



## 2024 Annual Security Report

### Aviation Institute of Maintenance, Fremont, California

Aviation Institute of Maintenance, Centura College, and Tidewater Tech, collectively known as the “institution”, “campus” or “school”, are providing the following Annual Security Report (ASR) to the campus community as part of the school’s commitment to safety and security pursuant to the requirements of the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) and subsequent amendments, including the Violence Against Women Reauthorization Act of 2013 (VAWA).

Information that is specific to your campus location is included at the end of this report in the Appendix. The remainder of the report includes information common to all campuses within our system. Annual Security Reports for all campuses can be found on the consumer information page of the school’s website.

If you should have questions about any of the information provided in the Annual Security Report (ASR), please contact the Campus Executive Director at your campus. In the event the Campus Executive Director is unavailable, the Assistant Campus Executive Director and Director of Education are authorized school officials and can assist you in locating additional information.

On or before each October 1, students and employees are provided with a direct link to the website location of the school’s Annual Security Report as well other important information. New students and new employees who begin after the distribution date are provided with these documents during orientation and onboarding. A paper copy is available upon request by contacting the receptionist at your campus.

Retaliation – The School shall not, and no individual shall, intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by institutional policies, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. The exercise of rights protected under the First Amendment does not constitute retaliation. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation; provided, however, that a determination regarding responsibility alone is not sufficient to conclude that any party made a materially false statement in bad faith.

Administrative offices are located at 4455 South Boulevard, Virginia Beach, VA 23452

[www.AviationMaintenance.edu](http://www.AviationMaintenance.edu)  
[www.CenturaCollege.edu](http://www.CenturaCollege.edu)  
[www.TidewaterTechTrades.edu](http://www.TidewaterTechTrades.edu)

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## Crime Statistics

34 CFR 668.46(b)(1)

The Clery Act requires institutions to disclose statistics for the three most recent calendar years concerning the number of crimes that fall under this Act that occurred within the school's Clery geography and are reported to local police agencies.

This process of reporting crimes does not require initiating any investigation and no personally identifying information will be disclosed. Crimes are recorded based on the calendar year in which the crime was reported to local police. Crimes reported to any other outside entity such as a pastoral or professional counselor are not included in these statistics.

The On Campus category in the statistical tables in the Appendix includes any buildings or property owned or controlled by the institution, are reasonably contiguous to one another, and directly support the institution's educational purpose. This includes campus buildings and parking lots owned or controlled by the campus.

Public Property, where applicable, includes public streets, sidewalks and parking facilities, within or immediately adjacent to the campus property and accessible from the campus, that are owned by a public entity such as a city or state government. Personal homes as well as private businesses and parking lots adjacent to the campus are not part of public property.

The school does not have any non-campus buildings or property, housing, residence halls, or school-sponsored organizations that use off campus locations. The school also does not have a campus police department or campus security personnel.

## Reporting Criminal Actions or Emergencies

34 CFR 668.46(b)(2)

A safe environment is everyone's responsibility. Students and employees should accurately and promptly report all criminal actions, suspicious activities, and other emergencies occurring on or adjacent to campus properties to the Campus Executive Director either in person or via telephone, text, or email, for purposes of making timely warning reports and inclusion in the annual statistical disclosure.

In the event of fire, medical or other life-threatening emergencies, dial 911 first and then immediately notify the Campus Executive Director.

School administrators will take appropriate action to address all reports in a timely, efficient, and confidential matter. School policy dictates that all criminal acts be reported to local authorities as required by law. Campus officials have no authority to make arrests and will contact the local police authorities when necessary.

All incidents shall be recorded in the school's incident log, maintained by the Campus Executive Director. The log includes the date, time and location of the incident, the nature of the incident and the name of the person who reported the incident. All incidents must be logged within two days of occurrence unless disclosure is prohibited by law or would endanger confidentiality. The Campus Executive Director will notify the corporate Regional Director as soon as practical and will forward a complete copy of the police report and any supporting documentation.

