

Harding University Latin America Annual Security Report 2025

Harding University in Latin America (HULA) is committed to providing a safe, congenial and secure environment for our students, faculty, staff and guests. Because a truly safe campus can only be achieved through the cooperation of all students, faculty and staff, we hope that you will join our effort to ensure that this endeavor is effective.

HULA is conducted annually during the spring semester. The program includes the study of the Spanish language, culture, and Latin American history. Students spend significant time in Arequipa, Peru, as well as participating in several extensive field trips to locations including Santiago, Easter Island, Argentina, Patagonia, the Amazon Rain Forest, and Machu Picchu.

Who to contact in Case of Emergency

In case of emergency, contact HULA Director Jeremy Daggett whose office is located within the building. Jeremy Daggett will then be responsible for contacting appropriate law enforcement or emergency services personnel.

Security personnel on duty

Harding University in Latin America does not maintain a Security Department, and therefore, has no Security personnel on duty. However, the home base accommodation at Posada el Castillo in Arequipa, Peru is gated, with an attendant at reception for student access. After hours, the facility gate is completely locked.

Reporting crimes, fires, or any type of emergency

Students, faculty, staff and visitors should immediately report criminal activity or any type of emergency on campus to the office of Jeremy Daggett, telephone number +51 991 234 194

Emergency Response and Evacuation Procedures

Purpose

This crisis communication plan provides policies and procedures for the coordination of communications within the university, and between the university, the media, and the public in the event of an emergency. This plan is not intended to change the way emergencies are initially reported. All emergencies at HULA should be reported immediately to Jeremy Daggett or Katie Daggett.

In addition to addressing media relations and communications issues, this plan includes procedures for the rapid identification of potentially harmful situations and the methods for responding to those situations quickly and effectively. The goal of this plan is to ensure that campus officials and communicators are familiar with those procedures and their roles in the

event of a crisis.

Procedures

Assessment- The individual who encounters the potential crisis should immediately report the situation to Jeremy Daggett. He will then determine whether an immediate communications response is necessary and, if so, will initiate an emergency message via the Everbridge Emergency Notification System and/or by notifying students in person. Jeremy Daggett or his designee, in conjunction with Audra Pleasant, Executive Director of International Programs, will then determine whether the Harding University Main Campus Communications and Marketing Department should be contacted to formulate media response. Members of the Communications and Marketing Department to be contacted are:

- a. Jack Shock, Assistant Vice President for Communications and Marketing or;
- b. Kristen Nicholson, Manager of News Services

Response

If the Main Campus Communications and Marketing Department is contacted in regards to the crisis, the Assistant Vice President for Communications and Marketing, or her designee, should develop a plan of action including some, or all, of the following after consulting with the main campus Public Safety Department and/or the Emergency Management Committee to assess the nature and scope of the situation:

- 1. Designate a spokesperson.** In most cases the spokesperson should be the Assistant Vice President for Communications and Marketing or her designee. The person possessing the most direct knowledge of the crisis may be designated the spokesperson by the Assistant Vice President for Communications and Marketing or the President of the University.
 - a. In cases of a significant crisis, the President of the University or the highest ranking university official may take the lead in conveying the administration's response to the crisis, showing that the university has control of the situation, calming public concern, and setting an example for the entire community.
 - b. Public information spokespersons (those dealing most directly with day-to-day media inquiries) may also include the Assistant Vice President for Communications and Marketing, Jack Shock, or the Manager of News Services. Communications spokesperson(s) from specific areas may also be designated (i.e., the Director of HULA, Jeremy Daggett).
- 2. Draft a fact sheet.** The fact sheet should contain a summary statement of the situation including all known details to be released to the media. This information should be made available to (and approved by) the President or the President's designee. This fact sheet should be analyzed with respect to the public's need for information and concerns for privacy and security.
- 3. Notify key constituencies.** Determine key constituencies that should be informed of the crisis. It is important to keep administration, faculty, staff, and students informed of appropriate details and actions taken by the university during an emergency. Effective

communications will help quell rumors, maintain morale, and ensure continued orderly operations of the university. Among the groups that should be considered for communication in a crisis situation are:

- a. Emergency service providers
- b. Administration, faculty, and staff
- c. Students
- d. Board of Trustees
- e. Parents/Spouses of students
- f. General public
- g. Mass media
- h. Alumni
- i. Government entities

Initial notification about any significant emergency or dangerous situation involving immediate threat to the health or safety of students or employees occurring on campus will be conducted by Jeremy Daggett and/or staff members communicating in person with any classes taking place within the building at the time of the emergency. A broader notification may also be made via the internet on the campus Pipeline system and via the Harding University Everbridge Notification System. This notification to the general HULA community will be made without delay, taking into account the safety of the community, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Emergency notification through the Harding University Everbridge Emergency Notification System will be conducted by Jeremy Daggett or Katie Daggett, or key members of the Main Campus Emergency Management Committee in conjunction with the Communications and Marketing Office. Members who have been authorized and designated to send out emergency messages to the HULA community are:

Audra Pleasant, Executive Director of International Programs
Jeremy Daggett, Director of HULA
Lora Fleener, Manager of Student Support and Communications
Craig Russell, Director of Public Safety
Kevin Davis, Assistant Director of Public Safety
Jack Shock, Assistant Vice President for Communications and Marketing
Kristen Nicholson, Manager of News Services

Examples of significant emergencies or dangerous situations include, but are not limited to, the following:

- a. Fire
- b. Pandemic or serious illness
- c. Severe weather such as a tornado
- d. Earthquake
- e. Hazardous materials incident (ex. Gas leak)

- f. Active Shooter
- g. Terrorist Incident
- h. Bomb Threat
- i. Civil unrest or rioting
- j. Explosion

Other situations in which the Everbridge notification system will be used include:

- a. Power outage
- b. School cancelation or delay

The emergency notification will include information about the emergency situation as well as instructions to follow. Procedures to follow during an emergency situation include:

- a. Depending upon the nature of the emergency, students and employees will either be directed to evacuate to a safe area or to shelter in place. Evacuation areas have been established for each building on campus, and building managers will ensure that everyone in the building is made aware of the evacuation assembly points for accountability
- b. Academic buildings and residence halls will be secured by university personnel as needed
- c. University personnel will establish a safe perimeter around the emergency area and will inform students and employees of where they can safely evacuate to.
- d. University personnel will work in conjunction with local emergency response agencies to safely respond to and mitigate the emergency situation.
- e. University personnel will communicate with the campus community to provide initial and follow-up information regarding the emergency and steps to follow. Actions taken by the university will be in accordance with the Harding University Emergency Management Plan.

4. Assign appropriate people to communicate the facts of the situation (contained in the fact sheet) and the university's intended response.

- a. **Emergency Service Providers-** should be notified by a representative from HULA
- b. **Campus Administrators, Faculty, and Staff-** Information to administrators other than those selected to serve on the Emergency Management Committee or in the Emergency Operations Center should be provided via the Everbridge Emergency Notification System, facsimile, electronic mail, campus mail, voice mail, postings on the www.harding.edu web site and telephone postings at 501-279-INFO (279-4636) and/or mass meetings.
- c. **Students-** Notices to students may be submitted through the Everbridge Emergency Notification System, through mass electronic mail, postings on the www.harding.edu web site, telephone postings at 501-279-INFO (279-4636) and/or through mass meetings if needed. Mass meetings can be set up at HULA or on Harding's Main Campus in the Benson Auditorium, the Administration Auditorium or the Heritage Auditorium. The Assistant Vice President for

Communications and Marketing will be responsible for disseminating this information with the assistance of the Director of HULA.

- d. **Board of Trustees-** May be reached by telephone or facsimile. Phone lists are maintained by Cindy Hunter, Secretary to the President. The President of the University or his designee will be responsible for communicating with this group.
- e. **Parents or Spouses of Students-** Parents or spouses may access information via Harding's web site at <https://www.harding.edu/academics/study-abroad/security>, through Harding University's information phone line at 501-279-INFO (279-4636), and additional information lines that may be established depending on the need.
- f. **General Public-** The general public may access information much the same way as parents at <https://www.harding.edu/academics/study-abroad/security> or by calling 501-279-INFO. If needed and appropriate, community meetings may be set up at HULA or on Harding's Main Campus in the Benson Auditorium, the Administration Auditorium or the Heritage Auditorium. The Emergency Operations Center will make the determination about holding public meetings.
- g. **Mass Media-** The Manager of News Services may prepare news releases for distribution. All media inquiries should be directed to the Manager of News Services.
- h. **Alumni-** Alumni may access information in the much the same way as parents and the general public at <https://www.harding.edu/academics/study-abroad/security> or by calling (501) 279-INFO. In addition to these outlets for information, the Director of Alumni and Parent Relations, Heather Kemper, will post information to the Alumni Digest (an electronic digest to which many alumni subscribe).
- i. **Government Entities-** Jeremy Daggett will notify local governmental entities as necessary and appropriate. If U.S. government entities (Mayor's, County Judges, Governor's Office, etc.) need to be informed, the Emergency Operations Center, under the direction of the President of the University, will determine the time and means by which these notifications will be made.

Testing Procedures

Testing is a crucial component of any Emergency Management Plan to ensure the functionality of the plan and to identify and correct any deficiencies. Harding University conducts testing to ensure the continuity of the Emergency Management Plan.

As part of the Emergency Management Plan testing process, at least one annual test of the Harding University Everbridge Emergency Notification System will be conducted at the HULA Campus. This test will include a live evacuation of the building in conjunction with emergency information being disseminated via the Everbridge Emergency Notification System.

A test of the emergency evacuation and notification system was conducted at the HULA campus on March 17, 2025. It simulated a fire and was an unannounced drill.

Threat Assessment Team

Harding University is committed to providing an environment that both supports students and challenges them to realize their full potential. Ensuring the physical and emotional safety for all students, faculty and staff is of utmost importance in promoting an atmosphere that encourages learning and productive employment. Behavior or the threat of behavior that presents a danger to self or others in the campus community will be addressed by the appropriate university personnel.

The Threat Assessment and Behavior Intervention Team is an advisory group of administrators who may assist one another in the identifying, assessing and monitoring of high risk behaviors exhibited by members of the campus community and individuals from outside the university who could pose a threat to the campus community. The team may assist in determining whether an individual is a threat to self or others and make recommendations to the appropriate university personnel for action that may be taken. The Threat Assessment and Behavior Intervention Team has six regularly scheduled meetings per year to review or discuss policies and procedures related to threatening behavior, make recommendations to the appropriate university personnel, discuss past, present or potential future threats to the Harding community and discuss legal developments regarding university threat assessment and management. The team also meets as needed to address specific concerns to the University as those concerns arise. Team members are:

Zach Neal (Co-chair) – Assistant Vice President Student Life
Craig Russell (Co-Chair) – Director Public Safety
Jean-Noel Thompson – Executive Vice President
Mary Darden – Director Student Health Services
Lew Moore – Director Counseling Center
David Ross – Assistant Vice President Human Resources
Marty Spears – Provost
Robin Maynard- Chief Legal and Compliance Officer

All members of the university community are encouraged to be alert to the possibility of violent acts on the part of students, employees, visitors or others. Information regarding violence, the threat of violence or other behavior of concern should be immediately reported to campus officials. Reports will be handled in a confidential manner to the extent possible. Concerns may be reported to any member of the team. For an immediate threat or emergency call Public Safety at (501) 279-5000.

Recognizing Warning Signs (Emotional Distress)

A pamphlet is distributed annually to all faculty and residence life staff that provides information on warning signs to detect student problems at an early stage. The pamphlet is distributed by the Harding University Counseling Center, and additional copies may be obtained in that office. Faculty and Staff are provided with information about warning signs regarding the following topics:

- a. Excessive class absence or tardiness
- b. Apathy or indifference towards instructors or class material
- c. Appearance of being lonely, troubled, or preoccupied
- d. Low performance levels on tests and assignments
- e. Social inadequacies or conflicts that are apparent
- f. Neglect of physical appearance or state of health
- g. Observable disorientation of speech, actions, or awareness of a reality perspective

Information is provided about specific symptoms including: agitation, depression, apathy, fatigue, projection of self/self-esteem, attitude/disposition, and anxiety. In addition, information is provided to recognize symptoms of drug use for various drugs including: depressants, stimulants, narcotics, hallucinogens, and alcohol.

Institutional response to reports of criminal activity or emergencies

After receiving a report of an emergency or criminal activity, personnel will respond in the following ways, depending on the nature of the report:

1. In the case of an emergency that presents some kind of physical danger, personnel will,
 - a) first, request assistance from appropriate professionals such as the local police, fire department or ambulance services;
 - b) second, provide assistance to those effected by the emergency.
2. In the case of a serious criminal offense that requires immediate assistance from local law enforcement professionals, personnel will,
 - a) first, request assistance from local law enforcement professionals;
 - b) second, assist in the investigation as requested by law enforcement professionals.
3. In the case of criminal offenses that do not require immediate assistance from local law enforcement professionals, personnel will,
 - a) inform local law enforcement professionals of the offense.
4. In the case of criminal offenses that occur on campus, but are disposed of by local law enforcement officials, personnel will,
 - a) check with city police officials for any arrests made for crimes that occur on campus.

