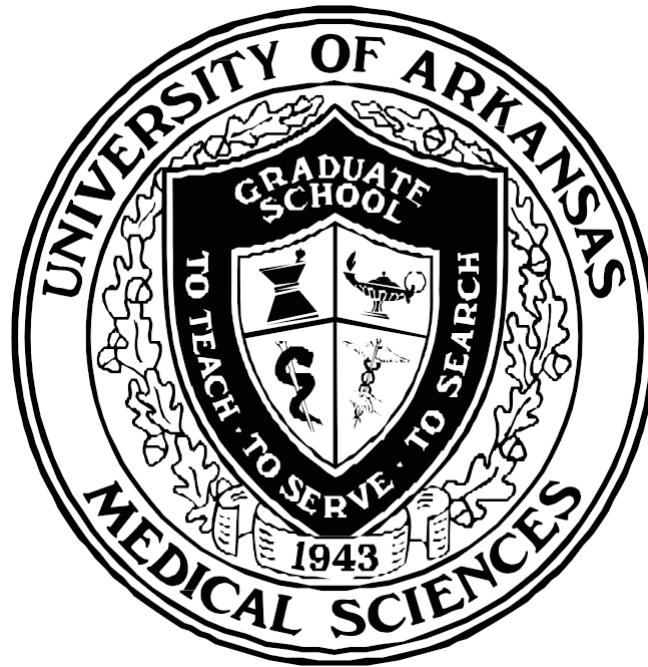


# GRADUATE SCHOOL CATALOG

## 2018-19



The Executive Master of Public Service program follows the policies and procedures described in the following document.

Addendum: March 7, 2019

# Executive Master of Public Service Catalog and Handbook

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### POLICY STATEMENT REGARDING HANDBOOK

Procedures stated in this handbook require continual evaluation, review and approval by appropriate University of Arkansas Clinton School of Public Service officials. UACS operates under applicable University of Arkansas Board policies. The policies and procedures in the Student Handbook and Catalog do not supersede or negate Board of Trustee policies, System-wide administrative memoranda or UACS campus policies, but supplement such policies. All statements contained herein reflect policies in existence at the time this Handbook went to press, and UACS reserves the right to change policies at any time and without prior notice. Students are responsible for its contents and expected to comply with all policies of the institutions with which the School affiliates.

### HANDBOOKS OF OTHER COLLEGES

The handbooks of other University of Arkansas colleges and schools may publish information about the Clinton School of Public Service programs relating to their course of study. This is provided as an information service only and in no way replaces or supersedes the UACS Student Handbook.

March 1, 2018

Dear Class Members:

On behalf of our faculty and staff, welcome to the University of Arkansas Clinton School of Public Service's inaugural Executive Master of Public Service (EMPS) class. You are part of a select, impressive and talented group.

The Clinton School, the seventh university-based program named for a former President, is the only college or university in the world offering an EMPS degree. This new EMPS program, offered through the University of Arkansas for Medical Sciences which is one of our sponsoring institutions, complements our on-site MPS program which enrolled its first class in 2005.

In addition to a strong academic curriculum, your Clinton School experience will be enriched with online access to a series of distinguished visitors and public speakers as well as special programming opportunities.

I hope you will find this handbook helpful. Please look over the faculty and staff list and feel free to contact any of us if you need additional information or have any questions.

Again, congratulations on your admission and I look forward to getting to know you.

All The Best,

A handwritten signature in black ink that reads "Skip Rutherford". The signature is written in a cursive, flowing style.

James L. "Skip" Rutherford III  
Dean

## University of Arkansas for Medical Sciences Mission Statement

The mission of the University of Arkansas for Medical Sciences is to improve the health, health care and well-being of Arkansans and of others in the region, nation and the world by:

- Educating current and future health professionals and the public;
- Providing high-quality, innovative, patient- and family-centered health care and also providing specialty expertise not routinely available in community settings; and
- Advancing knowledge in areas of human health and disease and translating and accelerating discoveries into health improvements.

## Clinton School of Public Service Vision and Mission Statements

### *Vision of Professional Public Service*

We believe in the right of all individuals, without exclusion, to participate fully and democratically in the social, cultural, economic, and political systems that affect their lives. Therefore, professional public servants must understand, engage, and transform these complex systems to ensure equity, eliminate injustice, and effect positive social change.

We believe in the right of all individuals to reach their full potential and to embody the spirit of democracy. Therefore, public servants must join with those who are marginalized so they are advocates for bettering their own lives and developing their own communities.

We believe in moral leadership that includes integrity, compassion, and a commitment to social justice. Therefore, public servants must listen to and learn from diverse groups, compromise and build alliances, and take strategic and decisive action to advance the common good.

### *Mission*

The mission of the University of Arkansas Clinton School of Public Service is to educate and prepare professionals in public service who understand, engage, and transform complex social, cultural, economic, and political systems to ensure equity, challenge oppression, and effect positive social change.

We will realize our mission by:

1. Operating at the intersection of theory and practice.
2. Establishing, nurturing and maintaining a community of students, scholars, and experienced public servants.
3. Creating and sustaining partnerships and alliances with public, for-profit, non-profit, philanthropic, and volunteer sectors.
4. Systematically evaluating the School's effectiveness in fulfilling its mission.

## **History and Organization**

### **University of Arkansas**

The University of Arkansas was established in Fayetteville in 1871 under provisions of the Federal Land-Grant Act of the same year. The purpose of this act was to provide a public system of higher education for all qualified persons, regardless of their economic or social status. The University of Arkansas remains committed to this policy. Its basic aim is to provide the finest educational opportunities to all students, irrespective of handicaps, sex, race, color, creed or national origin.

Originally named the Arkansas Industrial University, it enrolled its first students in January of 1872 and graduated the first class of five men and four women in 1876. The institution was renamed the University of Arkansas in 1899. In 1879 the University accepted responsibility for academic management and operation of a privately established not-for-profit medical campus in Little Rock; this merged into the University System in 1911 and is now known as the University of Arkansas for Medical Sciences (UAMS). In 1969, Little Rock University joined the UA System, becoming the University of Arkansas at Little Rock (UALR).

The University has grown considerably during the past century. In addition to the UA flagship campus in Fayetteville and the UALR and UAMS campuses, the system now has eight additional campuses: UA at Pine Bluff, UA at Monticello, Phillips Community College of the UA, UA at Fort Smith, Cossatot Community College of the UA, UA Community College at Batesville, UA Community College at Morrilton and UA Community College at Hope. Each of the 11 campuses has its own Chancellor, and the system is administered by a President and Board of Trustees. Because of its land-grant origin, the Division of Agriculture has special identity within the UA System, and the Arkansas Archeological Survey, the Criminal Justice Institute and the Winthrop Rockefeller Institute are special units. The most recent additions to the UA System are the Arkansas School for Mathematics, Sciences and the Arts (Hot Springs) and the Clinton School of Public Service, both added in 2004.

### **Board of Trustees**

The Board of Trustees is a 10-member body appointed by the Governor, with concurrence of the State Senate, for ten-year terms with one term expiring each year. One member is appointed from each congressional district, the remainder being appointed at-large. The at-large members must be alumni of the University. The Board has constitutional status and exercises those powers and duties prescribed by state statutes.

The Board is the ultimate legal authority within the University. The Board functions primarily as a policy-making body, and all major official acts of the University require Board approval. Official acts include, but are not limited to, the sale or purchase of property, authorization of new building programs, annual operations and maintenance budget, granting of degrees, legislative requests, new degree-granting programs and faculty promotions.

### **Administration**

The chief administrative officer of each campus generally is the Chancellor, who is responsible to the President of the University of Arkansas System, Dr. Donald R. Bobbitt. Under each Chancellor's leadership, campus affairs are conducted in keeping with general UA policies established through the President and the Board of Trustees.

Although the Clinton School's degree program operates under a consortium agreement with the UA Fayetteville, UA Little Rock and UAMS, the Dean is appointed by and reports directly to the UA System President, not to the Chancellors of the sponsoring institutions. The governance of the Clinton School

therefore is unique within the UA System, and the administrative and academic policies are as spelled out in this Catalog and Handbook.

### **Clinton School of Public Service Accreditation**

The University of Arkansas Clinton School of Public Service (UACS) was established by the Board of Trustees on January 29, 2004, as a new academic unit within the UA System. It receives its accreditation from the Higher Learning Commission through UA-Fayetteville, UA-Little Rock and UA-Medical Sciences. The concept of a graduate school attached to the William J. Clinton Presidential Center was a part of the plan by President and Secretary Clinton from the outset, and Professor Diane Blair from the University of Arkansas urged that it be a school of “public service” to fit with President Clinton’s long-time principles. Then University of Arkansas System President Sugg supported the concept with enthusiasm, and the idea received an initial planning appropriation from the Arkansas General Assembly in 1997. In 2001, an additional grant was received from the Economic Development of Arkansas Fund to continue the planning.

### **UACS Administration**

The chief administrative officer of UACS is Dean James L. “Skip” Rutherford, who is responsible to President Bobbitt and the University Board of Trustees for conducting UACS campus affairs in keeping with state law and general University policy. Dr. Susan A. Hoffpauir serves as Academic Dean.

### **Center on Community Philanthropy**

The creation of the Clinton School provided an opportunity for individuals who are dedicated to lives of public service to view philanthropy as the means by which the resources of communities can be combined in a sense of common cause, of inclusive solutions and of building on a community’s assets rather than its deficits.

The Center on Community Philanthropy, under the direction of Dr. Charlotte Williams, focuses on how philanthropy can unleash and expand the enormous individual, private and public assets that dwell in communities. It explores innovative behaviors and traditions of giving, raising to greater leadership and sustainable development. By virtue of its location in a new and highly visible graduate school of public service, it is uniquely positioned to concentrate on philanthropy as citizenship by exploring, researching, documenting and teaching non-traditional, culturally-appropriate philanthropic practices and sharing philanthropic traditions from across the world.

### **Public Programs**

UACS sponsors academic conferences, public policy discussions and special events for the general public. UACS cooperates with the Clinton Presidential Center to bring internationally prominent leaders to Arkansas as participants in these programming initiatives. The School serves as a meeting place for scholars and practitioners in discussing complex and challenging social concerns and engages community participants in the development of innovative solutions. Public programs are live-streamed and recorded. They’re available on the UACS website at <http://www.clintonschoolspeakers.com/>.

