



# SOUTH ARKANSAS COMMUNITY COLLEGE

  

## STUDENT HANDBOOK

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## Student Handbook Policy and Procedures

Sponsor: Student Services committee

Category: Student Handbook

Approved:

Review Date: Fall 2022

Implementation History:

Submit recommended changes to the policies and procedures herein to the vice president for student services.

## Student Handbook Policy Statement

This student disciplinary policy is designed to promote the educational aims of South Arkansas Community College and to outline the regulations and procedures of the college community regarding students' rights and responsibilities. This South Arkansas Community College Student Handbook supersedes previous campus regulations in these areas.

By matriculating at the college, students acknowledge that they have read this code, including all related statements and standards, and understand their obligations to subscribe to its principles, to respect the rights of other members of the college community and to avoid behavior that violates the community standards embodied in it.

## About South Arkansas Community College (SouthArk)

South Arkansas Community College (SouthArk) is an open enrollment public two-year college located in El Dorado and Warren, Arkansas and accredited by the Higher Learning Commission (HLC).

SouthArk was established by a vote of the citizens of Union County on March 31, 1992. Voters approved forming a community college district for the county, merging Oil Belt Technical College and Southern Arkansas University-El Dorado Branch to form a comprehensive community college. The College's designated service area includes not only Union County but also Bradley, Ashley, and Chicot Counties.

SouthArk offers over 50 associate degrees and certificates in health sciences, career technical education, liberal arts, and business and technology. For students who are planning to transfer to a four-year college, SouthArk offers the associate of arts degree. SouthArk's workforce programs are designed with industry driven curriculum and specialized accreditation. Articulation agreements with area universities also allow for seamless credit transfer.

SouthArk's west campus is home to programs for general education, business and technology, and health care. At the heart of the west campus is Heritage Plaza, a green space for students to meet and relax between classes. Across the street, the El Dorado Conference Center, managed by the college, is also the home of the SouthArk Student Center where students' enrollment, registration, and support needs are met. SouthArk's east Campus offers career technical programs for high school and post-secondary students. Non-credit classes at this site meet the workforce needs of local employers and the interests of the community. SouthArk also has an approved educational site at MEMS in Little Rock. Beyond the traditional classroom, SouthArk has an extensive online course and program presence where a student can earn an associate of arts completely online. Many other degree and certificate programs can be completed primarily or entirely through online courses.

## Mission Statement

South Arkansas Community College promotes excellence in learning, teaching, and service; provides lifelong educational opportunities; and serves as a cultural, intellectual, and economic resource for the community.

## College Vision

South Arkansas Community College will strive to be the leading resource for accessible education, workforce training, partnerships and economic development for our region.

## Purposes of the College

- To provide an environment that fosters excellence in learning and teaching.
- To provide a university transfer program of high academic quality for students who plan to continue their education.
- To offer degree and certificate programs to develop or enhance occupational skills that prepare learners for a changing global economy.
- To provide developmental courses to prepare students to do college level work.
- To provide adult education and workforce development.
- To provide comprehensive student services to enhance students' success.
- To promote the civic and cultural life and the economic development of the community.
- To make education accessible through innovative instructional methods.

## Values

The college has identified six values statements that serve as guiding principles in fulfilling the Mission Statement.

## Excellence in Education

We are committed to providing students access to a highly competent, innovative, and supportive faculty and staff; modern facilities equipped with current technology; and high-quality academic and occupational programs.

## Student Learning

We are committed to providing support, respect, and encouragement, thereby enabling students to achieve their educational goals and develop skills for lifelong learning.

## Contribution to the Community

We strive to serve the academic, occupational, and enrichment needs of the community; enhance its quality of life; and support economic development in South Arkansas.

## Quality of Work Environment

Recognizing that everyone contributes to the learning process, we value each member of our college community; foster respect, trust, and support among faculty, staff, and students; encourage responsible, creative risk-taking and innovation; and recognize and reward exceptional performance and integrity.

## Respect for Diversity

Believing that everyone should have an opportunity to learn and succeed, we value intellectual and cultural diversity in the classroom, in the workplace, and in the community.

## Commitment to Accountability

We are committed to continuous evaluation of our institution to address the needs of the present and to meet the challenges of the future.

With the combination of quality faculty and staff, innovative teaching, and first-rate facilities, SouthArk continues to make excellent education and workforce training available and affordable for the people of south Arkansas.

## Access to Campus Facilities

Most campus facilities are available to employees and students during normal business hours and for designated periods during special events. Restrictions apply to classrooms that are not open to unsupervised usage. Computer resources in the Testing and Learning Center and SouthArk Library are available to students and the community.

Students may not bring children to classes. Children should never be left unattended at the College while parents are attending classes or programs. Children are not allowed in the SouthArk Library or Testing and Learning Center except when accompanying an adult during brief visits such as returning books or making an appointment. High school students who are enrolled in college classes have the same access to college facilities and services as other students, and they are governed by the policies within the Student Handbook.



## Blood borne Pathogens

Blood borne pathogens are potentially infectious body fluids, which could include hepatitis B virus (HBV), human immunodeficiency virus (HIV), and other infectious diseases. Any person who encounters body fluid from another person should report to a College official immediately. Care should also be taken to prevent other persons in the area from contacting the body fluid.

## Chronic Communicable Diseases

SouthArk places a high priority on the need to protect students and employees from the spread of chronic, communicable diseases on campus such as hepatitis, tuberculosis, bacterial meningitis, and acquired immunodeficiency syndrome (AIDS). The College does not intend to exclude students with a chronic, communicable disease from attending or using College facilities, provided there is no significant risk of transmission to others. However, students may be denied admission or dismissed from a particular program or course of study whenever the disease presents a significant risk of transmission or has an effect on their ability to perform effectively.

Students who have or who are carriers of a chronic, communicable disease may participate in programs and activities and/or use college facilities and services when reasonable accommodations provide no significant risk of transmission to others. Students should also notify the director of public safety when there is a risk of transmitting the disease.

Their notification will allow the college to evaluate their cases and take precautions necessary to reduce the risks of transmission. The medical condition of an affected person will be disclosed only to the extent necessary to minimize health risks to other students or employees.

Note: Willful or careless exposure of others to a known communicable disease is a reckless, inconsiderate, negligent act that endangers everyone. Students who have not taken precautions to prevent the transmission of the disease to others may be subject to dismissal.

## Computer Usage

South Arkansas Community College provides computer technology, including Internet access, for educational purposes and to facilitate other activities necessary for the efficient operation of the institution. The college intends that this technology will be used in a manner which:

- A. is conducive to learning
- B. is free of illegal acts
- C. shows respect for the rights and dignity of others

The intent of this policy is to define broad categories of use that are not acceptable, not to provide an exhaustive list of inappropriate or unacceptable uses. Based on the guidelines in this policy, South Arkansas Community College officials may, at any time, make determinations that specific uses are or are not appropriate or acceptable.

It is not acceptable to use the college's computer equipment or facilities to:

- A. Transmit or receive materials for any illegal purpose or act
- B. Transmit or receive harassing, indecent, obscene, discriminatory, or fraudulent materials or messages
- C. Transmit or receive any materials in violation of either state or federal laws (e.g., copyright laws)
- D. Send fraudulent or forged email messages using the account of another person
- E. Use the account or password assigned to another person to gain access to college equipment, files, or the network
- F. Damage, destroy, interfere with, or disrupt the operation of college-owned and -operated programs and/or equipment
- G. Use technology for any partisan political purposes
- H. Use technology for any commercial pursuits or activities

The use of South Arkansas Community College computer technology is a privilege extended to all users, including faculty, staff, administrators, and students. Inappropriate or unacceptable use of this technology may result in loss of this privilege.

College agents may monitor information on the college computer network or on individual computers or computer systems. Complaints of possible inappropriate or unacceptable use will be investigated. If faculty members, computer systems administrators, or other administrative staff, in the performance of their duties, discover something which, in their opinion, is a flagrant violation of acceptable use policy, those persons have authority to immediately suspend the computing privileges of the offender, pending a formal investigation by the chief information officer.

Complaints regarding violations of acceptable use policy should be addressed to the chief information officer. In investigating such complaints, the chief information officer will consult with appropriate college officials. The results of this investigation will be turned over to the vice president for student services to initiate disciplinary action, if appropriate.

In resolving complaints of unacceptable use, the college may invoke sanctions against the offender, which may range from verbal warnings to suspension or expulsion for students, depending on the circumstances of each incident.

Students who believe they have been treated unfairly may appeal through the appropriate appeals procedures set forth in this policy.

South Arkansas Community College makes absolutely no warranties of any kind, either express or implied, for the services it provides. The college will not be responsible for any damages suffered by users. Such damages include, but are not limited to, any loss of data that results from delays, non-deliveries, mis-deliveries, or service interruptions caused by either its own negligence or user errors and/or omissions.

Any and all use of any of the information obtained via the Internet is at the user's own risk. South Arkansas Community College specifically denies any responsibility for the accuracy and/or quality of any information obtained through its Internet services.

The user agrees to indemnify and hold harmless South Arkansas Community College, the college board of trustees, individual trustees, agents, and employees of the college from and against any claim, lawsuit, cause of

action, damage judgment, loss, expense, or liability resulting from any claim, including reasonable attorneys' fees, arising out of or related to the use of the college's hardware, software, and network facilities. This indemnity will include, without limitation, those claims based on trademark or service mark infringement, trade name infringement, copyright infringement, defamation, unlawful discrimination or harassment, rights of publicity, and invasion of privacy. For more information regarding the personnel policy, refer to 4.08 Computers and Acceptable Use - Students in the Administrative Procedures Manual (APM) at <http://www.southark.edu/apm>.

## Background Check

South Arkansas Community College strives to provide the safest possible environment for its students, faculty, staff, and visitors; to preserve college resources; and to uphold the reputation and integrity of the college. This procedure supports the college's efforts to minimize institutional risk, provide a safe environment, and assist hiring authorities in making sound hiring decisions related to student workers. For more information on hiring processes, see APM 2.02 Selection Process found at [www.southark.edu/apm](http://www.southark.edu/apm).

## Definitions

**Conviction:** Found guilty, entering a guilty plea or pleading no contest before a court, a district justice or magistrate resulting in a fine, sentence or probation. This definition does not include convictions for which the individual's record has been expunged or sealed due to conviction as a minor.

In this document, the word "policy" refers to the rules and regulations set forth herein.

## Sensitive/Critical Position

The following criteria constitutes a sensitive/critical position: Responsibility for student or child welfare; access to "select agents, toxins or chemicals" or controlled substances as defined under state and/or federal law; and access to campus buildings. The criteria also include direct access to or responsibility for cash, cash equivalents, checks, credit card account information, or college property disbursements or receipts.

