



HANDOUT C-1 ATU

Arkansas Tech University

May 10, 2018 | 10:00 am | ALC – Higher Education Subcommittee

ATU Representatives

Dr. Keegan Nichols, Vice President for Student Services

Jennifer Fleming, Coordinator of Affirmative Action Title IX

Josh McMillian, Assistant Dean of Students and Chief of Public Safety

Introductions

Dr. Keegan Nichols

Public Safety

Josh McMillian

- Criminal Investigation
- Allegation, Process for Investigation
- Advocate Advisor Program
- Clery

Title IX

Jennifer Fleming

- Overview of policies/procedures
- Due process for all parties
- Sexual Assault Prevention Program
 - Act 563
 - Haven
 - Student-led programs
- Climate Surveys

Attachments

- Title IX Resource Card
 - Laura's Card
 - Lethality Assessment
-

TITLE IX RESOURCE CARD

IF SOMEONE TELLS YOU THEY HAVE EXPERIENCED SEXUAL MISCONDUCT

WHAT CONSTITUTES SEXUAL MISCONDUCT?

- Sexual Harassment
- Sexual Assault
- Domestic Violence
- Dating Violence
- Sexual Exploitation
- Stalking

WHAT TO DO:

1. All person's health and safety is our primary concern. If you feel there is an immediate threat to self or others, please contact the Department of Public Safety at 479-968-0222 or call 911.
2. If you have been told that someone has experienced sexual misconduct, including one or all categories:
 - Be Attentive/Listen Carefully
 - Offer and Encourage the Use of Resources Available
 - Explain Confidentiality/Reporting Responsibilities. Be direct about the limits of your ability to assist and help them explore their options for support.
 - Express Interest, Care and Concern. Keep in mind that although what is being shared may not seem like a crisis to you, feels like it to that person.
 - Report the incident to Title IX
 - If you have any questions about how to proceed after a conversation with someone who has experienced misconduct, call and consult with the Title IX Coordinator at 479-498-6020

For more Information: www.atu.edu/affaction

ARKANSAS TECH
UNIVERSITY



IF YOU HAVE EXPERIENCED SEXUAL MISCONDUCT

While all types of Sexual Misconduct are inappropriate and taken seriously by the University, actions involving Sexual Assault are particularly concerning. Thus, if you are the victim of a Sexual Assault, the University's first priority is to help you take steps to address your safety, medical needs and emotional well-being. You are encouraged to take the following actions, as applicable, regardless of whether you have made a decision about whether to pursue criminal or University disciplinary charges.

WHAT TO DO:

1. Ensure Your Physical Safety by contacting Law Enforcement
 - Arkansas Tech University Department of Public Safety: 479-968-0222
 - Russellville Police Department: 911
2. Seek Medical Assistance and Treatment
 - University Health and Wellness Center: 479-968-0329
 - Saint Mary's Regional Medical Center: 479-968-2841
3. Obtain Emotional Support: contact a trained, experienced counselor (see reversed side for more information). In addition, close friends, relatives, and those you trust can be a great source of support.
4. Obtain Information/Report Misconduct: Report the incident to the Title IX Coordinator. By reporting, the Title IX Coordinator can help you access resources and provide you with support and information, including options and information on the University's procedures for investigating and addressing sexual misconduct.
5. You are under no obligation to choose a course of action immediately, but consider preserving evidence in a paper bag in case you choose to pursue charges. Examples: Physical: clothing or bedding; Electronic: text messages, photos, emails, etc.

WHAT TO KNOW:

- The decision to move forward with a formal complaint is yours.
- You have the right to choose which resources you will utilize and what information you would like to share.
- The information you choose to provide will be kept private and only shared with those in a position to take care of you and keep you safe. We also have a commitment to make sure others in the community are safe.
- Arkansas Tech University prohibits sexual misconduct including sexual harassment, sexual assault, domestic violence, dating violence, stalking and sexual exploitation.



