

# Welcome to UA Fort Smith!

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On behalf of the UA Fort Smith faculty, staff, and administration, we welcome you.

This Code of Conduct contains vital information regarding your obligations and privileges as a student. The University sets specific expectations for students regarding standards of conduct. We strongly encourage you to read this document and become familiar with the policies, regulations, and expectations of the University. Questions will be answered by the office of the vice chancellor for student affairs.

*Because we produce this information only once a year, it may not contain recent changes in policies and requirements. We encourage you to keep informed via LionsLink.*



# Code of Conduct

## IMPORTANT INFORMATION FOR STUDENTS

### Please read carefully.

For the purpose of this handbook a “student” is defined as any person who is admitted, enrolled or registered for study at the University of Arkansas - Fort Smith for any academic period. Persons who are not officially enrolled for a particular term but who have a continuing relationship with, or an educational interest in, the University of Arkansas-Fort Smith are considered “students”. A person shall also be considered a student during any period while the student is under suspension from the institution or when the person is attending or participating in any activity preparatory to the beginning of school including, but not limited to, fraternity or sorority recruitment, orientation, placement testing, and Sebastian Commons check-in.

### Identifying Yourself as a Student

1. Each student is issued a Lions ID Card, which must be retained while she/he is registered at the university.
2. In order to protect the safety and welfare of students and employees of the University and to protect the property of the University, all persons at events or on property under the jurisdiction of the University shall identify themselves to an appropriate institutional representative who has identified himself/herself. A person identifies himself/herself by giving his/her name and complete address and stating truthfully his/her relationship to the University. A person may be asked to present some form of identification.
3. If any person refuses or fails upon request to present evidence of his/her identification, and it appears reasonable that the person has no legitimate reason to be on the campus or in the facility, the person will be ejected from the campus or facility.
4. Any person who alters or intentionally mutilates a Lions ID Card, or who allows another to use his/her Lions ID Card will be subject to discipline.
5. A Lions ID Card is subject to confiscation by an agent of the university when acting in the performance of his or her duty if:
  - a. the Lions ID Card is in the possession of an individual other than the person to whom the ID card was issued and this person is attempting to use the ID card to represent himself or herself as a registered student, or,
  - b. the Lions ID Card is presented by the person to whom it was issued but it is not valid for the current term of registration, and the individual uses the Lions ID in an attempt to access university services for duly registered students.

The administration of UA Fort Smith has the authority to establish operating policies which facilitate the operation of the University and which are in the best interests of the students, staff, and the University. By the act of registering to attend UA Fort Smith, each student agrees to obey all rules and regulations formulated by the University and to obey all federal, state, and local laws. Each student is responsible for reading the code of conduct and becoming familiar with the policies, regulations, and procedures. The conduct of the individual student is an important indication of character and future usefulness in life. It is therefore important that each student maintain the highest standards of integrity, honesty, and morality. All students are expected to conform to ordinary and accepted social customs and to conduct themselves at all times and in all places in a manner befitting a student of UA Fort Smith.

Conduct unbecoming a student which reflects adversely upon him or the institution will result in disciplinary action. Students must not commit acts which are defined as criminal by state, federal, or local laws. An adjudication of guilt by a criminal court is not necessary for the application of discipline by the University if it is determined by the University that the student engaged in the prohibited conduct. If a student's conduct fails to meet these standards, or if it jeopardizes the safety or rights of others, or if it reflects adversely on the reputation of the University or any of its programs, the student can expect to be reprimanded, have restrictions imposed, or be denied the privilege to continue as a student. Any change in the standards adopted during the academic year is publicized on the University website and posted on campus bulletin boards. Disciplinary due process procedures are described in the Procedural Due Process for Disciplinary Actions section.

## **Violations Subject to Disciplinary Action**

The following includes some of the specific violations for which a student will be subject to disciplinary action and is not designated as a comprehensive list. Students who take any action which infringes upon the rights of others and/or jeopardizes the integrity of the University or any of its programs will be subject to disciplinary action.

1. Physical abuse; including, but not limited to, inflicting or threatening bodily harm upon any person, or acting in a manner which creates a risk of bodily harm to any person.
2. Harassment, abuse, coercion, or threatening behavior by means other than the use or threatened use of physical force. This includes, but is not limited to, any behavior prohibited by Ark, Code Ann. 5-71-208 and Ark, Code Ann. -5-13-208.
3. Conduct that significantly interferes with the operations of the University. Such conduct includes, but is not limited to, disruption or obstruction of teaching, research, administration, or other University activities.
4. Conduct that significantly endangers the health or safety of members of the University community or visitors to the campus. This includes, but is not limited to any activity that presents a clear threat of harm or injury to self or others.
5. Discrimination against any member of the University community or visitor on the campus through offensive behavior of a biased or prejudicial nature related to an individual's personal characteristics, such as race, color, national origin, sex, religion, disability, age, or sexual orientation.
6. Sexual Misconduct is defined as any sexual activity that does not involve the knowing consent of each individual expressed verbally or otherwise, or any prohibited activity as defined in university policies on sexual assault or sexual harassment; including but not limited to:
  - a. Unwelcome sexual advances, requests for sexual favors, and other verbal or written communication of a sexual nature.
  - b. Any form of sexual penetration when the victim does not or is unable to provide knowing consent.
  - c. Any touching or fondling of the sex organs or body parts for the purpose of sexual gratification when the victim is unable to or does not give knowing consent.
  - d. Any illegal trespass, force, restraint, domicile invasion, or coercion made with actual or threatened sexual intent.
  - e. Indecent exposure, harassment, use of phone, e-mail or any other method designed to relay messages or materials that are unwanted by the recipient.
7. Stalking of any member, guest, or visitor of the University community.
8. Disorderly conduct including, but not limited to, verbal abuse or inappropriate behavior or any activity or behavior prohibited by Ark, Code Ann. 5-71-207.