## **Timely Warning and Notification**

34 CFR 668.46(b)(2)(i)

The Clery Act requires schools to issue a timely warning when a crime, as defined by the Clery Act, occurs within the campus's Clery geography, poses a serious or ongoing threat to the campus community. In the case of any reported criminal activity that threatens the welfare of the campus community, the CED or designee has the authority to provide timely and accurate notification of such activity. Such crimes include but are not limited to murder, manslaughter, rape, assault, robbery, burglary, motor vehicle theft, arson, harassment, or other crimes involving the threat of bodily injury.

The Campus Executive Director will weigh the needs of individuals versus the needs of the overall campus when making decisions about how and when to issue such a warning. CEDs will consider the nature of the crime and the danger it poses to the campus community. If the threat is ongoing or if the potential exists for follow up crimes, a timely warning will be issued.

The CED will either initiate notification or request that this notification be made by the appropriate authority. The CED will employ either a public address system, intranet/portal web alert, SMS/text message, or email message notifying the affected members of the campus community.

If the CED determines a timely warning is necessary, he or she will compose a timely warning to enable the campus community to protect themselves. The warning message will include all information necessary to promote safety and to aid in the prevention of similar crimes. Pertinent information about the crime will be included. The timely warning message content may include a description of the incident, possible connection to previous incidents (if applicable), physical description or photo of any suspects, date and time of the incident, and any other information that may be relevant to the incident or to campus members. Timely warnings will also remind the campus community to report any suspicious activity that may be related.

Warnings will be constructed in a manner that withholds as confidential the names and other identifying information of any victims. When composing timely warning messages, the CED should consult with local police authorities so as to not interfere in any ongoing investigation.

The school does not employ pastoral or professional counselors.

If there is an immediate threat to the health or safety of students or employees occurring on campus, the school will follow its emergency notification procedures and it may be determined that a timely notification as define by this section is not warranted. The safety of the students, employees, and guests is a priority. In this case, the school will provide adequate follow up information to the campus community, as needed.

## **Preparation of Annual Disclosure of Crime Statistics**

34 CFR 668.46(b)(2)(ii)

The school maintains a working relationship with the local police authorities, and they provide the campus with police reports necessary to compile accurate statistics, in accordance with the regulation in Part 668.46. The campus officials work directly with the corporate office compliance department in order to determine which crimes to report and disclose based on the definitions provided. Once the statistics have been verified by the compliance office, three years of data is included in the Annual Security Report

On or before each October 1, students and employees are provided via email with a direct link to the web site location of the school's Annual Security Report which includes Campus Crime Statistics as well as the Drug and

Alcohol Abuse Prevention Plan. New students and new employees who begin after the distribution date are provided with the policies during orientation.

## **Contact Titles for Reporting**

34 CFR 668.46(b)(2)(iii)

The following individuals are considered campus security authorities and should be notified of any criminal offenses to be included in the annual statistical disclosure and for the purposes of making timely warning reports to the campus community.

Campus Executive Director  
Assistant Campus Director and/or Director of Education  
Director of Admissions

## **Voluntary, Confidential Reporting**

34 CFR 668.46(b)(2)(iv)

Victims and bystanders/witnesses have the right to report crimes voluntarily and confidentially either in person or by calling or emailing the campus. If a victim or bystander discloses an incident to the school but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the school will weigh that request against its obligation to provide a safe, non-discriminatory environment for everyone, including the victim or bystander. If the school honors the request for confidentiality, the individual must understand that the school's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited.

The Campus Executive Director will make the determination regarding requests for confidentiality with collaboration by the campus leadership team and the corporate Director of Student Affairs. If it is determined that maintaining a victim/bystander's confidentiality would place others at risk, the school will inform the victim/bystander prior to starting the investigation and only share information with people responsible for handling the school's response.

When the victim of a crime elects or is unable to make such a report, employees and students are encouraged to accurately and confidentially make a report on his/her behalf either in person, via phone, or via email. The school will take all necessary steps to protect the victim from retaliation or harm and work with the victim in creating a safety plan.