## Roles and Responsibilities

The human resources department (HR) has primary authorization to conduct criminal background checks and oversee the background check process. HR works with the Arkansas State Police with conducting the criminal background check. The administrative specialist for the vice president for finance and administration will perform motor vehicle background checks (HR will assist the administrative specialist as needed).

Human resources is responsible for procuring, interpreting, advising and securing background check records. HR will determine whether an applicant is eligible for employment, and for making personnel recommendations to the hiring department and president of South Arkansas Community College.

Notwithstanding this set of procedures, nothing precludes human resources from conducting a background check on any individual when human resources, in conjunction with the employee's supervising dean, associate vice president, vice president, or president determine that a background check is necessary.

Student workers will submit to a background check as HR dictates. All student workers are required to complete initial and annual child abuse mandated reporter training and initial and annual Title IX training. Human resources will track the completion of required training. Failure to complete required training will result in termination. For more information regarding criminal background checks, refer to 2.02 Selection Process in our APM at [www.southark.edu/apm](http://www.southark.edu/apm).

## Discrimination and Harassment

SouthArk does not tolerate discrimination or harassment. Furthermore, federal laws prohibit such discrimination or harassment in any activity or program receiving federal funds. Specifically, Title IX of the Education Amendments of 1972 protects campus constituents from sex and gender discrimination in both educational programs and activities at SouthArk. This protection also includes sexual misconduct.

Discrimination is an improperly motivated personnel decision, an improperly motivated evaluation decision in the case of students, or adverse action taken against an individual on the basis of race, color, religion, gender, national origin, age, disability, sexual orientation or veteran status. Discriminatory behavior can result in harassment when the conduct is sufficiently severe, pervasive or persistent as to interfere with or limit the individual's ability to participate in or benefit from the services, activities or privileges provided by the college.

Investigation of discriminatory or harassing behavior is not contingent upon the filing of a formal complaint, and complainants are protected from retaliation by the accused. Behavior which might be considered discriminatory or harassing should be reported to any college employee the victim feels comfortable approaching. All employees are responsible for informing his or her direct vice president of observed or reported problems, and the vice president will ensure the issue is investigated, consulting legal counsel and human resources if needed. For more information regarding discrimination, refer to 2.10 Classified Staff Regulations Governed by the Office of Personnel Management, 6.01 Equity/Equal Opportunity, and 2.12 Grievance Process in the APM located at [www.southark.edu/apm](http://www.southark.edu/apm).

## Sexual Harassment

All faculty, staff, and students have a right to work and/or attend college in an environment free of discrimination, including freedom from sexual harassment. Therefore, it is the policy of the college that no member of the college community may discriminate against or sexually harass another. Procedures for reporting discrimination and harassment complaints are provided on the Title IX website. For full details and the most current version of the sexual harassment policy, see the booklet, "Title IX: Addressing Interpersonal Violence" on the Title IX webpage:

1. Go to [www.southark.edu](http://www.southark.edu)
2. Click on "Student Services"

3. Look under the heading “Personal” and click “Title IX”
4. Click on the heading “Policy and Procedure”

The direct link is <https://www.southark.edu/student-services/personal/title-ix#policy-and-procedure>. Further information regarding sexual harassment can be found in section 6.08 Sexual Harassment of the APM at [www.southark.edu/apm](http://www.southark.edu/apm).

Any employee or student found responsible for committing acts of discrimination or sexual harassment will be subject to disciplinary action including, but not limited to, dismissal for violation of this policy.

Sexual harassment is unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, which denies or limits, on the basis of sex, the student’s ability to participate in or to receive benefits, services, or opportunities in the school’s program. Sexual harassment of students is, therefore, a form of sex discrimination prohibited by Title IX.

Sexual harassment may involve individuals of the same or different sex or gender. Sexual harassment is most frequently associated with those situations in which a power differential exists between persons involved.

The Title IX Coordinator’s contact information can be found on the Title IX [webpage](https://www.southark.edu/student-services/personal/title-ix#policy-and-procedure) (<https://www.southark.edu/student-services/personal/title-ix#policy-and-procedure>.)

## Electronic Devices

Electronic devices such as cellular telephones, pagers, and radios are not permitted in classrooms, the Testing and Learning Center, and the SouthArk Library when their use is disruptive or annoying to the instructor or other students. Cell phones are never permitted in the Testing Center. This is a digital world, but instructors may restrict cell phones at-will in their classrooms. Students who have received permission to audio-record lectures should use a digital recorder. Violations of this policy may result in disciplinary action.

## Emergency Notifications

All enrolled students are automatically entered into the college’s database for emergency notifications via phone, text, or email. Students should keep the registrar’s office apprised of any changes in contact information, including cell phone and home phone, to ensure they continue to receive emergency notifications and other college-generated communication.

## Emergency Procedures

SouthArk has distributed to every employee and every classroom on campus a copy of the South Arkansas Community College Quick Guides Emergency Handbook, which details appropriate responses in the event of campus emergencies. The college will conduct drills once annually to test the plan. In addition, the South Arkansas Community College Administrative Policy Manual (APM) includes an “Emergency Communications

Plan” (5.21), which may be accessed at [www.southark.edu/apm](http://www.southark.edu/apm). This plan has been formulated to provide a guideline for internal and external communications during an emergency at SouthArk. For the purposes of this plan, an emergency event could result from the following cause(s):

- Earthquake
- Suicide/Sudden death
- Flood
- Road crash/plane crash involving staff/students
- Fire
- Pandemic
- Chemical explosion
- Toxic leak
- Robbery
- Terrorist attack/bomb threat
- Occupation of buildings
- Extreme weather/tornado
- Hostage-taking/kidnapping
- Energy blackout
- Missing person(s)

Once an emergency has been identified, the ranking college administrator, upon consultation with the appropriate personnel and in concert with any applicable city, county, state, or federal entities, shall select and direct a situation-appropriate response. Depending upon the nature of the emergency, the college may suspend or dismiss classes; evacuate one or more buildings; direct students, faculty, and staff to take shelter; or close the campuses.

## Freedom of Speech

The exercise of First Amendment rights on South Arkansas Community College campuses is a critical component of the education experience for students and requires that SouthArk ensures free, robust, and uninhibited debate and deliberation by students, whether on or off campus. South Arkansas Community College will provide adequate safeguards for the First Amendment rights of students to avoid a stifling of expression on campus.

SouthArk students are free to:

1. Communicate through any lawful verbal, written, or electronic means
2. Participate in peaceful assembly
3. Protest
4. Make speeches, including without limitation those of guest speakers
5. Distribute literature
6. Make comments to the media
7. Carry signs

## 8. Circulate petitions

Members of our campus community are not permitted to purposely or knowingly cause significant disruption to the expressions of another person or group by fighting, engaging in violence, or other unlawful behavior. Students must remember that some ideas and opinions may be unwelcome, uncollegial, disagreeable, or deeply offensive but are still protected by the First Amendment.

Outdoor areas of campus are public forums for members of the SouthArk campus community. Students who want to engage in noncommercial expressive activity in an outdoor area of campus can do so freely as long as the student's conduct is lawful and does not materially and substantially disrupt South Arkansas Community College's functioning as an institution of higher education. For more information, please see the [Forum Act](#).

## Inclement Weather Policy

South Arkansas Community College will remain open unless weather conditions are such that the majority of students, faculty, and staff are unable to reach their respective campus due to severe weather and/or impassable road conditions. This policy is consistent with the Governor's Policy Directive Seven (7).

In the event the college plans to close offices and/or suspend classes at the West, East, or Warren Campuses for an entire day, selected area television and radio stations will normally be notified no later than 6:00 a.m. of the day in question. In the event inclement weather develops during the class day, the college will try to announce any closings before 5:00 p.m. The timing will of course depend on the conditions. The notification will also appear on the college website ([www.southark.edu](http://www.southark.edu)), Facebook, and other social media outlets and sent out via text, email, and phone.

## Official Communications

A request that a student report to an administrative or faculty office may be made by letter, text message, email, or telephone. Failure to comply with such a request may result in disciplinary action. Each student is responsible for updating and monitoring his/her phone, mail, and/or SouthArk email account for official communications.

Communications to the entire student body are considered properly delivered when they are placed on the college website or sent to a student's SouthArk email account. Each student is responsible for regularly checking these communication channels.

## Parking and Traffic Regulations

SouthArk provides free parking and open-access lots for students, employees, and visitors. In addition, the SouthArk campuses have several "Handicapped Only" parking spaces. These spaces are exclusively reserved for students, visitors, and employees whose vehicles display a current, valid handicapped placard issued by the state. Students and employees should note that parking in handicapped spaces is a violation of federal and state

law unless the vehicle is being used for the actual transporting of the person who holds a state-issued handicapped placard or license plate. Drivers occupying these spaces must produce official documentation when requested by Campus Safety officers.

Vehicles parked in parking areas without proper display of a SouthArk parking permit could be ticketed with the exception of lots open to the public (El Dorado Conference Center and parking places directly in front of the SouthArk library) during normal business hours on the west campus. Those taking non-credit programs on SouthArk's East Campus do not need a parking permit but may be asked to verify enrollment in a non-credit program by public safety. Tickets could lead to disciplinary measures including but not limited to monetary fines, loss of on campus parking privileges, or registration holds.

## Registered Sex Offenders

The Campus Sex Crimes Prevention Act, 42 U.S.C. § 1407(j) and 20 U.S.C. §1092 (f)(1)(I), and Arkansas Code Ann. §12-12-913(b) et seq., requires the tracking of convicted sex offenders enrolled at or employed by institutions of higher education. Sex offenders are required by law to register in the state and to provide notice of enrollment or employment at an institution of higher education.

Registered sex offenders who apply for enrollment in classes at the college are required to notify campus police/public safety. Anyone interested in a list of registered sex offenders may contact the Detective Division of the El Dorado Police Department or the SouthArk public safety office.

The Federal Campus Sex Crimes Prevention Act designates certain information concerning a registered sex offender as public information and therefore amends and supersedes the Family Educational Rights and Privacy Act (FERPA) and other federal and state laws that previously prohibited the disclosure of such personal information.

## Religious Holy Days

In accordance with state law, the college allows an excused absence to students for the observance of a "religious holy day," defined as a holy day observed by a religion whose places of worship are exempt from property taxation under section 11.20, Tax Code.

Students shall be excused from attending classes or other required activities, including exams, during time needed for travel for the purpose of the observance of a religious holy day. The law mandates that students be required to complete assignments or exams missed during the absence within a reasonable time. In accordance with the college's attendance policy, students should notify their instructors in advance of such absences.

## Crime Prevention

All campus safety personnel are sworn, certified law enforcement officers who are authorized to carry firearms and make arrests. They actively patrol facilities, parking lots, and other areas of the campus. These officers



maintain a close working relationship with the El Dorado Police Department and county, state, and federal law enforcement agencies. When appropriate, crime-related reports and data are routinely exchanged.