9. Damage, defacement, or destruction of property.
10. Attempted or actual theft, possession, or unauthorized use of property of the University, a member, guest, or visitor of the University community, or any other personal or public property.
11. Possession of firearms in violation of the law or University policy, including but not limited to, any behavior or activity prohibited by Ark, Code Ann. 5-73-306.
12. Possession of weapons, other than firearms, in violation of law or University policy.
13. Possession, use, or distribution of an alcoholic beverage in violation of law or University policy.
14. Public alcohol intoxication or appearing in a public place under intoxication as defined by Ark, Code Ann. 5-71-212 and Ark, Code Ann. 5-2-207.
15. Use or possession of a controlled substance, narcotic or drug paraphernalia, including but not limited to, any actions or activities prohibited by Ark, Code Ann. 5-64-401 and Ark, Code Ann. 5-64-403.
16. Sale, manufacture, or intent to manufacture a controlled substance or narcotic including, but not limited to, any actions or activities prohibited by Ark, Code Ann. 5-64-401 and Ark, Code Ann. 5-64-403.
17. Violation of safety systems, including but not limited to, the below listed behaviors as well as any behavior prohibited by Ark, Code Ann. 5-38-301 and Ark, Code Ann. 5-38-302.
  - a. Unauthorized use, abuse, or interference with fire protection equipment or safety equipment which could result in death, injury, or substantial property damage
  - b. Intentional setting off of false fire alarms
  - c. Bomb threats
  - d. Behavior which constitutes a significant fire hazard
  - e. Unauthorized possession or use of any material or substance which constitutes a significant health hazard
18. Possession or use of any explosive device, including but not limited to, ammunition, firecrackers, cherry bombs, bottle rockets, and dynamite.
19. Hazing, defined as, but not limited to, any act imposed on current or potential members of a group or organization that endangers the mental or physical health or safety of a person, that defaces or destroys public or private property, that is likely to result in humiliation or ridicule, or that is likely to result in interference with academic efforts regardless of the consent of the participants, or any actions or activities prohibited by Ark, Code Ann. 6-5-201 and Ark, Code Ann. 6-5-204.
20. Forgery, alteration, destruction, misuse, or possession of University documents or records without authorization. Violations include, but are not limited to, forgery of applications for financial aid, admission, course changes or course credit, copying or misuse of parking permits or Lions ID Card, or alterations of transcripts.
21. Possession, duplication, or use of keys to any University premises without authorization; entry or use of University premises without permission.
22. Gambling for money or other items of value on University premises; including but not limited to, card playing or other games of chance or skill for money or other items of value.
23. Organization or participation in activities which are in violation of University policy related to demonstrations and/or assemblies.
24. Violation of the University's Code of Computing Practices, including but not limited to, the misuse of a University computer.
25. Instigation of a disturbance in violation of University policy and/or any local sound ordinance.

26. Misuse of University telephones, telephone services or equipment, including but not limited to, the use of University phones, telephone services, or equipment without consent of those responsible for their control.
27. Harboring or bringing a pet on University premises in violation of University policy.
28. Abuse of the University disciplinary system, including but not limited to:
  - a. Knowing falsification or misrepresentation of information presented to any judicial authority.
  - b. Interference with a judicial process through coercion, intimidation, threats, or bribery.
  - c. Failure to promptly obey any mandate of any University disciplinary authority.
  - d. Initiation of a complaint with prior knowledge that information submitted is false.
29. Any violation of any Arkansas state and/or federal criminal law. Students are expected to be familiar with and observe all provisions of federal, state, and local laws.
30. Failing to comply with orders or directives of University officials, University hearing bodies, University Police, or any other law enforcement officers acting in the performance of their duties.
31. Furnishing false or misleading information to a member of the faculty, staff, student, or law enforcement official acting in an official capacity.
32. Conduct which encourages or enables illegal activity and/or a violation of the Student Code of Conduct by failing to confront the behavior or by implicitly condoning the behavior by his/her presence during the activity.
33. Tampering with the election of any University recognized student organization.
34. Violation of any published University policies, rules, or regulations. It is the responsibility of the student to be familiar with all University policies that relate to appropriate behavior on campus.

### **Violation of University Policies on Academic Integrity.**

Violations of University policies on academic integrity and classroom behavior are addressed by the individual colleges. Further information on such policies and procedures may be reviewed by contacting the vice chancellor for Student Affairs office.

### **Disciplinary Sanctions**

When the vice chancellor for Student Affairs, the director of Housing and Residential Life, or their designee has been notified that a student or student organization has violated the Code of Conduct an investigation will take place. If found responsible, the student or student organization will meet with the vice chancellor for Student Affairs or director of Housing and Residential Life and sanctions will be fashioned in such a manner that will redirect the individual or group's inappropriate behavior, encourage responsible judgment and ethical reasoning, protect the community's property and rights, as well as affirm the integrity of the institution's conduct standards.



The vice chancellor for Student Affairs or director of Housing and Residential Life, or designee is authorized to impose any one or a combination of the following disciplinary or active sanctions:

### **1. University Reprimand**

In cases of minor violations, students will be placed on a warning status for one (1) calendar year. A copy of the decision is retained in a student's file for one (1) year and may be used in determining sanctions for cases brought during that year. Records are not maintained after the warning period has expired.

### **2. Conduct Probation**

This sanction is imposed when a student's actions are found to be serious, but not serious enough to warrant Suspension or Expulsion. The disciplinary authority shall indicate the length of the probationary period. A student who is placed on Conduct Probation is considered not to be in good standing with the University. In the event of a further violation of this Code while on Conduct Probation, the vice chancellor for Student Affairs or director of Housing and Residential Life, or the designee will generally seek the penalty of Suspension. These records are maintained for seven (7) years from the date of sanction. In addition, the student may be restricted from certain activities on campus [participation in registered student organizations, intramural athletics, varsity athletics, etc].

### **3. Suspension**

Suspension involves withdrawal of enrollment privileges for a specified period of time and ordinarily carries with it conditions which must be met for re-enrollment. During the period of Suspension, the student may not come onto campus, except when specifically authorized in writing by the vice chancellor for Student Affairs or designee. Failure to abide by this condition may result in arrest for trespassing and/or further disciplinary sanctions. Suspended students are not permitted to live or board in University facilities or approved student housing. Students suspended may not receive transfer credit for University work completed at another institution by correspondence or in residence without permission from the vice chancellor for Student Affairs. Re-enrollment after a Suspension requires that the student apply to the vice chancellor for Student Affairs at the close of the imposed period. The vice chancellor for Student Affairs determines whether the student has met the conditions imposed and is otherwise eligible for re-enrollment. These records are maintained indefinitely.

### **4. Expulsion**

Expulsion is a permanent dismissal from the University. These records are maintained indefinitely.

## **Additional Sanctions**

### **1. Restitution**

Restitution is one likely response to situations that involve medical expenses or destruction, damage or loss of property incurred as a result of a violation of the Code. When restitution is required, the judicial body obligates the student or student group to compensate a party or parties for a loss suffered as a result of the violation(s). If the respondents are unable to make monetary restitution within the required reasonable time period, the judicial officer or judicial hearing board may arrange alternative means such as commensurate service and/or replacement.

### **2. Removal of Activity Privileges**

This option may be exercised if it is believed by the judicial body or hearing officer that restricting or removing specified activities or privileges may be an effective educational sanction. This approach may be particularly useful when the violation is related to a University activity, such as a fight during an intramural game or an alcohol violation at a University sponsored event.

### **3. Educational Sanctions**

All consequences of judicial hearings are intended to be educational. In this context, however, the term “educational sanctions” specifically describes those tasks, assignments, fines, or experiences that a student is obligated to complete as a result of a judicial board or hearing officer’s decision. Educational sanctions may be imposed in combination with or as a condition of any other disciplinary sanction. Educational sanctions may, for example, require the respondent to prepare letters of apology, to research an issue related to the offense, to attend a workshop, lecture or meeting, to perform community service, or to attend counseling. Cost of workshop or other financial burden required by educational sanction is the responsibility of the student.