The school will complete publicly available recordkeeping without the inclusion of personally identifying information about the victim or bystander and maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

## **Facility Access**

34 CFR 668.46(b)(3)

All campus property is privately controlled; therefore, the schools have the legal right to restrict access to students, faculty, staff, and guests. The school is open to employees, students, and guests during regular business

hours. Any other time, access is limited by key, or by admittance by appropriate staff. Visitors to the campus must check in with the receptionist and will be escorted within the facility. During non-business hours, any individual(s) found on the property without prior authorization will be trespassing and may be reported to the local law enforcement.

Facility maintenance, specifically regarding outdoor lighting, external locks, windows, etc. is regularly checked by the campus personnel.

All new employees and students are informed during orientation and onboarding about the safety and security practices and provided with a copy of the Emergency Response Plan. They are also informed about the policies and procedures for reporting crimes as well as safety tips used to help prevent crimes from occurring.

Soliciting or loitering on school grounds is prohibited. The school does not have resident halls or campus housing.

## Campus Law Enforcement (N/A)

34 CFR 668.46(b)(4)

N/A. The school does not have campus law enforcement. While the school has a working relationship with the local police agency, there are no formal agreements between the school and the local police agency for the purpose of investigation of any alleged criminal offenses. The school encourages accurate and prompt reporting of all crimes to the Campus Executive Director and appropriate police agencies.

The school does not employ any pastoral counselors or professional counselors.

## Security Awareness and Crime Prevention Programs

34 CFR 668.46(b)(5), (6)

At all times, students and employees are directed to follow campus security guidelines for their own personal safety as well as the safety of others as a means to aid in crime prevention. Additionally, they are reminded to be responsible for their own security and the security of others. The campus does not have campus security personnel, but instead works directly with the local police department to promote safe behavior on campus. Campus security procedures are reviewed annually and updated as necessary

The following information is provided to help in the prevention of crimes.

- Wear your ID badge at all times. If you see someone on campus without a badge, report the persons' presence to the Campus Executive Director immediately.
- Do not prop open campus doors or hold the door open for someone you don't know.
- Do not leave personal property unattended.
- Do not leave any valuables in your vehicle. Be sure your vehicle is always locked.
- Employees should close and lock the door to their office/classroom door whenever they step away.
- Be aware of your surroundings at all times
- Clearly identify your property, including books, computers, phones, etc., with traceable identification
- Be alert to suspicious behavior and persons, reporting any suspicious activity to the Campus Executive Director. Program the phone number to your phone.
- Respect the campus security protocols; do not unlock doors that should be locked.
- Take precautions after dark. Park close to the entrance or in a well-lit populated area of the parking lot. Always walk in groups of two or more. Do not hesitate to ask for an escort any time you feel warranted.

As part of the onboarding process, new employees are provided with the Annual Security Report and Emergency Response Plan and made aware of all security policies and procedures, including procedures for reporting criminal and suspicious activity or emergencies. During orientation, incoming students are trained on all aspects of campus security as well.

Additionally, the school promotes ongoing awareness and informs students and employees through a number of programs, including but not limited to the following.

- Annual distribution of the Annual Security Report, which includes security procedures and procedures to prevent and report crimes
- Distributing informational brochures related to various prevention programs and safety topics
- Annual sexual misconduct prevention training
- Annual testing of the emergency alert and evacuation plan
- Active shooter training, as warranted
- Annual emergency preparedness training for employees
- Orienting students to the Emergency Response Plan, including procedures for preparing for emergencies, communication protocols, and incident specific responses.

## Non-Campus Locations (N/A)

34 CFR 668.46(b)(7)

N/A. The school does not have any non-campus locations of student organizations officially recognized by the institution or any non-campus housing facilities.

## Drug and Alcohol Statement

34 CFR 668.46(b)(8) and (9)

The school is committed to a drug-free and alcohol-free work and learning environment.

The unlawful possession, use, manufacture, distribution, or sale of illicit drugs and alcohol on school property or at any school sponsored activity is strictly prohibited, even by individuals who are otherwise of legal age to do so. This includes the campus buildings, campus grounds and parking areas, or while participating in off-site school/work-related activities such as but not limited to field trips, open houses, graduation ceremonies, school-sanctioned community service activities, or professional meetings attended by employees on behalf of the school.