## Accident, Emergency and Crime Reporting

Any student who needs to report an accident, emergency, or crime should use the red phones located in the hallways of each building. These phones connect directly with campus safety personnel who are responsible for law enforcement, security, and emergency response at SouthArk. If the situation warrants, calls will then be routed by the security officer in charge to the El Dorado Police Department, the El Dorado Fire Department's EMT response team or other appropriate personnel.

In cases of emergency, each parking lot has a blue phone that can be utilized to dial 911.

## Student Right to Know and Campus Security Act (34 CFR 600-691 HEA Amended 2010)

SouthArk is committed to providing a safe learning and working environment for each of its members, visitors, and guests. In compliance with the Student Right to Know and Campus Security Act, SouthArk compiles reports, which state the college's graduation/persistence rates and the institution's campus security policy, current security programs and crime statistics. The full report is available upon request from the registrar's office and on the college's website at <https://www.southark.edu/about/campus/campus-maps#security-and-fire-safety>.

### Crime Reporting

1. **Annual Reports:** Annual reports of crime-related information are compiled and published in the college catalog and on the college's website.
2. **Special Alerts:** If circumstances should warrant, special crime-related information will be prepared and distributed on campus.
3. **Incident Reporting:** Crime-related incidents are reported as they occur to the director of public safety with a view towards immediate corrective action. The Incident/Accident Reporting Form can be accessed in section 2.06b Accident/Illness Report of the APM found at [www.southark.edu/apm](http://www.southark.edu/apm). Additional information on crime reporting can be found in section 2.06, Health and Safety.

SouthArk owns and operates security cameras. The security camera system is used to prevent and record criminal activity on the SouthArk campuses. Recorded history may be viewed as follows:

- By the president or vice presidents for security matters.
- By the security officers and respective committees, for security awareness, crime prevention, and crime solving.
- By area local, county, state and federal officers working to solve or prevent criminal activity.
- Other lawful uses as determined by campus security for court testimony, etc.

- Persons designated by the president, vice presidents, or the director of public safety may also view the security cameras live.

Information technology staff members may view history or live video recording to ensure the system is operational or assist in the operations outlined above.

## Sexual Assault Reporting Procedures

All sexual assaults (rape, attempted rape, or acquaintance rape) should be reported to the Title IX Coordinator or other college official. Individuals may also report a sexual assault to the El Dorado Police Department at 870-881-4800.

Any student who is assaulted should report the attack as quickly as possible. If the assault is reported within 72 hours of its occurrence and the victim cooperates with police in providing information and evidence, the State of Arkansas pays for the medical examination. If the offense is reported to police, Victims Compensation can pay for treatment of other injuries that occurred during rape.

Under any circumstances, a medical evaluation is important because of the possibilities of sexually transmitted diseases and pregnancy. Victims who choose not to report to the police must cover the cost of the examination. Reporting the offense to the police does not mean that a victim must file criminal charges.

Several important steps should be taken after a sexual assault.

Victims:

- Should NOT shower, bathe, change clothes, urinate (if possible), brush teeth or rinse their mouth, or change bedding or disturb the area where the assault occurred. It is important to preserve the evidence.
- Should call a friend, counselor, or anyone who can provide them with emotional support.
- Should seek medical attention by going to a doctor or hospital as quickly as possible for evidence to be gathered and to be checked for injury.
- Should write down detailed information about the assault—where, when, who, etc. If the assailant is a stranger, victims should try to remember height, hair color, scars, clothing, eye color, or other distinguishing characteristics. Gathering evidence and writing down information is important even if victims do not intend to file criminal charges.
- Should tell a counselor, friend, or someone at the local mental health service or rape crisis center about the assault even if steps 1 through 3 are not followed. Help and support are important in dealing with confusing emotions and difficult decisions.

## Smoking Policy

SouthArk has a vital interest in maintaining a healthy and safe environment for its students, faculty, staff and visitors. As of July 21, 2006, workplaces and public areas throughout Arkansas are smoke-free. In accordance with The Arkansas Clean Indoor Air Act of 2006, (Act 8 of the 1st Extraordinary Session of the 85th General Assembly) smoking is prohibited in all vehicles and enclosed areas owned, leased, or operated by the State of Arkansas. Therefore, all property owned, leased, or operated by South Arkansas Community College is designated as tobacco-free.

The Clean Air on Campus Act of 2009 (ACT 734) prohibits smoking on campuses of state-supported institutions of higher education beginning August 1, 2010. Any person who violates the provisions of this Act by carrying a lighted tobacco product will be punished by a fine of not less than \$100.00 dollars and not more than \$500.00.

The tobacco-free status applies to all college grounds, SouthArk-owned or leased properties and campus-owned, leased or rented vehicles.

This includes but is not limited to college buildings, sidewalks and parking lots on all campuses; at lectures, conferences, meetings and social and cultural events held on all campuses and sites.

Smoking materials must be extinguished and properly disposed of prior to exiting a private vehicle or entering any SouthArk campus. Improper disposal includes but is not limited to spitting smokeless tobacco products; littering (i.e., discarded cigarette butts or throwing cigarette butts out of windows); and anything that may create a fire hazard.

Tobacco is defined to include any lighted or unlighted cigarette (clove, bidis, kreteks), all nicotine vapor delivery products (e-cigarettes), cigars, cigarillos, pipes, hookah products and any other smoking product, as well as any smokeless, spit or spitless, dissolvable or inhaled tobacco products, including but not limited to dip, chew, snuff or snus, in any form (orbs, sticks, strips, pellet, etc.).

The campus also prohibits the following actions on all college property and at all college-sponsored events, regardless of the vendor or venue: the sale of tobacco products or tobacco-related merchandise (including items that display tobacco company logos); the free distribution or sampling of tobacco products and associated products; and all tobacco promotion, advertising, marketing and distribution.

## Dress Code

South Arkansas Community College recognizes that the dress and grooming of students are significant factors in the successful operation of the educational program. Furthermore, it is recognized as an educational responsibility of the college that students are made aware that appropriate dress, appearance, and hygiene are conducive to their personal well-being and the well-being of others.

Generally, common sense and good taste should prevail in matters of dress. Because of safety and other concerns in some programs, a professional dress code must be established and enforced. This dress code will be established with the approval of the college's administration. (For example, some programs will require lab coats, uniforms, long garments to protect the skin, closed-toe shoes, etc.)

The following regulations shall be observed to cultivate a proper attitude toward dress and grooming by the student:

- Students enrolled in internships and clinical courses are required to dress appropriately according to the requirements of the work for which they are being trained.
- Shoes are to be worn at all times.
- Proper personal hygiene should be observed and maintained.
- Use of offensive, obscene, and/or abusive words or symbols on clothing is not permitted. This includes the use of emblems, insignias, badges, or other symbols or lewd or vulgar words where the effect is offensive to a reasonable person or otherwise causes disruption or interference with the orderly operations of the college. The supervising administrator shall determine if the particular mode of dress results in disruptions or interference.
- Tank tops, halter-tops, tube tops or other top garments defined as skimpy, scooped out at the neck and shoulder, and/or showing excessive amounts of skin area are types of inappropriate dress.
- Sagging is prohibited.
- Pajamas, stocking caps, hair wraps, hair rollers and bedroom slippers shall not be worn.
- All students must wear shoes, boots, or other types of footwear made for outside wear, meaning house shoes or slippers are not permissible.
- Baseball caps or hoods are not to be worn in buildings for safety reasons.
- Display of undergarments is prohibited.

For documented medical or religious reasons, the administration is authorized to approve exceptions to the above requirements.

Those students in violation of the dress code are in violation of SouthArk's disciplinary policy and may face disciplinary measures.

## Social Media Policy and Student Pictures

Social media usage at SouthArk is governed by the same policies that govern all other electronic communications. Employees and students shall maintain the same behavioral standards online as are required in person. Therefore, the same policies, professional expectations, and guidelines for interacting with students, parents, alumni, donors, media, and other college constituents apply online as well when acting officially as a representative of the college.

SouthArk has multiple official social media accounts. Student pictures may be posted to these sites, used in video or television broadcasts, in newspapers, as well as the website for promotional purposes. Student pictures are considered part of the education record, known as directory information, which includes personal information about a student that can be made public according to the college records policy. Directory information may include a student's name, address, and telephone number, and other information typically found in school yearbooks or athletic programs. Other examples are names and pictures of participants in various extracurricular activities or recipients of awards, pictures of students, and height and weight of athletes.

The college is authorized to release specific directory information to those who request the information, unless the student specifically asks that the information not be released. Directory Information is defined as:

1. Name
2. Address
3. Telephone number
4. Place of birth
5. Academic major
6. High school attended
7. Non-academic honors
8. Dates of attendance
9. Class schedule
10. Classification
11. Restriction of Records
12. Student picture

If a student does not wish for directory information to be released, the student should submit the request in writing to the registrar.

Further, students must be aware that pictures may be taken at all SouthArk sponsored events and must make the SouthArk photographer aware if he/she has a written request on file with the registrar. SouthArk has no control over others taking pictures at college sponsored events other than the SouthArk student or official assigned to photograph the function.

## Confidentiality

Disclosing or otherwise publishing confidential or proprietary information about SouthArk, students, employees or alumni is prohibited. All applicable college privacy and confidentiality policies will be enforced. Employees and students should be mindful of existing federal laws such as Health Insurance Portability and Accountability Act of 1996 (HIPPA) and The Family Educational Rights and Privacy Act of 1974 (FERPA) that prohibit disclosure of certain personal information. In addition, social media users should remember to practice good, ethical judgment.

## Copyright and Fair Use

Students and employees should be mindful of the copyright and intellectual property rights of others and of the college. This includes music, art, literary works, copyrighted photographs or texts, video clips, audiovisual works and audio recordings. Permission to use or reproduce copyrighted works is required unless the intended use is clearly permitted under the “fair use” exemption. Copyright-Information created by a government agency is largely considered to be in the public domain. "Found" graphics or outside information must not be used on websites without proper attribution. Copyright laws and college copyright policy must be followed.

## Academic Complaints

Students who disagree with instructors regarding grades earned for tests, assignments, or who have complaints about other course related issues while a course is in progress should discuss their concerns first with the instructor. Students who are dissatisfied with the instructor’s response should contact the appropriate dean or administrative official for a conference within 10 days of the incident. Students and instructors are encouraged to keep relevant documentation that can assist in the resolution of such disagreements. Students who disagree with final course grades should follow the Academic Appeals Policy found in the Academic Policies section of the college catalog that can be found [here](https://www.southark.edu/admissions/resources/course-catalog) (https://www.southark.edu/admissions/resources/course-catalog).