## FACULTY AND STAFF

### Faculty

**James L. "Skip" Rutherford III**

William J. Clinton Professor and Dean

**Susan A. Hoffpauir, Ph.D., LCSW**

Professor of Social Work and Academic Dean

**Al Bavon, Ph.D.**

Professor of Public Administration

**John M.A. DiPippa, J.D.**

Professor of Law and Public Policy

**Ellen Fitzpatrick, Ph.D.**

Associate Professor of Economics

**Chul Park, Ph.D.**

Assistant Professor of Public Administration

**Christina Standerfer, Ph.D.**

Associate Professor of Communication

Director of the Office of Community Engagement

**Charlotte Williams, Dr.PH.**

Associate Professor of Public Health

Director of the Center on Community Philanthropy

### Adjunct Faculty

**Malcolm Glover, PhD**

### STAFF

**Nikolai DiPippa**

Director of Public Programs and Strategic Partnerships

**Clinton Everhart, EdD**

UAMS Associate Provost of Enrollment Services and University Registrar

**Bailey Gambill,**

Assistant Director of Admissions

**Annette Gary**

Project Coordinator, Office of the Dean

**Charlotte Gass**

UAMS Associate University Registrar and Veteran Affairs Coordinator



**Pattie Hamilton**

UAMS Registrar for Enrollment and Registration

**Kevin Hunt**

Fellow, Center on Community Philanthropy

**Tiffany Jacob**

Director of International Programs and Outreach

**Gloria Kemp**

UAMS Director of Student Financial Services

**Nadine Ledet**

UAMS Registrar for Catalog and Scheduling

**Phyllis Lloyd**

UAMS Registrar for Student Records and Certifications

**Alisha McReynolds**

UAMS Associate Director of Financial Aid

**Steve Person**

Director of Technology

**Leandra Sanders**

Senior Administration Director and Fiscal Support

**Patrick Newton**

Director of Marketing and Communications

**Jeanne Stovall**

Registrar

**Alex Thomas**

Director of Enrollment and Alumni Services

**Hilary Trudell**

Director of Local Programs and Regional Outreach

**EMPS ACADEMIC CALENDAR**  
**2018-2020**

Registration & Drop Deadlines	Schedule	Course/Faculty	Credit hours
<u>Registration deadline:</u> March 2 <sup>nd</sup> , by 5:00 pm CST  <u>Drop deadlines:</u> 100% refund: March 9 <sup>th</sup> , by 5:00pm CST  50% refund: March 16 <sup>th</sup> , by 5:00pm CST	First course March 2, 2018 – April 26	CSPS 7324 - Foundations of Public Service Instructor – Dr. Hoffpauir	3
	Second course April 27 – June 21	CSPS 7303 - Communication Processes and Social (Ex)Change Instructor – Dr. Standerfer	3
	Third course June 22 – August 16	CSPS 7335 - Field Research Methods Instructor – Dr. Park	3
One week break Aug 20 – Aug 26			
<u>Registration deadline:</u> August 24 <sup>th</sup> , 5:00 pm CDST 5:00pm CST  <u>Drop deadlines:</u> 100% refund: August 31 <sup>st</sup> , by 50% refund: September 7 <sup>th</sup> , by 5:00pm CST	Fourth course August 27 – October 21	CSPS 7315 - Data Analysis Instructor – Dr. Park	3
	Fifth course October 22 – December 16	CSPS 7323 - Leadership in Public Service Instructor – Dr. Glover	3
	Sixth course December 17 – February 10, 2019	CSPS 7333 - Program Planning and Development Instructor – Dr. Bavon	3
One week break Feb 11 – Feb 17			
<u>Registration deadline:</u> February 15 <sup>th</sup> by 5:00pm CST  <u>Drop deadlines:</u> 100% refund: February 22 <sup>nd</sup> , by 5:00pm CST  50% refund: March 1 <sup>st</sup> , by 5:00pm CST	Seventh course February 18 – April 14	CSPS 7334 - Program Evaluation Instructor – Dr. Park	3
	Eighth course April 15 – June 9	7326 - Philanthropy Leadership and the Non- profit Sector – Instructor – Dr. Williams	3
	Ninth course June 10– August 4	CSPS 7325 - Legal and Ethical Issues in Public Service –CSPS Instructor – Dean DiPippa	3
One week break Aug 5 – Aug 11			
<u>Registration deadline:</u> August 9 <sup>th</sup> , by 5:00pm CST  <u>Drop deadlines:</u> 100% refund: August 16 <sup>th</sup> , by 5:00pm CST  50% refund: August 23 <sup>rd</sup> , by 5:00pm CST	Tenth course August 12 – October 6	CSPS 7314 - Advocacy in Public Service Dr. Driver	3
	Eleventh course October 7 – December 1	Elective CSPS 7343 – Power, Privilege and Oppression Instructor – Dr. Hoffpauir	3
	Twelfth course December 2 – March 3, 2020	CSPS 7320 - Capstone – Faculty	3

## **Program Overview**

### **Executive Master of Public Service**

The program is designed as a terminal degree for professional practice. The 100% online degree requires 36 credit hours for graduation. Students are required to complete the entire online curriculum within 5 years of first enrolling.

### **Core Courses**

#### **CSPS 7323 - Foundations of Public Service (3 credit hours)**

This course covers the history, contexts and practices of public service. Students will define public service in a global context and reflect on their past and future roles as public servants. The course will explore the various roles public servants play and the various contexts in which they practice public service.

#### **CSPS 7303 Communication and Social (Ex)Change (3 credit hours)**

Being an effective public service professional requires having the knowledge and skills to act in situations in positive and productive ways that allow for authentic participation by those who may be affected by policies, processes and actions. This course focuses on the constitutive nature of communication to create and maintain equitable social worlds. Students will explore various theories of democracy, civic participation, and public issue and policy formation, analyze case studies to understand the complexities of creating and maintaining equitable social worlds, and engage in exercises to develop effective facilitation skills.

#### **CSPS 7335 - Field Research in Public Service (3 credit hours)**

This course introduces students to the concepts and principles of field research. Topics include the key components of collaborative field research, ethics in field research, developing a research focus and research question, conducting a literature review, gathering data and data management, and analyzing data and reporting.

#### **CSPS 7315 – Data Analysis (3 credit hours)**

This course provides an overview of statistical methods and hands-on application of statistical tools to managerial decision-making in public service. Understanding statistical analysis and being able to work with data are important competencies of professionalism in public service. Prerequisite: CSPS 7334 - Field Research in Public Service.

#### **CSPS 7333 - Program Planning and Development (3 credit hours)**

This course provides students with the analytical tools to enhance their skills and competencies to effectively diagnose problems and formulate solutions within organizations and communities. Emphasis will be placed on models, theories, methods and processes used to systematically plan public service interventions that contribute to the wellbeing of communities and organizations. Topics covered include identifying and assessing needs and assets, setting goals and objectives, researching best practices, developing a feasible and sustainable plan for change, and assessing how well the plan is likely to effect the change envisioned. Underlying values of social justice and collaborative problem-solving provide a benchmark for discussions on these topics. Prerequisite: CSPS 7334 - Field Research in Public Service.

**CSPS 7334 - Seminar in Program Evaluation (3 credit hours)** This course builds on the skills students gain in Program Planning and Development and Field Research in Public Service. The primary objective is for students to learn and apply tools that are frequently used to determine whether public policies and programs at local, national and international levels are achieving their intended objectives. In this course, students learn how to use appropriate research methods to evaluate public and not-for-profit programs and entities (e.g., non-profit organizations, foundations, NGO's), how to develop strategies for doing evaluation, and how to manage evaluation projects. Prerequisite: CSPS 7333 - Program Planning and Development

### **CSPS 7323 Leadership in Public Service**

Leadership in public service requires strong interpersonal skills, both to direct an organization effectively and to work successfully with other individuals/organizations in the public, private and non-governmental sectors. This course provides the foundation of theory and practice of administrative leadership. It is designed to increase students' knowledge of leadership concepts and best practices, provide opportunities and experiences that improve leadership skills and techniques, and enhance capabilities in organizational management.

### **CSPS 7310 – Philanthropy Leadership and the Non-profit Sector (3 credit hours)**

Philanthropic intuitions often aim giving toward major societal issues including environmental justice, quality education, race relations, immigration, health care and public health with the goal of helping individuals and communities in need. More foundations are widening their focus from just meeting needs to building sustainable local change. This course will explore community philanthropy as the giving and sharing from within communities that is characteristic of positive change and lasting development. It will examine the principles, standards and practices of community philanthropy and study the leadership role of foundations and nonprofit organizations in creating social change.

### **CSPS 7301 Ethical and Legal Dimensions of Public Service (3 credit hours)**

Ethical and legal considerations shape every aspect of effective public service. This course will provide an overview of the primary ethical principles and legal concepts that guide difficult decisions in the public realm. Traditional academic study of ethical and legal theory will be combined with practical approaches to problem solving. Students will explore issues of economic, political, and social justice through case studies of current issues. Students will construct cases that are relevant to their own fields and present them to the class, identifying ethical and legal constraints on decision-making and implementation.

### **CSPS 7310 – Advocacy in Public Service (3 credit hours)**

This course examines the role of public discourse in constituting (molding, shaping, and even distorting) publics, public decisions, and ultimately public life. Specifically, it considers persuasion (human communication designed to influence the autonomous judgments and actions of others) and advocacy (the use of propositions, evidence, reasons, and the general rhetorical strategies to promote and advance one's public or civic interests) and their influence on democratic processes and public policy.

### **CPSP 7320 Capstone (3 hours) ( a grade of at least a C in all core courses)**

**Note: If a student has an incomplete in a core course before Capstone enrollment, her or his enrollment in CPSP 7320 may be delayed until the course work is complete and the student has received a passing grade.**

The Capstone is the culminating field course, designed to provide students an opportunity to demonstrate their expertise. The Capstone employs an independent study format primarily overseen by a UACS faculty advisor. Through the Capstone students: (1) apply the knowledge, skills, and values from the UACS program in a sophisticated way to a real world problem or challenge; (2) understand, engage, and seek to transform complex systems; and (3) produce a deliverable that meets an identified community need and exemplifies, in its product, the knowledge, skills and values of the UACS curriculum. Students have three (3) semesters to complete Capstone once they enroll in the course.

### **Rules Governing Capstone Work**

1. Any incompletes in core courses must be resolved before enrolling in the capstone course.
2. If a student withdraws or receives a failing grade on the Capstone, he/she must reenroll at his/her own expense.
3. If a student has to reenroll in the capstone course, she or he may be required to find a new capstone project .
4. Capstone work must align with the Fair Labor Standards Act.

5. UACS does not generally support students traveling to countries under a Travel Warning Level 3 as determined by the Centers for Disease Control (CDC) or that are under a level 3 or level 4 Travel Advisory level as determined by the U.S. Department of State. This includes countries that are under a level 1 or level 2 Travel Advisory but have states, regions, cities, towns, or areas within the country that are under a level 3 (reconsider travel) or level 4 (do not travel) advisory. Travel to a level 1 or level 2 country with embedded level 3 and level 4 advisories will be approved if the student agrees not to travel to those areas within the country that are under a level 3 or level 4 advisory.
6. The Clinton School does not assume responsibility for any costs associated with not having adequate health or accident insurance.
7. The Clinton School does not assume responsibility for any injuries suffered or sustained by students while students are in transit to/from or working on their Capstone projects.
8. Students are responsible for ensuring that they do not complete any project work where Institutional Review Board (IRB) approval is needed until that approval is received.
9. The project supervisor(s) and the UACS Director of Communications must approve all information released to any media outlets about any field projects.
10. An individual student cannot distribute their Capstone work results unless the field project supervisor, the faculty advisor, and any co-authors approve that distribution.
11. In the case where a Capstone project involves working within an existing research study or program, publication of results, including manuscript authorship, will follow the established protocol of the research program.
12. Any exception to these rules must be approved by the student's capstone advisor and the Academic Dean.

### **Electives (3 hours)**

The student's faculty advisor will work with the student to choose elective courses that are of interest to the student and that will be appropriate for the student's future career.

### **General Information**

#### **Enrollment**

The EMPS students are administratively enrolled in coursework by academic term through the UAMS Office of the University Registrar in GUS.

#### **Tuition and Fees**

Tuition for the EMPS program is \$850 per credit hour. Students pay tuition for three courses at a time four times over the course of the program – at the beginning of the first course, at the beginning of the fourth course, at the beginning of the seventh course, and at the beginning of the tenth course.

#### **Refunds**

EMPS program fees include a one-time technology fee of \$500 and a one-time programming fee of \$2500. All program fees are paid at the beginning of the first course in the program.

Students who withdraw 5 days from the first day of class for the first course receive a 100% refund of tuition and fees and if they withdraw 10 days from the first day of class for the first course they receive a 50% refund of tuition and fees. Students who withdraw 5 days from the first day of class for the fourth, seventh and tenth course receive a 100% refund of tuition but no refund of fees and if they withdraw 10 days from the first day of class for the fourth, seventh and tenth course they receive a 50% refund of tuition but no refund of fees.

#### **Other Costs**

Other costs of the program include books and course materials. These generally run between \$100 - \$250 per course.

## **Holidays**

Because of the online nature of the EMPS program, no holidays are observed.

## **Solicitation**

Students and student groups are not allowed to use UACS facilities nor their Clinton School email account for the solicitation of political party membership, for the support or opposition of a political candidate, for the raising of money for projects not connected with a UACS activity or for the conduct of private business.

## **Use of School Name, Logo or Seal**

The name of the University of Arkansas Clinton School of Public Service and University of Arkansas for Medical Sciences are used in many contexts and for a wide range of purposes. It is important to the institution that the use of the name "University of Arkansas Clinton School of Public Service", "Clinton School of Public Service", "Clinton School", "University of Arkansas for Medical Sciences", and "UAMS" be limited to activities which are, in fact, activities of the school. As a consequence of legal considerations, use of the School Logo and School Seal are restricted to specific official departments and agencies of UACS and UAMS respectively.

## **Email**

Your UACS e-mail account is the mode of communication that will be used to contact you. Also note that you have a UAMS email account that UAMS uses to communicate important information about student accounts, etc. We encourage you to forward your UAMS email to your Clinton School account to ensure you don't miss important information or notifications. It is your responsibility to manage your UAMS account and to check your UACS e-mail account regularly for official information.

UACS e-mail accounts for graduated students remain active 60 days following graduation. Graduated students will be notified before their UACS email account is disabled, allowing sufficient time for the user to secure an alternate email account. Your UAMS email will become inactive after 90 days if you don't use it. When used regularly UAMS email accounts remain active for approximately four to six weeks following graduation.

