic battering in the third degree is a Class A misdemeanor.

However, domestic battering in the third degree is a Class D felony if: **(A)** Committed against a woman the person knew or should have known was pregnant; **(B)** The person committed one (1) or more of the following offenses within five (5) years of the offense of domestic battering

in the third degree: Domestic battering in the first, second, or third degree or a violation of an equivalent penal law of this state or of another state or foreign jurisdiction , aggravated assault on a family or household member, § 5-26-306; or **(C)** The person committed two (2) or more offenses of battery against a family or household member as defined by a law of this state or by an equivalent law of any other state or foreign jurisdiction within ten (10) years of the offense of domestic battering in the second degree.

Dating Violence

Dating violence: Arkansas state statutes do not address dating violence separately from domestic violence and assault and battery.

Stalking

(a) (1) A person commits stalking in the first degree if he or she knowingly engages in a course of conduct that would place a reasonable person in the victim's position under emotional distress and in fear for his or her safety or a third person's safety, and the actor: **(A)** Does so in contravention of an order of protection consistent with the Domestic Abuse Act of 1991, § 9-15-101 et seq., or a no contact order as set out in subdivision (a)(2)(A) of this section, protecting the same victim, or any other order issued by any court protecting the same victim; **(B)** Has been convicted within the previous ten (10) years of: **(i)** Stalking in the second degree; **(ii)** Terroristic threatening, § 5-13-301 or terroristic act, § 5-13-310; or **(iii)** Stalking or threats against another person's safety under the statutory provisions of any other state jurisdiction; or **(C)** Is armed with a deadly weapon or represents by word or conduct that he or she is armed with a deadly weapon.

Stalking in the first degree is a Class C felony.

(b) (1) A person commits stalking in the second degree if he or she knowingly engages in a course of conduct that harasses another person and makes a terroristic threat with the purpose of placing that person in imminent fear of death or serious bodily injury or placing that person in imminent fear of the death or serious bodily injury of his or her immediate family. Stalking in the second degree is a Class D felony.

(c) (1) A person commits stalking in the third degree if he or she knowingly commits an act that would place a reasonable person in the victim's position under emotional distress and in fear for his or her safety or a third person's safety. Stalking in the third degree is a Class A misdemeanor.

In the National Incident-Based Reporting System User Manual from the FBI UCR Program, non-consensual sexual intercourse is referred to as **Rape** and is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

In the National Incident-Based Reporting System User Manual from the FBI UCR Program, non-consensual sexual contact is referred to as **Fondling** and is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of

the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Sex Offender Registry

The campus community should contact the Conway Police Department (501-450-6120) for listings and information regarding registered sex offenders, or visit the Arkansas Crime Information Center at: <http://acic.org/offender-search/index.php>

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