## Americans with Disabilities Act

Providing access to persons with disabilities is a part of the mission of this institution and South Arkansas Community College resolves that compliance with the Americans with Disabilities Act is a priority of the college. For more information regarding the Americans with Disabilities Act, visit <https://www.ada.gov/> or see section 6.02 Americans with Disabilities Act in the APM at [www.southark.edu/apm](http://www.southark.edu/apm).

## Administrative Responsibility

The college is responsible for preparing and publicizing policy statements and procedures to comply with the letter and the intent of the Americans with Disabilities Act (ADA) and to take action to implement the requirements of the act. Specifically, the college will:

- A. Appoint an individual to serve as the ADA Coordinator
- B. Provide for continuous self-evaluation of the institution’s programs and activities
- C. Recommend priorities for institutional compliance
- D. Prepare cost estimates for institutional compliance and for the provision of reasonable accommodations and services for persons with disabilities

## Dissemination of Information

In order to assure broad dissemination of information regarding the college’s commitment to the ADA, the following statement will be included in the college catalog and student handbook, and may be disseminated in

other ways: South Arkansas Community College does not discriminate on the basis of a person's disability in the admission or access to, or treatment or employment in, its programs or activities.

## Disability Support Services (DSS)

The primary mission of disability support services (DSS) is to ensure equal educational opportunities and access for students with disabilities at South Arkansas Community College. To learn more about DSS, please contact 870.875.7235 or at [disabilitysupport@southark.edu](mailto:disabilitysupport@southark.edu). [See brochure.](#)

## DSS Hours and Location

South Arkansas Community College, West Campus  
Conference Center, Room 211  
Monday – Thursday: 8:00 a.m. – 5:30 p.m.  
Friday: 8:00 a.m. – 12:00 p.m.  
Or by appointment

## The Role of DSS

DSS is the campus department designated by SouthArk to determine and provide access to SouthArk classes, programs, and activities for students with disabilities. The department of disability support services leads the campus community in its commitments to recognize disability as a valued aspect of diversity. Through a collaborative process including students, faculty, and staff, the college will create an inclusive educational environment for students either through a reasonable accommodation or by redesigning aspects of a college program or campus life experience.

Disability support services serves as the central campus resource for students with disabilities covered by Section 504 of the Rehabilitation Act of 1973 and Title II of the American with Disabilities Act of 1990. SouthArk students who seek reasonable accommodations for their disabilities must first register and provide documentation to the department of DSS that meets its approved criteria. The director of disability support services will determine what reasonable accommodations are consistent with each student's disability and advise academic units regarding those accommodations.

The student will receive an official "accommodation letter" that has been generated from the director of disability support services who has verified the student is eligible. It is the student's responsibility to ensure that this letter is provided to the faculty member in a timely manner and to contact the faculty member directly to make individualized arrangements for needed accommodations. An initial memorandum will be emailed to the faculty notifying them of the accommodation(s). While the college is committed to assisting students with disabilities to participate fully in academic programs, the college is not required to fundamentally alter any programs or activities, including academic programs of study. Faculty members are the recognized experts in their fields and are responsible for identifying and describing the essential elements of academic degree programs.

## Core Values of DSS

- Human variation is natural and vital in the development of dynamic communities.
- Disability is a social/political concept that includes people with a variety of conditions who share common experiences.
- Inclusion and full participation are matters of social justice.
- Creating usable, equitable, sustainable, and inclusive environments is a shared responsibility.

## Eligibility and Documentation

To be eligible for accommodations, the individual must be a SouthArk student and must have a documented disability.

Students who request accommodations through DSS will be asked to meet with a staff member and discuss their experience of disability, barriers, and effective and ineffective accommodation strategies. Students will be asked to provide documentation that describes their disability and its likely impact on educational experiences. If no disability documentation exists, students are encouraged to meet with a DSS staff member to discuss options for assessing potential academic barriers and how it relates to the student's disability.

Many students have IEPs/504 plans from high school. While these plans do not directly transfer to college, students are welcome to submit their IEPs/504 plans as part of their documentation. The DSS will review these documents to see what has worked for a student in the past.

Documentation should include the following:

- Diagnosis
- Current treatment, medications, and/or accommodations
- How the disability affects the student

Examples of documentation:

- IEP or 504 from high school
- Psychological evaluation
- Letter from a doctor and a licensed therapist/psychologist on letterhead
- Medical Records

Remember, everyone is unique. A conversation with the DSS staff about experiences and expectations will help identify the information necessary to support accommodation requests.

## Confidentiality

All information and records obtained by the disability support services are kept confidential, consistent with the Family Educational Rights and Privacy Act and ADA/504 mandates. DSS staff may verify that a student has documentation on file and share with the faculty/staff member ideas for accommodation strategies, but specific diagnosis or documentation information about the disability will not be released.

## Grievance Procedure

If a student believes his or her rights under the Americans with Disabilities Act (ADA) have been violated, he/she may file a grievance.



The following Grievance Procedure is provided to facilitate the prompt and equitable resolution of any complaint alleging a violation of the ADA.

It is the intent of South Arkansas Community College that “No otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination” in programs or activities sponsored by the College.

Any student, employee, visitor, or other member of the public for whom the College’s general Grievance Policy does not apply or appropriately meet the need may follow this procedure.

Complaints should be filed with the vice president for finance and administration (the designated ADA Coordinator) at South Arkansas Community College, P.O. Box 7010, El Dorado, AR 71731-7010; phone (870) 864-7121, according to the following guidelines:

- A. The complaint will be filed in writing or verbally, and will include the name, address, and telephone number of the plaintiff as well as a brief description of the alleged violation of regulations.
- B. The complaint should be filed within 15 days of the time when the plaintiff becomes aware of the alleged violation.
- C. Upon receiving the complaint, the ADA Coordinator will be responsible for thoroughly investigating the allegation; and affording all interested/involved persons and their representatives, if any, the opportunity to submit evidence relevant to the complaint.
- D. Upon completion of the investigation, the ADA Coordinator will submit a written report to document the validity of the complaint, and to recommend a proposal for resolution of the situation. This document will be forwarded to the plaintiff no later than 21 days after the complaint is filed, with a copy to the President.
- E. The ADA Coordinator will maintain files and records of all complaints, related documentation, and resolutions reached regarding ADA issues.
- F. The plaintiff may request a reconsideration of the case if he or she is not satisfied with the resolution. Requests for reconsideration must be made to the President within 30 days of receipt of the written report.
- G. A plaintiff’s right to prompt and equitable resolution of a complaint filed according to this procedure will not limit his/her ability to pursue other remedies such as the filing of an ADA complaint with the responsible federal department or agency. Pursuit of remedy via this procedure is not a prerequisite to the pursuit of other remedies.

This procedure is to be implemented to protect the rights of interested persons, to meet appropriate due process standards, and to assure that South Arkansas Community College fully complies with the ADA. For more information see section 6.02 Americans with Disabilities Act in the APM at [www.southark.edu/apm](http://www.southark.edu/apm).

## Counseling Services

The college experience can be challenging to students. The counselor can help students face these challenges in a compassionate, caring way. The counselor can help students effectively cope with personal, interpersonal, and

academic challenges they may face in college life. Typical reasons to see the counselor may include test anxiety, relationship problems, poor communication, or depression. Rest assured, SouthArk deeply cares about the wellbeing of each of its students and provides counseling to students free of charge.

Students may be referred to the counselor through the Behavioral Review Team or general conduct process, following a complaint or concern for a student's wellbeing. Faculty or staff can also refer students non-formally by phone for issues that do not pose a serious threat to the student or others. The counselor will then contact the student and set up an appointment.

Students who would like to find out more about counseling can come by, contact SouthArk's counselor at 870-235-7235, or email at [counseling@southark.edu](mailto:counseling@southark.edu), El Dorado Conference and Student Center, Room 211. If coming by in person, all students need to sign in at the Student Services Desk. [See brochure here.](#)

Arkansas law protects confidentiality for those in a counseling relationship, age 18 and older. It also requires or permits some exceptions, including the following:

- If the counselor has cause to believe there is a probability of imminent physical injury to the student or another person
- If the counselor has cause to believe that a child, elderly person, or disabled person is being abused, neglected, or exploited
- In response to certain court orders

These exceptions do not occur often. SouthArk is not legally obligated to discuss releasing a student's confidential information with that student before doing so if doing so would prevent SouthArk from securing the student's safety or the safety of others.

A student's interactions with counseling services can be disclosed to others only with his or her written permission, except under the circumstances described above. A student's confidential counseling file is not part of his/her academic record.

All students receiving counseling services have certain rights. These include the right to participate actively in developing alternatives for addressing concerns. A student may terminate counseling at any time for any reason, preferably only after discussing such termination with the counselor. The student is encouraged to ask questions about anything he or she does not understand.

The counseling program utilizes a brief counseling model that is solution-focused. A counseling session can last up to 60 minutes. Generally, a student may receive up to 3 sessions per semester. A student who wants or needs additional counseling will be referred to South Arkansas Regional Health Center or other community provider.

Because email is never fully confidential, SouthArk asks students not to use email to communicate with the counselor about personal matters. If a student contacts the counselor by email, he or she implicitly gives permission to the counselor to reply by email if the counselor chooses to do so. The counselor will not provide counseling via email under any circumstances. Email should never be used to communicate an urgent or critical message. Please keep in mind that emails sent to or received from the college are subject to the Arkansas Freedom of Information Act, Ark. Code Ann. Sec. § 25-19-101 et. Seq.

If it is believed that a student is at risk of becoming suicidal or violent, immediately call SouthArk public safety for assistance at 870-864-7125.

If a student becomes suicidal and is on campus, the student should contact public safety at 870-864-7125 for immediate assistance or the counselor at 870-875-7235. If the student is off campus, he/she should call 911 immediately or report to the nearest emergency room.

## Non-Academic Complaints (student-related)

All personnel and students are expected to conduct themselves in a way that reflects the high ideals of our college. Students who have non-academic complaints about other instructors, administrative office procedures or personnel, facilities or grounds, programs, or services, etc. should first discuss the issue with the appropriate department supervisor when possible.

If the complaint is not formally resolved when talking to the appropriate supervisor, a student may submit a formal complaint to the vice president for student services.

The grievance procedure consists of three steps:

- (1) Step I Informal
- (2) Step II –Formal, and
- (3) Step III –Grievance Committee Hearing.

Each Step has its own procedures, as set forth below.

### Step I. Informal Review

A student can initiate the complaint process for non-academic complaints in the following way:

Verbal or written notification of the formal complaint to the vice president for student services.

To be timely, the complainant must at least verbally report the complaint to the vice president for student services within ten (10) working days of the incident that forms the basis for the complaint. If the complaint is not timely, the vice president for student services or designee will provide written notice of this determination to the complainant.

Within ten (10) working days of notification, the vice president for student services or designee will attempt to resolve the complaint by a discussion with the student and other parties if necessary.