## **Academic Rules and Policies**

### **The Family Educational Rights and Privacy Act (FERPA)**

UAMS Policy affords all students in higher education institutions certain rights with respect to their education records. Some of these rights are only applicable to students over 18 years of age.

A. UAMS observes FERPA regulations through the following rights:

1. The right to inspect and review the student's education records within 45 days after the day that the University of Arkansas for Medical Sciences (UAMS) receives a request for access. A student should submit to the dean's office or other appropriate official, a written request that identifies the record(s) the student wishes to inspect. The College official 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 official to whom the request was submitted, that official 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, misleading, or otherwise in violation of the student's privacy rights under FERPA. This right refers to information that the student feels has been documented incorrectly, and is not an avenue to challenge whether a grade or other form of evaluation is appropriate. A student should submit to the Associate Provost for Academic Administration a written request that identifies the information the student

believes to be incorrect as well as the reasoning behind the perceived inaccuracies. The appropriate College official will make arrangements to review and, if necessary, correct the information in question.

The College will notify the student in writing of its decision and provide information regarding the student's right to a hearing regarding the request for amendment if that request was denied. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to provide written consent before the university discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

UAMS discloses education records without student prior written consent to university officials outside the college who have a legitimate educational interest in some or all of the information. A university official is a person employed by UAMS in an administrative, supervisory, academic, research, or support staff position. Generally, the UAMS officials who will have most routine access are those in Academic Affairs, Student and Employee Health, Campus Security, Student Affairs and Information Technology. Officials will have access to student PII only on an as needed basis, and not necessarily the entire student record. UAMS will also grant access to other university officials who require the information in order to fulfill his or her professional responsibilities as authorized by FERPA.

Other officials who may require access to some or all of the student record include officials at the University of Arkansas System, a person serving on the University Of Arkansas Board Of Trustees; or a student or faculty member serving on an official committee, such as a disciplinary or grievance committee. UAMS may also share student records with a volunteer or contractor outside of UAMS who performs an institutional service or function for which the university would otherwise use its own employees and who is under the direct control of the university with respect to the use and maintenance of PII from education records, such as an IT contractor, attorney, auditor, or collection agent or a student volunteering to assist another university official in performing his or her tasks.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by UAMS to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202

5. The right to restrict disclosure of directory information. Directory information includes but is not limited to now or in the future, the student's name; address; telephone listing; UAMS electronic mail address; photograph; date and place of birth; major field of study; grade level; year in program, enrollment status (e.g., undergraduate or graduate, fulltime or part-time); dates of attendance; degrees, honors and awards received; date of graduation, and the most recent educational agency or institution attended. Directory information of students at UAMS is subject to public disclosure until and unless the student presents a signed Hold Directory Form indicating

the he/she does not authorize such disclosure. The student must select RESTRICT on the form, sign and date it, and submit it to his/her respective dean's office. The restriction will remain in effect until the student signs a release.

#### B. Notification and Disclosures

UAMS will provide an annual notification to students regarding its FERPA policy and instructions on how to restrict the disclosure of directory information. UAMS reserves the right to disclose PII from students' records without consent for the following reasons, as outlined in FERPA regulations:

1. To other university officials, including teachers, within UAMS whom the university has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the university has outsourced institutional services or functions.
2. To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
3. To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to requirements of 99.35 in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf.
4. In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid.
5. To organizations conducting studies for, or on behalf of, the university, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction.
6. To accrediting organizations to carry out their accrediting functions.
7. To parents of an eligible student if the student is a dependent for IRS tax purposes. (§99.31(a)(8))
8. Information the school has designated as "directory information" under §99.37. (§99.31(a)(11))
9. To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of §99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§99.31(a)(13))
10. To the general public, the final results of a disciplinary proceeding, subject to the



requirements of §99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school's rules or policies with respect to the allegation made against him or her. (§99.31(a)(14))

11. To appropriate officials in connection with a health or safety emergency.

12. To parents of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the university, governing the use or possession of alcohol or a controlled substance if the university determines the student committed a disciplinary violation and the student is under the age of 21.

Procedure:

1. UAMS will release directory information for all students unless otherwise instructed by a student through a signed Directory Hold Form that restricts disclosure of information. It is the student's responsibility to complete and submit the signed form.

2. A student may submit a hold directory information request at any time during the academic year; however, the request can only be honored for future publication and cannot be applied retroactively.

3. Each college will provide a copy of UAMS' FERPA Policy to all enrolled students on an annual basis.

4. Colleges will include the UAMS FERPA Policy in their Catalogs or Student Handbooks.

5. A student's acknowledgment of their responsibility to the information contained in the catalog or handbook serves as annual notice of UAMS' FERPA policies.

UACS Policy

Students have the right to inspect and review their education records, with some exceptions under the Act, within 45 days of the day a request for access is received. Education records are records relating to a student that are maintained by the UACS or by a party acting on its behalf, such as the UAMS Office of the Registrar, with some exceptions. The following records are not considered education records: records created by a school official as a personal memory aid (such as notes of a private telephone conversation); most records created and maintained by a physician, psychiatrist, psychologist or other treatment purposes. Even though these records are not considered education records under FERPA, they may still be made available to students following completion of a HIPAA release form; and records pertaining to a former student other than those generated when that person was a student, such as alumni records.

Students should submit to the UACS Academic Dean and/or the UAMS Office of the University Registrar written requests that identify the record(s) they wish to inspect. The Academic Dean and/or the UAMS Office of the University Registrar will make arrangements for the student to access and inspect the records.

Students have the right to request the amendment of the student's education records that the student believes are inaccurate or misleading. Students should write the UACS Academic Dean and/or the UAMS Office of the University Registrar, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the UACS Academic Dean and/or the UAMS Office of the University Registrar decides not to amend the record as requested by the student, the student will be notified of the decision and advised regarding his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student.

Release of Your Records to Third Parties. FERPA generally prohibits the UACS from disclosing personally identifiable information (for example, student's name, address or other information that would allow a student to be identified) from a student's education record without the student's written consent unless the information has been designated as "directory information" or another exception applies. "Directory information" includes the student's name, address (both local and permanent), telephone number (local, cell and permanent), date and place of birth, academic program (school, degree, major, minor), enrollment status (dates of attendance, full-time/part-time status, first-year or second-year), degrees, honors and awards received, participation in athletics and student activities, most recent educational institution attended, e-mail address and photographs. This information may be disclosed to any person or entity without student consent unless the student has submitted a completed request for non-disclosure of directory information form to the UACS Academic Dean. The student may retract the directory information non-disclosure request in writing at any time.

Personally identifiable information in your records may also be disclosed to third parties without your written consent, for the following reasons:

A school official is a person employed by UACS or the UAMS in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom UACS has contracted (such as an attorney, auditor, or collection agent); a person serving on the UA System Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official has a need to know or is required to review or work with your records to carry out her or his duties.

- Other schools to which a student is transferring
- Specified officials for audit or evaluation purposes
- Appropriate parties in connection with enrollment and financial aid to a student
- Appropriate officials in cases of health and safety emergencies.
- Accrediting organizations
- State and local authorities within a juvenile justice system pursuant to specific state law
- In compliance with a judicial order or other lawfully ordered subpoena, or in response to other legal action involving the student and the University
- When the information is a record of a campus disciplinary proceeding. For students under the age of 21, the University may also inform parents about violations of any federal, state, or local law.

A student may consent in writing to disclosure of education records by submitting written consent to the UACS Academic Dean and/or the UAMS Office of the Registrar. It must be signed by the student, dated, and specify the records to be disclosed, to whom, and for what purpose. The student may retract the consent in writing at any time.

A student has the right to file a complaint with the U.S. Department of Education concerning alleged failures by UACS 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

### **Presumptive Knowledge of Rules and Announcements**

1. A student is presumed to know all of the academic rules and all other requirements and rules of UACS.
2. A student is under an obligation to read regularly the notices posted on the UACS website or sent to the student's UACS email account. Students will be presumed to have knowledge of any matter announced by any of the above methods.

### **Burden to Comply with Academic Rules**

1. The burden is on the student to demonstrate compliance with all requirements.
2. A student is responsible for keeping track of the student's own academic progress

### **Graduation Requirements**

1. A student admitted to the EMPS program must successfully complete courses totaling 36 hours, with an overall grade point average of 3.00 or better, in order to receive the EMPS degree.
2. A student must receive a grade of "C" or better in all core courses.

### **Time Limit for Completion of Degree**

1. Students must complete all degree requirements within five years of the date they originally registered as a student. If at the end of five years the student's cumulative GPA is above 3.0 **and** she or he has enrolled in Capstone and only needs to complete Capstone to complete the EMPS requirements, she or he may be allotted one additional eight-week semester to finish with the approval of the Capstone advisor and Associate Dean.
2. Students who are readmitted to UACS and begin their EMPS studies anew pursuant to the rules covering readmission (see "Readmission" below) must complete their degree requirements within four years of the date of their readmission.

### **Attendance Policy**

Students are expected to actively engage in their education by signing into Blackboard courses, participating in class activities and completing class assignments. Faculty will monitor their students' active participation. It is the responsibility of the faculty to report any student who has not attended or actively participated in learning activities for a period of one week to the Associate Dean for Academic Affairs who will attempt to contact the student to learn the reason for his/her lack of participation. If a satisfactory reason is not presented and the student does not actively engage in learning activities in the class during that time frame, the student will be administratively dropped from the class and administratively withdrawn from UAMS and the Clinton School.

### **Grading Policy**

1. The numerical value of each letter grade per hour credit for purposes of computing grade point average (GPA) is as follows: A=4.00, B=3.00, C=2.00, D=1.00, F=0.00. The lowest passing grade in core and elective courses taken at UACS is a C. The lowest passing grade for courses transferred from other institutions is a B.
2. A mark of "I" (incomplete) in UACS courses must be completed within 60 calendar days from the date grades are posted or the grade becomes an F. For elective courses taken on the consortium University campuses, their rules apply on resolving "I" grades.
3. Student final grades are posted in their UAMS GUS accounts at the end of each course.

### **Warning Students of Marginal Performance**

1. Faculty must inform a student of marginal or failing performance prior to assigning a final failing grade for a course, if possible, and notify the Academic Dean of Academic Affairs.

### **Rules for Temporary Withdrawal**

1. A student who has completed a semester in good standing can petition the Academic Dean for a leave of absence prior to her or his absence.

2. A student who leaves the school without a leave of absence being granted will not be considered in good standing. Such student must reapply for admission.

### **Academic Probation**

1. If a student's GPA at the end of her or his third course is less than 3.00 (the requirement for graduation), he or she will be placed on academic probation.
2. If subsequent performance during the following three courses raises the cumulative GPA to 3.00 or better, the student is removed from academic probation.

### **Academic Dismissal from School**

1. If a student fails a core course, she or he may be dismissed from UACS on academic grounds.
2. If a student's GPA is below 3.0 at the end of the sixth course he or she may be dismissed from UACS on academic grounds.

### **Readmission**

1. A student on leave of absence and in good standing may petition the Academic Dean in writing to register for classes within 18 months of the absence.
2. A student who has been dismissed for academic deficiency may apply for readmission provided that the student's cumulative GPA was 2.50 or higher when she or he was dismissed.
3. The Admissions Committee will use the following standards for considering readmission:
  - a. the reasons for the student's inadequate performance have been resolved and will not interfere with the success of her/his studies in the future;
  - b. it is reasonable to expect that the petitioner will be effective and ethical in public service after graduation; and,
  - c. the candidate's qualifications for admission.

### **Transfer Credits**

**Note that grades for courses taken at institutions outside the University of Arkansas system ARE NOT calculated in cumulative grade point average.**

1. Students wishing to transfer credit hours should first contact their faculty adviser.
2. UACS will permit a student to transfer up to three (3) credit hours of core credit and three (3) credit hours of elective credit from other programs, subject to advance approval by the UACS Academic Dean. Courses to be transferred must:
  - a. Have been taken at an accredited higher education institution;
  - b. Have been passed with a grade of 'B' or better;
  - c. Have been taken within the previous 5 years;
  - d. Have course content relevant to the EMPS degree.

### **Rules Governing Courses Taken Outside the University of Arkansas System**

**Note that grades for courses taken outside the University of Arkansas System ARE NOT calculated in cumulative grade point average.** Students may take up to up to three (3) credit hours of core credit and three (3) credit hours of elective credit outside of the University of Arkansas System with strict adherence to the following procedures and requirements:

The student should submit a written proposal to his/her faculty advisor. The faculty advisor and the Academic Dean must approve the proposal. The proposal should include the following:

1. The name, address and contact information for the higher education institution(s) where the elective course(s) will be taken.
2. The name(s) of the course(s).
3. Course description(s) from a course catalog, syllabus or another official source.
4. The length of the course(s) (*e.g.*, quarter, semester, summer); the number of credit hours; and the level (*e.g.*, master's level).