#### **4. Removal from a Living Unit**

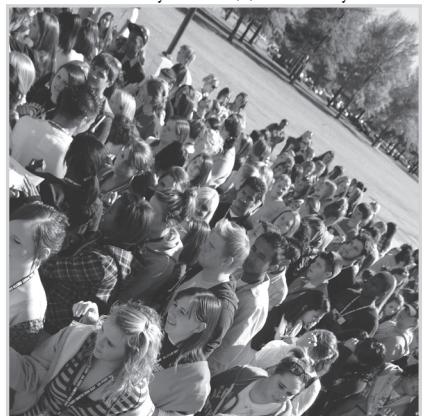
In imposing this sanction, the judicial body or hearing officer may require a student to vacate a particular University housing facility. For example, removal may separate students from environments where evidence suggests that adjustment has been difficult. Circumstances in the environment such as conflicts with supervising personnel, peer pressure, or an unwillingness to recognize and respect the rights of others may indicate a need for the use of this sanction. Besides affirming the rights of other residents in the living unit, this sanction may provide the offending student an opportunity to make a fresh start in a new setting. Housing policies and accompanying sanctions are made available through the Director of Housing and Residential Life. These policies and procedures may be picked up at the Sebastian Commons Leasing Office.

#### **5. Registration and Account Holds**

The vice chancellor for Student Affairs or designee has the authority to place a hold or to request the Registrar or appropriate University Official to impose a hold on a student’s account when a student fails to comply with assigned sanctions. Account holds may restrict students from making changes to their accounts including, for example, restrictions on registering for classes or receiving a degree. Account holds shall remain in place until the student complies with the assigned sanction(s).

### **Disciplinary Records**

1. Discipline records for individuals are confidential and are not made available to unauthorized persons except upon consent of the student or as otherwise provided by law, including the Family Education Rights and Privacy Act (FERPA). This disciplinary record shall be separate from the student’s academic record but shall be considered a part of the student’s educational record maintained in the Office of the vice chancellor for Student Affairs. Discipline records for student organizations are not protected by the Family Educational Rights and Privacy Act.
2. Records for cases resulting in University Reprimands will be destroyed one (1) calendar year from the date of the decision, barring additional violations.
3. Records for cases resulting in University Censure or Conduct Probation will be destroyed seven (7) years from the date of sanction or as permitted by federal or state law.
4. A student who is suspended or expelled will have a hold placed on his/her registration file by the vice chancellor for Student Affairs or designee. This hold will be removed when the term of suspension expires and/or conditions for re-enrollment have been met. Records for Suspensions and Expulsions are maintained indefinitely.



5. Suspension or Expulsion will be noted on the transcript as a withdrawal with a mark of “W” assigned.

## **Procedural Due Process for Disciplinary Actions**

To guarantee that the rights of UA Fort Smith students will be protected, the following procedure has been developed for non-academic issues. Violations of the Student Code of Conduct will be referred to the vice chancellor for Student Affairs for disciplinary action. Violations of the Resident Life Handbook will be referred to the Director of Housing and Residential Life. If the disciplined student or student organization disagrees with a finding of “responsible for violation of policy”, the student or organization may appeal the action within three days of notification to a five-member judiciary board. The written appeal must be presented to the office of the vice chancellor for Student Affairs, SPCC 201C, within the designated time frame. To contact the office of the vice chancellor for Student Affairs, call 788-7310.

This judiciary board will be appointed by the vice chancellor for Student Affairs of the University and will be comprised of three faculty members and two students. The board will review the investigative report provided by the vice chancellor for Student Affairs or the Director of Housing and Residential Life. The student is allowed to submit any written or other documentary evidence in support of the appeal that meets the following guidelines: (1) an alleged violation of the rights guaranteed the accused has occurred; (2) the sanction is too severe for the violation; or (3) new and significant evidence that was not available at the time of the hearing has developed which has a bearing on the outcome. The board will meet to establish the process by which it will evaluate the appeal request. This board shall be convened within 14 business days from receipt of the appeal. The board shall submit its decision to the vice chancellor for Student Affairs and student no later than 21 business days from receipt of the appeal. The student may be offered the opportunity to answer questions from the board. Other witnesses as appropriate may be called to assist the board in its deliberations. However, the student is not entitled to present other witness testimony, unless deemed necessary by the board. The student has the right to appeal the board's decision to the vice chancellor for Student Affairs. The vice chancellor for Student Affairs may choose to approve, reject, or modify the decisions in question.

If the disciplined student or student organization disagrees with the decision of the judicial board, the student or organization may appeal the action within three days of notification to the vice chancellor for Student Affairs. The written appeal must be presented to the office of the vice chancellor for Student Affairs, CC 201, within the designated time frame. To contact the office of the vice chancellor for Student Affairs, call 788-7310. The vice chancellor for Student Affairs will review the investigative report provided by the Director of Housing and Residential Life and judiciary board. The student is allowed to submit any written or other documentary evidence in support of the appeal that meets the following guidelines: (1) an alleged violation of the rights guaranteed the accused has occurred; (2) the sanction is too severe for the violation; or (3) new and significant evidence that was not available at the time of the hearing has developed which has a bearing on the outcome. The vice chancellor for Student Affairs will evaluate the appeal request. The board shall submit its decision to the vice chancellor for Student Affairs and student no later than 21 business days from receipt of the appeal. The student may be offered the opportunity to answer questions from the vice chancellor for Student Affairs. Other witnesses as appropriate may be called to assist the vice chancellor for Student Affairs in his/her deliberations. However, the student is not entitled to present other witness testimony, unless deemed necessary by the vice chancellor for Student Affairs.



# UA Fort Smith Alcohol/Drug Abuse Policy

## UA Fort Smith Alcohol Policy

Student possession and use of alcohol in University facilities, including residential housing, and at official University functions held on campus is prohibited. It is the policy of the University that the illegal or abusive use of drugs or alcohol by employees and students is prohibited on University property or as a part of any university activity whether on or off campus. Irresponsible behavior while under the influence of intoxicants is not to be condoned and may be subject to review and/or action by the appropriate judicial body.

## UA Fort Smith Drug Policy

Possession, use, or manufacture of illicit drugs is strictly prohibited at the University of Arkansas - Fort Smith. Students at UA Fort Smith are subject to disciplinary action for violation of federal or state laws regarding the possession, purchase, manufacture, use, sale or distribution (by either sale or gift) of any quantity of any prescription drug or controlled substance, except for the use of any over-the-counter medication or for the prescribed use of medication in accordance with the instructions of a licensed physician. Possession of paraphernalia associated with the use, possession or manufacture of a prescription drug or controlled substance is also prohibited.

## Alcohol/Drug Abuse

UA Fort Smith recognizes its responsibility to provide a healthy environment within which students may learn and prepare themselves to be fully functioning and productive individuals. Alcohol and other substance abuse is a university concern. When students abuse alcohol and other drugs, academic performance, health, personal relationships, and safety suffer. Abusive levels of alcohol use and other drugs often result in problems such as automobile and other accidents, student fights, property damage, aggravated physical illness, and sometimes death. Students need to know what their responsibilities are as members of the university community and understand the university's expectation and regulations. The abuse of alcohol and other drugs is considered to be detrimental to the attainment of the educational mission of this institution.

UA Fort Smith has implemented the following policy regarding substance abuse:

1. Any student found in violation of these procedures will immediately be placed on probation and shall be subject to additional disciplinary actions which may include dismissal from UA Fort Smith.
2. The vice chancellor for Student Affairs or the director of Housing and Residential Life will make information available to students about the dangers of drug abuse, the availability of counseling, and the penalties for violations. Such information will be promulgated in the student handbook, visual displays, drug-awareness sessions, etc.
3. Students who have no record of conviction for drug abuse and who voluntarily seek counseling for drug-abuse problems may not be dismissed from the University. However, if a drug-abuse conviction occurs after counseling/rehabilitation has begun, the student is liable for the full range of University disciplinary measures.
4. The vice chancellor for Student Affairs will be responsible for the implementation of these procedures. All violations will be reported to the chancellor with a recommended penalty.