Missing Student Notification

Each student living at HULA will register a confidential contact person to be notified in the case that the student is determined to be missing. Only authorized campus officials and law

enforcement officers, only for the purpose of a missing student investigation, may have access to this information. This information is recorded on a Missing Student Notification Form that the student is required to complete. For every student less than 18 years of age who is not emancipated, parents or legal guardians will be automatically notified that their child is missing. Regardless of whether the student has registered a contact person to be notified, if they are determined to be missing for a period of 24 hours, local law enforcement agencies will be notified unless the local law enforcement agency was the entity that made the determination that the student was missing.

To report a missing student, the Director of HULA should be notified. Residents can also report missing students to their Resident Assistant (RA) or to any other staff member at HULA.

All official missing student reports must be made to the Director of HULA, who in turn, will contact local law enforcement agencies. Students living at HULA must report each evening for curfew. Resident Assistants are responsible for physically checking for the presence of every student to ensure that they are present and accounted for. If a student is not present or accounted for, the Director of HULA will immediately begin attempts to locate the student.

Within 24 hours (sooner when possible), missing student reports will be forwarded by the Director of HULA to the Executive Director of International Programs. The Office of Student Life and the Public Safety Department on the main campus will also be notified. The Director of HULA or his designee will contact emergency contact persons listed on the student's Missing Student Notification Form, including the student's parent or legal guardian if given permission by the student, in an attempt to locate the missing student. The local U.S. embassy or consulate will also be notified.

The President of the university and other university administrators, including the Executive Vice President and the Vice President for Finance, will be notified of any student who has been missing 24 hours. The Office of Communications and Marketing will be responsible for issuing all official press statements in regards to the missing student. The Director of HULA and other campus officials will work closely with local law enforcement personnel until the matter is resolved.

Enforcement Authority of Harding University in Latin America Personnel

Harding University in Latin America administrators have been given the authority to enforce the Code of Student Conduct regulations of Harding University in Searcy, AR and the additional regulations of the Chile campus as set forth in the general catalog and/or those made by the president or the board of trustees of Harding University.

Local police have the authority over all criminal matters that occur at the HULA campus.

Relationship with state and local police agencies

School administrators periodically check with local law enforcement agencies to ensure that all crimes occurring in the areas adjacent to campus are reported.

HULA encourages the accurate and prompt reporting of all crimes on campus

Students, faculty and staff are all encouraged to promptly report all crimes that occur on campus immediately to Jeremy Daggett when the victim of the crime elects to or is unable to make such a report. Students, faculty and staff are made aware of this need through this brochure.

Pastoral and professional counselors, if and when they deem it appropriate, are encouraged to inform the persons they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

Access to Harding University Apartments

Members of the opposite sex are not allowed to enter the apartments of single individuals. Exception: maintenance and cleaning personnel.

Access to educational buildings

All classes are conducted in the apartment building. The Arequipa home base is secured and gated.

Security Considerations Used in the Maintenance of Campus Facilities

Administrative personnel work closely with building maintenance staff to ensure that safety remains a priority in the regular maintenance of campus facilities. Personnel report defective door locks, broken windows or any other maintenance concern that might present a safety problem to the building maintenance staff.

Curfew

All students must be in the building at the curfew hour set by the administration and board of trustees. Any student needing to be out later than the set curfew must receive late permission from the appropriate personnel.

Safety Programs

Students are provided with fire evacuation training during orientation. This training includes where evacuation route maps are posted and how to safely evacuate the building. Students are also required to view a safety video or attend a safety presentation as a condition of participation in the program.

Off-Campus Student Organizations

HULA has no recognized off-campus organizations.

Drug and Alcohol Use Policy(Section 120(a)-(d) Higher Education Act [Drug-Free Schools and Community Act of 1989])

HARDING IS A DRUG-FREE SCHOOL - IT'S THE LAW

Harding's policy states that drug and alcohol possession or use is not tolerated. Harding has chosen to take a strong stand against the use of controlled substances because of the significant risks that students assume when deciding to use them. Many of these substances are physically or psychologically addicting; the composition of "street" drugs can never be determined by the user

and is often dangerous; strictly enforced laws and policies can lead to serious consequences for even the experimenter or occasional user. The negative personal consequences that can happen to a student far outweigh any brief exhilaration or escape. The university strongly believes that any use of controlled substances is contrary to the mission of Harding University. Students seeking information or personal assistance for substance abuse can receive counseling and referral to community resources in the Counseling Center.

The Drug-Free Schools and Communities Act requires the institution to outlaw the possession, use, or distribution of illegal drugs and alcohol by students and school employees on school property or during school activities. It also requires us to explain the risks that drug and alcohol use may cause to an individual's health.

Drugs and alcohol can:

- Distort what an individual sees, hears and feels.
- Makes an individual feel they are doing their best when their actual performance is poor.
- Cause crime at school.
- Interfere with how an individual's brain uses information.
- Gives an individual a criminal record.

Marijuana use can:

- Cut mental powers.
- Slow physical reflexes.
- Affect space and distance judgment.
- Make an individual forgetful.
- Damage lungs, reproductive organs, and brain.

Cocaine use can:

- Cause a heart attack.
- Cause emotional problems, mood swings, or lack of dependability.
- Cause an individual to make poor judgments.
- Cause crime.
- Be addictive.

Heroin use can:

- Cause total disinterest in anything except drugs.
- Cause crime.
- Spread disease.
- Result in overdose, coma, or death.
- Cause school and family problems.

Hallucinogen use can:

- Cause distortion.
- Cause sudden, bizarre behavior changes.
- Cause loss of concentration and memory.
- Cause permanent loss of brain function.

Alcohol use can:

- Cause loss of concentration, coordination, and judgment.
- Cause inability to deal with problems.
- Increase aggressive behavior.
- Cause difficulty in learning and remembering.

- Permanently damage liver, heart, and brain.

Amphetamines use can:

- Make an individual panic or behave wildly.
- Be addictive.
- Cause brain damage.

Sedative use can:

- Slow down mental processes and reflexes.
- Cause kidney and liver damage.
- Be addictive.

Inhalants can harm an individual's:

- Vision.
- Memory.
- Thinking.
- Coordination.
- Breathing.

Steroid use can:

- Damage the heart, liver, and reproductive system.
- Cause depression.
- Lead to heart attacks and strokes.

Tobacco use can:

- Cause smelly hands, hair, and clothes.
- Cause wrinkles.
- Cause bad breath and stained teeth.
- Cause cancer.
- Cause heart and lung disease.

Federal and state laws prohibit the possession, use, or distribution of illicit drugs. In addition, the state of Arkansas has laws that pertain to alcohol use and possession. A list of federal penalties and sanctions for illegal trafficking and possession of a controlled substance may be viewed at <https://www.dea.gov/druginfo/ftp3.shtml>. A list of Arkansas state penalties and sanctions regarding controlled substance are provided through the “Arkansas Law” link at <http://www.arkleg.state.ar.us/assembly/2015/2016F/Pages/Home.aspx>. A brief overview of federal and state sanctions is available in the Office of Student Life.

Anyone suspected of possessing, selling or using alcohol or illegal drugs is reported to Jeremy Daggett, Director of Harding University in Latin America. If the Director determines that alcohol or illegal drug use in fact took place, that student will be suspended from school.

In addition to University disciplinary action the Federal Government has also imposed the following actions:

A student who has been convicted of any offense under any Federal or State law involving the possession or sale of a controlled substance shall not be eligible to receive any grant, loan, or work assistance under this title (1998 Higher Education Amendments of 1998) during the period beginning on the date of such conviction and ending after the interval specified in the following table:

If convicted of an offense involving:

The possession of a controlled substance: Ineligibility period is:

First offense.....1 year

Second offense.....2 years

Third offense.....Indefinite

The sale of a controlled substance: Ineligibility period is:

First offense.....2 years

Second offense.....Indefinite

Enforcement of Underage Drinking and Drug Laws

Any student suspected of underage drinking or the possession, use or sale of illegal drugs will be turned over to the Director for disposition. If the Director makes the determination that the student was in fact involved in any of the above listed activities, the Director will dispose of the case either through the University judicial process or by turning the case over to local law enforcement officials for prosecution.

Timely Notices to the Campus Community Concerning Reports of Crimes

All students, faculty and staff are instructed to immediately report any criminal activity that occurs on campus to Jeremy Daggett. After reviewing the facts concerning the reported crime, administrative personnel will make a determination whether or not the crime is considered to be a threat to other students and employees. If administrative personnel determine that the crime does present a threat to other students or employees, a warning will be distributed to the campus community by e-mail, in person, via the Everbridge Emergency Notification System or any other means that the administration feels would be effective. If the threat is considered to be an immediate threat, warnings will be given in person to personnel in areas that would likely be at risk.

Harding University Anti-Hazing Policy

Students are expected to maintain the highest standards of morality, integrity, orderliness and personal honor. Harding University upholds state and federal laws regarding hazing and considers hazing to be in conflict with her mission and, therefore, strictly prohibited.

The term "hazing" means any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that-

1. Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and

2. Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including-
 - a. Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
 - b. Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
 - c. Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
 - d. Causing, coercing, or otherwise inducing another person to perform sexual acts;
 - e. Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
 - f. Any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
 - g. Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

The term "student organization" means an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.

No student shall 1) engage or threaten to engage in hazing, 2) permit, encourage, aid or assist any person, whether a student or not, in the commission of hazing, 3) willfully acquiesce in the commission of hazing, or 4) fail to report promptly his or her knowledge or any reasonable information within his or her knowledge of the presence and practice of hazing.

Reporting Hazing

Any student, faculty, or staff member who is made aware of, or has reasonable knowledge of, any incident of hazing shall promptly report the incident to the Office of Student Life.

Office of Student Life

501-279-4331

studentlife@harding.edu

Reports may also be made to the Department of Public Safety.

Department of Public Safety
501-279-5000

Disciplinary and Investigative Procedures

Disciplinary procedures for both individual students and organizations are outlined in the Harding University [Student Handbook](#). When it appears that an individual or organization has violated a rule of conduct, the matter will be investigated by the Office of Student Life.

If, as a result of their investigation, Student Life determines that disciplinary procedures are warranted, the student or organization will be asked to meet with the Office of Student Life. After the meeting, the student or organization will be informed in writing of the specific charge(s) being made, the penalty imposed and the right to an appeal before the Student Life Committee. Information regarding the appeal process is listed in the [Student Handbook](#).

Any or all of the following can be imposed for a given infraction:

1. Warning: a written or verbal reprimand.
2. Disciplinary Probation: probation for a specified period of time.
3. Special Action: designed to enhance the educational intent of the disciplinary process.
4. Suspension of some or all student organization activities for a specific period of time.
5. Removal of student from the student organization.

Club members are subject to additional individual disciplinary sanctions as outlined in the Harding University [Student Handbook](#).

Prevention and Awareness Programs

Harding University will provide annual hazing prevention training and awareness programming for all students, faculty, and staff and especially for:

- Members of student organizations, athletic teams, and social clubs
- New students during orientation
- Student leaders and advisors

These programs will include information about the definition of hazing, how to report hazing, and the consequences of participation in or failure to report hazing.

Hazing Transparency Website

In keeping with the [Stop Campus Hazing Act](#), Harding University will publish information involving a student club, group, or organization for which a finding of responsibility is issued related to a hazing violation.

Additionally, hazing statistics will be published in the Harding University [Annual Security Report](#), beginning in the 2026 Annual Security Report.

References

[Stop Campus Hazing Act](#)

[Annual Security Report](#)

[Student Handbook](#)

[Arkansas Anti-Hazing Law](#)

Dating Violence, Domestic Violence, Sexual Assault, and Stalking

In accordance with the Clery Act and the Violence Against Women Act, when a student or employee reports to Harding University that he or she has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the following information, services, and resources are available.

Prevention Programs: Harding University's commitment to providing a safe campus

Harding University offers a mandatory online training program to new students and employees designed to promote awareness of dating violence, domestic violence, sexual assault, and stalking. The training program also informs and educates victims about procedures that will be followed and the rights afforded to them. Information in this online training program is available to students and employee on Canvas via Pipeline.

The Department of Public Safety offers Rape Aggression Defense classes at least twice a year. The classes are designed to enhance students' and employees' safety and to increase awareness in how to avoid potentially dangerous situations.

The Department of Public Safety also offers training for Behavioral Intervention at least once a year. This class is designed (1) to promote awareness of dating violence, domestic violence, sexual assault, and stalking and (2) to provide information and guidance on how to safely intervene when confronted with these or similar occurrences.

Harding has also conducted programs in chapel designed to bring awareness to campus about sexual violence issues.