5. How the course fits the student's public service interests.
6. When the student plans to enroll in the course(s) or provide an official transcript showing the course was completed with a grade of at least B.

Requirements for taking courses outside the University of Arkansas System include:

1. A student cannot be enrolled as a degree-seeking student in another institution outside of the University of Arkansas system while enrolled at UACS. A student must take the elective course only as a non-degree or certificate-seeking student. Students may be required to verify this status by submitting an official document from the institution where the proposed course is to be taken.
2. The course(s) must be at least master's level and taken at an accredited higher education institution.
3. The course(s) must be related to the EMPS degree.
4. UACS scholarship funds may not be used to pay for the course(s).
5. Students are responsible for ensuring that all necessary documentation for credits taken outside the University of Arkansas System are properly submitted to UACS.

### **Rules with Respect to Adding or Dropping Courses**

1. Students are permitted to drop or withdraw from UACS courses and remain in good academic standing if approved by the student's faculty advisor and the UACS Academic Dean.
2. Financial Aid recipients who withdraw from classes may owe a repayment of financial aid funds and are subject to the cancellation of future financial aid. Student loan borrowers must complete exit loan counseling prior to withdrawing from all classes.
3. If a student withdraws from a course after the add/drop deadline for any reason, a "WP" (withdraw while passing) or a "WF" (withdraw while failing) will appear on the transcript.
4. Students dropping elective courses on one of the consortium University of Arkansas campuses will adhere to the relevant policies of that specific course or campus.

### **Transcripts**

The UAMS Office of the University Registrar Office is responsible for providing official transcripts. Students should click on the following link for transcript request instructions : <http://registrar.uams.edu/transcripts> . Grades and transcripts will be withheld and registration refused to any students who have failed to pay any tuition/or and fees.

### **Grades**

Grades are available to students in their UAMS GUS accounts.

### **General Waiver**

Any waivers from these policies must be approved by the Academic Dean.

### **Grade Appeal Policy**

Any student seeking to appeal a grade shall make his or her appeal to the Dean and Academic Dean. No change in the grade will be made unless the Dean and Academic Dean agree that the grade was arbitrary and capricious (see below for definition).

Deadlines. Students must file their appeal in writing with the Academic Dean no later than two (2) weeks after the grade is posted. If the student is appealing a failing grade in a prerequisite course, she or he may be administratively withdrawn from the course for which it is a prerequisite if the grade being appealed is a failing grade and is upheld upon appeal..

Appeal Procedure. The appeal shall be heard by an ad hoc faculty committee. When possible, this three-member committee will be comprised of a faculty member chosen by the student, a faculty member who has had the student in a class, and a faculty member who has not had the student in class.

The student shall submit to the Academic Dean a written statement setting forth in detail the basis for the appeal. The student's statement will be provided to the faculty member whose grade is the subject of the appeal. The faculty member shall then submit to the Academic Dean a written statement setting forth the basis for the grade given. The Academic Dean shall promptly distribute this material to the committee.

Grade appeals are conducted solely on the written materials submitted by the student and the faculty member and any additional material the committee may request. The student must prove that the grade was arbitrary and capricious. The committee shall recommend to the Dean and Academic Dean whether or not the grade shall stand. The decision shall be in writing and shall be provided to the student and the faculty member. The decision shall include the committee's rationale for its recommendation.

The Dean and the Academic Dean shall base their decision solely on the written materials submitted by the student and the faculty member, the written recommendation of the faculty review committee and any additional material the Dean or the Academic Dean may request. The grade will stand unless the Dean and the Academic Dean agree the faculty member was arbitrary and capricious. The decision of the Dean and Academic Dean is final. In the event that the student's appeal is successful, the Academic Dean shall administratively change the grade

In the event that the grade being appealed is in a course taught by either the Dean or Academic Dean, he or she shall withdraw and play no role in the process. In either case, a member of the faculty shall be designated to fulfill the functions performed in this process by the Dean or the Academic Dean including receiving the recommendation from the faculty review committee and serving as one of the final decision makers.

In the event that the grade appeal is directed against the Academic Dean, it shall be filed directly with the Dean. If the grade appeal is directed against the Dean, it shall be filed with the Vice President for Academic Affairs in the University of Arkansas System Office.

The Arbitrary and Capricious Standard. According to the Clinton School policy, a student's grade will not be changed unless the student can show that the grade was "arbitrary and capricious." A faculty committee will first review the grade and make a recommendation to the Academic Dean on the matter. The grade cannot be changed unless the Academic Dean and the Dean agree.

Black's Law dictionary defines arbitrary in two senses. The first connotation is that arbitrary depends "on individual discretion; specif., determined by a judge rather than by fixed rules, procedures, or law". The second connotation states arbitrariness is "founded on prejudice or preference rather than reason or fact". This type of decision is often termed *arbitrary and capricious*." (emphasis added.) At this point, Black's cross references the definition of capricious. Capriciousness has two connotations. A capricious person is "characterized by or guided by unpredictable or impulsive behavior." A capricious decree is "contrary to the evidence or established rules of law."

The "arbitrary and capricious" standard does not lend itself to easy definition. It takes on slightly different applications depending on the context in which it is applied. Departures from established procedures or refusals to apply the appropriate standards might rise to the level of arbitrary and capricious. Similarly, discretionary decisions that do not take into account the circumstances of particular cases might also be arbitrary and capricious.

The AAUP has stated that: "(1) the faculty has the responsibility for the assignment of grades; (2) students should be free from prejudicial or capricious grading; and (3) no grade may be assigned or changed without faculty authorization. ... [A]dministrators should not "substitute their judgment for that of the faculty concerning the assignment of a grade."<sup>1</sup>

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1 American Association of University Professors, *Statement of Principles on Academic Freedom and Tenure* (1940).

Courts have accorded broad discretion to faculty members' academic decisions. The United States Supreme Court noted that "the decision of an individual professor as to the proper grade for a student in his course ... requires an expert evaluation of cumulative information and is not readily adapted to the procedural tools of judicial or administrative decision making."<sup>2</sup> Justice Powell concurred saying that a professor's academic evaluation of a student should be given "the widest range of discretion."<sup>3</sup> In a similar vein, the Court noted that "[w]hen judges are asked to review the substance of a genuinely academic decision . . . they should show great respect for the faculty's professional judgment. Plainly, they may not override it unless it is such a substantial departure from accepted academic norms as to demonstrate that the person or committee responsible did not actually exercise professional judgment."<sup>4</sup>

The foregoing sources make clear that a faculty member's academic judgments should not be lightly disregarded. They give rise to what should be the applicable standard for grade appeals: *a grade should not be overturned unless there is overwhelming evidence that the grade did not constitute a valid exercise of professional judgment, i.e., that it was arbitrary or capricious*. In other words, a grade should be upheld as long as there is a reasonable academic basis for it.

### **Academic Offenses**

Academic Dishonesty. As a community of scholars, academic integrity is foundational to appropriate conduct within the Clinton School setting. The determination that a student's work was the result of dishonest action can be considered in the faculty member's evaluation of that work and in the determination of the course grade. In addition, disciplinary action may be taken by the UACS Academic Dean or recommended at the conclusion of any appeal.

Acts of academic dishonesty include but are not limited to the following:

- 1) Cheating: This includes the following classes of dishonesty:
  - a) copying from another student's paper;
  - b) using prepared materials, notes, or text other than those specifically permitted by the professor during an examination; collaborating with another student during the examination;
  - c) buying, selling, stealing, soliciting, or transmitting an examination, or any material purported to be the unreleased content of a coming examination, or the use of such material;
  - d) substituting for another person during an examination or allowing such substitution for oneself;
  - e) bribing any person to obtain examination information.
  
- 2) Plagiarism: Plagiarism includes (but is not limited to) adopting or appropriating for one's own use and/or incorporating in one's own work, without acknowledgement, passages, parts of passages, tables, photographs, models, figures and illustrations from the writings or works of others; thus presenting such as a product of one's own mind. Any student who plagiarizes may be subject to **any or all** of the following sanctions: receiving a zero on the written work; receiving a reduced grade for the course in which the plagiarism occurred; being suspended from registering for one or more semester(s); being required to enroll in a short course on graduate level writing; being required to comply with any other appropriate remedy as proposed by the Academic Dean; and/or being dismissed from UACS.

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2 *Board of Curators of the University of Missouri v. Horowitz*, 435 U.S. 78 (1978).

3 *Board of Curators of the University of Missouri v. Horowitz*, 435 U.S. 78 (1978) (Powell, J. concurring).

4 *Regents of the University of Michigan v. Ewing*, 474 U.S. 214 (1985)

- 3) Collusion: To obtain from another party, without specific approval in advance by the professor, assistance in the production of work offered for credit to the extent that the work reflects the ideas or skills of the party consulted rather than those of the person in whose name the work is submitted.
- 4) Duplicity: To offer for credit identical or substantially unchanged work in two or more courses, without specific advance approval of the professors involved.

Procedures for Addressing Instances of Academic Dishonesty. The procedures outlined here are applicable when a student is enrolled in a course and a faculty member suspects the student of an academic offense, and when the suspicion is supported by substantial fact(s) or evidence. The faculty member is responsible for notifying the student in writing of the specific charge. The faculty member is responsible for retaining a copy of the written notice and for forwarding one copy to the Academic Dean.

Only the faculty member may impose a grade penalty for an academic offense. It is recommended that if a student is found guilty or admits guilt, the faculty member will consider the individual circumstances, nature or severity of the offense, similar class violations, etc., before assessing the grade penalty. Grade penalties for consideration for academic offenses are:

1. a grade of F in the course;
2. a grade of F on the examination, project, etc.;
3. a grade adjustment; or
4. no credit for material presented.

The student has the right to attend classes until any appeal is resolved. In the event an appeal of an academic offense has not been resolved before final grades are due, the student shall receive an "I" and the faculty member will withhold a final grade until the appeal is resolved.

In view of the fact that this policy and procedure involves student academic records, all grievance hearings shall be conducted in private with only those involved present.

Individual students may exercise their right to have academic offense grievances considered and assessed upon their merits under the general regulations, policies and practices of UACS according to the grievance procedure described below. A "decision" means a determination that the grievance issue or issues were, or were not inappropriate, or in violation of regulations, policies, or practices of the School. Each decision shall include an assessment of the issues and reasons for the position taken.

No student filing a grievance shall thereafter be discriminated against or suffer any academic disadvantage by reason of participation in grievance matters pursuant to this procedure.

The time periods set forth in this grievance policy are intended to provide a reasonably expeditious resolution of grievances, but a failure to process a grievance strictly within the time periods set forth shall not confer any additional rights upon the student submitting the grievance. If the deadline for any of the steps in the grievance process falls on a holiday, weekend or other time when the school is closed, then the due date will be the next working day.

Grievance Procedure Steps. A student grieving a determination of academic dishonesty is entitled to have the issue considered in the following manner. Written records will be maintained at all steps unless noted otherwise in this policy.

1. The student discusses the grievance with the faculty or staff member. No faculty or staff member shall be allowed to delay the resolution of a grievance by failing to hold a consultation with a student within the designated time, unless bona fide reasons such as illness, personal emergency, or campus



absences for professional reasons make this time limit unreasonable. If the grievance is satisfactorily resolved, the terms of the resolution shall be reduced to writing, if any of the involved parties desires to have such a written statement, and signed by the student and faculty member.