5. Specific degree programs may have additional policies related to prevention and management of substance abuse. Students enrolled in these degree programs are responsible for adhering to College specific policies as well as University policies.

## Legal Sanctions for Violations of Law

The following legal sanctions, at a minimum, may occur for violation of local, state or federal laws:

**Underage DUI Law:** The State of Arkansas' "Underage DUI (Driving under the Influence) Law" (Act 863) makes it an offense for a person under the age of 21 with a blood alcohol content of .02 to .07 (approximately one can of beer, one glass of wine, or one drink of hard liquor) to operate a motorized vehicle. Penalties for a first offense can result in:

1. Suspension of driver's license for not less than 90 days;
2. A fine of no less than \$100 nor more than \$500;
3. Assignment to public service work; and/or
4. Completion of an alcohol and driving education program.

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

1. Suspension of license for 120 days for the first offense with a blood alcohol content of at least .08; suspension of 180 days for the first offense with a blood alcohol content of .15 or more; suspension for 6 months for the first offense if intoxicated by use of a controlled substance;
2. Imprisonment for no less than 24 hours and no more than one year for the offense (with additional imprisonment for subsequent offenses);
3. Fines of no less than \$150 and no more than \$1,000 for the first offense (with stiffer fines for subsequent offenses);
4. As an alternative to payment of fine, public service work as deemed appropriate by the court in the event of financial inability to pay fines; and
5. A requirement to complete an alcohol education program as prescribed and approved by the Arkansas Highway Safety Program or an alcoholism treatment program as approved by the Bureau of Alcohol and Drug Abuse Prevention. A blood alcohol level in excess of .04 may be considered with other competent evidence in determining guilt or innocence. A blood alcohol level of .08 or more shall give rise to a presumption of intoxication.

**Public Intoxication:** A person commits the offense of "Public Intoxication" if

1. He appears in a public place manifestly under the influence of alcohol or a controlled substance to the degree that he is likely to endanger himself or other persons or property, or
2. He unreasonably annoys persons in his vicinity. Public intoxication is a Class C misdemeanor, and can result in a fine of up to \$100, and/or imprisonment in the county jail (or other authorized institution) for up to 30 days.

**Possession of Alcohol by a Minor:** It is illegal for a person under the age of 21 to possess alcohol. Penalties include a fine of up to \$500, probation under the direction of the court and driver's license suspension for a period of up to one year.

**Knowingly Furnishing to a Minor:** A person commits the offense of “knowingly furnishing to a minor” if, being an adult, he knowingly purchases for or provides alcoholic beverages to a minor. Such an offense is a Class C misdemeanor, and can result in

1. A fine of up to \$1,000 and/or
2. Imprisonment in the county jail (or other authorized institution) for up to one full year.

**Parental Notification Guidelines (regarding violations of alcohol and drug policies)**

In keeping with federal legislation and as authorized by the Higher Education Amendments of 1998, the University of Arkansas – Fort Smith has the following policy:

Parents/guardians may be notified when the following circumstances apply.

1. The student is under 21 years old at the time of the offense.
2. The student’s violation:
  - a. involves the use, possession, or distribution of alcohol;
  - b. involves the use, possession, or distribution of an illicit drug;
  - c. involves personal injury or damage to property; or
  - d. the student has committed a previous violation regarding the use, possession or distribution of alcohol.
3. The student is found “responsible” for a violation of the University’s drug or alcohol policies, and:
  - a. The student is placed on either University or residential housing probation. This places the student on notice that any additional offense may affect either of these privileges’, or
  - b. The resulting sanction(s) affects the student’s ability to live on campus or attend the University (e.g. housing removal/relocation, suspension, or eviction.)

Because not all Student Code of Conduct violations involve alcohol or drug policies and result in this level of sanctioning, parents will not automatically be notified when their student becomes involved in the disciplinary process. The University, however, reserves the right to notify a student’s parents or legal guardian whenever the first two criteria alone are met. Additionally, if parents would like information regarding their student’s disciplinary history or status at the University from the offices of the vice chancellor for Student Affairs or the director of Housing and Residential Life, they can request that their son/daughter sign an Authorization to Release Student Information Form allowing the office of the vice chancellor for Student Affairs to release that information. These forms are available in the vice chancellor for Student Affairs office Smith-Pendergraft Campus Center, room 111, and in the Records Office, on the second floor of the Smith-Pendergraft Campus Center.

**Note:** If the student meets the legal standard for “independent status” (e.g. for tax purposes), then parents will not be notified without the student’s express written consent.

# Notification of Rights (FERPA)

## Notification of Rights under the Family Educational Rights and Privacy Act

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

1. The right to inspect and review the student's college education records as soon as possible but not later than 45 days from the day the University receives a request for access. Students should submit to the Registrar a written request that identifies the record(s) they wish to inspect. The Registrar will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the Registrar, the Registrar shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student's education records that the student believes is inaccurate or misleading. Students may ask the University to amend a record that they believe is inaccurate or misleading. They should write the University official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the University decides not to amend the record as requested by the student, the student will be notified of the decision and advised of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by UA Fort Smith to comply with the requirements of FERPA. The name and address of the office that administers FERPA is as follows:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605
5. Directory information as defined by the U.S. Department of Education means information contained in an educational record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. Students may request UA Fort Smith not release directory information by completing the proper form and submitting it to the Records Office, Upper Level of the Smith-Pendergraft Campus Center. Directory information at UA Fort Smith includes name, address, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees and awards received, telephone listing, electronic mail address, photograph, date and place of birth, dates of attendance, grade level, enrollment status (i.e., undergraduate or graduate; full- or part-time), honors received, and most recent educational agency or institution attended. It is important to note that the institution, at its sole discretion, designates what is considered "directory information," as well as what is released in each circumstance.

Additionally, educational records and personal information may be released in the following circumstances:

- Judicial subpoena of records, upon condition that the University makes a reasonable effort to notify the student in advance of the release of records.
- Emergency situations, if knowledge of personal information is necessary to protect the health and safety of a student or other person(s).

UA Fort Smith is required to comply with military requests for student information, under the Solomon Amendment to the National Defense Authorization Act, 1995/1996, and the Omnibus Consolidated Appropriations Act, 1997.

## UA Fort Smith Policies

### **Electronic Communications Policy:**

UA Fort Smith recognizes the significant position computers hold in the workplace. To encourage all students to become familiar with technology, several computer labs are provided on campus. The Electronic Communications Policy and Security Procedures include regulations concerning the use of computers on campus. There is a link to the Electronics Policy and Security Procedures at the bottom of each page on the UA Fort Smith website ([www.uafortsmith.edu](http://www.uafortsmith.edu)). The use of campus computers to access or transmit pornography or inappropriate materials is prohibited. Students who violate these policies are subject to disciplinary action which may include suspension and/or loss of the right to enroll for future semesters or immediate dismissal from the University.