CAMPUS RESOURCES

Jennifer Fleming
Title IX Coordinator
(479) 498-6020
jfleming@atu.edu

Amy Anderson
Deputy Title IX Coordinator
(479) 498-6071
aanderson41@atu.edu

Department of Public Safety
(479) 968-0222
www.atu.edu/psafe/

Human Resources
(479)-968-0396
www.atu.edu/hr/

CONFIDENTIAL RESOURCES

Arkansas Tech University
Health and Wellness:

Counseling
Kristy Davis, kdavis51@atu.edu
Craig Witcher, cwithcher@atu.edu
Hunter Bramlitt, hbramlitt@atu.edu
Janis Taylor, jtaylor78@atu.edu

Medical

Rebecca Gray, rgray12@atu.edu
Robin Koontz, rkoontz@atu.edu
Heather Stout, hstout1@atu.edu
(479) 968-0329
www.atu.edu/cs/center/

OFF CAMPUS RESOURCES

Emergency Response: 911

Victim Assistance Outreach Program:
5th Judicial District Prosecuting
Attorney's Office
Patricia Andrade
(479) 705-0579

Ozark Rape Crisis Center:
24 hour crisis intervention
(800) 818-1189

St. Mary's Regional Medical Center:
(479)968-6211

Mercy Hospital in Ozark, AR:
(479) 667-4138

**Sexual Assault Crisis Response of Central
Arkansas:**
Conway, AR

Crisis Hotline: 1866-358-2265

National Domestic Violence Hotline:
24 hour hotline: (800) 799-7233
24 hour live chat: www.thehotline.org/

National Sexual Assault Hotline:
24 hour hotline: (800) 656-4673
24 hour online hotline:
<https://ohi.rainn.org/online/>

**Arkansas Coalition Against Sexual Assault
(ACASA):**
24 hour hotline: (800) 977-5776
www.acasa.us

Office for Civil Rights:

1-800-421-3481

To report any education discrimination on the basis of race, sex, disability, etc., request information on civil rights compliance programs, procedures for filing discrimination complaints, or access to civil rights regulatory and policy documents.

Confidential Disclosure:

The University encourages victims of sexual misconduct to talk to somebody about what happened so that victims can get the support they need. Disclosures made to the counseling staff at the Health and Wellness Center will be held in strict confidence and will not serve as notice to the Office of Affirmative Action requiring an initiation of a review of the disclosed conduct. Please note that all university employees, except for the counseling staff and the medical professionals, serve as mandatory reporters who are required to share immediately all reports of sexual misconduct they receive with the Title IX Coordinator or the Deputy Title IX Coordinator.

IF SOMEONE TELLS YOU THEY HAVE EXPERIENCED SEXUAL MISCONDUCT

WHO SHOULD REPORT?

KEEP
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All University employees who are not barred by statute have a duty to immediately report all the details of an incident of sexual misconduct (including the identities of both the victim and alleged perpetrator, any witnesses, and other relevant facts, including date, time, and specific location of alleged incident) to the Title IX Coordinator or the Deputy Title IX Coordinator. If you have any questions about reporting, please call the Title IX Coordinator at 479-498-6020.

SHARE
←

WHY DO I NEED TO REPORT?

- By reporting to the appropriate personnel you will ensure the complainant has access to all the available resources.
- You may also be helping to identify those that are displaying patterns of behavior.
- Reporting allows campus officials to identify trends or systemic problems.
- Reporting will keep our campus safe.

WHAT TO SAY

- The University has many resources in order to help you. Some of those resources are completely confidential. The Title IX Coordinator can work with you to find the resources that will benefit you the most.
- I am required by law to connect you with the Title IX Coordinator. I will be happy to escort you to their office or, if you prefer, The Title IX Coordinator can contact you directly to schedule a meeting. The Coordinator will help you take care of your own personal safety. She will also explain your options for reporting if you choose to do so.
- The Title IX Coordinator will keep your information private and will only share it with those in a position to help you. You may decide if you want to file a University or criminal complaint.