Brochures regarding sexual violence prevention are available in the Department of Public Safety, Office of Student Life, and the Counseling Center.

Title IX and Other Sexual Misconduct Policy: Prohibited Conduct

The University prohibits the following forms of Sexual Misconduct: Title IX Sexual Harassment, Non-Title IX Sexual Harassment, Sexual Exploitation, Sexual Assault, Domestic Violence, Dating Violence, and Stalking, as each term is defined below. Aiding others in acts of Sexual Misconduct also violates this Policy.

A. Title IX Sexual Harassment

As used in this Policy, Title IX Sexual Harassment includes conduct on the basis of sex that satisfies one or more of the following definitions, when the conduct occurs (1) in the University's education program or activity and (2) against a person in the United States.

- i. **Title IX Quid Pro Quo Harassment:** Title IX Quid Pro Quo Harassment occurs when an employee of the University, including a student- employee, conditions the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct. Such unwelcome sexual conduct could include, but is not limited to, sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal, nonverbal, or physical conduct or communication of a sexual nature.
- ii. **Title IX Hostile Environment Harassment:** Title IX Hostile Environment Harassment is unwelcome conduct on the basis of sex determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity.

Multiple instances of the following conduct, or other unwelcome conduct on the basis of sex, may constitute Title IX Hostile Environment Harassment:

- Sexual flirtations, advances, or propositions;
- Requests for sexual favors;
- Verbal abuse of a sexual nature, obscene language, gender- or sexually-oriented jokes, verbal commentary about an individual's body, sexual innuendo, and gossip about sexual relations;
- The display of derogatory or sexually suggestive posters, cartoons, drawings, or objects, or suggestive notes or letters or e-mails or text messages or in a public space;
- Visual conduct such as leering or making gestures;
- Sexually suggestive comments about an individual's body or body parts, or sexual degrading words to describe an individual;

- Unwanted kissing;
- Touching of a sexual nature such as patting, pinching or brushing against another's body;
- Cyber or electronic harassment of a sexual nature.

The circumstances that may be considered when determining whether conduct was so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity include, but are not limited to:

- The frequency of the conduct;
- The nature and severity of the conduct;
- Whether the conduct was physically threatening;
- The effect of the conduct on the victim's mental or emotional state;
- Whether the conduct was directed at more than one person;
- Whether the conduct arose in the context of other discriminatory conduct;
- Whether the conduct was merely a discourteous, rude, or insensitive statement;
- Whether the speech or conduct deserves the protection of academic freedom.

iii. **Sexual Assault, Domestic Violence, Dating Violence, and Stalking:**

As those terms are defined below (when such conduct occurs (1) in the University's education program or activity and (2) against a person in the United States).

Unwelcome Conduct

For the purposes of the definitions of Title IX Sexual Harassment and Non-Title IX Sexual Harassment (see below), conduct is **unwelcome** when the individual did not request or invite and regarded it as undesirable or offensive. The fact that an individual may have accepted the conduct does not mean that they welcomed it. On the other hand, if an individual actively participates in conduct and gives no indication that they object, then the evidence generally will not support a conclusion that the conduct was unwelcome. That a person welcomes some conduct does not necessarily mean that person welcomes other conduct. Similarly, that a person willingly participates in conduct on one occasion does not necessarily mean that the same conduct is welcome on a subsequent occasion. Whether conduct was unwelcome may be determined based on the context and circumstances of the encounter or incident.

On the Basis of Sex

For the purposes of the definitions of Title IX Sexual Harassment and Non-Title IX Sexual Harassment (see below), conduct is **on the basis of sex** when it is sexual in nature or is referencing or aimed at a particular sex.

Reasonable Person

For the purposes of the definitions of Title IX Sexual Harassment and Non-Title IX Sexual Harassment (see below), **reasonable person** means a reasonable person in the shoes of the complainant, considering the ages, abilities, and relative positions of authority of the individuals involved in an incident.

Education Program or Activity

At a minimum, the University's **education program or activity** includes all of the operations of the University, including (1) locations on campus or otherwise owned or controlled by the University, such as residence halls and learning spaces, (2) locations, events, or circumstances over which the University exercised substantial control over both the respondent and the context in which the alleged Sexual Misconduct occurred, such as University athletic events and other University-sponsored off-campus activities, and (3) any building owned or controlled by a student organization that is officially recognized by the University. Whether alleged conduct occurred in the University's education program or activity is a fact specific analysis.

B. Non-Title IX Sexual Harassment

While Title IX requires that the alleged conduct meet a certain threshold before it is considered Title IX Sexual Harassment, the University also prohibits unwelcome conduct on the basis of sex (1) that may not rise to the level of Title IX Sexual Harassment (as defined above), (2) that did not occur in the University's education program or activity, but may nevertheless cause or threaten to cause an unacceptable disruption at the University or interfere with an individual's right to a non-discriminatory educational or work environment, or (3) that did not occur against a person in the United States.²

As used in this Policy, Non-Title IX Sexual Harassment is conduct on the basis of sex that satisfies one or more of the following definitions.

- **Non-Title IX Quid Pro Quo Harassment:** Non-Title IX Quid Pro Quo Harassment occurs when an employee of the University, including a student-employee, conditions the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct. Such unwelcome sexual conduct could include, but is not limited to sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal, nonverbal, or physical conduct or communication of a sexual nature.
- **Non-Title IX Hostile Environment Harassment:** Non-Title IX Hostile Environment Harassment is unwelcome conduct on the basis of sex determined by a reasonable person to be so severe or pervasive that it substantially and unreasonably interferes with an individual's employment

or education, or creates an intimidating, hostile, or offensive employment or educational environment.

Examples of Non-Title IX Hostile Environment Harassment may include the same type of conduct listed above for Title IX Hostile Environment Harassment, when such conduct (1) does not rise to the level of being so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; (2) does not occur in the University's education program or activity; or (3) does not occur against a person in the United States. The terms "on the basis of sex," "reasonable person," and "unwelcome conduct" have the same meanings provided above under the definition of Title IX Sexual Harassment.

C. Sexual Exploitation

Sexual Exploitation occurs when a person takes non-consensual or abusive sexual advantage of another person for the benefit of anyone other than the one being exploited.³ Examples of Sexual Exploitation may include, but are not limited to:

- Intentional and repeated invasion of sexual privacy without consent (e.g., walking into the other person's room or private space without consent);
- Prostituting another person;
- Taking of or distribution of photographs/images, video or audio recording, or electronically broadcasting (e.g., with a web cam) a sexual activity without consent;
- Intentional removal or attempted removal of clothing that exposes an individual's bra, underwear, genitals, buttocks, or breasts, or that is otherwise sexual in nature, without consent;
- Intentionally allowing others to view/hear a sexual encounter (such as letting individuals hide in the closet or watch consensual sex) without consent;
- Viewing or permitting someone else to view another's sexual activity or intimate body parts, in a place where that person would have a reasonable expectation of privacy, without consent;
- Engaging in voyeurism without consent;
- Exposing one's genitals, buttocks, or breasts in non-consensual circumstances;
- Inducing another to expose his or her genitals, buttocks, or breasts in non-consensual circumstances;
- Knowingly transmitting a sexually transmitted disease or sexually transmitted infection to another person without his or her knowledge and consent;
- Ejaculating on another person without consent;

- Distributing or displaying pornography to another in non-consensual or unwelcomed circumstances.

D. Sexual Assault

While Title IX requires that the alleged conduct occurs in a University program or activity against a person in the United States, the University also prohibits Sexual Assault that did not occur in the University's education program or activity or against a person in the United States, but may nevertheless (1) have continuing adverse effects on campus, University property, or in a University program or activity, (2) substantially and unreasonably interfere with a community member's employment, education or environment on campus, University property, or in a University program or activity, or (3) create a hostile environment for community members on campus, University property, or in a University program or activity.

Sexual Assault is any actual or attempted sexual contact, including penetration and contact with any object, with another person without that person's consent. As used in this Policy, sexual contact includes intentional contact by the accused with the victim's genital area, groin, inner thigh, buttocks, or breasts, whether clothed or unclothed; touching another with any of these body parts, whether clothed or unclothed; coerced touching by the victim of another's genital area, groin, inner thigh, buttocks, or breasts, whether clothed or unclothed; or forcing another to touch oneself with or on any of these body parts. Sexual Assault includes but is not limited to an offense that meets any of the following definitions:

- Rape: the penetration, no matter how slight, of the vagina or anus with any body part or object, oral penetration by a sex organ of another person, or oral contact with the sex organ of another person, without the consent of the victim.
- Fondling: the touching of the intimate parts (including the genital area, groin, inner thigh, buttocks, or breast) of another person for the purpose of sexual gratification, without the consent of the victim.
- Incest: sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory rape: sexual intercourse with a person who is under the statutory age of consent; in Arkansas, the age of consent is 16.

Sexual Assault is also prohibited by Arkansas law. See Section XVI, "State Law Definitions," below for applicable criminal law definitions.

Consent

Consent means words or overt actions by a person in advance clearly communicating a freely given present agreement to participate in a particular sexual contact or activity. Consent is active, not passive, and can be withdrawn at any time. Words or overt actions clearly communicate consent when a reasonable person in the circumstances would believe those words or actions indicate a

willingness to participate in a mutually agreed-upon sexual contact or activity. Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and obtaining consent. It is the responsibility of the person initiating the specific sexual contact or activity to obtain consent for that contact or activity.

The definition of consent is subject to the following:

- Consent to one form of sexual contact or activity does not, by itself, constitute consent to any other forms of sexual contact or activity.
- Consent can be withdrawn at any time. When consent is withdrawn, the sexual contact or activity for which consent was initially provided must stop.
- Consent is active, not passive. Silence or the absence of resistance or saying "no," in and of themselves, cannot be interpreted as consent.
- Whether an individual actively and willingly participates in conduct may be a factor in determining whether there was consent.
- Previous relationships or previous consents do not, by themselves, constitute consent to future sexual contact or activity. In cases of prior relationships, the manner and nature of prior communications between the parties and the context of the relationship may be factors in determining whether there was consent.
- An existing sexual, romantic, or marital relationship does not, by itself, constitute consent.
- Prior sexual activity with other individuals does not imply consent.
- Consent cannot be procured, expressly or implicitly, by use of force, intimidation, threats, or **coercion**, as that term is defined below.
- An individual known to be—or who should be known to be—**incapacitated**, as defined below, cannot consent to sexual contact or activity initiated by another individual.
- Use of alcohol or other drugs will never function to excuse behavior that violates this Policy.
- Consent can only be given if one is of legal age. In Arkansas, the legal age of consent is 16.

Coercion

Coercion is conduct or intimidation that would compel an individual to do something against their will by: (1) the use of physical force, (2) threats of severely damaging consequences, or (3) pressure that would reasonably place an individual in fear of severely damaging consequences. Coercion is more than an effort to persuade or attract another person to engage in sexual activity. Coercive behavior differs from seductive behavior based on the degree and type of pressure someone uses to obtain consent from another.

Incapacitation

Incapacitation is the physical and/or mental inability to understand the fact, nature, or extent of the sexual situation. Incapacitation may result from mental or physical disability, sleep, unconsciousness, involuntary physical restraint, or from the influence of drugs or alcohol. With respect to incapacitation due to the ingestion of alcohol or other drugs, incapacitation requires more than being under the influence of alcohol or other drugs; a person is not incapacitated just because they have been drinking or using other drugs. Where alcohol and other drugs are involved, incapacitation is determined based on the facts and circumstances of the particular situation, looking at whether the individual was able to understand the fact, nature, or extent of the sexual situation; whether the individual was able to communicate decisions regarding consent, non-consent, or the withdrawal of consent; and whether such condition was known or reasonably should have been known to the respondent or a reasonable, sober person in the respondent's position.

Use of drugs or alcohol by the respondent is not a defense against allegations of Sexual Misconduct. Regardless of their own level of intoxication, individuals who are initiating sexual contact are always responsible for obtaining consent before proceeding with sexual activity.

E. Domestic Violence

While Title IX requires that the alleged conduct occurs in a University program or activity against a person in the United States, the University also prohibits Domestic Violence that did not occur in the University's education program or activity or against a person in the United States, but may nevertheless (1) have continuing adverse effects on campus, University property, or in a University program or activity, (2) substantially and unreasonably interfere with a community member's employment, education or environment on campus, University property, or in a University program or activity, or (3) create a hostile environment for community members on campus, University property, or in a University program or activity.

Domestic Violence includes a felony or misdemeanor crime committed by a current or former spouse or intimate partner of the victim under Arkansas family or domestic violence laws (or if the crime occurred outside of Arkansas, the jurisdiction in which the crime occurred). While not exhaustive, the following are examples of conduct that can constitute Domestic Violence when committed by a current or former spouse or intimate partner of the victim: (1) physical harm, bodily injury or assault; (2) the infliction of fear of imminent physical harm, bodily injury, or assault; or (3) terroristic threats, criminal sexual conduct, or interference with an emergency call.