### **Anti-littering Measures**

Distribution of handbills, pamphlets, and other literature on the grounds or in the buildings of the University, or on student, faculty, and staff vehicles without the permission of the vice chancellor for Student Affairs is prohibited. The vice chancellor may restrict the time and location of any such distribution and require distributors to collect all discarded literature through a written “clean-up” agreement. Trash receptacles are provided across the campus. Please do not litter; ensure all trash is disposed of properly.

### **Cell Phones**

Disruptive use of cell phones is not allowed. Cell phone usage is prohibited in the Boreham Library and the Fitness Center.

### **Deception, Fraud, and Misuse of Documents**

Furnishing false information to the University with intent to deceive is explicitly prohibited, as is forgery, alteration, unauthorized possession, or misuse of University documents, records, and identification cards.

## **Firearms/Weapons**

No person shall possess, handle, or transmit any object that can be considered a weapon or dangerous instrument including, but not limited to firearms, knives, air guns, or any device designed to resemble a weapon while on the property of the University of Arkansas – Fort Smith. Under A.C.A. section 5-73-306(a), “a license to carry a concealed handgun does not authorize the licensee to carry a concealed handgun into: Any school, college, community college or university campus building or event, unless for the purpose of participating in an authorized firearm-related activity.” No person shall possess a handgun on UA Fort Smith property, either on his or her person, in a vehicle, or otherwise readily available for use with the purpose to employ it as a weapon against a person (Section 5-73-119(c)(1)). Discharging of firecrackers, bombs or other types of fireworks is prohibited. Toy weapons that look like real weapons are similarly prohibited.

If it is necessary for a student to carry weapons because of law enforcement work, the student must obtain an authorization for the temporary possession of such items from the Chief of the University Police Department. Failure to obtain written permission will result in disciplinary action and/or criminal prosecution. Notify your instructor or call the UA Fort Smith Police Department at (479) 788-7140 to report any violations of this policy.

## **Off-Campus Activities**

The University reserves the right, in the interest of protecting students from harm, to take action in response to off-campus behavior that violates University expectations and policies, and when the University’s interest as an academic community is clearly involved.

## **Property**

Destruction, damage, unauthorized possession, or misuse of University or private property (including but not limited to keys, library materials, computers and/or the University computer system, laboratory supplies, or any other University property) is prohibited. This regulation covers the unauthorized appropriation or “borrowing” of common property for personal use.

## **Recognized Student Organizations**

The University requires that students involved with a Recognized Student Organization must be currently enrolled in a minimum of three (3) hours at UA Fort Smith and must maintain a minimum cumulative GPA of 2.00 while involved with organizations on campus, and must be in good standing in terms of behavior and conduct that represents the organization and University well. The following, for example, are not eligible to officially represent the organization:

- persons who have been placed on academic probation, suspension or dismissal
- persons who are currently on disciplinary probation, or those who have been suspended or expelled for disciplinary reasons
- persons whose debts to the University have disqualified them from further enrollment.
- persons who have been issued formal administrative directives banning them from specific activities or geographically defined areas on campus

## **Rights of Others**

The rights of students, faculty, staff, and any other person on the University campus must be honored. Participation in acts which are degrading or injurious or which hold another against his or her will, written or oral threats and the physical and verbal abuse of another person are specifically

prohibited. Individuals who intentionally and significantly interfere with the teaching/learning process will be disciplined.

Instructors have the right to set expectations for classroom behavior. Students who interfere with the teaching/learning process may be asked to leave the class and will be subject to discipline by the academic colleges. In the event University Police is called to assist with disruptive behavior in the classroom or academic area, the student may be subject to disciplinary sanctions imposed by the academic college as well as the office of the vice chancellor for Student Affairs.

### **Solicitation of Students**

Solicitation of students on University property for membership in and/or contributions to any organization or association is prohibited. Solicitation by agents or salespersons, or students acting as agents or salespersons, on University premises is prohibited. This policy also prohibits solicitations via UA Fort Smith's e-mail and other telephonic communication systems. Any exceptions must have the consent of the chancellor or designee.

### **Student Dress**

UA Fort Smith students are expected to dress in a manner appropriate for responsible adults in an educational setting. See-through clothing and clothing which is revealing is considered inappropriate. Wearing apparel that displays an obscene writing, description, photograph, or depiction is prohibited.

### **Operating an Unauthorized Business**

Operating an unauthorized business from campus, including but not limited to, babysitting services, Internet web sites, and cosmetic services, is prohibited.

### **Mass Assembly and Demonstration**

Any organizational mass assembly or demonstration occurring on the UA Fort Smith campus must be registered in the Student Activities Office no later than two (2) weeks prior to the scheduled commencement of the event. The University has the right to deny a mass assembly or demonstration. Currently enrolled UA Fort Smith students or UA Fort Smith recognized/affiliated organizations may register these assemblies. Please consult the "Registration of Organization Event" form to coordinate the assembly. Non-students should contact the vice chancellor for Student Affairs. The organization will be held accountable to ensure that guidelines established for such assemblies and demonstrations, other rules of the University, and proper behavior and decorum of all participants are maintained.

The University reserves the right to designate the area or areas in which mass assemblies and demonstrations may be held. Normally, outdoor assemblies will be held at the Donald W. Reynolds Plaza, Tower, and Campus Green. Locations will be confined to areas of the campus where the holding of such assemblies is unlikely to cause substantial interference with normal traffic flow and the ongoing educational process of the University.

All mass assemblies and demonstrations will be confined to a specific time frame. The vice chancellor for Student Affairs or his/her designee will have the authority to establish such time limitations for any event. Organizations hosting the assembly are responsible for post-event cleanup. Please refer to the Student Organization Handbook for details and forms.

# Sexual Assault/Harassment/Discrimination

## Sexual Assault Policy

It is the policy of the University of Arkansas - Fort Smith to prohibit any form of sexual assault and to prevent sex offenses committed against students, employees, visitors, and other persons who use University facilities. Sexual assault is a crime, defined by the Arkansas Criminal Code.

Programs and resources are available to members of the University community on the topics of sexual harassment and sexual assault. Programs can be arranged through the director of the UA Fort Smith Police Department and/or Student Activities office.

## Procedure to Follow if Sexual Assault Occurs

**Whom to Contact:** A victim of sexual harassment or sexual assault should report it to the UA Fort Smith Police Department or the Fort Smith Police Department as quickly as possible. If the incident occurred off campus, UA Fort Smith's Police Department will assist the victim in notifying the proper law enforcement agency. The incident may also be reported to University officials such as academic advisors, the vice chancellor for Student Affairs, or the Office of Human Resources. A victim of sexual assault may go directly to a hospital and then make the decision regarding other agencies or resources to contact.

**Preservation of Evidence:** It is important that victims of sexual assault do not shower, douche, brush their teeth, or use the restroom. Victims should not wash their clothes or any bedding on which the incident may have occurred. If they do so, important evidence can be lost or destroyed. It is important that the UA Fort Smith Police Department and/or the Fort Smith Police Department be contacted immediately for evidence collection.