If the complaint is satisfactorily resolved by this discussion, the terms of the resolution shall be reduced to writing by the vice president for student services or designee, signed by all parties involved, and submitted to human resources.

This initial attempt of resolution must conclude within ten (10) working days of the initial discussion between the complainant and the vice president for student services or designee. At the end of this ten-day period, if the complaint cannot be resolved, the complainant can immediately proceed to Step 2.

## Step II. Formal Review

If a mutually agreeable resolution was not reached in Step I., the student may initiate Step II by submitting a written statement to the vice president for student services or designee. The written statement must be submitted to the vice president for student services or designee within ten (10) working days of the completion of the initial attempt of resolution outlined in Step I. above.

The written statement shall contain the following information:

1. Nature, date, and description of the alleged violation(s)
2. Name(s) of person(s) responsible for the alleged violation(s)
3. Requested relief for corrective action
4. Any background information and supporting documentation the complainant believes to be relevant

Upon receipt of the written statement, the vice president for student services or designee will:

1. Immediately provide the department head or designee a copy of the complaint.
2. Schedule a meeting between the student and the department head or designee. The meeting should be held within ten (10) working days of receipt of the student's written statement.
3. Within ten (10) working days of receipt of the written statement, the department head or designee will attempt to resolve the complaint by a discussion with the student and other parties if necessary.
4. If the complaint is satisfactorily resolved by this discussion, the terms of the resolution shall be reduced to writing by the department head or designee and signed by all parties involved in the discussions.
5. This attempt of resolution must conclude within ten (10) working days of the initial discussion between the complainant and the department head or designee.

At the end of this ten-day period, if the complaint cannot be resolved, the student can immediately proceed to Step III.

## Step III. Grievance Hearing

### Pre-Hearing Procedures

If a mutually agreeable resolution was not reached in Step II., the complainant may initiate Step III by submitting a written request to the vice president for student services for a hearing before the Student Services committee. The written request must be submitted to the vice president for student services within ten (10) working days of the completion of the attempt of resolution outlined in Step II above.

Upon receipt of the written request, the vice president for student services or designee will inform the chair of the Student Services committee. The chair will:

- a. Schedule a meeting of the Student Services committee with the addition of the Student Government Association president within five (5) working days.

- b. The student and the respondent may have one (1) person to assist in the initiation, filing, processing, or hearing. This person may be an attorney, but may not address the Student Services committee, speak on behalf of the complainant or respondent, question witnesses, or otherwise actively participate in the hearing.

## Evidence

No later than 8:00 a.m., five (5) working days prior to the hearing, the student and other parties involved shall provide the Student Services committee all documents to be used and relied upon prior to the hearing. The parties shall provide four (4) copies of all documents to be used and relied upon during the hearing, including the name, address, and telephone number of any representative and witness; and a summary of the witnesses' relevant testimony. Once all documentation and copies have been provided to the Student Services committee, a copy will be provided to the grievant and other parties involved, no later than 5:00 p.m. five (5) working days prior to the hearing. Failure to provide the information timely could result in exclusion of that information during the hearing.

## Hearing Procedures

**Record of the Hearing:** recording devices supplied by the college will record the hearing. These recordings shall be maintained for a period of three years after the resolution of the grievance. The student or respondent may obtain a copy of the recordings from any recorded hearing, at the requesting party's expense.

**Private Hearing:** The hearing shall be conducted in private. Witnesses shall not be present during the testimony of any party or other witness. Witnesses shall be admitted for testimony and then asked to leave. The student and the respondent may hear and question all witnesses testifying before the Student Services committee.

## Presentation of Case

This is a non-adversarial process, the witnesses are not sworn, and the student and respondent shall be afforded reasonable opportunity for oral opening statements, closing arguments, their own testimony, and presentation of witnesses and pertinent documentary evidence, including written statements. Witnesses are not compelled or subpoenaed to appear and are to appear on their own accord, employees of the college are permitted to participate in the grievance process without suffering loss of compensation or leave time for the time spent during the process. Students participating in this process will be allowed to make up any missed school related assignments, clinicals, or internships.

## Student Services Committee Rights

The Student Services committee shall have the right to question all witnesses, to examine documentary evidence presented, and to request the appearance of other witnesses or review other documentation, as the committee deems necessary. The committee has the right to limit testimony and presentation of other evidence to that which is relevant to the grievance and to limit further testimony and other evidence that is cumulative and unnecessary.

## Student Services Committee Deliberation

After the hearing is concluded, the committee shall convene to deliberate in closed session and arrive at a majority recommendation. The committee shall make its determination of whether or not a rule, procedure or policy was not followed or applied properly based upon the evidence presented at the hearing. The committee may make recommendations for resolution of the grievance. No one else is to be present during the committee's deliberations, except when clarification about a rule, procedure, or policy is requested by the committee from the vice president for Student Services.

Participants in the grievance process are expected to act professionally and maintain the confidentiality of all members including the complainant, respondent, committee members, and witnesses.

## Transmittal of the Recommendation

Within seven (7) working days after the hearing is concluded, the Grievance committee shall transmit its recommendation in writing to the vice president for Student Services and the president.

The president may decide to accept the recommendation, amend it, reject it, or refer the grievance back to the Student Services committee for further deliberations and reconsideration.

Within ten (10) working days of receipt of the Student Services committee's recommendation, the president shall prepare and send a written statement addressed to the grievant containing the president's decision for resolution of the grievance and the reason for the decision. A copy of the president's decision will be sent to the HR director and other necessary parties. The president's decision is final.

A student who feels subjected to civil rights violations may appeal directly to Educational Opportunity Section (Civil Rights Division), U. S. Department of Justice, P. O. Box 65958, Washington, DC 20035-5958.

Students who are not satisfied with the outcome of institutional processes for grievance resolution may also pursue the Arkansas Department of Higher Education (ADHE) procedure outlined below:

Student Grievance Procedure: Arkansas Department of Higher Education (ADHE) requires the certified institution to make a decision on the student grievance following the institution's public policy. Inquiries into student grievances must be limited to AHECB certified (under Arkansas Code §6-61-301) courses/degree programs and institutions and to matters related to the criteria for certification.

Within twenty (20) days of completing the institution's grievance procedures, the student may file the complaint in writing with the ICAC Coordinator, Arkansas Department of Higher Education, 114 East Capitol, Little Rock, AR 72201.

The grievant must provide a statement from the institution verifying that the institution's appeal process has been followed. ADHE will notify the institution of the grievance within fifteen (15) days of the filing. Within 10 days after ADHE notification, the institution must submit a written response to ADHE. Other action may be taken by ADHE as needed.

## Student Discipline

SouthArk is committed to providing a living, learning environment for students in which they may grow both as students and as citizens. All students are expected to behave in a manner that is respectful of the rights of all other members of the SouthArk community. Any behavioral problems by students will be addressed under this student discipline policy, with few exceptions (special programs). Students who fail to maintain appropriate conduct may be reprimanded up to being asked to leave the academic community.

### Article I: Definitions

1. The term “college” or “SouthArk” means South Arkansas Community College.
2. “Campus Security”, “Campus Police”, “Public Safety”, and “Campus Safety” are used interchangeably and refer to the college’s police officers.
3. The term “student” includes persons taking courses at the college, both full-time and part-time on any enrollment basis. Persons who are not officially enrolled for a particular term, but who have a continuing relationship with the college (such as a formerly enrolled student with an uncompleted degree, a student who has withdrawn after allegedly violating the student disciplinary policy, a student who has been dismissed, or a person who has been notified of acceptance for admission) are considered “students” including high school students.
4. The term “faculty member” means any person hired by the college to conduct instructional activities or who is otherwise considered by the college to be a member of its faculty.
5. The term “SouthArk official” includes any person employed by the college who performs SouthArk assigned administrative or professional duties.
6. The term “member of the SouthArk community” includes any person who is a student, faculty member, SouthArk official, or any other person employed by SouthArk.
7. The term “SouthArk premises” includes all land, buildings, facilities and other property in the possession of or owned, used, controlled, or controlled by SouthArk (including adjacent streets and sidewalks).
8. The term “organization” means any number of persons who have complied with the formal requirements for college recognition.
9. The term “designee” means person or persons authorized by the vice president for student services to determine whether a student or student organization has violated the student discipline policy and to recommend or implement sanctions that may be imposed when a rules violation has been committed.
10. The term “appeal officer” applies to the designated person or group (vice president for student services or designee, and the Student Services committee) who hears appeals related to student discipline decisions. The vice president for student services is authorized to hear (1) an appeal of the designee’s determination based on new evidence, or (2) to consider an appeal of sanctions imposed by the designee, or 3) to consider an appeal of the finding based on written policy and procedure not being followed. Outcomes reached by an appointed hearing committee are appealable to the Student

Services committee for the same criteria. The vice president for student services reserves the right to modify sanctions recommended by the appointed hearing committee before implementation, before an outcome letter is sent, and before an appeal may be filed. The term “shall” is used in the imperative sense; the term “may” is used in the permissive sense.

11. The vice president for student services is responsible for the administration of the student discipline policy, although the president may assign another person to discharge those duties if the president deems it appropriate to do so.
12. The term “policy” is defined as the written regulations of the college as found in, but not limited to, the policies outlined in the college catalog or iterations on the website or in other publications. These policies may be expanded, modified or changed by the college administration at any time. The term “policy” is used interchangeably with the words student disciplinary policy, student conduct policy, and rule.
13. The term “business days” means days that SouthArk is open for business (excluding holidays) even if no classes are scheduled.
14. “Behavior Review Team” (BRT) refers to a multidisciplinary team designated to investigate, make a finding, and implement appropriate action or sanctions related to behavior that poses a significant safety risk to self or others.
15. Student Services committee refers to the committee made up of SouthArk employees and one SouthArk student plus the president of the Student Government Association that hears appeals relating to student disciplinary matters.
16. The term “charges” is the same thing as policy violation.

## Article II: Scope of the Student Disciplinary Policy

SouthArk’s jurisdiction for student discipline purposes shall include conduct that occurs on and off college premises that may adversely affect SouthArk and/or the pursuit of its objectives. Conduct involving academic dishonesty allegations will be handled under the academic honesty policy, although allegations concerning behavior in the academic setting unrelated to academics will be handled under this student discipline policy. If circumstances suggest that there may be conduct violating multiple policies, the conduct may be evaluated under each policy separately for determinations of possible violations and sanctions under each policy, according to the conduct covered by each, with any jurisdictional question to be determined by the vice president for student services.

Conduct involving discrimination/harassment allegations will be handled under college’s grievance procedure. For more information regarding the grievance procedure, see section 2.12 Grievance Process of the APM found at [www.southark.edu/apm](http://www.southark.edu/apm). The vice president for student services will resolve any questions about the college’s jurisdiction. Allegations related to sexual misconduct or gender discrimination will be handled under policy outlined in “Title IX: Addressing Interpersonal Violence.”