For purposes of this Domestic Violence definition, consent will not be a defense to a complaint of physical abuse.

Domestic violence is also prohibited by Arkansas law. See Section XVI, "State Law Definitions," below

for applicable criminal law definitions related to Domestic Violence.

F. Dating Violence

While Title IX requires that the alleged conduct occurs in a University program or activity against a person in the United States, the University also prohibits Dating Violence that did not occur in the University's education program or activity or against a person in the United States, but may nevertheless (1) have continuing adverse effects on campus, University property, or in a University program or activity, (2) substantially and unreasonably interfere with a community member's employment, education or environment on campus, University property, or in a University program or activity, or (3) create a hostile environment for community members on campus, University property, or in a University program or activity.

Dating Violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined with consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship. Dating Violence includes, but is not limited to, sexual or physical abuse, such as physical harm, bodily injury, or criminal assault, or the threat of such abuse. For purposes of this Dating Violence definition, consent will not be a defense to a complaint of physical abuse. Dating Violence does not include acts covered under the definition of Domestic Violence.

Dating Violence is also prohibited by Arkansas law. See Section XVI, "State Law Definitions," below for applicable criminal law definitions relating to Dating Violence.

G. Stalking

While Title IX requires that the alleged conduct occurs in a University program or activity against a person in the United States, the University also prohibits Stalking that did not occur in the University's education program or activity or against a person in the United States, but may nevertheless (1) have continuing adverse effects on campus, University property, or in a University program or activity, (2) substantially and unreasonably interfere with a community member's employment, education or environment on campus, University property, or in a University program or activity, or (3) create a hostile environment for community members on campus, University property, or in a University program or activity.

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (1) fear for their safety or the safety of others; or (2) suffer substantial emotional distress.

Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through others (by any action, method, device, or means), follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a

person's property.

For the purposes of this Stalking definition, not all communication about a person will be considered to be directed at that person.

Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or professional treatment or counseling.

Stalking behavior may include, but is not limited to:

- Repeated, unwanted and intrusive communications by phone, mail, text message, and/or email or other electronic communications, including social media;
- Repeatedly leaving or sending the victim unwanted items, presents, or flowers;
- Following or lying in wait for the victim at places such as home, school, work, or recreational facilities;
- Making direct or indirect threats to harm the victim, or the victim's children, relatives, friends, or pets;
- Damaging or threatening to damage the victim's property;
- Repeatedly posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth, that would cause a person to feel threatened or intimidated;
- Unreasonably obtaining personal information about the victim.

Stalking is also prohibited by Arkansas law. See Section XVI, "State Law Definitions," below for applicable definitions of criminal stalking.

Amnesty

The University recognizes that sometimes an individual may be reluctant to report an instance of Sexual Misconduct or participate in a complaint resolution process out of concern that other conduct relating to the incident (e.g., use of alcohol or drugs or engaging in sexual contact outside of marriage) involves a violation of the University Student Code of Conduct or Standards of Conduct in the Employee Handbook. The University's overriding concern is for the safety of its students and employees, and the University strongly encourages all individuals to report any instance of Sexual Misconduct. Therefore, to encourage reporting, an individual who reports a violation of this Policy in good faith or who participates in a complaint resolution process under this Policy will not be disciplined by the University for their own personal possession or consumption of alcohol or drugs or other policy violations in connection with the reported incident, except as outlined in this Section.

Amnesty will not apply to engaging in the distribution of illegal drugs. In addition, amnesty may not be extended in instances where any individual is harmed by the conduct constituting a violation of other University policies, where the individual Page36 engaging in a violation of another University policy holds a leadership role on campus, including a leadership role over students or employees, or where an employee is engaging in a violation of another University policy with a student. In those cases the University may still pursue disciplinary action for the alleged violation of other University policies. When amnesty is provided, the University may still impose educational or programming requirements or other non-disciplinary prevention measures to assist in avoiding further violations.

Reporting Sexual Misconduct

The University encourages anyone who has experienced or knows of Sexual Misconduct to report the incident to the University. An individual may report Sexual Misconduct to the University by contacting the following:

Office of Student Life
Student Center Room
218 501-279-4442

Kevin Davis
University Title IX
Coordinator Assistant
Director of Public Safety
Harding University
915 E. Market Ave.
Kendall Hall, Office 113
Searcy, AR
72149
501-279-5000
kdavis@harding.edu

Amie Carter
Deputy Title IX Coordinator for Employees
Assistant Director of Human Resources
Harding University
915 E. Market Ave.
Ezell Building, Office
131 Searcy, AR
72149
501-279-4027
ascarter@harding.edu

Debra Nesbitt
Deputy Title IX Coordinator for Students
Residence Life Coordinator, Pryor Hall
Harding University
915 E. Market
Ave. Pryor
Hall RLC
Office Searcy,
AR 72149
501-279-5900
denesbitt@harding.edu

Amanda Colon
Deputy Title IX Coordinator for
Students Residence Life Coordinator,
Graduate Hall Harding University
915 E. Market
Ave. Graduate
Hall RLC
Office Searcy,
AR 72149
501-305-8433
aecolon@harding.edu

Department of Public
Safety 501-279-5000
Kendall Building

Reports can be made by telephone, via email, via mail, or in person. Reports may be made at any time, including non-business hours by phone, email, mail, or the University's website.

Reports to the University should include as much information as possible, including the names of the complainant, respondent, and other involved individuals, and the date, time, place, and circumstances of the incidents, to enable the University to respond appropriately.

Upon receiving a report of Sexual Misconduct, the Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures with or without the filing of a formal complaint and to explain the process of filing a formal complaint. In addition, when a student or employee reports to the University that they have been a victim of Sexual Assault, Dating Violence, Domestic Violence, or Stalking, whether the offense occurred on or off campus, the University will provide the student or employee with a written explanation of the student's or employee's rights and options, along with the procedures victims should follow.

If an individual has made a report to a University employee who is not a confidential resource and has not yet heard from the Title IX Coordinator, please report directly to the Title IX Coordinator.

Procedures for Sexual Misconduct Complaint Resolution

When the University receives a formal complaint of a potential Sexual Misconduct Policy violation, the University will promptly and equitably respond, investigating and adjudicating the formal complaint pursuant to the guidelines and procedures set forth below.

As discussed above in Section IX, “General Provisions for Complaint Resolution Process,” different procedures apply to the complaint resolution process depending on the particular circumstances of a case, including the type of Sexual Misconduct that is alleged. Further information about the different procedures is provided below.

A. Initial Meeting Between Complainant and Title IX Coordinator

In most cases, the first step of the complaint resolution process is a preliminary meeting between the complainant and the Title IX Coordinator. The purpose of the preliminary meeting is to allow the Title IX Coordinator to gain a basic understanding of the nature and circumstances of the report or formal complaint; it is not intended to be an investigation interview.

As part of the initial meeting with the complainant, the Title IX Coordinator will:

- Assess the nature and circumstances of the allegation;
- Address immediate needs of the complainant and the campus, in consultation with appropriate campus officials;
- Notify the complainant of the right to contact law enforcement and seek medical treatment;
- Notify the complainant of the importance of preservation of evidence;
- Provide the complainant with information about on- and off-campus resources;
- Notify the complainant of available supportive/interim measures with or without filing a formal complaint;

- Provide the complainant with an explanation of the procedural options, including how to file a formal complaint (if the complainant has not already done so) and the complaint resolution process;
- Advise the complainant of the right to have an advisor of choice, as applicable under this Policy;
- Discuss the complainant's expressed preference for the manner of resolution and any barriers to proceeding; and
- Explain the University's policy prohibiting retaliation.

All reports and formal complaints of Sexual Misconduct will be reviewed by the Title IX Coordinator to determine the risk of harm to individuals or to the campus community. Steps will be taken to address these risks, generally in consultation with certain members of the Title IX team, the Department of Public Safety, and other appropriate University officials at the discretion of the Title IX Coordinator.

If the Title IX Coordinator determines that the report or formal complaint, even if substantiated, would not be a violation of this Policy, they will dismiss the matter or refer it to another applicable disciplinary procedure. The parties will be notified of that determination and the complainant will be informed of other procedures for resolving the complaint and of other resources that may be available to the complainant.

B. Formal Complaint and Notice of the Allegations

The filing of a formal complaint typically begins the complaint resolution process under this Policy. Generally, the complainant files a formal complaint with the Title IX Coordinator. However, in some cases, the University may move forward with a complaint resolution process even if the complainant chooses not to make or move forward with a formal complaint. Generally, the Title IX Coordinator will make a determination of whether the University will move forward with a complaint resolution process even when the complainant has not filed a formal complaint. If the University decides that it has an obligation to move forward with a complaint resolution process, the Title IX Coordinator will sign the formal complaint and the University will notify the complainant before proceeding. See Section VI(C), “Requests for Confidentiality or Non-Action,” above for more information. The Title IX Coordinator signing the formal complaint does not make the Title IX Coordinator a party to the complaint resolution process or adverse to the respondent.

Formal complaints of Sexual Misconduct should be made through the Title IX Coordinator.

When the Title IX Coordinator has received a formal complaint, the Title IX Coordinator will assess the formal complaint to determine if it states any allegations of Sexual Misconduct. If the formal complaint alleges Sexual Misconduct, the Title IX Coordinator will provide a written

notice of allegations to the parties who are known. The written notice will include:

- Notice of the University's complaint resolution process, including the informal resolution process;
- Notice of the allegations, including the identities of the parties involved in the incident(s), if known, the conduct allegedly constituting Sexual Misconduct, and the date and location of the alleged incident, if known;
- A statement that the respondent is presumed not responsible for the alleged conduct and a determination regarding responsibility is made at the conclusion of the complaint resolution process;
- Notice that the parties have the right to an advisor of choice, as applicable under this Policy, who may be, but is not required to be, an attorney;
- Notice that the parties have the right to inspect and review evidence, as applicable under this Policy; and
- Notice of policy provisions that prohibit knowingly making false statements or knowingly submitting false information during the complaint resolution process, including in Section IX(J), "Obligation to be Truthful," above.

If the University decides to investigate allegations about the complainant or respondent that are not included in the notice provided, the notice will be updated to provide notice of the additional allegations to the parties whose identities are known.

In addition, upon receiving a formal complaint, the Title IX Coordinator will make a preliminary determination of the procedures that will apply to the complaint resolution process.

When the Title IX Coordinator has received a formal complaint of Sexual Misconduct, the Title IX Coordinator will also meet with the respondent and will:

- Notify the respondent of the complaint and alleged policy violations;
- Provide the respondent an explanation of the complaint resolution process, including the informal resolution process;
- Notify the respondent of the importance of preservation of evidence;
- Notify the respondent of any supportive/interim measures that have been put in place that directly relate to the respondent (i.e., no-contact directive);
- Notify the respondent of available supportive/interim measures;
- Provide the respondent with information about on- and off-campus resources;
- Advise the respondent of the right to have an advisor of choice, as applicable under this Policy; and
- Explain the University's policy prohibiting retaliation.

This stage of initial review of the formal complaint by the Title IX Coordinator and initial notice

Page | 29

of the allegations to the parties generally will take no more than ten (10) calendar days. In some cases, more time may be required.

C. Investigation of Other University Policy Violations

If a formal complaint of Sexual Misconduct also implicates alleged violations of other University policies, the Title IX Coordinator, in coordination with other appropriate school officials, will evaluate the allegations to determine whether the investigation of the alleged Sexual Misconduct and the other alleged policy violations may be appropriately investigated together without unduly delaying the resolution of the Sexual Misconduct formal complaint. Where the Title IX Coordinator, in coordination with other appropriate school officials, determines that a single investigation is appropriate, the determination of responsibility for each of the alleged policy violation will be evaluated under the applicable policy. The adjudication may be conducted in accordance with this Policy or the adjudication of the other policy violation may be conducted separately from the adjudication of the alleged Sexual Misconduct.

Note that individuals who make a good faith report of Sexual Misconduct, and individuals who participate in a Sexual Misconduct complaint resolution process, will not be disciplined by the University for any violation of University policies in which they might have engaged in connection with the reported incident, except in the limited circumstances discussed in Section VIII.G, “Amnesty,” above.

D. Consolidation of Formal Complaints

The University reserves the right to consolidate formal complaints into one complaint resolution process as to allegations of Sexual Misconduct against more than one respondent, by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of Sexual Misconduct arise out of the same facts or circumstances.

E. Informal Resolution Process

Following a formal complaint, at any time prior to reaching a determination regarding responsibility, the University may facilitate an informal resolution process. In cases involving allegations of Sexual Assault or more serious Sexual Misconduct, informal resolution may not be appropriate. In addition, in cases involving allegations that an employee engaged in Title IX Sexual Harassment against a student, informal resolution is not appropriate.