**Assistance in Contacting Law Enforcement:** Even if the victims report the incident to an agency not affiliated with law enforcement, they may still report the incident at any time to the UA Fort Smith Police Department or to the law enforcement agency with jurisdiction over the off-campus incident. Any campus official will be glad to assist a victim in contacting the proper law enforcement agency.

**Notification of Counseling and Assistance:** Any victim who reports an incident to an on-campus official will be advised of counseling services and assisted in obtaining them as necessary.

## Sexual Assault is defined as one or more of the following:

**Offensive Touching Sexual Assault** - the touching of an unwilling or non-consensual person's intimate parts (such as genitalia, groin, breast, buttocks, mouth, and/or clothes covering them); touching an unwilling person with one's own intimate parts; or forcing an unwilling person to touch another's intimate parts.

**Non-consensual Sexual Assault** - unwilling or non-consensual penetration of any bodily opening with any object or body part. This includes, but is not limited to, penetration of a bodily opening without consent through the use of coercion.

**Forced Sexual Assault** - unwilling or non-consensual penetration of any bodily opening with any object or body part that is committed either by force, threat, intimidation or through exploitation of another's mental or physical condition of which the assailant was aware or should have been aware.



## Healthy Sexual Activities

Healthy sexual activities involve mutually expressed consent. Being knowledgeable of the meaning of consent will help all students prevent sexual assault and harassment. Consent is defined as follows:

- Both individuals are physically free and capable to act
- Both individuals are willing and clear about their intent to engage in sexual activities
- Both individuals are free from the influence of alcohol or other drugs
- Mentally competent in order to provide consent
- Silence may not in and of itself constitute consent
- Past consent of sexual activities does not imply ongoing future consent

## Campus Sex Crimes Prevention Act

Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071), as amended by the Campus Sex Crimes Prevention Act, requires any person who is required to register in a state to provide notice to each institution of higher education in the state in which the person is employed, carries on a vocation, or is a student. The Clery Act, as amended by the Campus Sex Crime Prevention Act, requires an educational institution to state the location of where information concerning registered sex offenders is maintained. A list of current sex offenders pertinent to the University of Arkansas - Fort Smith campus is developed and maintained in the Office of the Provost, Fullerton Administration Building, room 126. In accordance with Arkansas law, relevant and necessary information will be disclosed when the information is necessary for public protection.

## Sexual Harassment/Discrimination

UA Fort Smith has adopted a policy of “zero-tolerance” with respect to unlawful harassment/discrimination and does not, and will not, tolerate harassment/discrimination of any student, employee, or individual who is a part of the campus community. For students this includes harassment or discrimination by a University employee, fellow students, or by any third-party individual on the institution’s premises, the location of any University-sponsored activity, or any other site used for the performance of studies for UA Fort Smith. The University will not tolerate physical or verbal conduct that acts to create a hostile work or study environment. Behavior that is offensive, intimidating or abusive in nature, especially behavior that relates to such things as an individual’s race, color, sex, religion, or national origin, is prohibited. Harassment/discrimination encompasses a broad range of physical or verbal behavior that can include a wide range of conduct. Examples of the types of conduct expressly prohibited by this policy include, but are not limited to, the following:

- Racially or ethnically degrading statements, religious slurs, or teasing or taunting that is intended to provoke an employee or student—this includes name-calling.
- Touching, such as rubbing or massaging someone’s neck or shoulders, stroking someone’s hair, or brushing against another’s body.
- Horseplay with sexual overtones.
- Sexually suggestive touching.
- Grabbing, groping, kissing, or fondling.
- Lewd, off-color, sexually or racially-oriented comments, or jokes.
- Foul or obscene language.

- Leering, staring, whistling, or stalking.
- Suggestive or sexually explicit literature, posters, calendars, photographs, graffiti, or cartoons.
- Unwanted or offensive letters or poems.
- Sitting or gesturing sexually.
- Offensive e-mail or voice-mail messages.
- Sexually oriented or explicit remarks, including written or oral references to sexual conduct, gossip regarding one's sex life, body, sexual activities, deficiencies, or prowess.
- Questions about one's sex life or experiences.
- Sexual favors used as an explicit or implicit condition of employment.
- Sexual assault or rape.
- Any other conduct or behavior deemed inappropriate by the University.

All faculty are responsible for creating an atmosphere free of discrimination and harassment, sexual or otherwise. Further, all students will be held responsible for compliance with this policy. Violations may lead to disciplinary action up to and including suspension or termination. A student can be held personally and individually liable for harassment/discrimination and is subject to penalties provided in Title VII of the Civil Rights Act. In all cases, it is both the University's and the student's responsibility to take immediate action to correct the situation.

**Reporting.** Do not assume that the University is aware of your problem. It is your responsibility to bring complaints and concerns to the University's attention so that they can be resolved. Students who experience harassment or discrimination, or who are aware of harassment or discrimination, should immediately report it to the vice chancellor for Student Affairs in the Smith-Pendergraft Campus Center, upper level, or call (479) 788-7310.

**Investigation.** The University will investigate complaints promptly and take appropriate action. All complaints will be treated with confidentiality, to the extent possible, and no punitive action will be taken against any student who, in good faith, files a complaint or participates in an investigation.

**Retaliation.** The University will not tolerate harassment, discrimination, or any form of retaliation against a student who has instigated or cooperated in an investigation of alleged harassment or discrimination. Any student found retaliating against another employee or student instigating or cooperating in an investigation will be subject to disciplinary action, up to and including suspension.

**Consensual Relationships.** Even consensual intimate relationships between faculty and their students make the employee and the University more vulnerable for charges of sexual harassment, discrimination, and/or unethical or unprofessional behavior. Consensual relationships may lead other faculty and students to question the validity of assignments, grades, and other interactions between the people involved in such a relationship. The integrity of the work of both people in the relationship may be compromised. Faculty should be aware that any intimate involvement with their employees or students could subject them to formal actions if a sexual harassment/discrimination complaint is subsequently made and substantiated.

Even when both parties have consented to a relationship, it is the faculty member who will be held accountable for unprofessional behavior. In addition, other students may allege that the relationship creates a hostile or abusive environment affecting them. If such allegations are proven true, the University will take appropriate disciplinary action, up to and including suspension.

For this reason, faculty/employees are not to date (or otherwise engage in inappropriate personal relationships with) students with whom they have an educational relationship to avoid setting

themselves up for charges of inappropriate behavior. An educational relationship may include, but is not limited to, the following: students currently enrolled in their classes; students to whom they serve as advisor, employer, or mentor; students who participate in organizations, field trips, or other University-sponsored events involving faculty or employees.

## Tobacco-Free Campus Policy

The use of any tobacco product is prohibited on the grounds of UA Fort Smith in order to establish a healthier and more beautiful learning environment. The tobacco-free environment includes all University property, which according to State Statute 25-17-301, "...shall include all highways, streets, alleys and rights-of-way that are contiguous or adjacent to property owned or controlled by the institution."