During school and work hours, the school strictly prohibits employees and students to be under the influence of drugs or alcohol which can adversely affect the individual's performance and the safety of themselves and others.

The school reserves the right to take whatever measures it deems necessary in response to an allegation of alcohol or other drug use in order to protect employees and students and the personal safety of the entire campus community. An individual who violates the drug and alcohol policy, including underage drinking, is subject to both the school's disciplinary policies and criminal sanctions provided by federal, state, and local law.

The Federal Uniform Drinking Age Act of 1984 sets the minimum legal drinking age to 21. The school will enforce all state and federal underage drinking laws.

Institution will offer support to any student who discloses a disability related to recovery from alcohol or other drugs.



# Drug and Alcohol Abuse Prevention Program

34 CFR 668.46(b)(10)

As required by the Drug Free Schools and Campus Regulations (EDGAR Part 86.100, Subpart B), the school has adopted and implemented a program designed to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees, both on the institution's premise and as part of its activities. The school is committed to providing a safe, alcohol and drug-free educational and work environment for all students and employees. The Drug and Alcohol Addiction Prevention Program (DAAPP) policy was developed to inform the campus community, students, and employees of the seriousness of the use and abuse of illicit drugs and alcohol and to set forth the standards of conduct regarding such activity.

On or before October 1 each year, students and employees are provided via email with a direct link to the web site location of school's DAAPP policy along with the Annual Security Report. New students and new employees who begin after the distribution date are provided with the policies during orientation.

A student or employee who violates the drug and alcohol policy, including underage drinking, is subject to both the Campus's policies and to criminal sanctions provided by federal, state, and local law. Federal and State legal sanctions for the unlawful possession or distribution of illicit drugs and alcohol is further described in the DAAPP policy. The school will impose disciplinary sanctions as defined in the code of conduct on students and employees for violations of the DAAPP policy. A description of such sanctions can be found in the DAAPP policy.

The use of drugs, including alcohol and tobacco, can produce serious short- and long-term health risks. Substance use can lead to dependency and addiction, health problems, mental illness, and social issues. Beyond the harmful consequences for the individual, drug and alcohol use can cause serious health problems for others. The health risks associated with alcohol use and the substances covered by the Controlled Substances Act (21 USC 811) are summarized in the Appendix of the DAAPP policy. For additional health risks specifically related to your situation, contact your health care provider.

Students and employees who use controlled substances or who abuse alcohol are encouraged to seek assistance through the campus Student Services office or the office of the Campus Executive Director. A binder of community resources can also be found in the Learning Resource Center at the campus. Employees are also encouraged to seek confidential assistance of the Human Resources department at the corporate office at 757-456-5065. The staff will assist you or provide an appropriate referral. Although the school does not have in-house counseling or treatment services, many options are available in the surrounding areas for employees and students in need of substance-abuse counseling, treatment, or rehabilitation and reentry programs.

You can find treatment facilities in your area by searching at [www.findtreatment.gov](http://www.findtreatment.gov). In addition, the school maintains a list of national and local services and hotlines related to substance abuse, which can also be found in the school's DAAPP policy. For more information relating to your area and needs, contact the Campus Executive Director or the Student Services Coordinator for a confidential discussion.

The school completes a biennial review of the policies outlined in the DAAPP in order to determine the effectiveness of the policy and to ensure the consistent enforcement of school sanctions against students or employees found to be in violation. A copy of that report is located in the Campus Executive Director's office. Detailed information can be found in the school's Drug and Alcohol Abuse Prevention Program policy.

# Prevention of Dating Violence, Domestic Violence, Sexual Assault, and Stalking

34 CFR 668.46(b)(11)

The Campus Sexual Violence Elimination (SaVE) Act amends the Clery Act to encourage greater transparency and adds additional requirements for institutions to address and prevent sexual violence on campus. Campus SaVE is enforced by the U.S. Department of Education's Office for Civil Rights and applies to all colleges and universities that receive any federal funding, including student financial aid.

