



**Sex Offender Notification
Campus Policies & Procedures 241.1.1
Chancellor's Office**

UAEACCP 241.1.1 SEX OFFENDER NOTIFICATION

I. Purpose and Scope

The purpose of this policy is to provide timely and appropriate notification, in compliance with state and federal legislation, regarding registered sex offenders on campus. Specific details of any notification will be determined on a case-by-case basis as described below.

II. Authority

1. Arkansas Code Annotated §12-12-906(e) requires any sex offender working, enrolled, or volunteering in a public or private elementary, secondary, or postsecondary school, or institution of training, to notify the local law enforcement agency having jurisdiction in person of that status and to register in person with the local law enforcement agency having jurisdiction over that campus.
2. Arkansas Code Annotated §12-12-913(g) requires the Arkansas Higher Education Coordinating Board to promulgate guidelines for the disclosure to students of information regarding registered sex offenders who are employed by or attend an institution of higher education when information regarding a sex offender is released to an institution of higher education by a local law enforcement agency having jurisdiction.
3. Arkansas Code Annotated §12-12-913(g) requires the board of directors of an institution of higher education to adopt a written policy regarding the distribution to students of information regarding a sex offender that is in accordance with guidelines promulgated by the Arkansas Higher Education Coordinating Board.
4. In compliance with Arkansas Higher Education Coordinating Board policy, UA-EACC's Sex Offender Notification policy includes the following references to state statute and federal law:
 - a. A.C.A. §12-12-903 (6) defines the "local law enforcement agency having jurisdiction" as follows: (A) Chief law enforcement officer of the municipality in which an offender: (i) Resides or expects to reside; (ii) Is employed; or (iii) Is attending an institution of training or education; or (B) County sheriff, if: (i) The municipality does not have a chief law enforcement officer; or (ii) An offender resides or expects to reside, is employed, or is attending an institution of training or education in an unincorporated area of the county."
 - b. A.C.A. §12-12-913 (b) states that "in accordance with guidelines promulgated by the Sex Offenders Assessment Committee, local 3.22.2 law enforcement agencies having jurisdiction shall disclose relevant and necessary information regarding sex offenders to the public when the disclosure of such information is necessary for public protection."



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- c. A.C.A. §12-12-913 (e)(1) states that “a local law enforcement agency having jurisdiction that decides to disclose information under this section shall make a good faith effort to conceal the identity of the victim or victims of the sex offender's offense.”
 - d. The Campus Sex Crimes Prevention Act (section 1601) and (42 U.S.C., 14071j and 20 U.S.C., 1092 (f) (1) (I)) is a federal law enacted on October 29, 2000, which provides for the tracking of convicted sex offenders enrolled at or employed by institutions of higher education. This federal law requires sex offenders who are required by law to register in a state, to also provide notice of each institution of higher education in that state where the person is employed, carries on a vocation, or is a student. This law further requires that institutions of higher education issue a statement advising the campus community of the availability of this information.
 - e. Ark. Code Ann. § 5-14-128 makes it unlawful for a Level 3 or Level 4 registered sex offender to reside within 2,000 feet of property on which any public or private elementary or secondary school or daycare facility is located. All UA-EACC campus facilities fall within this restriction.
5. Per Arkansas Higher Education Coordinating Board policy the local law enforcement agency having jurisdiction, meaning the law enforcement agency of the municipality or county within which the college or university is located, has the responsibility and liability to notify UA-EACC concerning a registered sex offender. The role of UA-EACC is to assist the local law enforcement agency having jurisdiction in the distribution of information concerning a sex offender. This plan for disclosure on the campus should be a joint effort between the law enforcement agency and UA-EACC. The law enforcement agency determines which sex offenders to notify UA-EACC about and what information will be disseminated; UA-EACC determines how the information should be disseminated.

III. Procedures and Responsibilities for Notification

In accordance with the Arkansas Higher Education Coordinating Board policy and state and federal law, the University of Arkansas - East Arkansas Community College sets forth the following:

1. Any person who is required to register as a sex offender in Arkansas shall provide notice as required under state law. The offender is required to report such information concerning their enrollment or employment with EACC and to make this information available promptly to local law enforcement.
2. Students and employees who are required to register as a sex offender in Arkansas and who fail to conduct all required notifications in a timely and proper manner will be subject to immediate arrest and exclusion from EACC.
3. Local law enforcement will contact the Safety and Security Supervisor or their designee regarding registered sex offenders and the plan of disclosure that should be followed.



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4. If the College learns of a sex offender prior to his notification of law enforcement, the sex offender shall be subject to immediate arrest and exclusion from EACC for violating state law regarding notification as required by Arkansas Code Annotated §12-12-906(e). The failure of a sex offender to be aware of state law regarding notification shall not affect the implementation of this policy.
5. Once notified, the Safety and Security Supervisor will convene the Sex Offender Notification Committee to determine the extent and method of notification that may be appropriate with regard to specific offenders in compliance with state and federal law and consistent with the educational purpose of the College. The Notification Committee shall be composed of the following administrators:
 - a. The senior administrators with authority over academic and student services;
 - b. The President; and
 - c. The chief communications and community relations administrator.
6. In consultation with local law enforcement, a written campus notification plan for each offender will be determined by the committee and a record maintained by the Safety and Security Supervisor and will take into consideration the guidelines established by the Arkansas Sex Offenders Assessment Committee. Final authority for the plan resides with the law enforcement agency.
7. The plan shall include the individuals to be notified, those participating in the preparation of the plan, the date the plan was made, the process for notification, the information included in the notification, and a record of the dates of notification.
8. When a risk assessment is not available or has not yet been completed, a review of all available information will occur, which may include consultation with an appropriate professional, and notification may be made on the basis of the available information pending the assignment of a risk assessment level by law enforcement.
9. A written summary of campus guidelines, recommendations of law enforcement, recommendations of the committee, and the notification plan for each offender will be maintained by the Safety and Security Supervisor.
10. Once a plan is determined, the Safety and Security Supervisor will provide timely and appropriate notification to the campus community about the presence of registered sex offenders enrolled in, attending, or employed by the college.
11. Notification will occur within 5 business days of the Notification Committee meeting.
12. Such notification will occur through campus email and/or on the College's website, in consultation with law enforcement about the parties to be notified.



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13. Notification to the parties to be notified will typically include the name of the sex offender, the program in which they are enrolled or department in which they are employed, and a link to the sex offender registry page for that offender.
14. Records of all notifications, notification plans, and committee meetings shall be kept on file in the office of the Safety and Security Supervisor.
15. Any concerns or disagreements about notification plans or procedures between the College and local law enforcement agencies shall be discussed and resolved between the Safety and Security Supervisor and the head of the relevant agency, or their respective designees. Final authority for the plan resides with the law enforcement agency.
16. Sex offenders may not come on campus until officially notified by the Safety and Security Supervisor of the terms and conditions of their attendance or presence on campus, which may include, but are not limited to, being limited to certain areas, being limited to certain times, and regular check-ins with campus security.
17. Any sex offender coming to campus before completing the notification process and receiving notification of the specific terms and conditions of attendance or presence on campus will forfeit their enrollment or employment and will be excluded from campus.
18. Sex offenders who are students are required to notify the Safety and Security Supervisor and local law enforcement each term they are enrolled.

Other applicable documents:

Revision History:

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Revised Date: Chancellor's office, Safety and Security Personnel