### Policy for Faculty, Staff, Students, and Visitors

Everyone on campus (faculty, staff, students, and visitors) has a responsibility to encourage their peers and others to adhere to the tobacco-free campus policy. As such, an environment of positive peer support can move the campus community significantly toward the goal. When peer or supervisor encouragement is not effective, the primary responsibility for enforcement rests with the appropriate supervisors in each area with the assistance of the UA Fort Smith Police Department. Failure to adhere to policy will be handled as would any other disciplinary issue. Employees should refer to the Employee Manual. Visitors will be informed of the policy and asked to comply. Student compliance will be addressed using the three-level process listed below. The intent of the progressive corrective action models in the Employee Manual and listed below are to create a better learning environment for everyone on campus.

### Corrective Actions (Students)

#### *First Level: warning*

A verbal warning will be given to the offending tobacco user by anyone observing the behavior. The first level warning is done to ensure that the person is aware that tobacco use on campus is not allowed and to help the person change the behavior. An attempt to identify the offender will be made by ascertaining the person's name or vehicle license plate number. Verbal warnings will be documented by reporting same to the UA Fort Smith Police Department or the vice chancellor for Student Affairs.

#### *Second Level: written warning*

A written warning will be issued when the offending behavior continues following a verbal warning. The offending person's name and the circumstances should be reported to the UA Fort Smith Police Department, the vice chancellor for Student Affairs, or the dean's office in that area/building. A report will be prepared by the UA Fort Smith Police Department and the person(s) involved will be counseled by the vice chancellor for Student Affairs with a written warning to the student/file to document the behavior and assist the person in ceasing the use of tobacco on campus.

#### *Third Level: administrative sanctions including suspension from the University*

Should the second-level written warning be ineffective, additional administrative sanctions will be levied to include required attendance at a tobacco-use information session or suspension from the University for a semester or longer. The sanctions imposed must be delivered in writing.

### *Due Process: appeal of action*

The normal disciplinary action due process procedures in the Student Code of Conduct and course catalog will be used if an appeal is filed.

## **Parking/Traffic Policies**

### **Parking**

1. All students must register their vehicles in order to park on campus.
2. UA Fort Smith reserves the right to restrict the use of an automobile on University property if the owner or driver has abused the privilege of operating a vehicle on campus.
3. UA Fort Smith assumes no responsibility for a vehicle or its contents.
4. Failure to pay fines will result in the blocking of registration or the withholding of transcripts or pay and refund checks.
5. A ticketed vehicle continuing in violation may be ticketed again as long as the violation continues.
6. An illegally parked, but non-ticketed vehicle is not an indication that the regulation being violated is no longer in effect.
7. Motorcycles, mopeds, and motorbikes are to be parked in designated parking areas around campus. No travel through campus is permitted.
8. Bicycles must obey all rules of the road and shall be parked in racks provided on campus. Bicycles parked in access ways, on sidewalks, in areas that may obstruct access, or any other improper locations will be subject to a citation and impounded.

### **Traffic Citation Appeals Process**

A traffic citation may be appealed within 72 hours of its issuance if the recipient believes it was issued contrary to campus traffic regulations or in error. Appeals must go to the chief of the UA Fort Smith Police Department. Appeals must be initiated in writing and maybe filed electronically. E-mails should be sent to [UPD@uafortsmith.edu](mailto:UPD@uafortsmith.edu).

### **Handicapped Parking**

All students, faculty, and staff who use handicapped parking on campus are asked to obtain a UA Fort Smith handicapped parking permit. Permits are available at no charge from the vice chancellor for Finance office, located in the Fullerton Administration building, room 112. Hours of operation are 8 a.m. through 5 p.m., Monday through Friday.

Physically challenged persons may obtain the required UA Fort Smith permit by bringing their Arkansas Department of Finance and Administration-issued "Disabled Persons Access to Parking Application" to the above referenced location. This document is provided by the Arkansas Department of Finance and Administration at the time of issuance of the special license plate or placard for a disabled person. Oklahoma residents should bring a letter from a physician declaring the disability. UA Fort Smith permits must be displayed by all students, faculty, and staff parking in a disabled space on campus. Temporary permits are available for one to 30 days for those with short-term physical limitations.

Please remember to bring the following items:

1. “Disabled Persons Access to Parking Application” (issued at Revenue Office);  
Oklahoma residents can bring a letter from their physician.
2. Driver’s license
3. UA Fort Smith Lions ID Card
4. License plate number on car
5. Hanging placard handicapped card

## Driving Regulations

1. All traffic and motor vehicle laws of the State of Arkansas are applicable on UA Fort Smith property.
2. The campus speed limit is 15 MPH, except where conditions indicate a slower speed is necessary.
3. All STOP signs and all other regulatory or directional signs are to be observed.
4. Pedestrians in crosswalks shall have the right-of-way.
5. It is a violation of traffic regulations to avoid a speed bump.
6. Failure to yield to a UA Fort Smith Police officer’s direction or to cooperate with an officer in performing his official duties may subject the violator to suspension, removal from campus, and possible arrest.

## Fines for Violations

All fines must be paid within 30 days from the date of issuance. Fines for parking violations which are not paid within 30 days from the date issued will be adjusted an amount equal to twice the amount of the original fine. Failure to pay traffic and parking fines may result in blocking of registration or the withholding of pay and refund checks. All fines are payable at the Cashier’s Office, Upper Level, Smith-Pendergraft Campus Center, from 8 a.m. until 6 p.m., Monday through Thursday, and 8 a.m. to 4:30 p.m. on Friday.

## Parking Regulations

1. It is the driver’s responsibility to find a legal, marked parking space and to park the entire vehicle within the space’s boundary lines.
2. No parking is allowed next to red curbs or red candy-stripped areas.
3. No parking is allowed on the grass, sidewalks, driveways, or in loading zones.
4. All parking spaces are defined by painted lines or parking blocks
5. Vehicle violations are the responsibility of the registered owner of that vehicle.

## Parking/Traffic Violations and Corresponding Fines

- |   |                      |
|---|----------------------|
| 1. Too fast for conditions                            | \$25                 |
| 2. Reckless/unsafe driving                            | \$25                 |
| 3. Failure to stop or yield right of way at crosswalk | \$25                 |
| 4. Parking in a handicapped space                     | \$100 per occurrence |

5. No parking zone	\$10
6. Double parking	\$10
7. Parking in reserved area	\$10
8. Parking on grass, sidewalks, or drive	\$10
9. North of the white line (church lot)	\$10
10. Motorcycle parking only	\$10
11. Loading zone	\$10
12. Failure to register automobile	\$ 5

### **Pedestrian Safety**

Frequently, persons in a hurry, late for classes, jogging, etc., make themselves susceptible to serious injury or death by failing to use properly marked crosswalks and/or the pedestrian tunnel when crossing city streets.

Both the UA Fort Smith Police officers and the Fort Smith Police Department will issue citations to those observed stopping traffic outside marked areas while crossing a city street (jaywalking).

### **Towing and Impoundment of Vehicles**

UA Fort Smith reserves the right to tow and impound from the property any parked vehicle that does not conform with the rules and regulations. Repeat violations may result in towing and impoundment. Vehicles will be towed if parked in such a way as to create a traffic or pedestrian hazard or impede the access of service or emergency vehicles. Fees resulting from the tow or impoundment are the responsibility of the registered vehicle owner.

### **Visitor Parking**

Visitors are welcome. A visitor who receives a citation for a violation of the parking rules, other than parking in a no-parking area or handicapped space, may bring or mail the citation to the UA Fort Smith Police Department and it will be voided.