## Primary Prevention and Awareness

34 CFR 668.46(j)(1)(i)

The Institution strongly prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking. The institution administrators support a zero-tolerance policy for such crimes. The school provides students and employees with initial education and training in this area, including definitions relevant to this policy, bystander intervention options, and information on reducing the risk of these and other crimes from occurring. Initial training occurs during new employee onboarding and new student orientation. The ongoing prevention and awareness program continues with annual training designed to increase the understanding of the topics in this policy relating to dating violence, domestic violence, sexual assault, and stalking. Both the primary and ongoing prevention programs are designed to stop these situations before they occur through the promotion of positive and healthy behaviors.

The following definitions are offered for the purpose of complying with the requirements of 668.41. Any incident meeting these definitions is considered a crime for the purposes of Clery Act reporting. Definitions in your local jurisdiction are further clarified in the Appendix.

**Dating violence** is defined as any violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, as determined by the reporting party's statement with consideration of the length, type and frequency of interaction between the persons involved in the relationship. Dating violence includes but is not limited to sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

**Domestic violence** is defined as a felony or misdemeanor crime committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Sexual assault** is defined as any offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program. Sex Offenses are any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Rape is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Fondling is defined as the touching of private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or mental incapacity. Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is

prohibited by law. Statutory rape is defined as sexual intercourse with a person who is under the statutory age of consent.

**Stalking** is defined as the act of engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition, "Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, 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. "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 other professional treatment or counseling.

### ***Applicable State Definitions***

34 CFR 668.46(j)(1)(i) (B) and (C)

State definitions may vary from the above based on the definitions of the applicable jurisdiction, as noted in the Appendix.

### ***Bystander Intervention***

34 CFR 668.46(j)(1)(i)(D)

The only person responsible for committing a crime is the perpetrator, but everyone is encouraged to play an active role to look out for each other's safety. A bystander, or witness, is an individual who is present when an event takes place or during the events leading up to the event but isn't directly involved.

Bystander intervention means safe and positive options that may occur to prevent harm or to intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Bystanders can take steps to protect someone who may be at risk in a way that fits the bystander's own personal comfort level. Safe and positive options for bystanders include the following tips.

- Create a distraction in a subtle and innovative way to disrupt or interrupt the incident and re-direct the attention of the aggressor to something else.
- Directly ask the individual at risk if you can help when the perpetrator isn't listening or nearby in order to de-escalate the situation.
- Rally others to support you. Ask someone to intervene in your place.
- Report the potential event to someone in authority prior to it occurring.
- If the situation has escalated or involves immediate danger, call 9-1-1.
- Extend support by way of a helping hand or an empathetic ear after experiencing such a situation.

### ***Risk Reduction***

34 CFR 668.46(j)(1)(i)(E)

The school encourages actions that are designed to decrease the opportunities for crimes to occur and to increase bystander action. Risk reduction tips are in no way intended to place blame on a victim but are instead designed to

increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. The following suggestions may help the campus community to reduce the conditions for crimes, as well as acts of domestic violence, dating violence, sexual assault, and stalking.

1. Set clear boundaries early. Clearly indicate your intentions; be short and firm, leaving no room for misunderstanding.
2. Try to remove yourself from the physical presence of an aggressor.
3. Find someone nearby and ask for help. Keep your support network in the loop.
4. Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.
5. Document each incident of stalking to demonstrate that it fits into a pattern of behaviors.
6. Develop a safety plan that analyzes your own personal risk factors and develop ways to reduce the risk of harm.
7. Know the location of the nearest domestic violence shelters. Memorize the hotline phone numbers.
8. Take affirmative responsibility for your own alcohol intake or drug use and acknowledge that while under the influence, you may have lower inhibitions and be more vulnerable to victimization.
9. Remember this isn't your fault. You didn't do anything wrong.