The college expects all students who are accused, victims, or witnesses to participate cooperatively in campus investigations. When a student who has allegedly violated the student disciplinary policy fails to set an appointment within a reasonable period of time or fails to appear for a scheduled appointment, a hold will be placed on the student's records and registration, and an additional violation of failure to comply may result. If a student fails to appear for a scheduled hearing or meeting after formal charges have been issued, a decision may be made in the student's absence without the student's involvement. If the student fails to comply with the terms of an assigned sanction, the student can be charged with Failure to Comply and/or a hold may be placed on student records and registration. The results of such a charge will most likely be more severe than the original sanction. Students who fail to comply and are found responsible forfeit any right to appeal in the case under investigation.

When a witness or complainant fails to set or keep an appointment, the college will reach out to the student to meet. The college encourages all participants to meet to learn about the student disciplinary policy before making a decision not to pursue a complaint or participate as a witness. Complainants who refuse to participate in the disciplinary process lose the right to appeal in the case under investigation.

### Article III: Conduct Rules

Any student found to have committed the following misconduct is subject to sanctions outlined in Article IV.

1. Acts of dishonesty including, but not limited to, the following:
  - a. Furnishing false information to any SouthArk official, faculty member or office.
  - b. Forgery, alteration or misuse of any SouthArk instrument of identification, document, or record.
  - c. Theft, attempted theft, misappropriation, or unauthorized sale of property.
2. Disorderly or dangerous conduct:
  - a. Any individual or group behavior which is obscene, lewd, violent, and excessively noisy or which unreasonably disturbs college functions.
  - b. Disruption of classrooms or study areas or obstruction of teaching, research, administration, disciplinary proceedings, other college activities, including public service functions, on or off college premises.
  - c. Physical abuse, verbal abuse, threats, intimidation, stalking, harassment, coercion and/or other conduct that threatens or endangers the health or safety of any person. Conduct that would violate the college's discrimination/harassment policy will be handled according to the specific guidelines of that policy rather than under this student discipline policy. For more information regarding SouthArk's grievance policy, see section 2.12 Grievance Process of the APM found at [www.southark.edu/apm](http://www.southark.edu/apm).
  - d. Disrespect shown by any student to a faculty member or to any other member of the college community, in or out of the academic setting.

- e. Any obstruction or delay of a campus security officer, public safety officer, fire fighter, EMT, or SouthArk official or failure to comply with any emergency directive issued by such authorized personnel.
- f. Obstruction or interference with institutional activities or facilities and any unauthorized access to or occupancy of college facilities.
- g. Failure to display SouthArk Identification Card with updated sticker while on campus or allowing another person to use the tag.
- h. Failure to comply with the directions of college officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
- i. Unauthorized possession, duplication or use of college keys for unauthorized access to college facilities.
- j. Disruption of the normal operations of SouthArk and infringing on the rights of other members of the college community; leading or inciting others to disrupt schedules and/or normal activities within any campus.
- k. Any behavior that poses a threat or injury to others. All such behaviors will be referred immediately to the Behavior Review Team. The Behavior Review Team will investigate and recommend a course of action. Behaviors that pose a threat to self are not considered a disciplinary violation, but will be addressed by the Behavior Review Team.
- l. Unauthorized surveillance such as making or causing to be made unauthorized video or photographic images of a person in a location in which that person has a reasonable expectation of privacy, without the prior effective consent of the individual, or in the case of a minor, without the prior effective consent of the minor's parent or guardian. Conduct that would violate the college's discrimination/harassment policy will be handled according to the specific guidelines of that policy rather than under this student discipline policy.
- m. Allowing misconduct by guests on SouthArk premises or at off-campus college functions.
- n. Misuse of or damage to college property including vandalism, defacing, disfiguring, or destruction of property belonging to the college or to another person including, but not limited to fire alarms, library materials, computers, and personal property.
- o. South Arkansas Community College prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by employees and students of the college on college property or as a part of its activities, and further prohibits the abuse of prescription drugs or alcohol by employees and students if such use impairs effective performance of their responsibilities.
- p. Possession of firearms or other dangerous weapons or items that simulate dangerous weapons including explosives, fireworks, or other flammable materials that pose a threat to others.

Firearms are allowed on the campus for the purpose of participating in a shooting match or target practice under the auspices of the college shooting team.

Arkansas Statute 5-73-119 establishes the prohibition for the possession of handguns on school property. Handguns may not be carried on the person, in a vehicle, or be otherwise readily available. Furthermore, the college prohibits the possession of any weapon on college property. A weapon is defined as a firearm, knives, sword, bomb, or any substance or device designed or intended to inflict harm.

However, under Ark. Code Ann. § 5-73-322, the possession of a concealed handgun on campus is permitted:

- a. If the person has a license to carry a concealed handgun under Arkansas Statute 5-73-301, and
- b. Has completed an additional endorsement training approved by the director of the Arkansas State Police.

Individuals that meet the legal requirements to carry a concealed handgun are encouraged, but not required, to inform SouthArk public safety officers to make them aware that they plan to carry a concealed weapon on campus. Furthermore, the individuals are highly encouraged to attend specific SouthArk active shooter training courses.

Any person who carries a handgun should be aware that a law enforcement officer may lawfully inquire into that person's purpose. Determining culpability or potential culpability under Arkansas Code 5-73-120 is initially a matter for law enforcement following guidelines that routinely apply when investigating a misdemeanor involving the danger of forcible injury to persons. A law enforcement officer may stop and detain any person reasonably suspected of violating Arkansas Code 5-73-120 if necessary to identify the person or determine the lawfulness of his or her conduct. Whether an officer has reasonable suspicion will depend upon a number of circumstance-specific factors.

Some of these factors are recounted in Arkansas Code 16-81-203, including:

1. The demeanor of the suspect;
2. The gait and manner of the suspect;
3. Any information received from third persons; and
4. The suspect's proximity to known criminal conduct.

While merely possessing a loaded handgun completely on its own is not enough for reasonable suspicion of a violation of Arkansas Code 5-73-120(a), possessing a loaded handgun in combination with just one additional factor may, depending on the circumstance, be enough to create reasonable suspicion of intent to unlawfully employ the handgun as a weapon.

A concealed carry weapon may not be carried during documented grievance and disciplinary meetings on the SouthArk campus. Bona fide law enforcement officers are not subject to this

regulation. Violation is classified as a Class D Felony and violators may be prosecuted. In addition, the Administration is authorized to impose disciplinary action up to and including dismissal or expulsion.

If an individual has a license to carry a concealed handgun, he or she may leave the weapon in his or her locked and unattended motor vehicle in a campus parking lot.

- q. Gambling which is illegal under Arkansas law.
- r. Smoking on campus. See the Smoking Policy.
- s. Violation of published SouthArk policies, rules, or regulations, including those appearing in this student discipline policy.
- t. Violation of federal, state or local law on college premises, at SouthArk sponsored or supervised activities, or which otherwise adversely affects the college community or the pursuit of its objectives, whether on or off college premises.
- u. If a student is charged only with a violation of federal, state or local law off SouthArk premises (and with no other violation of SouthArk rules), no sanction will be imposed unless the student is found guilty in a court of law or has declined to contest such charges although not actually admitting guilt (e.g., no contest or “nolo contendere”).
- v. SouthArk student disciplinary processes may be instituted against a student charged with a violation of law which is also a violation of this student disciplinary policy (for example, if both violations result from the same factual situation), without regard to the pendency of civil litigation in court or criminal arrest and prosecution. Proceedings under this student disciplinary policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus, as may be determined in the judgment of the vice president for student services.
- w. Failure to obey the direction or summons of a designee or other SouthArk official including a notice to attend a meeting or hearing involving student discipline.
- x. Falsification, distortion or misrepresentation of information before a college official.
- y. Disruption or interference with the orderly conduct of a proceeding under this Student Conduct Policy.
- z. Knowingly initiating a false report under this Student Handbook policy knowingly without cause.
- aa. Attempting to discourage an individual’s proper participation in, or use of, this Student Conduct Policy.

- bb. Attempting to influence the impartiality of a college investigator, appeal officer, or body prior to, during, and/or after a proceeding under this Student Conduct Policy.
- cc. Harassment (verbal or physical), retaliation against, and/or intimidation of the college investigator or conduct committee members or other students or staff involved in the disciplinary process (e.g. complainant or witness) prior to, during, and/or after a proceeding under this student discipline policy.
- dd. Failure to comply with the sanction(s) imposed under this Student Conduct Policy.
- ee. Influencing or attempting to influence another person to commit an abuse of the Student Conduct Policy.
- ff. Discrimination against another person because of race, religion, national origin, gender, or the presence of any sensory, mental, or physical disability.
- gg. Harassing another person with the purpose to harass, annoy, or alarm without good cause.

## Article IV: Sanctions

One or more of the following sanctions may be imposed upon any student found to have violated the student conduct policy. This list is not exhaustive:

- a. Formal Written Warning—A notice in writing to the student or student organization that the student or organization is violating or has violated institutional policies or regulations.
- b. Probation—A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the student or student organization is found to be violating any institutional policies or regulation(s) during the probationary period.
- c. Loss of Privileges—Denial of specified privileges for a designated period of time.
- d. Fines— Previously established and published fines may be imposed.
- e. Restitution—Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
- f. Service Hours—Work assignments, service to SouthArk, or other related assignments.
- g. Interim Suspension—the vice president for student services may impose suspension from the college for up to fourteen (14) business days prior to a hearing to ensure the safety and well-being of members of the SouthArk community, to ensure the student’s own physical or emotional safety and well-being, or if the student poses a threat of disruption of or interference with the normal operations of the college.
- h. During the interim suspension, the suspended student shall be denied access to the campus (including classes) and/or all other SouthArk activities or privileges for which the student

otherwise might be eligible as the vice president for student services or designee may determine to be appropriate.

- i. No contact orders—no contact orders between the complainant and respondent or other parties as deemed appropriate by the investigator or investigative body.
- j. College Suspension—Separation of the student or student organization from SouthArk for a definite period of time after which the student or student organization is eligible to return. Conditions for readmission may be specified.
- k. College Expulsion—Permanent dismissal of the student or student organization from the SouthArk community. The college reserves the right to withdraw a student from class or all classes if, in the judgment of college officials, such withdrawal is in the best interest of the student or the student body at large.
- l. Withholding of Award—The college may withhold conferring an award otherwise earned until the completion of the process set forward in the student disciplinary policy including the completion of imposed sanctions.
- m. Revocation of Award—An award from SouthArk may be revoked for fraud, misrepresentation, or other violation of SouthArk standards in obtaining the degree.
- n. Students may not withdraw from the college to avoid disciplinary procedures.
- o. The college will not accept for transfer any credit earned at other institutions during the period a student is on suspension for disciplinary reasons from SouthArk.
- p. If a student is found not responsible for the alleged misconduct, the student will be allowed to make up missed academic work using the incomplete grade policy when necessary.
- q. Students that fail to comply with the completion or timely completion of sanctions will face additional sanctions and/or a hold being placed on the student account.