If the complainant, the respondent, and the University all agree to pursue an informal resolution, the Title IX Coordinator will attempt to facilitate a resolution that is agreeable to all parties. The Title IX Coordinator will not be an advocate for either the complainant or the respondent in the informal resolution process, but, rather, will aid in the resolution of the formal complaint in a non-adversarial manner. Under the informal process, the University will only conduct such fact-

gathering as is useful to resolve the formal complaint and as is necessary to protect the interests of the parties, the University, and the University community.

The University will not compel a complainant or respondent to engage in mediation, to directly confront the other party, or to participate in any particular form of informal resolution.

Participation in informal resolution is voluntary, and the complainant and respondent have the option to discontinue the informal process and request a formal complaint resolution process at any time prior to reaching an agreed upon resolution. In addition, the University also always has the discretion to discontinue the informal process and move forward with a formal complaint resolution process. If at any point during the informal resolution process prior to reaching an agreed upon resolution, the complainant or respondent or the University wishes to cease the informal resolution process and to proceed through the formal resolution process, the informal resolution process will stop and the formal resolution process outlined below will be invoked.

Prior to engaging in an informal resolution process, the University will provide the parties with a written notice disclosing: the allegations, the requirements of the informal resolution process, including the circumstances under which the informal resolution process precludes the parties from resuming a formal complaint arising from the same allegations, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared. In addition, the University will obtain the parties' voluntary, written consent to the informal resolution process.

Any informal resolution must adequately address the concerns of the complainant, as well as the rights of the respondent and the overall intent of the University to stop, remedy, and prevent policy violations. Informal resolution may involve the imposition of individual and community remedies designed to maximize the complainant's access to the educational and extracurricular activities of the University.

Examples of potential remedies are provided in the above Section IX(G), "Supportive/Interim Measures," of the Policy. The proposed resolution may also include other institutional responses, requirements, or sanctions imposed on the respondent.

The informal resolution process ends when a resolution has been reached or when the complainant, the respondent, or the University terminates the process. A successful informal resolution results in a binding agreement between the parties. If the parties to the formal complaint and the University agree in writing to the terms and conditions of a proposed resolution within seven (7) calendar days of the Title IX Coordinator presenting the proposed resolution to the parties, the case will be resolved without further process under this procedure. If all parties to the formal complaint and the University do not agree in writing to the terms and conditions of the proposed resolution within seven (7) calendar days of the Title IX Coordinator presenting the proposed resolution to the parties, the formal complaint will generally be referred to the formal resolution process.

Appeals are not allowed in cases where the parties have agreed to a voluntary alternative resolution of the matter.

The informal resolution process generally will take no more than fifteen (15) calendar days. In some cases, more time may be required.

F. Formal Resolution Process

If the formal complaint is not processed or resolved through the informal resolution process discussed above, the formal complaint will be processed according to the formal resolution process outlined below.

Investigation

The Title IX Coordinator will designate one or more investigators to conduct a prompt and equitable investigation. The University will ensure that the investigator has received the appropriate training, is impartial, and is free of any conflict of interest or bias for or against complainants and respondents generally and for or against the complainant and respondent in the case. The University reserves the right to appoint any trained investigator who is free of conflict of interest or bias, including a third-party investigator. The parties will receive written notice of the investigator(s) appointed. If any party has a concern that the investigator(s) has a conflict of interest or bias, the party should report the concern in writing as indicated in Section IX(K), “Conflicts of Interest and Bias,” above.

The investigator(s) will conduct the investigation in a manner appropriate to the circumstances of the case, which will typically include audio-recorded interviews with the complainant, the respondent, and any witnesses. The complainant and respondent will have the opportunity to advise the investigator(s) of any witnesses they believe should be interviewed, other evidence they believe should be reviewed by the investigator(s), and questions they believe the investigator(s) should ask the other party or witnesses, including questions challenging credibility. The investigator(s), in consultation with the Title IX Coordinator, has (have) discretion to assess the relevancy of any proposed witnesses, evidence, and questions, and to determine which interviews to conduct, including the discretion to conduct interviews of individuals not identified by the parties. The investigator(s) may also decline to ask a question or questions suggested by the parties. The interviews will be supplemented by the gathering of any physical, documentary, or other evidence, as appropriate and available. The complainant and respondent will be given equal opportunity to present witnesses they believe should be interviewed, and other inculpatory and exculpatory evidence, as part of the investigation. In cases involving allegations of Title IX Sexual Harassment, any witness that a party wishes to call at a hearing must be suggested as part of the investigation process, prior to the issuing of the investigation report, unless extraordinary circumstances

exist as determined by the Title IX Hearing Panel, in consultation with the Title IX Coordinator.

The parties will be informed of a close of evidence date. The parties must submit any and all information and evidence they would like considered as part of the investigation by the close of evidence date. After the close of evidence date, the parties will not be permitted to submit new or additional evidence that existed prior to the close of evidence date, unless the investigator(s), in consultation with the Title IX Coordinator, determine(s) otherwise. In cases involving allegations of Title IX Sexual Harassment, all evidence a party wishes to offer or refer to at the hearing must have been provided as part of the investigation process, prior to the close of evidence, unless extraordinary circumstances exist as determined by the Title IX Hearing Panel, in consultation with the Title IX Coordinator.

At the conclusion of the investigation, the investigator(s) generally will compile an investigation report that fairly summarizes the relevant evidence. The investigation report may consist of any information, documents, data, or other evidence that will be provided to the Title IX Hearing Panel/adjudicators. At the investigator's discretion, such information may include, as applicable: the formal complaint; the notice of allegations; any other evidence obtained during the investigation; and the investigator's report of the investigation. The investigation report will be forwarded to the Title IX Coordinator. The Title IX Coordinator will review the investigation report and has the discretion to ask the investigator(s) for clarification, additional investigation, and/or to have information added, removed, or redacted from the investigation report.

The University will strive to complete the investigation within (i) fifty (50) calendar days from the date the investigator is appointed or (ii) if, after the date the investigator is appointed, the parties receive an amended notice of allegations that includes new allegations or new parties, fifty (50) calendar days from the date of the amended notice of allegations. This time frame may be extended depending on the circumstances of each case. In cases involving allegations of Title IX Sexual Harassment, the University will strive to complete the initial investigation in this 50- day time frame, but the final investigation report will not be completed until after the review of directly related evidence. See Section X(F), "Access to Information," below for more information.

Access to Information

The procedures in the formal process for all cases of Sexual Misconduct are the same through the investigation phase. Prior to providing access to information, the Title IX Coordinator will make a final determination as to the procedures that will apply to the access to information phase and the adjudication phase.

i. Cases Involving Allegations of Title IX Sexual Harassment

Review of Directly Related Evidence

For formal complaints involving allegations of Title IX Sexual Harassment, the parties will have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and inculpatory and exculpatory evidence whether obtained from a party or other source. The Title IX Coordinator will send such evidence to each party and each party's advisor in electronic format or hard copy. The parties will have a ten (10) calendar day period to review the evidence and prepare a written response to the evidence (the "Evidence Response Statement"). Each party's Evidence Response Statement may not exceed 2,000 words in length. The Evidence Response Statement must be submitted to the Title IX Coordinator within the ten (10) calendar day period described above. The Evidence Response Statement may be used as an opportunity to clarify information contained in the directly related evidence, to present the party's viewpoint about whether the evidence directly related to the allegations is relevant and therefore whether it should be included in the investigation report, and to identify evidence previously provided to the investigator that was not included in the directly related evidence which the party believes is directly related and relevant. While the parties may be assisted by their advisors in preparation of the Evidence Response Statement, the Evidence Response Statement must be submitted by the party, must be the party's own statement, and may not be used to submit the statements of others on the party's behalf. The parties may not address each other in the Evidence Response Statement.

The parties and parties' advisors may use the evidence reviewed at this step only for purposes of participating in the complaint resolution process and are prohibited from disseminating or otherwise sharing the evidence with any other individual. Prior to being provided the evidence obtained as part of the investigation that is directly related to the allegations, the parties and parties' advisors will be required to sign a non-disclosure agreement agreeing to such terms.

The Title IX Coordinator will review the parties' Evidence Response Statements and may remove or redact any portions of the parties' Evidence Response Statements that exceed the word limit of the statements as set forth above or that otherwise exceed the permitted scope of information that may be considered in the complaint resolution process (such as treatment records without consent or information subject to a legal privilege without a waiver).

The investigator will consider the parties' Evidence Response Statements prior to completion of the investigation report.

All the evidence made available for the parties' review will be available during the hearing.

Review of Investigation Report

For complaints involving allegations of Title IX Sexual Harassment, the Title IX Coordinator will send the investigation report to each party and each party's advisor in electronic format or hard copy at least ten (10) days prior to the live hearing. The parties will have a five (5) calendar day period to

review the investigation report and prepare a written response to the report (the “Written Response Statement”). Each party’s Written Response Statement may not exceed 2,000 words in length. The Written Response Statement must be submitted to the Title IX Coordinator within the five (5) calendar day period described above. The Written Response Statement may be used as an opportunity to clarify points in the investigation report, identify information previously given to the investigator(s) that is not included in the investigation report which the party believes should have been included, or raise other concerns regarding the evidence.

While the parties may be assisted by their advisors in preparation of the Written Response Statement, the Written Response Statement must be submitted by the party, must be the party's own statement, and may not be used to submit the statements of others on the party's behalf. The parties may not address each other in the Written Response Statement.

The parties and parties’ advisors may use the investigation report only for purposes of participating in the complaint resolution process and are prohibited from disseminating or otherwise sharing the investigation report with any other individual. Prior to being provided the investigation report, the parties and parties’ advisors will be required to sign a non-disclosure agreement agreeing to such terms.

The Title IX Coordinator will review the parties’ Written Response Statements. Based on the statements, the Title IX Coordinator has the discretion to ask the investigator(s) for clarification, additional investigation, and/or to have information removed or redacted from the investigation report. In addition, the Title IX Coordinator may remove or redact any portions of the parties' Written Response Statements that exceed the word limits of the statements as set forth above or that otherwise exceed the permitted scope of information that may be considered in the complaint resolution process (such as treatment records without consent, information subject to a legal privilege without a waiver, or evidence relating to the complainant's prior sexual history if an exception does not apply).

ii. Cases Involving Allegations of Sexual Assault, Domestic Violence, Dating Violence, and Stalking Occurring Outside of the Education Program or Activity or Against a Person Outside of the United States

For formal complaints involving allegations of Sexual Assault, Dating Violence, Domestic Violence, or Stalking, *occurring outside* of the education program or activity or against a person *outside* of the United States, the investigation report will be made available for review by the complainant and respondent. The Title IX Coordinator will provide a five (5) calendar day period for the complainant and respondent to have access to review the investigation report and prepare a response to the investigation report, as discussed below.

Both parties will have the opportunity to provide a written response to the investigation report (the “Written Response Statement”). To do so, the party must submit a Written Response Statement, which may not exceed 4,000 words in length, to the Title IX Coordinator. The Written Response Statement must be submitted by the conclusion of the 5-day period described above.

The Written Response Statement may be used as an opportunity to clarify points in the investigation report, identify information previously given to the investigator(s) that is not included in the investigation report which the party believes should have been included, identify questions a party believes the other party has not yet answered or evidence the other party has not explained, raise other concerns regarding the evidence, and to challenge the credibility of the other party and witnesses. While the parties may be assisted by their advisors in preparation of the Written Response Statement, the Written Response Statement must be submitted by the party, must be the party's own statement, and may not be used to submit the statements of others on the party's behalf. The parties may not address each other in the Written Response Statement.

The parties will have an opportunity to review the Written Response Statement submitted by the other party and, if desired, may submit a rebuttal statement ("Written Rebuttal Statement") not to exceed 2,000 words. The Title IX Coordinator will provide a two (2) calendar day period for the complainant and respondent to have access to review the other party's Written Response Statement and submit a Written Rebuttal Statement. The Written Rebuttal Statement may only be used to respond to arguments made in the other party's Written Response Statement and to challenge the credibility of the other party and any witnesses. While the parties may be assisted by their advisors in preparation of the Written Rebuttal Statement, the Written Rebuttal Statement must be submitted by the party, must be the party's own statement, and may not be used to submit the statements of others on the party's behalf. The parties may not address each other in the Written Rebuttal Statement.

The parties will have an opportunity to review the Written Rebuttal Statement submitted by the other party. The Title IX Coordinator will provide a two (2) calendar day period for the complainant and respondent to have access to review the other party's Written Rebuttal Statement. While the parties have the opportunity to review the rebuttal statement of the other party, no further responses are permitted by either party.

The parties and parties' advisors may use the investigation report and written statements of the other party reviewed at this step only for purposes of participating in the complaint resolution process and are prohibited from disseminating or otherwise sharing the report and written statements with any other individual. Prior to being provided the report and written statements, the parties and parties' advisors will be required to sign a non-disclosure agreement agreeing to such terms.