NON-RETALIATION POLICY

Retaliation against any person for filing, supporting, providing information in good faith, or otherwise participating in the investigative and/or disciplinary process in connection with a Complaint of Sexual Misconduct is strictly prohibited. Violations of this prohibition will be addressed through this Policy and/or other University disciplinary procedures and will result in strong responsive action by the University. Any person who feels that he or she has been subject to retaliation should notify the Title IX Coordinator, Jennifer Fleming, Deputy Title IX Coordinator, Amy Anderson, or the Deputy Title IX Coordinator for the Ozark Campus, Tanya Martin.

ARKANSAS TECH UNIVERSITY PUBLIC SAFETY

Domestic Violence Lethality - Screen

Officer: _____ Date: _____ Report/Incident #: _____

Victim: _____ Offender: _____ ☐ Arrested: _____

☐ Check here if the victim did not answer any of these questions

A "Yes" response to any of the Questions #1-3 automatically triggers **protocol referral**

1. Has the offender ever used a weapon against the victim or threatened the victim with a weapon?	☐ Yes	☐ No	☐ Not Ans.
2. Has the offender threatened to kill the victim or children of the victim?	☐ Yes	☐ No	☐ Not Ans.
3. Does the victim think the offender will try to kill the victim?	☐ Yes	☐ No	☐ Not Ans.

Negative responses to Questions #1-3 but positive responses to at least four of Questions #4-13 trigger **protocol referral**

4. Does the offender have a weapon or can he/she get one easily?	☐ Yes	☐ No	☐ Not Ans.
5. Has the offender ever tried to choke (strangle) the victim?	☐ Yes	☐ No	☐ Not Ans.
6. Is the offender violently or constantly jealous?	☐ Yes	☐ No	☐ Not Ans.
7. Does the offender control most of the daily activities of the victim?	☐ Yes	☐ No	☐ Not Ans.
8. Has the victim left/ separated from the offender after living together / being married?	☐ Yes	☐ No	☐ Not Ans.
9. Is the victim currently unemployed?	☐ Yes	☐ No	☐ Not Ans.
10. Is the offender currently unemployed?	☐ Yes	☐ No	☐ Not Ans.
11. Has the offender ever tried to kill himself/herself?	☐ Yes	☐ No	☐ Not Ans.
12. Does the victim have a child the offender believes is not his/her own child?	☐ Yes	☐ No	☐ Not Ans.
13. Does the offender follow, spy on the victim, or leave the victim threatening messages?	☐ Yes	☐ No	☐ Not Ans.

An officer may trigger the protocol referral, if not already triggered above, as a result of the victim's response to the below question, or whenever the officer believes the victim is in a potentially lethal situation.

14. Is there anything else that worries the victim about his/her safety and if so, what worries the victim?

Check ONE:

- ☐ Victim screened in according to the protocol
☐ Victim screened in based on the belief of officer
☐ Victim did not screen in

If Victim Screened In:

After advising the victim of high risk for danger/lethality, did the victim speak with the hotline advocate? Hotline Advocate: 1-800-799-7233 <i>*If the victim is in need of immediate transportation, contact the regional number at 479-968-3110.</i>	☐ Yes	☐ No	
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Note: The above questions and the criteria for determining the level of risk a person faces is based on the best available research on factors associated with lethal violence by a current or former intimate partner. However, each situation may present unique factors that influence risk for lethal violence that are not captured by this screen. Although most victims who screen "positive" or "high danger" would not be expected to be killed, these victims face much higher risk than that of other victims of intimate partner violence.

LOCAL RESOURCES

24 HOUR CRISIS LINE

Centers for Healing Hearts and Spirits:
1-855-643-5748

National Coalition Against Domestic Violence:
1-800-799-7233

Arkansas State Police Child Abuse Hotline:
1-800-482-5964

Ozark Rape Crisis Center:
1-800-818-1189 | www.ozarkrapecrisis.com

Arkansas Coalition against Sexual Assault:
1-800-977-5776 | acasa.us

SHELTERS

River Valley Battered Women's Shelter:
(479) 968-3110

Arkansas Coalition against Domestic Violence:
1-800-269-4668 | www.domesticpeace.com

VICTIM SERVICES AND SOCIAL SERVICES

Pope County Prosecutor's Office, Victim Witness
Coordinator Kerry Bewley:
(479) 968-8600