2. If the grievance is not resolved and the student chooses to pursue the matter further, the grievance must be reduced to writing by the student and sent to the faculty or staff member. Within ten working days after receipt of the written statement, the faculty or staff member shall prepare a written decision on the matter and forward copies of both documents to the Academic Dean and to the student. Within five working days after receiving the student's appeal and the written decision from the faculty or staff member, the Academic Dean shall prepare a written decision on the matter and forward copies to the student and the faculty or staff member. In addition, the Academic Dean will forward to the Dean all documents pertaining to the appeal.
3. The decision of the Academic Dean may be appealed by the student to the Dean within five working days following receipt of the Academic Dean's decision. In the case of such an appeal, the Dean or the student may request that an *ad hoc* grievance committee be convened to consider the appeal and make a recommendation. In either event, the entire written record shall be included with the appeal letter. If neither the Dean nor the student requests an *ad hoc* grievance committee be established, the Dean will decide the appeal within ten working days.
4. If a grievance committee is requested, the Dean will constitute an *ad hoc* grievance committee to investigate the matter and make written recommendations for its solution. The *ad hoc* grievance committee shall select its chair who shall be responsible for reporting the recommendation of the committee to all parties. All records shall be maintained by the Dean for a period of three years.
5. The *ad hoc* grievance committee shall be given access to relevant witnesses and records, shall tape the hearing, and attach to their recommendations the written information that has been assembled. The *ad hoc* grievance committee shall adopt and use fair procedures, understanding that its informal inquiry is designed to develop all pertinent factual information. The *ad hoc* grievance committee chair shall return its written recommendations to the Dean within ten working days of the date on which the committee membership was established.
6. Within ten working days following receipt of the recommendation of the grievance committee, the Dean shall present a written decision on the matter, including the report of the *ad hoc* grievance committee, to the claimant and respondent. The decision of the Dean will be final and binding, and shall not be subject to further appeal.
7. In the event a grievance is directed against the Academic Dean, it shall be filed directly with the Dean. If the grievance is directed against the Dean, it shall be filed with the Vice President for Academic Affairs in the University of Arkansas System Office.

Faculty members shall adhere to school-approved classroom policies and procedures and shall establish fair and reasonable standards in such matters as participation, submission of assigned work, interaction decorum, regular and make-up examinations and grading. Faculty members shall make their standards known to each class at the earliest opportunity. Grievances against these standards and alleged violations of school-approved classroom policies are not subject to the process defined here, but should be brought to the attention of the faculty member, Academic Dean and, if necessary, the Dean in that administrative order so that a continuing administrative effort may be made to ameliorate problems.

### **Student Conduct**

The Clinton School of Public Service (UACS) has developed certain regulations to make possible an orderly academic environment where all members of the community have the freedom to develop to the fullest

extent. Violations of school policies, Arkansas law, U.S. Federal law, country specific laws, and unprofessional behavior cannot be condoned or tolerated in the UACS community. Student behavior is expected to be consistent with the standards in this handbook.

Students are responsible for becoming informed about, and abiding by, all of the laws and policies relevant to each location in which they travel and/or live while attending the Clinton School. Ignorance of the policies and laws at the Clinton School, in the U.S., or in other countries is not a valid excuse for inappropriate behavior and will not protect students from the consequences of their actions.

The school will discipline students found guilty of violating a policy or law. This may include, but is not limited to, grade reduction in a course, loss of scholarship funds, , and/or dismissal from UACS. Clinton School disciplinary action does not protect students from additional disciplinary action taken by the legal authorities of the location in which students are travelling or residing.

Students are responsible for all legal costs incurred by violating any laws and/or policies. The Clinton School is not responsible for providing any legal assistance under such circumstances.

Students are financially responsible for any property damage or property misuse they incur. Any charges assessed to the School because of damage or misuse caused by a student will be charged against his/her Clinton School student account.

Unprofessional Behavior. Students are expected to conduct themselves in a manner that is professional. Unprofessional behavior includes but it not limited to engaging in disruptive or inappropriate behavior while engaged in class activities or while representing the School domestically or abroad. Such behavior is considered a student conduct violation. A student who engages in unprofessional behavior may be subject to the Performance Review Process.

### **Performance Review Process**

The purpose of the performance review is to help students adjust to the academic and professional expectations of the Clinton School. Consistent with the Clinton School's ethos, every effort will be made to resolve problems informally before moving to a formal process. First, the academic advisor should talk to the student to attempt to resolve any concern. Second, if that approach is unsuccessful, either the student or a faculty member may ask a Skype or conference call that includes the student, the Academic Dean, and the faculty advisor. Only after these steps have been exhausted should the performance review be initiated.

Performance review may be initiated by the student or by any faculty member through a request in writing to the student's faculty advisor. The advisor will assemble a Performance Review Committee (PRC), schedule and facilitate the meeting, and record and distribute the results of the meeting to all those in attendance. If for any reason the student prefers not to have the performance review convened and facilitated by her or his advisor, the student shall recruit another faculty member to serve in that role.

The PRC will comprise the student, the advisor, and the faculty teaching the student at the time the review is called. Exceptions to the normal composition of the performance review committee will be determined by the advisor in consultation with the student and the Academic Dean.

Once the process has been initiated, the following procedures will apply:

- The advisor will provide written notification of the PRC meeting to the student, the members of the committee, and the Academic Dean. The PRC meeting shall occur within two weeks after the initiation of the performance review unless good cause exists.
- The notice of the PRC meeting shall include, at a minimum, date and time of the PRC meeting, a short description of the reason(s) that prompted the request for the performance review, and a list of the persons expected to be present. The notice may include any other information that the faculty advisor

believes will be pertinent to the matter or helpful to the PRC committee and the student.

- The committee shall review the issue(s) that prompted the review. The committee will assess the situation and make recommendations regarding how the student can resolve the issue(s) that prompted the review. The committee will seek consensus, and if it is unreachable, will decide by majority vote.
- The advisor will make a written record of the committee's assessment and recommendations. The advisor will send this document, to be completed within one week of the meeting, to the student and the Academic Dean. The student, with the support of the faculty advisor, unless otherwise noted by the committee in their report, is responsible for the implementation of the recommendations.
- A student who disagrees with the recommendations of the performance review committee may petition the Dean to reverse or otherwise modify the recommendations. The student's petition must be in writing and received by the Dean within one week of receipt of the committee's recommendations.
- The Dean will render in writing a final decision in response to the student's petition within one week of its receipt.

### **Immediate Threat**

If it is determined that a student poses an immediate threat to himself/herself or others, UACS faculty/staff have the authority to make immediate decisions to insure the safety of the student and/or others. This includes but is not limited to temporary suspension or immediate termination from a class and/or UACS.

Termination from a class and/or UACS will result in the loss of all tuition and fees paid and the student will be responsible for any additional expenses related to their termination (e.g., the cost of changing plane reservations if the student is overseas).

### **UACS Academic Policy for Students with Disabilities**

The University of Arkansas Clinton School of Public Service is committed to providing equal opportunity for participation in all programs, services, and activities, and a learning environment that is supportive of all students. As part of that commitment, CSPA stands ready to provide reasonable accommodations for students with disabilities when appropriate. Any student who desires to report a disability issue, who has questions or concerns regarding a disability issue, or who desires accommodation for a disability should contact Associate Dean Susan Hoffpauir at [sahoffpauir@clintonschool.uasys.edu](mailto:sahoffpauir@clintonschool.uasys.edu) or (501) 683-5208, or the UAMS ADA/Disability Services office at <http://students.uams.edu/ada-disability-services/> or by calling the office at (501) 526-5641. Please inform the Center staff that you are enrolled at the Clinton School.

### Student Responsibility

In all instances, it is the student's responsibility to notify the Academic Dean of the Clinton School and the staff UAMS ADA/Disability Services office that she or he needs an accommodation for a disability or a course substitution based on a disability, and to provide all required documentation.

### **Nondiscrimination Policies**

It is the policy of the UACS to provide an educational and work environment in which thought, creativity, and growth are stimulated, and in which individuals are free to realize their full potential through equal opportunity. The School should be a place of work and study for students, faculty, and staff, which is free of all forms of discrimination, sexual intimidation and exploitation. Therefore, it is the policy of the UACS to prohibit discrimination of its students, faculty, and staff and to make every effort to eliminate discrimination within the School community.

Therefore, UACS is committed to providing equal opportunity for all faculty, staff and students in education and employment regardless of race, age, gender, religion, national origin, marital or parental status, disability, veteran status, sexual orientation or gender identity. In addition, discrimination in employment on the basis of genetic information is prohibited.

Policy Against Discrimination, Harassment, Retaliation and Sexual Misconduct. The University of Arkansas Clinton School [UACS] is committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from harassment and discrimination based upon race, color, religion, national origin, sexual orientation, gender identity, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, pregnancy, physical or mental disability or genetic information. Such an environment is necessary to a healthy learning, working and living atmosphere. Accordingly, all acts of discrimination, harassment, retaliation and sexual misconduct as defined by this Policy are prohibited.

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

This Policy shall not be construed or applied to restrict academic freedom at the School, nor shall it be construed to restrict constitutionally protected expression.

Consistent with state and federal law, reasonable accommodation will be provided to persons with disabilities.

All complaints or any concerns about conduct that may violate this Policy should be submitted to the Title IX Coordinator or, in her absence, to the deputy Title IX Coordinator:

**Susan Hoffpauir, Academic Dean, Title IX Coordinator**

**(501) 683-5232**

[sahoffpauir@clintonschool.uasys.edu](mailto:sahoffpauir@clintonschool.uasys.edu)

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

**Little Rock Police Department**

**(501) 371-4829 or (501) 371-4830**

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

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

Mandatory Employee Reporting. In order to enable UACS to respond effectively and to proactively stop instances of discrimination, harassment, retaliation and sexual misconduct at the School, all employees must, within 24 hours of receiving information regarding a potential violation of this Policy, report information to the Title IX Coordinator and/or the deputy. Only employees who are statutorily prohibited from reporting such information (e.g., licensed health-care professionals) are exempt from these reporting requirements. This Policy is not intended to restrict curriculum or prohibit or abridge the use of particular textbooks or curricular materials.

Off-Campus Conduct. Conduct that occurs off campus can be the subject of a Complaint or report and will be evaluated to determine whether it violates this Policy. Allegations of off-campus sexual misconduct are of particular concern and should be brought to the School's attention.

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

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

Availability of Counseling and Advocacy. Counseling and other mental health services for victims of sexual assault are available in the community. Community mental health agencies, such as the Little Rock Community Mental Health Center and counselors and psychotherapists in private practice in the area can provide individual and group therapy. The Arkansas Coalition Against Domestic Violence may assist with making referrals for individual counseling and support groups and in identifying non-counseling campus and community resources that may be of additional help and serve as a victim advocate upon request.

International resources include:

- Americans Overseas Domestic Violence Crisis Center and the Sexual Assault Support & Help for Americans Abroad Program
  - <http://www.866uswomen.org/>
  - Call: International Toll-Free 866-USWOMEN
- Rape, Abuse, and Incest National Network lists "International Sexual Assault Resources"
  - <https://www.rainn.org/get-help/sexual-assault-and-rape-international-resources>
  - Call: 1-800-656-HOPE
- National Coalition Against Domestic Violence lists "International Organization Resources"
  - <https://www.whengeorgiasmiled.org/national-coalition-domestic-violence/>
  - Call: 1-800-799-7233, TTY 1-800-787-3224

Education and Awareness Programs. The UACS Title IX and/or the deputy coordinator is responsible for planning and coordinating campus education and awareness programs about all forms of sexual assault, including rape, acquaintance rape, domestic violence, dating violence, and other sex offenses. Programs are presented regularly throughout the academic year through the UACS Student Government Association and employee training and professional development. Campus-wide education and awareness activities are also conducted during Sexual Assault Prevention and Awareness Week.

Policy Expectations with Respect to Consensual Relationships. There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (such as teacher and student, or 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 Policy.

UACS does not wish to interfere with private choices regarding personal relationships when those relationships do not interfere with the goals and policies of UACS. However, for the personal protection of members of this community, relationships in which power differentials are inherent (faculty-student, staff-student, administrator-student or employee) are prohibited except in extraordinary circumstances.

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 timely attention of their supervisors. This will likely result in the necessity to remove the employee from the supervisory or evaluative responsibilities, or will shift the student or employee out of being supervised or evaluated by someone with whom he or she has established a consensual relationship. Failure to self-report such relationships to a supervisor as required can result in disciplinary action for an employee, up to and including termination.

Complaint /Grievance Procedure for Reporting Discrimination, Harassment, Retaliation and Sexual Misconduct These procedures are intended to apply to all grievances involving discrimination, harassment, retaliation and sexual misconduct as described in this Policy, including but not limited to those brought by a student against an employee and/or fellow student, employee against fellow employee and/or student, and third party against employee and/or student. All other grievances by students, employees or third parties shall be addressed through other grievance procedures. The University benefits from formal and informal procedures that encourage prompt resolution of Complaints and concerns raised by members of the University community.

To expedite the resolution of grievances that occur when students are travelling and/or living outside of Little Rock, the Title IX Coordinator or his/her designee can send notices, investigate, hold meetings, and send letters using Skype, phone, email, and/or other electronic communication methods.