The Title IX Coordinator will review the Written Response Statements and Written Rebuttal Statements. Based on the statements, the Title IX Coordinator has the discretion to ask the investigator(s) for clarification, additional investigation, and/or to have information added, removed, or redacted from the investigation report. In addition, the Title IX Coordinator may remove or redact any portions of the parties' written statements that exceed the word limits of the statements as set forth above or that otherwise exceed the permitted scope of information that may be considered in the complaint resolution process (such as treatment records without consent,

information subject to a legal privilege without a waiver, or evidence relating to the complainant's prior sexual history if an exception does not apply).

Adjudication

Upon completion of the investigation, the Title IX Coordinator will compile the adjudication file which will be shared with the Title IX Hearing Panel/adjudicators. In cases involving allegations of (1) Title IX Sexual Harassment or (2) Sexual Assault, Domestic Violence, Dating Violence, or Stalking *occurring outside* of the University's education program or activity or against a person *outside* of the United States, the parties will be given access to any information that is included in the adjudication file to the extent that it includes additional information that the parties did not review as part of the access to information step discussed above in Section X(F), "Access to Information."

iii. Cases Involving Allegations of Title IX Sexual Harassment

Upon completion of the investigation in cases involving allegations of Title IX Sexual Harassment, the matter will be submitted to a Title IX Hearing Panel to hold a live hearing and to make a determination regarding responsibility and, if appropriate, sanctions.

The Title IX Hearing Panel will conduct a prompt and equitable live hearing and adjudication.

Appointment of the Title IX Hearing Panel

The Title IX Coordinator will designate a panel of three adjudicators to serve as the Title IX Hearing Panel. The University reserves the right to appoint any trained individuals who are without conflict or bias to the Title IX Hearing Panel, including third-party adjudicators. The Title IX Hearing Panel will not include the Title IX Coordinator or the investigator from the same matter. If any party has a concern that a member of the Title IX Hearing Panel has a conflict of interest or bias, the party should report the concern in writing as indicated in section IX(K) Conflicts of Interest and Bias above.

Live Hearing

At the live hearing, each party's advisor will be permitted to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such questions will be conducted directly, orally, and in real time by the party's advisor and will never be conducted by a party personally. Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a question at the hearing, the Title IX Hearing Panel must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. Questions and evidence

about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant in the formal complaint, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

All evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint will be made available at the hearing.

The hearing will generally be held by videoconference with the parties, witnesses, and Title IX Hearing Panel located in separate locations and technology enabling the Title IX Hearing Panel and parties to simultaneously see and hear the party or the witness answering questions. The University reserves the right to determine that a hearing will instead be conducted with all participants, including the parties, witnesses, and the Title IX Hearing Panel physically present in the same location. In the event that the live hearing is held with the participants in the same location, at the request of either party, the University will provide for the parties to be located in separate rooms with technology enabling the Title IX Hearing Panel and parties to simultaneously see and hear the party or witness answering questions.

The University will create an audio or audiovisual recording, or transcript, of any live hearing and, upon request, will make it available to the parties for inspection and review.

University Appointed Advisors

If a party does not have an advisor present at the live hearing, the University will provide an advisor to the party, without fee or charge to that party, to conduct cross-examination on behalf of that party. If a party will not have an advisor present at the hearing, the party must inform the Title IX Coordinator at least three (3) calendar days prior to the live hearing so that the University may appoint an advisor for the hearing. The appointed advisor's role will be limited to relaying the party's questions to be asked of other parties and witnesses. The appointed advisor shall not perform any function beyond relaying the party's desired questions. The University reserves the right to appoint any individual as the University deems appropriate to act as an advisor at a live hearing, including a third-party advisor. The University's appointment of an advisor is final and a party who refuses to work with an appointed advisor at the live hearing will forfeit his or her right to conduct cross-examination or other questioning at the hearing.

Live Hearing Procedures

Please contact the Title IX Coordinator for additional information about live hearings.

Decision-Making Process

The presumption is that the respondent is not responsible for a policy violation. The respondent will

be deemed responsible for a policy violation only if the Title IX Hearing Panel concludes that there is sufficient evidence, by a “preponderance of evidence,” to support a finding that the respondent engaged in Sexual Misconduct. If the Title IX Hearing Panel determines that the respondent is responsible for a policy violation, the Title IX Hearing Panel will then determine what sanctions and remedies are warranted.

The Title IX Hearing Panel will not draw an inference about the determination regarding responsibility based solely on a party’s or witness’s absence from the live hearing or refusal to answer cross- examination or other questions. However, the Title IX Hearing Panel may consider a party’s or witness’s refusal to answer one or more questions at the hearing when determining how much weight to give the party’s or witness’s statements.

Lie detector test results will not be considered credible by the Title IX Hearing Panel in the decision- making process. Character evidence and allegations of prior bad acts by a party without a finding of responsibility by the University or a court of law will generally be given little weight, if any, by the Title IX Hearing Panel in the decision-making process.

When a respondent is found not responsible for a Policy violation, but nevertheless is found to have engaged in inappropriate conduct—for example, inappropriate remarks that do not rise to the level of a violation of this Policy—the University may, in its discretion, require the respondent to receive appropriate education and/or training. The University may also recommend counseling or other support services for the respondent.

iv. Cases Involving Allegations of Other Forms of Sexual Misconduct

Upon completion of the investigation in matters involving allegations of Sexual Misconduct that are not Title IX Sexual Harassment, the Title IX Coordinator will designate adjudicators to complete a prompt and equitable adjudication. Typically, a panel of three adjudicators will be appointed to each case. The University reserves the right to appoint any trained adjudicators who are free from conflict of interest or bias, including third-party adjudicators. If any party has a concern that the adjudicators have a conflict of interest or bias, the party should report the concern in writing as indicated in Section IX(K), “Conflicts of Interest and Bias,” above.

Adjudicators will review the adjudication file. The adjudicators may, in their discretion, request additional information from the investigator(s) or another appropriate individual, or request additional investigation by the investigator(s). In cases involving allegations of Sexual Assault, Domestic Violence, Dating Violence, and Stalking (that *occurred outside* of the education program or activity or against a person *outside* of the United States), if such information is shared with the adjudicators, the parties will be notified and provided access to that information.

The presumption is that the respondent is not responsible for a Policy violation. The respondent will be deemed responsible for a policy violation only if the adjudicators conclude that there is sufficient evidence, by a "preponderance of evidence," to support a finding that the respondent

engaged in Sexual Misconduct.

Lie detector test results will not be considered credible by the adjudicators in the decision-making process. Character evidence and allegations of prior bad acts by a party without a finding of responsibility by the University or a court of law will generally be given little weight, if any, by the adjudicators in the decision-making process.

If the adjudicators determine that the respondent is responsible for a policy violation, they typically will then determine what sanctions and remedies are warranted. The Title IX Coordinator has discretion to appoint a different sanctioning officer as he or she determines appropriate. The University reserves the right to appoint any trained sanctioning officer who is free from conflict of interest or bias, including third-party sanctioning officers. As part of that determination of sanctions/remedies, the Title IX Coordinator may, in his or her discretion, provide the adjudicators/sanctioning officer with information regarding previous violations of this Policy or other University policies by the respondent, if any. In cases involving allegations of Sexual Assault, Domestic Violence, Dating Violence, and Stalking (that occurred outside of the education program or activity or against a person *outside* of the United States), if such information is shared with the adjudicators/sanctioning officer, the parties will be notified and provided access to that information.

When a respondent is found not responsible for a Policy violation, but nevertheless is found to have engaged in inappropriate conduct — for example, inappropriate remarks that do not rise to the level of a violation of this Policy — the University may, in its discretion, require the respondent to receive appropriate education and/or training. The University may also recommend counseling or other support services for the respondent.

G. Sanctions and Remedies

The Title IX Hearing Panel/adjudicators will impose sanctions and/or remedies as necessary to end the misconduct, prevent its recurrence, and address its effects. The University reserves the right to take whatever measures it deems necessary in response to an allegation of Sexual Misconduct in order to protect the rights and personal safety of the complainant, students, faculty, staff, and other University community members. These measures may be both remedial (designed to address a complainant's safety and well-being and continued access to educational or workplace opportunities) or sanctions (involving action against a respondent). Not all forms of Sexual Misconduct will be deemed to be equally serious offenses, and the University reserves the right to impose different sanctions depending on the severity of the offense. The University also reserves the right to impose different sanctions if the respondent has previously been found responsible for a violation of University policy.

Individuals who are found responsible under this Policy may face sanctions as appropriate for students, employees, visitors, or others, including, but not limited to the following sanctions.

Each of these sanctions and other sanctions may be imposed alone or in combination for a respondent found responsible for Sexual Misconduct:

- Required assessment, education, counseling, or training;
- Probation;
- Warnings;
- Loss of privileges;
- Fines;
- Restitution;
- Behavioral contracts;
- Community service hours;
- Campus housing suspension, ranging from two (2) weeks to five (5) years, with reinstatement requirements that could include behavioral contracts, required assessment or education, demonstrated rehabilitation, and conditions upon the individual's presence on campus or at University events;
- Temporary or permanent restricted access to areas of campus, and campus events, activities, organizations, or courses;
- Conditions upon presence on campus or at University events;
- No trespass or no-contact directives;
- Removal or non-renewal of scholarships or honors;
- Suspension from the University, ranging from two (2) weeks to five (5) years, with reinstatement requirements that could include behavioral contracts, required assessment or education, demonstrated rehabilitation, and conditions upon the individual's presence on campus or at University events;
- Expulsion from the University;
- Withholding of diploma or degree for a defined period of time or until the completion of assigned sanctions;
- Temporary or permanent revocation of degree;
- Revocation of admission to the University;
- Loss of salary or benefit such as sabbatical or research or travel funding;
- Suspension of promotion and salary increases, ranging from two (2) weeks to five (5) years, with reinstatement requirements that could include behavioral contracts, required assessment or education, demonstrated rehabilitation, and conditions upon the individual's presence on campus or at University events;
- Suspension or withdrawal of faculty privileges, ranging from two (2) weeks to five (5) years, with reinstatement requirements that could include behavioral contracts, required assessment or education, demonstrated rehabilitation, and conditions upon the individual's presence on campus or at University events;
- Transfer or change of job or responsibilities;

- Reassignment or removal from an elected or appointed position;
- Formal censure;
- Demotion; and/or
- Termination of employment.

When an investigation reveals that a campus organization (such as a student club, athletic team, campus academic department, or staff/faculty committee) has committed or promoted behavior involving Sexual Misconduct, the organization may be sanctioned. Sanctions to the organization may include, but are not limited to, loss of University privileges (including, but not limited to, prohibition on the organization's participation in certain activities and the use of University facilities), educational requirements for organization members, required additional oversight of organization activities, temporary loss of funding and/or loss of recognition by the University, and permanent loss of organization recognition, in addition to individual members of the organization who are determined responsible for a Policy violation being subject to the sanctions listed above. All campus organizations/departments are responsible for the actions of its members when they are operating on behalf of the organization/department.

Remedies for the complainant are designed to restore or preserve equal access to the University's education program or activity. Remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

Remedies, accommodations, and protective measures for the complainant include implementing or extending all or some of the following actions, without limitation:

- A mutual or one-sided no-contact directive;
- Prohibiting an individual involved from being on University property;
- Prohibiting an individual involved from participating in University-sponsored events;
- Changing an individual's on-campus residency, dining, or transportation arrangements, or prohibiting an individual from residing in a University residence;
- Special parking arrangements;
- Assistance in finding alternative housing;
- Changing an individual's student or employee status or job responsibilities;
- Changing an individual's work or class schedule;
- Providing academic accommodations or providing assistance with academic issues;
- Providing security escorts;
- Providing a temporary cell phone;
- Access to counseling and medical services;
- Making information about protective orders and criminal no-contact orders available to a complainant; and/or

- Assistance identifying an advocate to help secure additional resources or assistance, including off-campus and community advocacy, support, and services.

Remedies designed to address the University community include increased monitoring, supervision, and/or security at locations or in connection with activities where the prohibited conduct occurred or is likely to reoccur and targeted or broad-based educational programming or training for relevant persons or groups.

The Title IX Coordinator is responsible for effective implementation of any remedies.

Any concern about a violation of an imposed sanction should be reported to the Title IX Coordinator.

H. Notice of Determination

The University will simultaneously send a written notice of the determination of the formal complaint to complainant and respondent.

For formal complaints involving (1) Title IX Sexual Harassment or (2) Sexual Assault, Dating Violence, Domestic Violence, or Stalking *occurring outside of an education program or activity or against a person outside of the United States*: The written notice will include the allegations potentially constituting Sexual Misconduct, a description of the procedural steps taken from the receipt of the formal complaint through the determination (including any notifications to the parties, interviews with the parties and witnesses, site visits, methods used to gather other evidence, and hearings held), findings of fact supporting the determination, conclusions regarding the application of the University's policy to the facts, the determination regarding responsibility as to each allegation, any imposition of sanctions, whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the complainant, and the rationales for the determination and sanctions (including how the evidence was weighed, how the information supports the result, and the standard of evidence applied). The written notice will also include information about the procedures and permissible bases for appeal, as set forth below, and when the result becomes final. In addition, the written notice will include any other steps the University has taken to eliminate the conduct and prevent its recurrence.