## **University Police Department**

The “Student Right to Know and Campus Security Act of 1990” applies to every institution of higher education that receives federal financial aid. Title II of the Act was called the “Campus Crime Awareness and Campus Security Act of 1990.” It requires institutions of higher education to distribute to all current students and employees, and applicants for enrollment or employment, two types of information: (1) descriptions of policies related to campus security, and (2) statistics concerning specific types of crimes. Amendments enacted in 1998 renamed Title II, and it is now known as the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.” The amendments require the disclosure of crimes that are reported to police and campus officials, along with a breakdown of locations of criminal activity to be specified as on-campus, non-campus, residence hall, or public property.

### **UA Fort Smith Police Department Law Enforcement Authority**

Arkansas State Statute 25-17-304 confers upon the chancellor of a state institution of higher education the right to create a university agency with the same powers as any municipal, county,

or state police agency in Arkansas. The UA Fort Smith Police Department is made up of sworn, state-certified law enforcement officers. UA Fort Smith's Police Department cooperates with the Fort Smith police and Sebastian County sheriff's departments, as well as state and federal law enforcement agencies, and shares concurrent jurisdiction with these agencies over University properties and events. UA Fort Smith's Police Department is a service-oriented agency. Service to the campus community is the top priority.

## **Reporting Crime and Other Emergencies on Campus**

The UA Fort Smith Police Department will respond quickly to any request for assistance. Response time is based on current activity and the severity of the call. Crimes in progress, traffic accidents, and medical assists have a higher priority than other types of calls. It is important to report criminal incidents and emergencies promptly and accurately. If a crime is not promptly and accurately reported, evidence can be lost, leads missed, and a suspect could get away. If you witness a crime or an emergency situation, contact the UA Fort Smith Police Department promptly, and answer questions as accurately as possible. The investigation and response to these incidents will only be as good as the information received.

UA Fort Smith's Police Department can be contacted by telephone, emergency/information phones, in person, and by e-mail. By telephone, the department may be reached at its emergency number (479) 788-7140, or the office number (479) 788-7141. The emergency phone stations located in the gazebos on the Donald W. Reynolds Campus Green will automatically dial the UA Fort Smith's Police Department emergency number when activated. Most elevators in campus buildings also contain emergency phones, which provide a direct connection to the department. UA Fort Smith Police Department officers in vehicles, on foot, or on bicycles, are eager to be of assistance and may be contacted directly. E-mails may be sent directly to public safety.

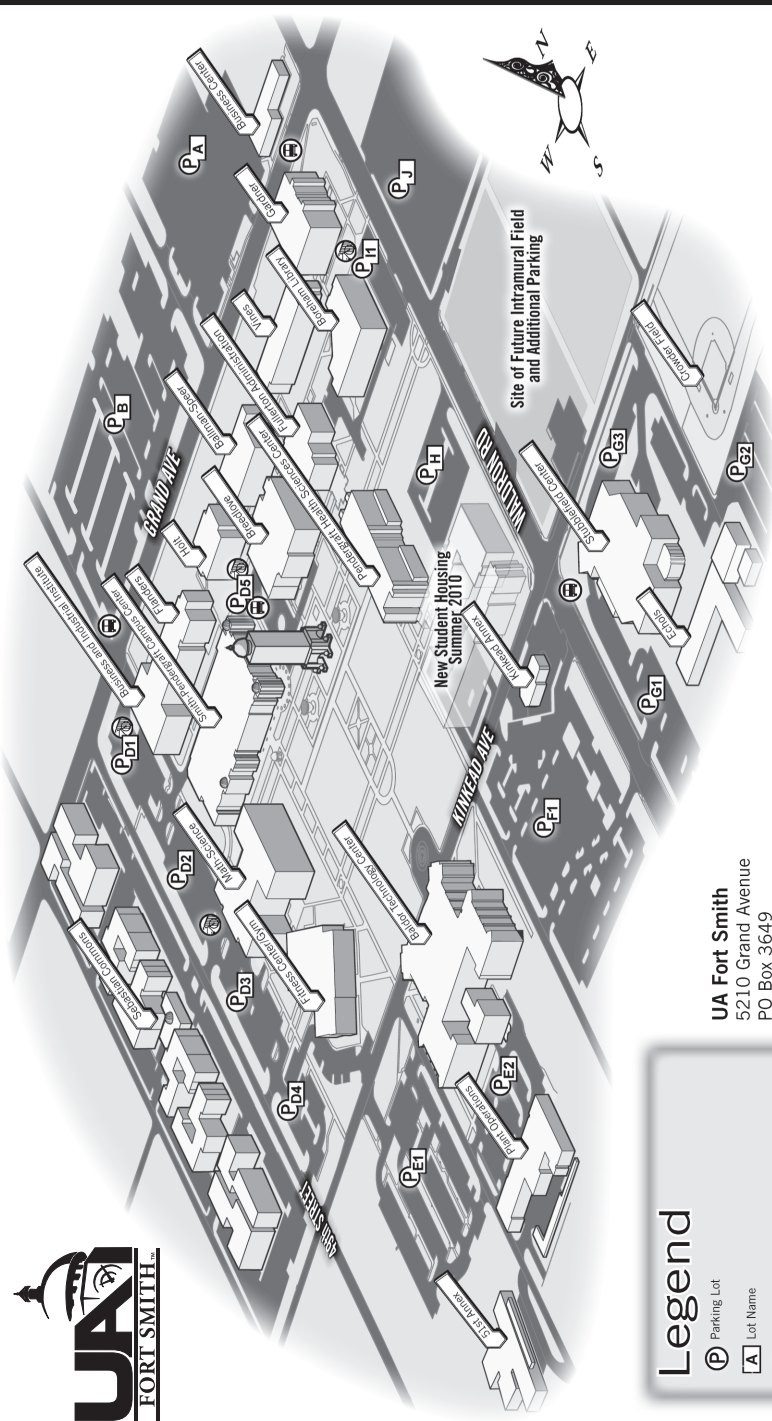
UA Fort Smith Police Department officers are in radio contact with the Fort Smith Police Department. For emergencies involving the need of immediate ambulance, fire department, or armed law enforcement response, call 911 immediately and then notify the UA Fort Smith Police Department as described above.

## **Campus and Community Notification of Criminal Activity**

If there are crimes occurring on the UA Fort Smith campus that will continue to endanger or affect the campus community, public safety bulletins will be published and posted on the UA Fort Smith LionsLink. The bulletins will allow members of the campus community to know what is currently happening so they can better protect themselves.

Information about the department, services provided, and related resources concerning safety and security can be obtained by contacting a UA Fort Smith Police Department officer, or e-mail the UA Fort Smith Police Department with questions or information. The UA Fort Smith Police Department maintains a crime log that is available for viewing upon request at the UA Fort Smith Police Department during regular business hours.

*A special acknowledgement is given to Indiana State University and the University of Arkansas - Fayetteville for allowing the University of Arkansas - Fort Smith to utilize excerpts from their Student Handbook.*



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[www.uafortsmith.edu](http://www.uafortsmith.edu)

### Legend

-  Parking Lot
-  Lot Name
-  Fort Smith Transit Bus Stop
-  Bike Rack