Informal Complaint Process. The University does not require a Complainant to utilize the Informal Complaint Process if doing so is impracticable or unsafe, or if the Complainant believes that the conduct cannot be effectively addressed through informal means. For example, the Informal Complaint Process should not be used to address allegations of sexual assault. However, in other circumstances where it is practical and safe to do so, every reasonable effort should be made to constructively resolve issues with students, faculty, staff and administrators before pursuing the Formal Complaint Process. Under the Informal Complaint Process, a Complainant may elect to resolve his/her Complaint by discussing it with the offending party. If the offending party is an employee and satisfactory resolution cannot be reached after discussion, the Complainant may also contact the individual's direct supervisor to resolve the Complaint. If these efforts are unsuccessful, the Formal Complaint Process may be initiated.

Formal Complaint Process. Upon receiving a report of alleged or possible violation of this Policy, the Title IX Coordinator and/or deputy will evaluate the information received and determine what further actions should be taken. The Title IX Coordinator will follow the procedures described in this Policy. The Title IX Coordinator and/or deputy will take steps, either directly with the complainant or through a reporting employee, to provide information about the UACS's Complaint/Grievance Procedure, as well as available health and advocacy resources and options for criminal reporting.

Investigation. The Title IX Coordinator will be responsible for overseeing the prompt, fair, and impartial investigation and resolution of Complaints filed with UACS. The Title IX Coordinator or his/her designee will investigate all Complaints of discrimination, harassment, retaliation and sexual misconduct and determine any accommodations or other remedial short-term actions necessary in light of the individual circumstances presented.

The Title IX Coordinator or his/her designee will apprise the Dean of the Complaint. The Title IX Coordinator or his/her designee, who will have been properly trained, will:

- identify the correct policies allegedly violated;
- conduct an immediate initial investigation to determine if there is reasonable cause to charge the Respondent(s);
- meet with the Complainant to finalize the Complaint;
- prepare the notice of charges on the basis of initial investigation;
- develop a strategic investigation plan which may include a witness list, an evidence list, an intended timeframe, and an order of interviews for all witnesses, including the Respondent;
- conduct a thorough, reliable and impartial investigation during which witnesses may or may not be given notice prior to the interview;
- complete the investigation promptly, and without unreasonable deviation from the intended timeline;
- make a written finding on the case, based on a preponderance of the evidence, which indicates that it is more likely than not that a Policy violation has or has not occurred, and identifies appropriate remedies and/or sanctions, if any; and
- prepare a complete report on the investigation and findings.

As noted above, an investigation of the Complaint will be conducted by the Title IX Coordinator or his/her designee unless it is clear from the face of the Complaint or the Title IX Coordinator's initial meetings with the parties that no reasonable grounds exist for believing that the conduct at issue violates this Policy.

In the event that the Complaint was made by someone other than the alleged victim, the Title IX Coordinator will consider the following factors in determining whether it is reasonable to investigate the Complaint:

- the source and nature of the information,
- the seriousness of the alleged incident,
- the specificity of the information,
- the objectivity and credibility of the source of the information,
- whether the alleged victims can be identified, and
- whether those individuals wish to pursue the matter.

In the event that the Title IX Coordinator determines that an investigation of the Complaint should not be conducted, he/she will determine and document (in consultation, as necessary, with the alleged victim, the Respondent and the UACS Dean) the appropriate resolution of the Complaint and inform the parties of the same.

With all Complaints, if the Title IX Coordinator determines that an investigation should be conducted, the Title IX Coordinator will promptly investigate the matter. The existence of concurrent criminal investigations or proceedings shall not delay the investigation of any Complaint filed under this Policy.

If another individual is designated to investigate the matter, the Title IX Coordinator will share the investigator's name and contact information with the alleged victim and the Respondent and will forward the Complaint to the investigator. Within three (3) days of such appointment, the investigator, the alleged victim or the Respondent may identify to the Title IX Coordinator in writing any real or perceived conflicts of interest posed by assigning such investigator to the matter. The Title IX Coordinator will carefully consider such statements and will assign a different individual as investigator if it is determined that a material conflict of interest exists.

Upon receipt of the Complaint, the Title IX Coordinator will promptly begin the investigation, which shall include but is not limited to the following:

- conducting interviews with the Complainant, the alleged victim (if not the Complainant), the Respondent, and third-party witnesses (including expert witnesses, where applicable) and summarizing such interviews in written form;
- visiting, inspecting, and taking photographs at relevant sites; and
- where applicable, collecting and preserving relevant evidence (in cases of corresponding criminal reports, this step may be coordinated with law enforcement agencies).

Throughout the investigation, the Title IX Coordinator will remain neutral. The Title IX Coordinator should obtain, where applicable and where possible, the written consent of any third-party witnesses to the disclosure, as contemplated by this Policy, of any personally identifiable information contained in the Complaint, the Investigative Report, and for any other documents the disclosure of which is contemplated by this Policy in order to further the resolution of the Complaints.

*Initial Meeting with Complainant and/or Alleged Victim.* As soon as is practicable, the Title IX Coordinator will contact the Complainant and the alleged victim (if not the Complainant) to schedule an initial meeting to, as applicable:

- provide a copy of this Policy;
- provide a copy of the Discrimination, Harassment and Sexual Misconduct Complaint Form (a copy of which is attached as Exhibit A) on which the Complainant may, if he or she agrees to disclose the information, provide details regarding the allegation, including the name of the accused individual and the date, location and general nature of the alleged violation of Policy (the Complaint Form may be completed by Complainant or dictated to the Title IX Coordinator, who will confirm the accuracy of his or her documentation with the Complainant);
- explain avenues for resolution;
- explain the steps involved in an investigation under this Policy;
- discuss confidentiality standards and concerns;
- determine whether the Complainant or the alleged victim (if not the Complainant) wish to pursue a resolution through UACS or no resolution of any kind;
- refer to law enforcement, counseling, medical, academic or other resources, as appropriate; and
- discuss, as appropriate, possible interim measures that can be provided during the pendency of the investigative and resolution processes.



*Interim Measures.* Unless circumstances dictate otherwise, the Title IX Coordinator will promptly issue a “No Contact” order to all parties upon notice of any sexual assault Complaint. In all cases, UACS may implement any necessary interim measures, deemed appropriate and reasonably available, regardless of whether a Complaint has been filed (with either campus administrators or law enforcement agencies) or whether an investigation has commenced (by either campus administrators or law enforcement agencies). Interim measures may include, but are not limited to:

- issuing no-contact orders;
- providing an escort to ensure that a individual can move safely between classes, work, and/or activities;
- changing work arrangements or location;
- rescheduling class work, assignments, and examinations;
- arranging for the Complainant to take an incomplete in a class;
- reassigning class section if possible;
- permitting a temporary withdrawal from UACS;
- providing alternative course completion options;
- providing counseling services; and
- providing academic support services.

Following the initial meeting with the Complainant and the alleged victim (if not the Complainant), the Title IX Coordinator will, if applicable, promptly determine the interim measures to be provided to the alleged victim. Such determination will be promptly communicated to the alleged victim, and no later than the point at which it is communicated to the Respondent.

*Initial Meeting with Respondent.* If the Complainant or alleged victim (if not the Complainant) wishes to pursue resolution through UACS or if UACS otherwise deems that a further investigation is warranted, as soon as is reasonably practicable after the Title IX Coordinator’s initial meeting with the Complainant (and, if applicable, the alleged victim), the Title IX Coordinator will schedule an initial meeting with the Respondent. During the initial meeting with the Respondent, the Investigator will, as applicable:

- provide sufficient written information, consistent with privacy laws and any request for confidentiality, to allow Respondent to address the allegation (e.g., the name of the Complainant/alleged victim, the date, location, nature of the alleged violation of Policy, etc.);
- provide a copy of this Policy;
- explain UACS’s procedures for resolution of the Complaint;
- explain the steps involved in an investigation under this Policy;
- discuss confidentiality standards and concerns;
- discuss non-retaliation requirements;
- inform of any interim measures already determined and being provided to the Complainant and/or the alleged victim that would directly affect the Respondent (e.g., changing his or her class schedule, moving him or her to an alternate residence hall, etc.);
- refer to law enforcement, counseling, medical, academic or other resources, as appropriate; and
- discuss, as appropriate, possible interim measures that can be provided to the Respondent during the pendency of the investigative and resolution processes.

*Investigative Report.* The Title IX Coordinator shall complete a written investigative report (“Investigative Report”) that shall include the following items:

- The name and sex of the alleged victim and, if different, the name and sex of the person reporting the allegation. (It should also include any other relevant protected class characteristics if the Complaint involves a violation of this Policy based on a protected status other than gender);
- a statement of the allegation, a description of the alleged incident(s), and the date(s) and time(s) (if known) of the alleged incident(s);
- the date that the Complaint or other report was made;
- the date the Complainant and alleged victim (if not the Complainant) were interviewed;
- the date the Respondent was interviewed;
- the names and sex of all persons alleged to have committed the alleged violation of this Policy. (It should also include any other relevant protected status characteristics if the Complaint involves a violation of this Policy based on a protected status other than gender);
- the names and sex of all known witnesses to the alleged incident(s);
- the dates that any relevant documentary evidence (including cell phone and other records as appropriate) was obtained;
- any written statements of the Complainant (or victim, if different from the Complainant), the Respondent and any witnesses;
- summaries of all interviews conducted, photographs, and descriptions of relevant evidence, summaries of relevant electronic records, and a detailed report of the events in question;
- a written finding on the case, based on a preponderance of the evidence which indicates whether or not it is more likely than not that a Policy violation has occurred;
- the policy or policies violated and, in consultation, as necessary, with the Complainant, alleged victim (if different than the Complainant), Respondent, and the Dean, any remedial and/or disciplinary action deemed appropriate under the circumstances;
- the response of UACS personnel and, if applicable, the Dean, including any interim measures and permanent steps taken with respect to the Complainant, alleged victim (if different than the Complainant) and the Respondent; and
- a narrative of all action taken to prevent recurrence of any harassing incident(s), including any written documentation.

If the Title IX Coordinator is unable to obtain the consent of third-party witnesses, he or she will redact the Investigative Report to the extent necessary to avoid inappropriate disclosure of such witness's personally identifiable information, while ensuring that such redaction does not prevent resolution of the Complaint.

If the Title IX Coordinator determines and documents, based on the investigation, that reasonable grounds exist to believe that the conduct at issue constitutes a violation of this Policy, the Title IX Coordinator will determine the appropriate remedy and/or sanction to be imposed and will include the appropriate remedy and/or sanction in the Investigative Report. Imposition of the appropriate remedy and/or sanction will be imposed only after all appeals have been exhausted.

In determining the appropriate remedy and/or sanction, the University will act to end the discrimination, harassment, retaliation or sexual misconduct, prevent its recurrence and remedy its effects on the victim and/or UACS community. Sanctions will depend upon the nature and gravity of the misconduct, any record of prior discipline for a violation of this Policy, or both. Sanctions may include, without limitation, withholding a

promotion or pay increase, reassigning employment, terminating employment, temporary suspension without pay, compensation adjustments, expulsion or suspension from UACS, disciplinary probation, mandated counseling and/or educational sanctions as deemed appropriate.

The Title IX Coordinator shall complete and distribute the Investigative Report, concurrently, to the alleged victim and Respondent within thirty (30) calendar days following receipt of a Complaint. All parties to whom the Investigative Report is distributed pursuant to this Policy should maintain it in confidence. The Investigative Report may only be disclosed as contemplated by this Policy.

If the Title IX Coordinator finds no reasonable grounds to believe that the conduct at issue constitutes a violation of this Policy, then the Title IX Coordinator will determine and document the appropriate resolution of the Complaint in the Investigative Report and will promptly notify the parties of that determination.

#### Appeal Involving Faculty/Staff

All appeals where the Respondent is a UACS faculty or staff member shall be made to the Dean or his/her designee. Both the alleged victim and the Respondent may appeal any or all of the Title IX Coordinator's decision in writing to the Dean or his/her designee within ten (10) days of receipt of the Investigative Report. The appealing party must also provide a copy of the appeal to the Title IX Coordinator within the same time period. The appeal should include a brief statement describing any or all parts of the Investigative Report that is being appealed and the reason for appeal. Acceptable means of notification include email, facsimile, hand delivered notification or postal delivery. The Title IX Coordinator will promptly inform the other party of the appeal.

Within thirty (30) days of receipt of the appeal, the Dean or his/her designee will make a final determination as to whether the Complaint should be closed, whether a violation of Policy has occurred, and/or whether any additional or different remedial action or sanctions are warranted. The Dean or his/her designee will concurrently notify the alleged victim and the Respondent of his/her decision.