For all other complaints of Sexual Misconduct: The written notice will include the determination of the adjudicators.

In cases involving allegations of Title IX Sexual Harassment, the written notice of determination will generally be received within twenty-five (25) calendar days from the date the live hearing concluded. In cases involving allegations of other forms of Sexual Misconduct, the written notice of determination will generally be received within twenty-five (25) calendar days from the date the adjudicators receive the adjudication file. In some cases, more time may be required.

The determination of the Title IX Hearing Panel/adjudicators may be appealed as provided below. In the event that no appeal is filed within the time periods prescribed below, the decision will be final and the sanctions, if any, will be effective.

I. Dismissal of Formal Complaint Prior to Adjudication

If the allegations in a formal complaint are initially included in the notice of allegations as allegations of Title IX Sexual Harassment, but facts are gathered during the course of the complaint resolution process that indicate that the alleged conduct does not meet the definition of Title IX Sexual Harassment under this policy, the University will dismiss the formal complaint as to those allegations. Even if a formal complaint or any allegations of Title IX Sexual Harassment are dismissed, the University reserves the right to move forward with a complaint resolution process using the other Sexual Misconduct definitions and the other procedures in this Policy, as applicable.

In cases involving allegations of any Sexual Misconduct, the University may, at its discretion, dismiss the case prior to adjudication in certain circumstances.

Circumstances that may lead to dismissal prior to adjudication include, but are not limited to: the complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein, the respondent is no longer enrolled or employed by the University, or specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

If the University dismisses a formal complaint, the University will promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties. A dismissal of a formal complaint may be appealed as provided below.

J. Appeal

Either the complainant or the respondent may appeal a decision to dismiss a formal complaint or any allegations therein, as discussed above in Section X(F), “Dismissal of Formal Complaint Prior to Adjudication.” The parties may also appeal the Title IX Hearing Panel’s/adjudicators’ decision regarding responsibility.

Grounds for appeals are as follows:

- Procedural irregularity that affected the outcome of the matter;

- New evidence that was not reasonably available at the time of the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, investigator(s), or Title IX Hearing Panel/adjudicators had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Submitting an Appeal

A party may request an appeal by submitting a written appeal statement, not to exceed 2,000 words, challenging the outcome of the complaint resolution process. The written appeal statement must explain which of the grounds above the party is invoking for the appeal and how those grounds are met and must be received by the Title IX Coordinator within two (2) calendar days following the date that the notice of determination was sent to the complainant and respondent. While the parties may be assisted by their advisors in preparation of the appeal, the appeal statement must be submitted by the party, must be the party's own statement, and may not be used to submit the statements of others on the party's behalf. Failure to file a timely appeal constitutes a waiver of any right to an appeal.

The Title IX Coordinator will review the appeal statement to determine whether the appeal states a permissible ground for appeal (as set forth above), such that the appeal will be considered. The Title IX Coordinator may remove or redact any portions of the appeal statement that exceed the word limit or that otherwise exceed the scope of information that may be considered in the complaint resolution process (such as treatment records without consent, information subject to a legal privilege without a waiver, or evidence relating to the complainant's prior sexual history if an exception does not apply).

If the Title IX Coordinator determines that the appeal states a permissible ground for appeal, the non-appealing party will be notified of the appeal and provided an opportunity to review the appeal statement and submit a written response in support of the outcome. Any written response from the non-appealing party in support of the outcome must not to exceed 2,000 words and must be submitted to the Title IX Coordinator within two (2) calendar days of receiving notice of the appeal. While the party may be assisted by their advisors in preparation of the responsive appeal statement, the responsive appeal statement must be submitted by the party, must be the party's own statement, and may not be used to submit the statements of others on the party's behalf.

The Title IX Coordinator will review any responsive appeal statement and may remove or redact any portions of the statement that exceed the word limit or that otherwise exceed the scope of

information that may be considered in the complaint resolution process (such as treatment records without consent, information subject to a legal privilege without a waiver, or evidence relating to the complainant's prior sexual history if an exception does not apply).

The Title IX Coordinator generally will compile an appeal file, which may consist of any information, documents, or other evidence that is provided to the appeal officers. Such information may include, the written appeal statement, the responsive appeal statement, the notice of determination, the adjudication file in its entirety or in part, any previously undiscovered evidence (if discovery of new evidence is a ground for the appeal), and any other information determined to be necessary for the appeal officer's decision, at the Title IX Coordinator's discretion.

For complaints involving allegations of (1) Title IX Sexual Harassment or (2) Sexual Assault, Dating Violence, Domestic Violence, or Stalking *occurring outside* of the education program or activity or against a person *outside* of the United States the appeal file will be made available for review by the complainant and respondent.

The Title IX Coordinator will provide a two (2) calendar day period for the complainant and respondent to have access to review the appeal file.

In cases where the appeal file is made available for review as discussed above, the parties and parties' advisors may use the appeal file reviewed at this step and any additional information reviewed during the consideration of the appeal (see below), only for purposes of participating in the complaint resolution process and are prohibited from disseminating or otherwise sharing the appeal file or additional information with any other individual. Prior to being provided access to the appeal file or any additional information, the parties and parties' advisors will be required to sign a non-disclosure agreement agreeing to such terms.

Appeals will be considered by one appointed appeal officer designated by the Title IX Coordinator. The University reserves the right to appoint any trained appeal officer who is free of conflict of interest or bias, including a third-party appeal officer. The parties will receive written notice of the appeal officer appointed. If any party has a concern that an appeal officer has a conflict of interest, the party should report the concern in writing as indicated in the Section IX(K), "Conflicts of Interest and Bias," above. The appeal officer will not be the Title IX Coordinator nor one of the Title IX Hearing Panel members/adjudicators or the investigator on the same matter.

Consideration of Appeal

The appeal officer will not rehear the case, but will review the appeal file and consider whether it is more likely than not that the above-listed grounds for appeal have been satisfied. The appeal officer may, in their discretion, seek additional information from the Title IX Coordinator, investigator, or another appropriate individual. For cases of (1) Title IX Sexual Harassment or (2)

Sexual Assault, Dating Violence, Domestic Violence, or Stalking *occurring outside* of the education program or activity or against a person *outside* of the United States, if the appeal officer receives any additional information, the parties shall have an opportunity to review the additional information.

The appeal officer has the authority to affirm the findings or remand the findings for reconsideration. If the appeal officer determines there is sufficient evidence to conclude that it is more likely than not that one of the above grounds for appeal is satisfied, the matter will generally be remanded for further investigation and/or deliberations by the Title IX Hearing Panel/adjudicators, and/or an additional live hearing, as determined by the appeal officer.

If remanded, the appeal officer, in consultation with the Title IX Coordinator, will determine whether the matter should be remanded to the original Title IX Hearing Panel/adjudicators or whether new Title IX Hearing Panel/adjudicators should review the matter. The appeal officer may not change the Title IX Hearing Panel's/adjudicators' determination of whether the respondent was responsible or not responsible for a Policy violation. Only the Title IX Hearing Panel/adjudicators reviewing the matter on remand from an appeal may change the determination of the original Title IX Hearing Panel/adjudicators of whether the respondent was responsible or not responsible for a Policy violation. If the reasons for remand relate to the investigation or warrant additional investigation, the appeal officer in consultation with the Title IX Coordinator, will determine whether the matter should be remanded to the previous investigator(s) or whether a new investigator(s) should be appointed.

Upon remand, the investigator(s) and Title IX Hearing Panel/adjudicators shall utilize the same process as required for all complaint processes under this Policy. If the matter is remanded, the determination made on remand will be appealable under the procedures discussed in this Section.

If the appeal officer determines there is insufficient evidence to conclude that it is more likely than not that one or more grounds for appeal have been satisfied, the appeal officer will dismiss the appeal. This dismissal decision is final and is not appealable. If the appeal officer dismisses the appeal, the sanctions, if any, will be effective on the date the appeal officer's decision is provided to the parties.

The appeal officer will simultaneously issue a written decision to the parties describing the result of the appeal and the appeal officer's rationale for the result. The University will strive to complete the appeal within twenty (20) calendar days following the appeal officer's receipt of the appeal file from the Title IX Coordinator; however, in some cases, more time may be required.

Appeals arising out of alleged violations of this Policy must be made under this appeal process and are not eligible for consideration under faculty, staff, or student grievance policies or processes.

State Law Definitions

Some of the conduct prohibited by this Policy may be crimes. Link to relevant Arkansas criminal law definitions are provided below. The Arkansas criminal law citations are provided for informational purposes only. The definitions set forth in Section VI Prohibited Conduct above will be used for all purposes under this Policy.

Sexual Assault:

See [Arkansas Statutes Section 5-14-124](#) et seq. for applicable criminal definitions relating to Sexual Assault. Arkansas law prohibits criminal sexual conduct in the first through fifth degrees as set forth in [Arkansas Statutes Section 5-14-124 – 5-14-127](#). Criminal sexual conduct includes non-consensual sexual contact, sexual intercourse or deviate sexual activity as defined in [Arkansas Statutes Section 5-14-126](#).

Dating Violence:

[Arkansas Statutes Section 5-26-302](#) defines a “dating relationship” as a “romantic or intimate social relationship between two individuals”. Several factors are used to determine whether the relationship constitutes a “dating relationship”. Violence in the context of a dating relationship is prohibited as Domestic Battering and Assault under Arkansas Statutes.

Domestic Violence:

See [Arkansas Statutes Section 5-26-302](#) for a definition of Domestic Battering and Assault. Arkansas law prohibits domestic battering in the first through third degrees, and prohibits Assault on a Family or Household Member in the first through third degree, and Aggravated Assault on a Family or Household Member. See [Arkansas Statutes Sections 5-26-303](#) et seq.

Stalking:

See [Arkansas Statutes Section 5-71-229](#) for applicable criminal law definitions relating to stalking. Arkansas law prohibits stalking as defined in [Arkansas Statutes Section 5-71-229](#).

Existing Assistance and Services Available to Victims

Harding University provides annual written notification to students and employees regarding services available to victims of violence, assault, and stalking through (1) the Annual Security Report and (2) through an online training program. The services include:

Counseling/ Mental Health Assistance: Victims of sexual assault may feel the need for personal counseling. Free counseling services are provided on campus by licensed professional counselors.

[Timely Care](#) delivers a new virtual health and well-being platform for students. The service provides 24/7 access to virtual care at no additional cost.

What services are available?

- TalkNow - 24/7, on-demand emotional support.
- Scheduled Counseling - Select the day, time, and mental health provider of your choice. (12 visits per year)
- Self-Care Content - Yoga and meditation sessions and group conversations with TimelyCare providers on a variety of health and well-being topics.

Harding University officials may assist in arranging off-campus counseling services when preferred. Cost of off-campus counseling services is the responsibility of the student or employee. Mental health issues that require inpatient treatment may be treated by the Unity Health Compass Unit located at 1200 S. Main Street in Searcy (501-278-3100).

Health: Harding University maintains a health care center for all students under the supervision of a registered nurse. Student Health Services provides care for illness, accidents, and emergencies that can be adequately treated by registered nurses. There are no fees for treatments or medications, with the exceptions of allergy shots and some vaccines (influenza, hepatitis A, hepatitis B, tetanus, tuberculosis skin tests). The facility is located at 115 Dr. Jimmy Carr Drive. Call 501-279-4346 (campus extension 4346). Dial 0 to speak to the receptionist.

For emergency care, Unity Health maintains a 24-hour emergency facility located at 3214 E. Race Street in Searcy (501-268-6121).

Victim Advocacy: White County Domestic Violence Prevention, Inc. provides victim advocacy assistance and also operates Hope Cottage battered women's facility. The hotline number is 501-278-4673.

Legal Assistance: Free legal assistance may be obtained from the Center for Arkansas Legal Services located at 1300 W. 6th Street, Little Rock, AR 72201. The phone number is 800-952-9243.

Visa/Immigration Assistance: Visa and immigration assistance, as well as assistance with filing Violence Against Women petitions, is available through Catholic Charities Immigration Services located at 2500 N. Tyler Street, Little Rock, AR 72217. The phone number is 501-664-0340, ext. 314.

Financial Aid: The Harding University Office of Financial Aid can provide victims with financial aid-related services and information, such as how to apply for a leave of absence or about options for addressing concerns about loan repayment terms and conditions.

Accommodations for Victims

Harding University will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations. Such requests will be met within reason if the victim requests them regardless of whether the victim chooses to report the crime to law enforcement authorities.

Victim Rights

When a student or employee reports to Harding University that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, Harding University will provide the student or employee a written explanation of the student's or employee's rights and options as described in the sections above.