## Article V: Student Disciplinary Process: Charges, Meetings, and Hearings

1. Any member of the SouthArk community may file an incident report against any student for misconduct. Incident reports **should be completed online**. The Incident report should be submitted as soon as possible after the event takes place, preferably within five (5) business days. The incident report can be accessed [here](#).
2. SouthArk reserves the right to investigate incidences that are not reported formally (in writing) if the alleged incident involves alcohol or other drugs, occurs during a college sanctioned trip or event, or involves acts of discrimination or sexual misconduct.
3. For all programs with specific handbooks, policies, and procedures including Student Activities:
  - a. All sex or gender based misconduct will be handled by the Title IX Office exclusively.

- b. Any disciplinary process that could lead to expulsion from the college will include a designee appointed by the vice president for student services who will report directly to the vice president for student services.
    - c. All SouthArk programs will follow SouthArk’s medical absence policy.
  - 4. The vice president for student services or designee will review the incident report to determine if the matter is based on acts that occurred and the likelihood that the sanction may include expulsion from SouthArk. Any case that might involve expulsion from SouthArk will be handled by the “hearing” process. All other cases will be handled by a “meeting” process.
  - 5. The “meeting” process will be as follows:
    - a. The vice president for student services or designee will conduct an informal investigation of the matter, by speaking with the person filing the incident report and persons who may have witnessed pertinent acts or who may have pertinent information. The person filing the incident report will be given at least 5 days to prepare for the initial meeting.
    - b. The vice president for student services or designee will arrange an informal meeting with the accused student during which the vice president for student services or designee will advise the student of the matter and of the possible sanctions, hear the student’s response and allow for additional time for the student against whom the report was made to respond or to suggest other persons for possible interview.
    - c. The vice president for student services or designee may keep informal notes of his/her interviews and of the meeting. Unless the vice president for student services or designee permits otherwise, the meeting will also be a private one between the accused student, the investigator, and, when appropriate, another SouthArk official as a witness.
    - d. At the end of the meeting process, the vice president for student services or designee will determine whether the student has been found responsible for the charge and will advise the student and the complaining party in writing within five (5) business days of any sanction(s) imposed.
    - e. Students who are dissatisfied with the decision of the vice president for student services or designee may file a written appeal with the vice president for student services or other designated appeal officer. Such appeals must be made within five (5) business days from the date of the written notification of the decision. See Appeals below.
  - 6. The “hearing” process for cases of expulsion will be as follows:
    - a. The charge and possible sanctions shall be presented to the accused student in writing. A time shall be set for a hearing, not less than five (5) nor more than fifteen (15) calendar days after the student has been notified. Maximum time limits for scheduling hearings may be extended by a written memorandum at the discretion of the vice president for student services.

- b. The vice president for student services or designee will conduct an investigation to determine whether the charges appear to have merit, the identities of likely witnesses and what documentation is necessary.
- c. The vice president for student services or designee will also determine whether the charges can be resolved administratively by the student's agreement to waive the hearing process. Such resolution shall be final, and there shall be no subsequent proceedings or appeal. If the student does not waive the hearing process, the vice president for student services or designee will schedule a hearing. The appointed hearing committee will hear the testimony and determine whether a violation occurred and, if so, what sanction(s) shall be recommended.
- d. Hearings shall be conducted according to procedural due process, which does not provide for legal representation or confrontation at the hearing by any party. If either the complainant or the person charged elects to be accompanied at the hearing by a person of their choosing, the individual making the request must notify the vice president for student services or designee of the name, address, and telephone number of the accompanying party no less than ten (10) working days prior to the hearing. Representatives for either party may be present, but shall not speak or otherwise actively participate in the proceedings.
- e. Hearings normally shall be conducted in private, with parties and witnesses called separately. The charged student(s), any students who claim to be a victim of the alleged conduct, or other witnesses may attend the hearing only at the discretion of the committee chair. Admission of any other person to the hearing would be unusual and only at the discretion of, and with the permission of, the committee chair. Hearings shall not be open to the public without the express written permission of the complainant and the respondent.
- f. In situations in which there is more than one accused student, the committee chair will determine, at his/her discretion, whether to hold one hearing for all charged students or a separate hearing for each student.
- g. The accused student and the person filing the charge or claiming to be a victim may testify, may offer documentary evidence, may suggest the names of witnesses to the hearing committee chair and may ask questions through the hearing committee of each witness who does testify, before or after questioning by the hearing committee, as the committee chair sees fit.
- h. The appointed committee at the discretion of the committee chair may accept pertinent records, exhibits and written statements as evidence for consideration.
- i. All procedural questions are subject to the final decision of the VPSS or designee.



- k. After the hearing, the Student Services committee shall determine whether the student has violated each section of the student disciplinary policy, as charged.
  - l. The determination of whether a violation has occurred shall be made based on a “preponderance of evidence” as opposed to proof “beyond a reasonable doubt” that the accused student or student organization has violated the student disciplinary policy. This same standard shall be used in the “meeting” and “hearing” formats.
  - m. An audio recording may be made of all hearings for expulsion. The record shall be the property of SouthArk, but students may be provided a transcript or copy at the discretion of the committee chair.
  - n. A student who is charged with failing to obey the summons or direction of a college official may be found to have violated the student conduct policy solely because the student failed to appear for a meeting or hearing. When a student is charged with violating other rules and fails to attend the pertinent meeting and hearing, the investigation may proceed despite the student’s absence and shall base any determination upon the information gathered (in the meeting process) or the other evidence received (in the hearing process).
  - o. The vice president for student services or designee will inform the student charged with a rules violation and any student(s) claiming to be a victim, in writing of the results of the hearing process and sanctions imposed, if any, within five (5) business days of the hearing.
- 7. Disciplinary sanctions imposed shall be noted in the student’s or student organization’s permanent record.
  - 8. Disciplinary violations that occur in special programs such as health science, adult education, and secondary technical programs may be investigated according to programmatic handbooks. Records of these proceedings should be forwarded immediately to the office of the vice president for student services so that the records can be placed in the student’s permanent record. Student activities will adhere to the same policy so that all disciplinary records are kept in a central location. For all cases involving sexual misconduct, the sexual harassment policy will be used and the incident investigated by the Title IX Office. In all programs, if the action could lead to expulsion from the college, the aforementioned hearing process will be followed.
  - 9. If no appeal is made within five (5) business days of the decision, the finding will become final and will not be subject to further appeal or review.

## Appeals

- 1. A decision reached by a single investigator or committee finding a violation and/or imposing a sanction(s) may be appealed by the accused student (or by the complaining student if there is one) to the appeal officer within five (5) business days of the decision. Such appeals shall be in writing and shall be delivered to the vice president for student services. During the appeal process, a student who has

received a sanction of a suspension of ten (10) or more days or expulsion for non-academic misconduct may choose to be represented at the student's expense by a licensed attorney or, if the student prefers, a non-attorney advocate who, in either case, may fully participate during the appeal process. If the disciplinary appeal proceeding arises from a complaint by a student against another student, both students can be so represented. (Arkansas General Assembly, Act 1194 of 2015, effective July 22, 2015).

2. There shall be only the three following grounds for an appeal:
  - a. A claim that the investigation was not conducted in conformity with the process and procedures set forth in the student conduct policy, including that the accused student had a reasonable opportunity to prepare and to present a response to the allegations.
  - b. A claim that the sanction(s) imposed was not appropriate for the violation of the student conduct policy for which the student is being held responsible.
  - c. A claim that the investigator or hearing committee should consider new evidence sufficient to alter a discussion or other relevant facts not brought out in the original meeting or hearing, because such evidence and/ or facts were not known to the person appealing at the time of the original meeting or hearing. In such cases, the appeal officer or committee may send the case back to the original investigator or investigative body for reopening of the meeting or hearing. The appeal meeting or hearing shall occur not less than five or more than fifteen (15) calendar days after the student has been notified. Maximum time limits for scheduling hearings may be extended by a written memorandum at the discretion of the vice president for student services. Procedures for re-opened cases shall follow those for the original meeting or hearing.
3. Except as is required to explain the basis of a claim of "new evidence," an appeal shall be limited to review of:
  - a. Written documentation from the vice president for student services' or designee's investigation and explanation, if any, in the case of a meeting.
  - b. The verbatim record (including documents) in the case of a hearing.
4. If the appeal officer or body upholds an appeal, the appeal officer will notify the student, the opposing party or parties, and the vice president for student services or designee in writing within five (5) business days of any modifications to the decision or sanctions imposed by the original meeting or hearing.
5. Appeals of Sanctions—The following guidelines apply when appeals are lodged concerning the sanctions imposed:
  - a. In an appeal only by the student found to have violated the student disciplinary policy on the basis that the sanction was not appropriate, the appeal officer or body may not impose more severe sanctions but may only affirm the sanction or reduce it.

- b. In an appeal only by a student who filed a charge or claims to have been a victim of conduct by another student on the basis that the sanction was not appropriate, the appeal officer or body may only affirm the sanction or increase it.
  - c. If both the sanctioned student and the student victim appeal, the appeal officer or body may affirm, increase or reduce the sanction.
  - d. The appeal officer or body may send the matter back to the original investigator or body in any case.
6. The appeal officer or body shall notify, in writing, the charged student(s) and student(s) claiming to be a victim as to the results of an appeal within five (5) business days following the decision.
7. If the appeal officer or body concludes the appeal without being sent back to the original investigator or body (for example, by the appeal being denied), the matter will then become final and will not be subject to further appeal or review.

The vice president for student services or designee will provide these guidelines in writing to students within the outcome letter.

### Article VI: Interpretation and Revision

Any question of interpretation regarding this student disciplinary policy shall be referred to the vice president for student services or designee for final determination, which shall not be subject to appeal.

This student conduct policy shall be reviewed every three years under the direction of the vice president for student services.

### Article VII: Retention of Records

Disciplinary sanctions shall be made part of the student's permanent academic record. After five (5) years, a student's confidential disciplinary record will be expunged of disciplinary actions other than those reportable under the Clery Act, college suspension or expulsion, or revocation or withholding of a degree or charter for student organizations. A student may request after graduating to have his/her disciplinary record expunged upon application to the vice president for student services or designee.

### Student Identification Cards

All students are issued a bar-coded identification card that they are expected to display at all times when they are on campus. Students should obtain or update ID cards when registering for classes each semester. Returning students should ensure they obtain a sticker listing the current semester of enrollment from the testing and learning center during each registration process.