All non-tenured faculty and staff members of UACS are at-will employees who may be terminated at any time, with or without cause. With regard to such faculty and staff, nothing in this Policy shall create an expectation of continued employment with UACS or be construed to prevent or delay UACS from taking any disciplinary action deemed appropriate (including suspension and immediate termination of employment) for any violation of state law, federal law or UACS policy. When the Respondent is a faculty member with tenure and the sanction imposed or upheld by the Dean or his/her designee is dismissal of the Respondent's employment, the matter shall proceed pursuant to UA System Board Policy 405.1.

#### Appeal Involving a Student

In those instances where the Respondent is a UACS student, the alleged victim and/or the Respondent may appeal any or all of the Title IX Coordinator's decision to a Hearing Panel by providing a written appeal to the Dean or his/her designee with a copy also being provided to the Title IX Coordinator. The appeal must be submitted within ten (10) days of receipt of the Investigative Report and must include a brief statement describing any or all parts of the Investigative Report being appealed and the reason for appeal. Acceptable means of notification include email, facsimile, hand delivered notification or postal delivery.

Within three (3) days of receiving the appeal, the Dean or his/her designee will appoint the members of the Hearing Panel, to include at least three faculty and/or staff members. The Dean or his/her designee will select one member of the Hearing Panel to act as the Chair. The Title IX Coordinator will provide a copy of the Complaint and the Investigative Report to each member of the Hearing Panel and, if only a portion of the Title IX Coordinator's findings and determinations are appealed, the Title IX Coordinator will specify which part(s) of the alleged misconduct will be the subject of the hearing.

Promptly after the appointment of the members of the Hearing Panel, the Title IX Coordinator will provide concurrent written notice to the alleged victim and the Respondent, setting forth the names of the individuals selected to serve on and chair the Hearing Panel. If only a portion of the findings and determination are appealed, the Title IX Coordinator will also specify in the notice which part(s) of the alleged misconduct will be the subject of the hearing.

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

To expedite the resolution of grievances that occur when students are travelling and/or living outside of Little Rock, the Title IX Coordinator or his/her designee can send notices, investigate, hold meetings, and send letters using Skype, phone, email, and/or other electronic communication methods.

*Submission of Written Materials.* Within five (5) days of receipt of the notice of the initial composition of the Hearing Panel, the alleged victim and the Respondent may provide the Chair of the Hearing Panel with a list of witnesses, if any, that they propose that the Hearing Panel call and a brief description of each proposed witness's connection to and/or knowledge of the issues in dispute, any supporting documents or other evidence, and a written statement of position.

*Notice of the Hearings.* Not less than five (5) days but not more than ten (10) days after delivery of notice of the initial composition of the Hearing Panel to the parties, the Hearing Panel will provide a separate notice to the alleged victim, Respondent and any witnesses or other third parties whose testimony the Hearing Panel deems relevant, requesting such individuals to appear before the Hearing Panel. The notice should set forth the date, time, and location for the individual's requested presence. The Hearing Panel shall provide the names of the witnesses or other third parties that the Hearing Panel plans to call in its notices to the alleged victim and the Respondent. The hearing shall be conducted within twenty (20) days but no sooner than ten (10) days of the receipt of the appeal.

*Failure to Appear.* If any party fails to appear before the Hearing Panel if requested to do so, and such party was provided proper notice of the hearing as set forth above, then absent extenuating circumstances, the Hearing Panel will proceed to determine the resolution of the Complaint.

*Support Persons.* Both the alleged victim and the Respondent may be accompanied by one support person to assist them during the hearing process. This support person can be anyone, including an attorney, but the support person may not take part in the hearing. The support person may not address the Hearing Panel, present evidence, make objections or statements, ask questions of any party or witness or otherwise participate in the hearing, beyond privately communicating with the party that he/she is supporting. The Chair must be notified five (5) business days in advance of the hearing if a party will be accompanied by a support person. The Chair may disallow the attendance of any support person if he/she is also a witness or if, in the discretion of the Chair, such person's presence would be disruptive or obstructive to the hearing or otherwise warrant removal. All support persons must agree to keep any and all information presented in the hearing confidential in order to attend. Absent accommodation for disability, the parties may not be accompanied by any other individual during the hearing process except as set forth in this Policy. UACS officials may seek advice from the UA System's Office of General Counsel on questions of law and procedure at any time during the process.

*Evidentiary Matters.* The alleged victim and the Respondent will have an equal opportunity to present evidence during their hearing. Formal rules of evidence will not be observed during the hearings.

*Prior Sexual Conduct.* Evidence of the prior sexual conduct of the alleged victim and the Respondent with others will not be permitted at the hearings, with the following exceptions:

- evidence is permitted to show that the alleged victim has in the past been formally disciplined by the University for falsely filing Complaints alleging a violation of this Policy;
- evidence is permitted to show that the Respondent has in the past been either convicted in a criminal proceeding or formally disciplined by the University for conduct which would violate this Policy, if deemed relevant; and
- evidence regarding the past sexual activity of the Respondent (regardless of whether the Respondent was formally charged with a violation of the Policy with respect to such conduct) may be permitted to show that the Respondent has engaged in a pattern of behavior similar to the alleged violations of policy at issue before the Hearing Panel, provided that (1) the Respondent has not been found “not responsible” by the University in a proceeding related to such conduct and (2) the Chair has made written findings both that the evidence is reliable and trustworthy and that the conduct is sufficiently and substantially similar to the conduct at issue before the Hearing Panel to suggest a pattern of behavior.

*Hearing Procedure.* The Hearing Panel will conduct a hearing during which it will interview and question the Complainant, the alleged victim, the Respondent, and any witnesses or other third parties whose testimony the Hearing Panel deems relevant. The parties will not be allowed to personally question or cross-examine each other during the hearing, but will be allowed to question witnesses. The Chair will resolve all questions concerning procedure or the admission of evidence or testimony, including the relevancy and reliability of the evidence and testimony. All participants at the hearing are expected to provide truthful testimony. The Complainant and/or alleged victim have the option not to be in the same room with the Respondent during the hearing. Any party may choose not to testify or appear before the Hearing Panel; however, his/her exercise of that option will not preclude the Hearing Panel from making a determination regarding the Complaint filed against the Respondent.

*Decision of the Hearing Panel.* Following the conclusion of the hearing, the Hearing Panel will confer and by majority vote determine whether the evidence (including the information provided in and by the Investigative Report, the parties’ written statements, if any, the evidence presented at the hearings, and the testimony of the parties and witnesses) establishes that it is more likely than not that the Respondent committed a violation of this Policy. In other words, the standard of proof will be the preponderance of the evidence. If the Hearing Panel determines that more likely than not the Respondent committed a violation of this Policy, the Hearing Panel will recommend sanctions and give consideration to whether a given sanction will (a) bring an end to the violation in question, (b) reasonably prevent a recurrence of a similar violation, and (c) remedy the effects of the violation. The Hearing Panel will forward its recommendations regarding sanctions to the Dean or his/her designee, who will make the final determination regarding all sanctions.

Sanctions for a finding of responsibility will depend upon the nature and gravity of the misconduct, any record of prior discipline for a violation of this Policy, or both. Sanctions may include, without limitation, expulsion or suspension from UACS, disciplinary probation, mandated counseling, and/or educational sanctions deemed appropriate by the Hearing Panel.

Ordinarily, sanctions will not be imposed until the resolution of any timely appeal under this Policy. However, if it is deemed necessary to protect the welfare of the victim or the UACS community, the Hearing Panel may recommend and the Dean or his/her designee may determine that any sanctions be imposed immediately and continue in effect until such time as the appeal process is exhausted.

At such time that the appeal process is exhausted, the Title IX Coordinator will determine the final accommodations to be provided to the victim, if any, and the Title IX Coordinator will communicate such decision to the victim and the Respondent to the extent that it affects him/her.

The Title IX Coordinator will also take steps to prevent any harassment of or retaliation against the Complainant, the victim (if not the Complainant), or third parties, such as informing them about how to report subsequent problems, following up with them to ensure that there are no subsequent problems, providing training for the campus community, and providing counseling for the Respondent. The Title IX Coordinator will also take steps to prevent the harassment of or retaliation against the Respondent.

Furthermore, the Title IX Coordinator will take prompt corrective action if the Complainant or the victim (if not the Complainant) experiences retaliation or is subjected to further violation of this Policy or if the original sanctions imposed on the Respondent are ineffective to protect the safety and well-being of the Complainant, the victim (if not the Complainant), or other members of the UACS community. The Title IX Coordinator will also take reasonable steps to eliminate any hostile environment that has been created, such as conducting trainings and disseminating informational materials. In taking the above-outlined steps, the Title IX Coordinator will make every reasonable effort to minimize the burden on the Complainant and/or alleged victim.

*Final Outcome Letter.* Within ten (10) calendar days following the conclusion of the hearings, the Hearing Panel will issue a written decision letter (the "Final Outcome Letter") concurrently to the Respondent and the alleged victim. The Final Outcome Letter will set forth (1) the name of the Respondent, (2) the violation(s) of this Policy for which the Respondent was found responsible, if any, (3) the recommended sanctions imposed on the Respondent, if any, and it may set forth names of other individuals, such as a victim or witness, provided that such other individuals provide their written consent to such inclusion.

In order to comply with FERPA, the letter will not include information considered part of a party's "education record" (as that term is defined by FERPA) that is not otherwise exempt from disclosure under the Act, or other information about sanctions that do not relate to the victim.

*Confidentiality and Disclosure.* In order to comply with FERPA and Title IX and to provide an orderly process for the presentation and consideration of relevant information without undue intimidation or pressure, the hearing process is not open to the general public. Accordingly, documents prepared in anticipation of the hearings (including the Complaint, the Investigative Report, the notices of hearing, and the pre-hearing submissions referenced above) and documents, testimony, or other information introduced at the hearings may not be disclosed outside of the hearing proceedings, except as may be required or authorized by law.

Time Periods. UACS will make every reasonable effort to ensure that the investigation and resolution of a Complaint occurs in as timely and efficient a manner as possible. UACS's investigation and resolution of a Complaint (including an appeal, if applicable) will generally be completed within 60 calendar days of the receipt of the Complaint, absent extenuating circumstances. Hearings, if at all, will take place after the conclusion of the investigation. If hearings have taken place, both the alleged victim and the Respondent generally will receive a Final Outcome Letter within ten (10) calendar days of the conclusion of the hearing.

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

For purposes of calculating all time periods set forth in this Complaint and Grievance Policy, a business day is defined to mean normal operating hours, Monday through Friday, excluding recognized national and state holidays and UACS closings. Timelines may be modified in cases where information is not clear, judged to be incomplete, relevant parties are not available for interview, and/or other related circumstances as may arise. The Title IX Coordinator may also modify any deadlines contained in this Policy as necessary and for good cause.

Acknowledgement of Responsibility. At any time prior to the issuance of the Investigative Report or the date of his/her designated hearing, the Respondent may elect to acknowledge his/her actions and take responsibility for the alleged policy violation. In such situation, the Title IX Coordinator will propose sanction(s). If either the alleged victim or the Respondent objects to the proposed sanction(s), they may appeal the sanction pursuant to this Policy.

No Retaliation. Retaliation against any person who files a Complaint, participates in an investigation, or opposes a discriminatory employment or educational practice or policy is prohibited. A person who believes retaliation has occurred should notify the Title IX Coordinator as soon as possible.

False Reports. Willfully making a false report of sexual harassment is a violation of UACS policy and is a serious offense. Any person who willfully makes or participates in making a false or frivolous report of discrimination, harassment, retaliation or sexual misconduct will be subject to disciplinary action. False reporting may also violate state criminal statutes and civil defamation laws.

Office of Civil Rights Complaint. Although Complainants are encouraged to resolve their grievances related to discrimination by utilizing this Complaint/Grievance Procedure, they have the right to file a complaint directly with the U.S. Department of Education, Office for Civil Rights (OCR). Information regarding applicable timelines and procedures is available from OCR. You may call 1-800-421-3481 to obtain further information about filing a complaint with OCR.

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

Documentation. UACS will retain documentation (including but not limited to the written Complaint, notifications, the Investigative Report, any written findings of fact, petitions for appeal, hearing transcripts or recordings (if any), and any written communication between the parties), for at least three (3) years. Documentation pertaining to terminations, expulsions or educational sanctions may be retained indefinitely.

### Definitions

1. *Complainant:* Any party who makes a Complaint against a student, employee, staff member or campus visitor.
2. *Consent:* Consent is a clear, knowing and voluntary decision to engage in sexual activity.

Because consent is voluntary, it is given without coercion, force, threats, or intimidation. It is given with positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will.

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 consist of an affirmative, unambiguous, conscious decision by each participant to engage in mutually agreed-upon sexual activity.