FERPA Statement

Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

The Accused:

1. Shall be given a hearing where all the evidence is considered. Should the accused be found to have engaged in the sexual assault, they will be suspended from the school immediately. University disciplinary action will be taken regardless of whether legal charges are being pursued.

Campus Crime Log:

Harding University in Latin America does not maintain a security department, and therefore, is not required to maintain a daily crime log as stipulated under the Higher Education Act.

Campus Crime Statistics

The Federal Government requires institutions of higher education to compile and report statistics concerning certain types of crime every year. Crimes reported to the Director of HULA are entered and coded in a database that is used to track and compile crime statistics. The Director of HULA also checks with local law enforcement for crimes on or near campus as well as other crimes that might affect Harding students or campus. Crimes reported by local law enforcement to campus that meet the Clery Act's requirements for inclusion in the annual security report are also included in the annual statistics.

Statistics must be compiled and reported for the following categories:

Campus Crimes: Crimes that occur in or on any property or building that is owned or controlled by the university within the same reasonably contiguous geographic area of the university and is used in direct support of, or in a manner related to, the university's

educational purposes including residence halls. Campus also included property within the same reasonably contiguous geographic area of the university that is owned by the university but controlled by others, but is used by students and supports institutional purposes. (Food or retail vendors are examples.)

Non-campus Crimes: Crimes that occur in or on any property or building (other than branch campuses) owned or controlled by the university that is used in direct support of, or in relation to, the university's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the university.

Public Property Crimes: Crimes that occur on public property that is within the same reasonably contiguous geographic area of the institution, such as sidewalks, streets and thoroughfares, parking facilities, etc... and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

Crimes of Prejudice: Crimes that fall within the categories required to be reported in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability of the victim.

2024											
Criminal Offenses			On Student Housing	Campus Other	On Campus (Total)			Non Campus		Public Property	
Criminal Homicide											
Murder/Non-Negligent Manslaughter			0	0	0			0		0	
Negligent Manslaughter			0	0	0			0		0	
Sex Offenses											
Rape			0	0	0			0		0	
Fondling			0	0	0			0		0	
Incest			0	0	0			0		0	
Statutory Rape			0	0	0			0		0	
Robbery			0	0	0			0		0	
Aggravated Assault			0	0	0			0		0	
Burglary			0	0	0			0		0	
Motor Vehicle Theft			0	0	0			0		0	
Arson			0	0	0			0		0	
2023											
Criminal Offenses			On Student Housing	Campus Other	On Campus (Total)			Non Campus		Public Property	
Criminal Homicide											
Murder/Non-Negligent Manslaughter			0	0	0			0		0	
Negligent Manslaughter			0	0	0			0		0	
Sex Offenses											
Rape			0	0	0			0		0	
Fondling			0	0	0			0		0	
Incest			0	0	0			0		0	
Statutory Rape			0	0	0			0		0	
Robbery			0	0	0			0		0	
Aggravated Assault			0	0	0			0		0	
Burglary			0	0	0			0		0	
Motor Vehicle Theft			0	0	0			0		0	
Arson			0	0	0			0		0	

2022				On		Non		Public	
Criminal Offenses		On	Campus	Campus		Campus		Property	
		Student		(Total)					
		Housing	Other						
Criminal Homicide									
Murder/Non-Negligent Manslaughter		0	0	0		0		0	
Negligent Manslaughter		0	0	0		0		0	
Sex Offenses									
Rape		0	0	0		0		0	
Fondling		0	0	0		0		0	
Incest		0	0	0		0		0	
Statutory Rape		0	0	0		0		0	
Robbery		0	0	0		0		0	
Aggravated Assault		0	0	0		0		0	
Burglary		6	0	6		0		0	
Motor Vehicle Theft		0	0	0		0		0	
Arson		0	0	0		0		0	

2024											
Arrests and Judicial Referrals				On	Campus	On			Non	Public	
				Student		Campus			Campus	Property	
				Housing	Other	(Total)					
Arrests											
Liquor Law Violations				0	0	0			0		0
Drug Law Violations				0	0	0			0		0
Illegal Weapons Possession				0	0	0			0		0
Judicial Referrals											
Liquor Law Violations				0	0	0			0		0
Drug Law Violations				0	0	0			0		0
Illegal Weapons Possession				0	0	0			0		0
2023											
Arrests and Judicial Referrals				On	Campus	On			Non	Public	
				Student		Campus			Campus	Property	
				Housing	Other	(Total)					
Arrests											
Liquor Law Violations				0	0	0			0		0
Drug Law Violations				0	0	0			0		0
Illegal Weapons Possession				0	0	0			0		0
Judicial Referrals											
Liquor Law Violations				0	0	0			0		0
Drug Law Violations				0	0	0			0		0
Illegal Weapons Possession				0	0	0			0		0
2022											
Arrests and Judicial Referrals				On	Campus	On			Non	Public	
				Student		Campus			Campus	Property	
				Housing	Other	(Total)					
Arrests											
Liquor Law Violations				0	0	0			0		0
Drug Law Violations				0	0	0			0		0
Illegal Weapons Possession				0	0	0			0		0
Judicial Referrals											
Liquor Law Violations				0	0	0			0		0
Drug Law Violations				0	0	0			0		0
Illegal Weapons Possession				0	0	0			0		0

2024 On Campus (Hate Crimes)

Clery Act Reportable Offenses	Race	Gender	Gender Identity	Religion	Sexual Orientation	Ethnicity	National Origin	Disability
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0
Any Other Crime Involving Bodily Injury	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property (Except Arson)	0	0	0	0	0	0	0	0

2023 On Campus (Hate Crimes)

Clery Act Reportable Offenses	Race	Gender	Gender Identity	Religion	Sexual Orientation	Ethnicity	National Origin	Disability
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0
Any Other Crime Involving Bodily Injury	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property (Except Arson)	0	0	0	0	0	0	0	0

2022 On Campus (Hate Crimes)

Clery Act Reportable Offenses	Race	Gender	Gender Identity	Religion	Sexual Orientation	Ethnicity	National Origin	Disability
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0
Any Other Crime Involving Bodily Injury	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of	0	0	0	0	0	0	0	0
Property (Except Arson)	0	0	0	0	0	0	0	0

2024 Non Campus (Hate Crimes)

Clery Act Reportable Offenses	Race	Gender	Gender Identity	Religion	Sexual Orientation	Ethnicity	National Origin	Disability
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0
Any Other Crime Involving Bodily Injury	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property (Except Arson)	0	0	0	0	0	0	0	0

2023 Non Campus (Hate Crimes)

Clery Act Reportable Offenses	Race	Gender	Gender Identity	Religion	Sexual Orientation	Ethnicity	National Origin	Disability
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0
Any Other Crime Involving Bodily Injury	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property (Except Arson)	0	0	0	0	0	0	0	0

2022 Non Campus (Hate Crimes)

Clery Act Reportable Offenses	Race	Gender	Gender Identity	Religion	Sexual Orientation	Ethnicity	National Origin	Disability
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0
Any Other Crime Involving Bodily Injury	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of	0	0	0	0	0	0	0	0
Property (Except Arson)	0	0	0	0	0	0	0	0

2024 Public Property (Hate Crimes)

Clery Act Reportable Offenses	Race	Gender	Gender Identity	Religion	Sexual Orientation	Ethnicity	National Origin	Disability
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0
Any Other Crime Involving Bodily Injury	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property (Except Arson)	0	0	0	0	0	0	0	0

2023 Public Property (Hate Crimes)

Clery Act Reportable Offenses	Race	Gender	Gender Identity	Religion	Sexual Orientation	Ethnicity	National Origin	Disability
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0
Any Other Crime Involving Bodily Injury	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property (Except Arson)	0	0	0	0	0	0	0	0

2022 Public Property (Hate Crimes)

Clery Act Reportable Offenses	Race	Gender	Gender Identity	Religion	Sexual Orientation	Ethnicity	National Origin	Disability
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0
Any Other Crime Involving Bodily Injury	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0
Larceny-Theft	0	0	0	0	0	0	0	0
Destruction/Damage/Vandalism of Property (Except Arson)	0	0	0	0	0	0	0	0

2024

Sexual Violence	On Campus Student Housing	On Campus Other	On Campus (Total)	Non Campus	Public Property
Dating Violence	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Stalking	0	0	0	0	0

2023

Sexual Violence	On Campus Student Housing	On Campus Other	On Campus (Total)	Non Campus	Public Property
Dating Violence	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Stalking	0	0	0	0	0

2022

Sexual Violence	On Campus Student Housing	On Campus Other	On Campus (Total)	Non Campus	Public Property
Dating Violence	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Stalking	0	0	0	0	0

Information for Traveling Abroad

For tips on traveling abroad to applying for a passport and everything in between, visit the U.S. Department of State's website www.travel.state.gov.

For detailed customs information, you can visit the [U.S. Customs Border Control](http://www.cbp.gov) website for information regarding products that you are not allowed to bring back into the United States at the end of your travels.

Small Group Travel

Please note the International Programs rule: "All students traveling away from the campus city during the semester must do so in groups of three or more, unless prior approval from the director is obtained." If there is an accident, someone will be available to get help and to notify the campus director. Another reason for more people to travel together is that you get better rates in the hotels with three or four people to the room. You must be flexible and willing to compromise with your traveling companions. Reminder: Men and women may not occupy the same hotel room while traveling. Violations of this rule may cause automatic suspension from the international program.

Everyday Safety Tips

Harding University encourages everyone on campus to be responsible for their own security. Remembering the following simple instructions may help protect yourself and your property:

1. Lock your door to your room.
2. Refrain from leaving valuables unattended in public areas.
3. Travel in groups, especially at night
4. Avoid poorly lit areas.
5. Report suspicious persons or suspicious activity immediately to Jeremy Daggett.
6. Know where to get help when needed.
7. Be aware of your surroundings.
8. Obey local and national laws.
9. Respect other cultures.
10. Do not participate in demonstrations or get involved in political matters.
11. Protect your passport and visa to ensure safe and timely travel.
12. Familiarize yourself with the location and phone number of the nearest U.S. Consulate or Embassy.
13. Travel itineraries must be filed with the local director prior to departure on out of town trips.
14. Students are not allowed to operate motorized vehicles while at HULA.

Crime and violence against students does occur abroad. Safety is ultimately the responsibility of each student and each person should actively develop his or her own personal safety strategies. All students are provided with a manual that includes specific safety tips for traveling abroad and personal safety while overseas.

The purpose of this report is to make members and potential members of the Harding community aware of what we at Harding University in Latin America are doing to make our community a

safe environment for work and study. We hope that this information is helpful and informative, but most of all we hope that this information prompts each member of our community to do their part to help insure that Harding University in Latin America remains a safe place to continue the work of preparing Christians to have a positive impact on our world.

Fire Safety Report

Reporting Fires on Campus

Students, faculty, and staff should immediately report fires or fire alarms on the HULA campus to the Director of HULA. Residents may report fires or fire alarms to their RA as well; however, reports of any fire or fire alarm made to other university officials should immediately be reported to Jeremy Daggett by the university official who received the report.

Fire Safety Systems for On-Campus Housing

Smoke Detectors

All of the buildings (apartments and hotels) that HULA utilizes are equipped with smoke detectors in the room.

Fire Equipment

Fire extinguishers are located throughout each of the buildings and are designed to fight small fires. Tampering with fire extinguishers, sprinkler heads, or other equipment or misusing them for purposes other than fighting a fire is prohibited.

Future Improvements

Improvements to the fire safety systems will be evaluated periodically to continue to meet local standards.

Fire Safety Policies and Procedures

Open Flames and Hazardous Heat Sources

Due to significant risk of fire and inability to contain scents in a given room, items with an open flame or hazardous heat source (including candles, incense, candle warmers, potpourri pots, smoking, space heaters, halogen lamps etc.) are prohibited in the building.

Fire Evacuation

Law requires all persons to evacuate a building as promptly as possible when a fire alarm is activated. Residents should become familiar with fire escape routes posted throughout the building and follow those routes each time the alarm sounds. All residents must check in with their RAs and remain outside until the alarm is shut off.

Fire Safety Education

HULA conducts at least one mandatory fire alarm drill per session. Students are provided instructions during orientation on how to safely evacuate the building whenever a fire alarm sounds.

Fire Statistics

	2022	2023	2024
Total Number of Fire Drills conducted	1	1	1
Number of Fire(s)	0	0	0
Cause of Fire(s)	N/A	N/A	N/A
Number of Injuries related to fire(s)	N/A	N/A	N/A

Number of deaths related to fire(s)	N/A	N/A	N/A
Value of property damage related to the fire(s)	N/A	N/A	N/A

Campus Fire Log

The Director of HULA maintains a daily fire log in written form in which all fires that are reported to the Director are recorded. The nature of the fire, date, time, and general location of the fire is recorded in the log entry. Log entries are made available to the public within 2 (two) business days of the initial report being made to the Director.