Arkansas Administrative Office of the Courts
Domestic Violence Program:
<http://tinyurl.com/p86j5lt>

Court Connect helps keep victims informed of
court proceedings and other pertinent information:
<http://tinyurl.com/or983ll>

Office of the Attorney General Leslie Rutledge:
(501) 682-1020 or (800) 448-3014
<http://tinyurl.com/nsd22qj>

CAMPUS RESOURCES

PEOPLE & OFFICES

Jennifer Fleming
Title IX Coordinator
jfleming@atu.edu | (479) 498-6020

Amy N. Pennington
Dean of Students
apennington@atu.edu | 479-968-0407

Joshua McMillian
Chief of Public Safety
jmcmillian1@atu.edu | 479-968-0222

Department of Public Safety
www.atu.edu/psafe | (479) 968-0222

Human Resources
www.atu.edu/hr | (479) 968-0396

CONFIDENTIAL RESOURCES

Arkansas Tech University Health & Wellness
Counseling / Medical
(479) 968-0329

OFF CAMPUS RESOURCES

Emergency Response
911



"LAURA'S CARD"

Rights & Responsibilities
of Victims of Crimes

INCIDENT NO.

OFFICER

Department of Public Safety
Phone: (479) 968-0222

RESOURCES FOR CRIME VICTIMS

As a Victim, you may experience the following:

1. Shock, disbelief, numbness
2. Change in appetite
3. Change in sleep patterns
4. Guilt, shame, and/or self-blame
5. Anxiety/ Depression
6. Reliving traumatic event (*unwanted memories of event*)
7. Anger
8. Difficulty concentrating
9. Fatigue

PLANS FOR SAFETY

1. Develop a code that will alert a neighbor/ friend to call the police
2. Have a bag packed with a change of clothes, important papers, spare keys, cell phone, and cash.
3. In an emergency, dial 9-1-1

YOUR RESPONSIBILITIES

1. Visiting ACIC (www.acic.org) for complete list of rights
2. Keeping a complete and accurate accounting of all expenses related to the crime.
3. Providing law enforcement with up to date contact information
4. Victim's rights are not automatically granted- Requesting the rights you want exercised.
5. Cooperating with investigation

CRIME VICTIMS REPARATIONS BOARD HELP FOR CRIME VICTIMS

An innocent victim of a violent crime (*including DWI*) may qualify for financial help from the Crime Victim's Reparation Board. This money may help pay for medical expenses, or other costs related to personnel injuries that were caused by a violent crime.

You may qualify for assistance if:

1. The crime was reported within 72 hours
2. An application for assistance is received within one year of the date of the crime
3. The victim cooperates with the investigation
4. The victim did not contribute to the crime

YOUR RIGHTS

For a complete list of Victim's Rights, visit:

<http://tinyurl.com/q4rtxc4>

<http://tinyurl.com/prwxtmf>

If you do not have access to the internet, a copy may be requested through your local law enforcement agency or prosecutor's office.

You MUST request these rights:

1. You have the right to privacy while in all medical facilities and while seeking medical attention.
2. You have the right to petition the court for an Order of Protection. (<http://tinyurl.com/oa8ktdp>)
3. You have a right to request the court to keep your physical address and personal phone number confidential.
4. You have the right to your own attorney during all court proceedings.
5. You have a right to notice of all court proceedings.
6. You have the right to contact the Prosecutor's Victims Witness Coordinator.

7. You have the right to be present at all hearings where the defendant is present.
8. You have the right to responsible protection before, during, and after all court proceedings.
9. If available, you have the right to be provided a separate waiting area before, during, and after all court proceedings.
10. In criminal proceedings, you have the right to request restitution be sought through the prosecutor's office.
11. You have the right to provide a Victim Impact Statement at the sentencing hearing. (acic.org)
12. You have the right to be notified on the status of the alleged or convicted offender (vinelink.com)
13. You have the right to be provided with an interpreter during all court proceedings.
14. If the victim is a minor, incapacitated, or deceased, a member of the victim's family may exercise these rights.