If you find yourself in the position of being the initiator of behavior relating to dating violence, domestic violence, sexual assault, or stalking, these suggestions may help you to reduce your risk for being accused of misconduct:

1. Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
2. Understand that no means no
3. Respect personal boundaries not only in physical space but also with regard social media and communications
4. Do not make assumptions about consent. If there are any questions or ambiguity, then you do not have consent.
5. Mixed messages from your partner are a clear indication that you should stop all activity and communicate to clarify.
6. Respect the timeline for sexual behaviors with which your partner is comfortable.
7. Do not take advantage of someone's drunkenness or drugged state, even if consumption was voluntary.
8. Realize that your potential partner could be intimidated by you or fearful. You may have a power advantage simply because of your position within the institution, gender, or size.
9. Recognize if you are inappropriately expressing anger or aggression or trying to inflict guilt upon another person.
10. Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.
11. Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

These tips are not intended to be a comprehensive list. For more information, please contact the Campus Executive Director, Title IX Coordinator, or Student Services Coordinator at your campus.

## **Procedures for Victims**

34 CFR 668.46(b)(11)(ii)

If you believe you have been a victim of any crime, including domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Campus Executive Director or the Title IX Coordinator.

The school also advises any victim to do the following:

- Go immediately to a safe place and contact a friend or a family member for support.
- Consider seeking medical attention. If you cannot transport yourself to receive medical attention, then call 911. The Emergency Room at the local hospital can provide the best medical attention. Victims should be honest with hospital staff and report the incident.
- Consider asking for the police to be notified so the event can be documented and investigated by local law enforcement.

### *Preserving Evidence*

34 CFR 668.46(b)(11)(ii)(A)

Victims of domestic violence, dating violence, sexual assault, or stalking should consider seeking medical attention as soon as possible. It is important that a victim does not bathe, douche, smoke, change clothing or clean the bed/linen where they were assaulted so that evidence may be preserved if necessary to prove criminal activity or obtaining a protection order. Victims who wish to preserve forensic evidence should go to a hospital or medical facility immediately to seek a medical examination for evidence collection. In circumstances where the victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address health concerns.

Victims are also encouraged to also preserve physical evidence by saving phone records, voice mails, text messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents that would be useful in connection with institutional or police investigation, or helpful in obtaining a protection order.

### *Reporting Offenses*

34 CFR 668.46(b)(11)(ii)(B)

The school strongly encourages all members of the campus community to report information about any incident of dating violence, domestic violence, sexual harassment, and stalking as soon as possible. Reports can be made either to the campus officials and/or to law enforcement.

An incident may be reported to the school's Title IX Coordinator, the Campus Executive Director, or to the Corporate Director of Student Affairs. Filing a report with a school official will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from school officials.

Any person may report an offense in person, by mail, by telephone, or by electronic mail, or by any other means that results in the Title IX Coordinator or the Corporate Director of Student Affairs receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address listed for the Title IX Coordinator.

While there is no time limit for reporting, reports of DVDVSAS should be brought forward as soon as possible. All incidents should be reported even if significant time has elapsed, but prompt reporting will better enable the school to respond, investigate, provide an appropriate remedy, and impose discipline if appropriate. The school is committed to supporting the rights of a person reporting an incident to make an informed choice among options and services available.

The school will respond to all reports in a manner that treats each individual with dignity and respect and will take prompt responsive action.

### ***Involvement of Law Enforcement***

34 CFR 668.46(b)(11)(ii)(C)

A victim has the option to involve law enforcement and campus authorities. An incident of domestic violence, dating violence, sexual assault, or stalking can be reported to law enforcement at any time, 24 hours a day, 7 days a week, by calling 911. At the victim's request, the school will assist the victim in contacting law enforcement. If the victim decides to pursue the criminal process, the school will cooperate with law enforcement agencies to the extent permitted by law. A victim always has the option to decline to notify such authorities.

### ***Orders of Protection***

34 CFR 668.46(b)(11)(ii)(D)

Individuals who report an incident may be able to obtain a formal protection order from a civil or criminal court. Any person who obtains an order of protection or restraining order should provide a copy to the Campus Executive Director. Upon receipt, the CED will review the order, verify the authenticity, and create a plan to ensure the safety of all parties involved. The campus complies with all state and local laws in recognizing orders of protection. The CED can also assist a victim in contacting law enforcement to file a report and obtain a temporary restraining order, if requested. The school may also issue an institutional enforced "no contact" order as part of the proceedings and investigation.