ID cards allow participation in certain student activities. More importantly, they ensure a safe campus by clearly identifying who belongs to the campus community. Students without them will be directed to the nearest administrative office to obtain written verification that they are currently enrolled students. Not displaying an ID is a disciplinary issue, and students who repeatedly violate the student identification policy will be subject to

disciplinary sanctions. Those employees who are asked to verify enrollment should immediately inform the vice president for student services so that a record is maintained.

A lost student ID card should be reported immediately to the testing and learning center. A replacement ID may be obtained by paying the required fee.

## Student Records

See the Academic Policies chapter of the catalog for information about The Family Educational Rights and Privacy Act (FERPA). The Solomon Amendment, except as noted below, allows federal funding for an educational institution to be cut if that institution has a policy or practice that prohibits military recruiting on campus, or prohibits access to student directory information for the same purpose, or maintains an anti-ROTC policy.

"Student recruiting information" is defined under the Solomon as name, address, telephone listing, age or year of birth, level of education (e.g., freshman, sophomore, or degree awarded for a recent graduate), and academic major. The Family Compliance Office of the Department of Education has indicated that if there is a conflict with FERPA, these laws would supersede FERPA. However, a student who has required non-disclosure of directory information to any party under FERPA would still be protected under FERPA.

## Substance Abuse Policy

The SouthArk Substance Abuse Policy is established to ensure the effective and fair implementation of the Drug Free Schools and Communities Act of 1989 and the consistency of all disciplinary sanctions imposed on any SouthArk (the "college") student(s). The policy further supports the college's commitment to maintaining a safe and healthy campus free from the influence of drugs and alcohol. The health, safety, and security of the students and employees are of primary concern to the administration, and the requirements of this policy constitute safety rules that are considered to be of major significance.

The college recognizes that the abuse of alcohol and other substances, the use of illegal drugs, and the effects of such represent a threat to the well-being and safety of the students and could cause extensive damage to the students as well as the college's performance, reputation, and community standing. Therefore, the college expects each student to abide by the terms of this Policy.

## Definitions

**Alcohol**—Any liquid substance that has a measurable alcoholic content.

**Drug**—Any substance, other than alcohol, that can produce physical, mental, emotional or behavioral changes in the user. The term "illegal drugs" as used in this policy means any drugs or substances whose possession and/or use are prohibited under state or federal law. It also includes all prescriptions and over-the-counter drugs not legally obtained or not being used for the purpose or in the manner for which they were prescribed and/or manufactured.

**Student**—Any individual enrolled in credit or non-credit courses offered by the college or on the SouthArk campuses, including, but not limited to, general education, adult education classes, literacy classes, and workforce education classes.

Medical Review Officer (MRO)—A licensed physician employed by or under contract with the screening agency chosen by the college to perform screening, who has knowledge about and clinical experience in controlled substance abuse disorders, including detailed knowledge of alternative medical explanations for laboratory confirmed drug test results. The MRO has the necessary medical training to interpret a student’s positive test result in relation to the student’s medical history or any other relevant biomedical information.

Possession—The presence of alcohol or drugs in the possession or control of a student, including in lockers, bags, parcels, lunch boxes, other personal articles, or personal automobiles, while on college property or while engaged in college responsibilities.

## Policy Statement

Presence in the body in any quantity at or above levels specified by the U. S. Department of Transportation, possession, manufacture, distribution, dispensation, storage, transportation, or sale of illegal drugs, drug paraphernalia, controlled substances, or alcohol in open containers anywhere on premises including parking lots and entry roads or in college-supplied vehicles is expressly prohibited. Anyone violating this provision will be subject to disciplinary action up to and including expulsion from the college. No one shall report or return to campus with a presence of any drug or alcohol in his or her body at or above levels specified in this policy. Any student identified as doing so will be subject to screening and testing and, upon testing positive, to the procedures and disciplinary actions set forth in this policy. A violation may also result in referral to law enforcement agencies.

SouthArk prohibits the unlawful possession, use, manufacturing, dispensing or distribution of illicit drugs and alcohol by employees and students of the college on college property or as a part of its activities, nor shall employees or students use prescription drugs or alcohol if such use impairs effective performance of their responsibilities.

The student is responsible for informing the vice president for student services or authorized representative if the student believes that his or her abilities to perform are impaired because of the use of prescription and/or non-prescription drugs. Students should notify the vice president for student services or authorized representative of any prescription drugs that may cause a positive drug result and provide substantiating documentation from a licensed physician.

## Suspicion

College staff and faculty are instructed to report signs, symptoms and behaviors associated with drug and alcohol use on campus. Students who are reasonably suspected of drug or alcohol use or abuse on college time or property may be required to submit to drug and/or alcohol screening within 8 hours, at the college’s expense. If the student cannot arrange safe transportation, the college will do so at the student’s expense. Screening requirements may be based upon, among other things:

- Observable phenomena, such as direct and/or video observation of drug/alcohol use and/or the physical symptoms or manifestations of being under the influence of drugs/alcohol.
- Abnormal conduct or erratic behavior while on campus, absenteeism, tardiness, or deterioration in work performance.

- A report of drug/alcohol use provided by a reliable and credible source such as personnel at clinical or internship sites.
- College personnel shall, within 24 hours after any screening based on reasonable suspicion, detail in writing the circumstances that formed the basis of the determination that reasonable suspicion existed to warrant the screening. Copies of the report will be made available to the student and will be placed in the student's permanent record in Student Services.

### Screenings and Testing Circumstances

Pre-Enrollment Screening—Some college programs and/or individual courses require pre-enrollment and/or random drug screening to comply with licensing or work-site requirements. Costs are covered by the student as either a pre-enrollment requirement or as a fee associated with the course. All applicants to whom an off campus training offer is extended are subject to rapid (instantaneous) diagnostics drug testing as part of the pre-enrollment process. Refusal to submit to pre-enrollment drug testing will be cause for withdrawal of the offer.

### Reporting and Follow-up of Drug-Related Crimes and Abuse

Individuals who observe violations of the SouthArk drug policy should report the information immediately to any college official or to public safety. All reports should be channeled to the public safety staff for investigation and follow-up. Public Safety will work with the vice president for student services, designee, and/or investigative committee cooperatively in drug-related crimes and abuse. If an incident requires immediate attention of campus or local authorities, then the college official should contact public safety immediately.

### Drug and Alcohol Counseling

In an effort to inform employees and students about the effects of drugs and alcohol, the college will provide educational programs, counseling, and activities designed to meet students' needs. A local community resource is:

Southwest Arkansas Counseling & Mental Health Center, Inc.  
715 North College Avenue  
El Dorado, AR 71730, 870-864-2414

### Enforcement

Disciplinary action will be taken against students found responsible for the unlawful possession, use, manufacturing, dispensing or distribution of illicit drugs and/or alcohol on college property or as a part of any of its activities. Should a student be charged with a violation of the college drug policy, public safety will investigate and report findings to the vice president for student services. The vice president for student services or designee will initiate student disciplinary action as necessary after meeting with the student, determining the nature of the violation, and allowing the student an opportunity for a hearing if the sanction could be expulsion.

If circumstances dictate, the appropriate local law enforcement agency will be contacted. The administration may impose disciplinary action, including, but not limited to, the following:

- Dismissal—Termination of enrollment in the college. A hearing is required in all cases that could lead to dismissal or expulsion.

- Probation— An official warning that the student’s conduct is in violation of the college’s policy. Probation may be imposed for varying periods of time with restrictions and behavior guidelines as a condition of continued enrollment. These conditions may include drug and alcohol abuse counseling.
- Letter of Reprimand— A letter, of which a copy will be placed in the student’s permanent record, stating that the conduct is not acceptable to the college. Students who contest the result of their rapid diagnostic drug test, may immediately request a second test to confirm results, but will be expected to pay for the re-test. Non-negative results on drug-screening tests will be sent to a certified lab for confirmation and may cause off-campus clinical, internships, or other activities to be delayed or revoked.
- Random Screening—Students enrolled in programs, courses, or activities requiring drug testing may be subject to random drug and/or alcohol tests at any time using computer software designed specifically for random selection criteria. Students will not be notified of their selection until the time of the scheduled test. Once notified, the student must report to the testing site within the period specified by his/her program policy.
- Return-to-Duty and Follow-up Screening—Students who were found in violation of this policy shall be screened/tested for alcohol and/or drugs at the student’s expense before being allowed to return to campus. Once returning to campus, follow-up screening/testing for alcohol and/or drugs may be required at the discretion of the college.

### Confidentiality

Any information obtained by the college as a result of this policy will be kept confidential and released only with written permission from the student, pursuant to an order issued by a court of competent jurisdiction, or as otherwise required by law.

### Reservations of Rights

The college reserves the rights to interpret, change, modify, or terminate this policy at any time, in whole or in part, without prior notice to students. Such amendments or modifications shall not nullify the student’s testing history or other disciplinary history.

### Student Assistance Programs

A student’s decision to independently seek assistance from an alcohol/drug rehabilitation program or from SouthArk’s’ counselor, if the student is not under suspicion or testing because of this policy, shall not be used as the basis for any disciplinary action. Where a violation of this policy has occurred, a student’s request to submit to an alcohol/drug rehabilitation program shall not serve to waive the application of disciplinary action under this or any other disciplinary policy or college rule.

### Medical Marijuana

- a) Students and Visitors are prohibited from possessing or using marijuana on Campus, in vehicles owned or leased by the College, and at official and unofficial events sponsored by South Arkansas Community College.
- b) Students and Visitors may not possess or use marijuana at facilities operated by South Arkansas Community College.

- c) Marijuana may not be used or possessed by any Students or Visitors on or in any South Arkansas Community College-owned or -leased housing.
- d) Students and Visitors are prohibited from being under the influence of marijuana at any of the locations listed in a. through c.
- e) “Marijuana paraphernalia” is prohibited in the same locations as indicated by a. through c.

Students who are required to take a drug screen due to reasonable suspicion or post-accident situations and test positive for Marijuana (THC) or any derivative of THC may be disciplined up to and including expulsion.

Students who are prescribed medical marijuana under a physician’s care must have valid medical marijuana registry identification card issued by the Arkansas Department of Health. The card and certification is valid for a maximum of one year.

Students in a “Safety Sensitive” program of study will not be allowed to participate in clinical education or fieldwork while medicated by medical marijuana. The Student member may be required to take time off (leave) in accordance with our medical leave policy. The Student member will be required to meet with faculty and staff regarding special arrangements for completion of programs of study.

South Arkansas Community College will not accommodate for the ingestion of medical marijuana on Campus or any South Arkansas Community College sanctioned, related or approved event.

NOTE: Marijuana, even used as a medication, is considered an illegal substance under federal law.