Consent is revocable, meaning consent can be withdrawn at any time. Thus, consent must be ongoing throughout a sexual encounter. Once consent has been revoked, sexual activity must stop immediately.

Consent can be limited, meaning consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity. Further, previous relationships or prior consent cannot imply consent to future sexual acts.

Consent cannot be given when a person is incapacitated, such as when a person is physically or mentally unable to make informed, rational judgments, or lacks the ability to understand the “who, what, when, where and how” related to the sexual activity. States of incapacitation include, but are not limited to, unconsciousness and sleep. Where alcohol or drugs are involved, incapacitation is determined by how the alcohol or other drugs have impacted a person’s decision-making capacity, awareness of consequences, and/or ability to make fully informed judgments.

Use of alcohol or other drugs will never function as a defense to a violation of this Policy.

In sum:

- Silence does not equal consent.
- Lack of verbal resistance does not constitute consent.
- Lack of physical resistance does not constitute consent.
- There is no consent when there is force, coercion, intimidation, threats or duress.
- Consent may be withdrawn at any time, and sexual activity must cease when consent is withdrawn unless or until additional consent is given.
- Consent to one form of sexual activity does not indicate consent to another form of sexual activity.
- A prior sexual relationship does not indicate current or future consent.
- Minors cannot give consent.
- Physically or mentally incapacitated persons cannot give consent.
- Consent may be determined by whether the accused knew, or a reasonable person should have known, that the alleged victim was incapacitated.

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

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

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



Sexual activity with someone known to be mentally or physically incapacitated, or based on the circumstances, or someone who could reasonably be known to be mentally or physically incapacitated, constitutes a violation of this Policy.

This Policy also covers a person whose incapacity results from mental disability, sleep, 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 person is a violation of this Policy. More information on these drugs can be found at <http://www.911rape.org/>

Use of alcohol or other drugs will never function as a defense to a violation of this Policy. 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 to future sexual acts.

4. *Dating Violence*: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the alleged victim. It includes any unwelcome physical violence such as hitting, pulling, shoving, kicking, biting or throwing things; and sexual assault, sexual exploitation and sexual harassment.
5. *Discrimination (general definition)*: Conduct that is based upon an individual's race, color, religion, national origin, service in the uniformed services (as defined in state and federal law), veteran status, sex, sexual orientation, gender identity, age, pregnancy, physical or mental disability or genetic information that excludes an individual from participation, denies the individual the benefits of, treats the individual differently or otherwise adversely affects a term or condition of an individual's employment, education, living environment or participation in a UACS program or activity. This includes failing to provide reasonable accommodation, consistent with state and federal law, to persons with disabilities.
6. *Discriminatory Harassment*: Detrimental action based on an individual's race, color, religion, national origin, service in the uniformed services (as defined in state and federal law), veteran status, sex, sexual orientation, gender identity, age, pregnancy, physical or mental disability or genetic information. Harassing conduct may take various forms, including, name-calling, graphic or written statements (including the use of cell phones or the Internet), or other conduct that may be physically threatening, harmful, or humiliating. Harassment does not have to include intent to harm, be directed at a specific target or involve repeated incidents. Gender-based harassment includes sexual harassment.
7. *Domestic Violence*: Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault between family or household members; or any sexual conduct between family or household members, whether minors or adults, that constitutes a crime under the laws of this state. Family or household members means spouses, former spouses, parents and children, persons related by blood within the fourth degree of consanguinity, any children residing in the household, persons who presently or in the past have resided or cohabited together, persons who have or have had a child in common, and persons who are presently or in the past have been in a dating relationship together. See also, Arkansas Code Annotated § 9-15-103—"Domestic Abuse").

8. *Hostile Environment:* A hostile environment exists when there is harassing conduct based on race, color, religion, national origin, service in the uniformed services (as defined in state and federal law), veteran status, sex, sexual orientation, gender identity, age, pregnancy, physical or mental disability or genetic information that is sufficiently serious (i.e., severe, pervasive, or persistent) and objectively offensive to deny or limit a person's ability to participate in or benefit from the University's programs, services, opportunities or activities; or when such conduct has the purpose or effect of unreasonably interfering with an individual's employment. Harassment that creates a hostile environment ("hostile environment harassment") violates this Policy.
9. *Non-Consensual Sexual Contact:* Non-consensual sexual contact is any intentional sexual touching, however slight, with any object by a male or female upon a male or a female 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; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.
10. *Non-Consensual Sexual Intercourse:* Non-consensual sexual intercourse is any sexual intercourse however slight, by a male or female upon a male or a female that is without consent and/or by force. Intercourse includes vaginal penetration by a penis, object, tongue or finger; anal penetration by a penis, object, tongue, or finger; and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.
11. *Respondent:* The person(s) against whom a Complaint has been made.
12. *Retaliation:* Action taken by an accused individual or by a third party against any person because that person has opposed any practices forbidden under this Policy or because that person has filed a Complaint, testified, assisted or participated in any manner in an investigation or proceeding under this Policy. This includes action taken against a bystander who intervened to stop or attempt to stop discrimination, harassment or sexual misconduct. Retaliation includes intimidating, threatening, coercing or in any way discriminating against an individual because of the individual's Complaint or participation. Action is generally deemed retaliatory if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this Policy.
13. *Sexual Assault:* An actual or attempted sexual contact with another person without that person's consent. Sexual assault includes, but is not limited to involvement in any sexual contact when the victim is unable to consent; intentional and unwelcome touching of, or coercing, forcing, or attempting to coerce or force another to touch a person's intimate parts (defined as genital area, groin, inner thigh, buttocks, or breast); and sexual intercourse without consent, including acts commonly referred to as "rape."
14. *Sexual Exploitation:* Occurs when a 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 behavior that could rise to the level of sexual exploitation include, but are not limited to:
  - invading sexual privacy;
  - prostituting another person;

- non-consensual video or audio-taping of sexual activity;
- going beyond the boundaries of consent (e.g., allowing others to watch consensual sex without that party's knowledge or consent);
- engaging in voyeurism;
- non-consensual distribution of photos, other images, or information of an individual's sexual activity, intimate body parts, or nakedness, with the intent to or having the effect of embarrassing an individual who is the subject of such images or information;
- knowingly transmitting an STI, such as HIV, to another without disclosing your STI status;
- exposing one's genitals in non-consensual circumstances or inducing another to expose his or her genitals; or
- possessing, distributing, viewing or forcing others to view illegal pornography.
- sexually-based stalking and/or bullying may also be forms of sexual exploitation.

15. *Sexual Harassment:* Sexual Harassment is unwelcome, gender-based spoken, written or symbolic action or physical conduct that is sufficiently severe, persistent or pervasive that it has the effect of unreasonably interfering with, limiting or denying someone the ability to participate in or benefit from the University's educational programs. The unwelcome behavior may be based on power differentials, the creation of a hostile environment or retaliation.

For the purpose of this Policy, sexual harassment includes stalking or repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device or method that purposely or knowingly causes substantial emotional distress or reasonable fear of bodily injury or death. Sexual harassment also includes *quid pro quo* sexual harassment which exists when there are unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature and submission to or rejection of such conduct results in adverse educational or employment action.

Not all workplace or educational conduct that may be described as "harassment" affects the terms, conditions or privileges of employment or education. For example, a mere utterance of an ethnic, gender-based or racial epithet which creates offensive feelings in an employee or student would not normally affect the terms and conditions of their employment or limits a student's ability to participate in or benefit from the University's educational programs or activities.

1. *Sexual Misconduct:* includes sexual assault, inducing incapacitation for sexual purposes, sexual exploitation and dating and domestic violence.
2. *Stalking:* is repeated or obsessive unwanted attention directed toward an individual or group that is likely to cause alarm, fear, or substantial emotional distress. Stalking may take many forms, including following, lying in wait, monitoring, and pursuing contact. Stalking may occur in person or through a medium of communication, such as letters, e-mail, text messages, or telephone calls. In some circumstances, two instances of such behavior may be sufficient to constitute stalking.
3. *Status:* A full-time employee of the University will be considered an "employee" for the purposes of this Policy, regardless of whether he/she is also enrolled as a student. Any student who is a part-time employee will be considered a "student" for the

purposes of this Policy unless the incident under consideration occurred in connection with his/her employment.

### **Notice to Students who are Registered Sex Offenders**

The Dean of the school or another individual or individuals designated by the Dean will serve as the point of contact for the receipt of information concerning registered sex offenders who are employed by or attend an institution of higher education. This individual(s) will, in coordination with relevant campus and law enforcement officials, participate in the preparation of a written notification plan taking into consideration the provisions of Arkansas Code Annotated 12-12-901, *et seq.*, and the guidelines established by the Arkansas Sex Offender Assessment Committee, specific needs of the campus and other relevant information as may be determined by law enforcement and/or campus officials. The written notification plan shall include the names of those participating in the plan and the date the plan was completed. A Sex Offender Notification Letter and Sheet will also be prepared for each offender. In the event there is a concern with the notification plan from either law enforcement or campus officials, final authority for the plan rests with law enforcement. (Board of Trustees Policy 525.1).

### **Military Duty**

Students enrolled in UACS who are members of the National Guard or reserve units and are called to active military duty as a result of activation may elect one of the following options:

1. The student can officially withdraw from UACS and receive a full refund of all tuition paid (scholarship funds excluded) and non-consumable fees for the term involved. A copy of the activation orders must be attached to the official withdrawal for the student to receive the full tuition and fee adjustment and refund. Students electing this option will receive a grade of "W" for the courses in which they were enrolled.
2. The student can arrange for a mark of "Incomplete" for each class for which he or she is enrolled, provided the work to date is of passing quality. In order to receive a mark of "Incomplete" in any course, the student must obtain agreement from the instructor of the course. After the mark of "I" is awarded, the provisions to the mark of "I" in the Grading Policy of this handbook are applicable.
3. An instructor who believes a sufficient portion of a course has been completed may assign an appropriate final grade in that course at the time the student leaves.

### **Substance Abuse**

It is the goal of UACS to provide the highest quality education and services available. To achieve this goal it is important that administrators, faculty, staff and students be able to fulfill their respective roles without the impairment produced by intoxication or addiction to alcohol or other drugs; therefore, the following policy is established:

1. It is the underlying philosophy of the campus administration that addiction to alcohol and/or other drugs represents a disease state. Any employee or student with an addiction is encouraged to seek help through their own physician or through a Student/Employee Health Service on one of the parent University campuses.
2. Individuals who seek addiction treatment will not be punished for seeking such help.
3. Appropriate disciplinary procedures linked to *performance criteria* are not precluded by this policy.
4. The use or possession of any illicit drug by any student or employee while on University premises or on a University affiliated assignment is not permitted.
5. The illegal exchange, sale or use of controlled substances by UACS students or employees will not be tolerated.
6. Neither students nor employees may report for their assignments and/or classes impaired by the use of alcohol or following the use of illicit drugs.
7. Violators of this policy will be disciplined up to and including dismissal.

**The Clinton School's Student Learning Goals and Outcomes**  
**EMPS**

**Student Learning Goal #1: Students will be proficient in the body of knowledge related to public service**

***Learning Outcome 1.1***

Students will be familiar with and make connections among the major concepts, theoretical perspectives, empirical findings, and historical trends relevant to public service.

***Learning Outcome 1.2***

Students will understand the complexities of public service work in local, regional, national, and international contexts.

**Student Learning Goal #2: Students will facilitate participatory social change that advances social and economic justice.**

***Learning Outcome 2.1***

Students will identify, develop, and/or mobilize resources (e.g., human, social, economic, political, physical, civic, etc) to facilitate social change.

***Learning Outcome 2.2***

Students will understand social change models and how to apply them appropriately.

**Student Learning Goal #3: Student will be proficient in field research**

***Learning Outcome 3.1***

Students will conceptualize issues to be studied and formulate appropriate research questions.

***Learning Outcome 3.2***

Student will apply extant field research to public service work.

***Learning Outcome 3.3***

Students will use appropriate information gathering techniques and methods in field research.

***Learning Outcome 3.4***

Students will conduct appropriate data analysis.

***Learning Outcome 3.5***

Students will critically analyze methods, results, and implications.

**Student Learning Goal #4: Students will be professional and ethical public servants.**

***Learning Outcome 4.1***

Students will be aware of their own personal values and how they affect their public service work.

***Learning Outcome 4.2***

Students will use critical thinking skills to address ethical and professional dilemmas.

***Learning Outcome 4.3***

Students will understand public service values, principles and behaviors.

***Learning Outcome 4.4***

Students will be able to work with diverse populations.