### **Confidentiality**

34 CFR 668.46(b)(11)(iii)

To the extent permitted by applicable laws, the school will keep matters under this policy confidential and private as circumstances will allow. Only individuals or entities who have a legitimate need to know will be privy to the information surrounding a complaint or report.

All publicly available records, including Clery Act reporting and disclosures, will be completed without using any personally identifying information about the victim. Any notes made into the computer information system, Campus Nexus, will be in an area restricting access to only those individuals with the highest level of security.

Accommodations or protective measures provided to the victim will be maintained as confidential to the extent that maintaining such confidentiality would not impair the ability of the Institution to provide the accommodations or protective measures. In any case which the school determines that confidentiality cannot be maintained, the school will notify the victim prior to making those accommodations or taking any protective measures.

### **Notification of Services and Accommodations**

34 CFR 668.46(b)(11)(iv) and (v)

The school will provide written notification to students and employees about its counseling, health, mental health, victim advocacy, legal assistance, veterans support, visa and immigration assistance, student financial aid, and other assistance programs available for victims both within the institution and the community.

The school will provide written notification to students and employees about the options available to provide a safe environment. The notification will include policies for how to request changes for academic, living, transportation, and working situations or protective measures. The school will make such accommodations or

provide such protective measures if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to local law enforcement.

## **Institutional Disciplinary Procedures and Protocols**

34 CFR 668.46(k)(1)(i)

The Institute will conduct an internal investigation of all allegations of domestic violence, dating violence, sexual assault, or stalking. A formal complaint must be in writing filed by a complainant or signed by the Title IX Coordinator requesting that the Institute investigate the allegation. A formal complaint form may be obtained from the Title IX Coordinator, although no particular form is required to submit a formal complaint so long as the complaint is in writing, signed by a complainant, alleges domestic violence, dating violence, sexual assault, or stalking, and requests an investigation be made.

The Campus Executive Director, who serves as the Institute's primary Title IX Coordinator, oversees the Institute's investigation, response to, and resolution of all reports of domestic violence, dating violence, sexual assault, and stalking, and of related retaliation, involving students, faculty, and staff.

As soon as practicable after receiving a formal complaint, the Title IX Coordinator will make an initial assessment to determine whether the complaint, on its face, alleges an act of domestic violence, dating violence, sexual assault, or stalking. If the Title IX Coordinator determines the complaint states facts which, if true, could constitute a violation of this policy, the Title IX Coordinator will proceed through the formal investigation process. If the Title IX Coordinator determines the complainant's report does not state facts that, if true, could constitute a violation of this Policy, the Title IX Coordinator will communicate this determination in writing to the complainant.

The Institute may dismiss the formal complaint if a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint; the respondent is no longer enrolled or employed by the Institute; or specific circumstances prevent the Institute from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. The Institute will promptly send written notice of the dismissal and reasons therefore simultaneously to the parties.

### ***Notice***

Upon receipt of a formal complaint, the Institute will provide written notice of the Institute's grievance process to the parties who are known. The Institute will also provide the parties with notice of the allegation, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. The written notice and any subsequent updates will inform the parties simultaneously that they may have an advisor of their choice and may inspect and review evidence that is submitted to and/or collected by the Institute in connection with the investigation.

### ***Voluntary Informal Resolution***

Voluntary informal resolution, when selected by all parties and deemed appropriate by the Title IX Coordinator, is a path designed to eliminate the conduct at issue, prevent its recurrence, and remedy its effects in a manner that meets the safety and welfare of the campus community. If all parties voluntarily agree to participate in an informal resolution that does not involve a full investigation, and if the Institute determines that the situation is appropriate for such a process, the Institute will assist the parties in reaching a voluntary resolution.

Voluntary resolutions may include conducting targeted or broad-based educational programming or training for relevant individuals or groups; providing increased monitoring, supervision, or security; facilitating a meeting with the respondent with the complainant present; and any other remedy that can be tailored to the involved

individuals to achieve the goals of the Policy. The Institute will seek to complete the voluntary informational resolution within 15 days of all the parties' request for voluntary resolution.

### ***Formal Investigation Process***

Once the Institute determines that a formal investigation is warranted, the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the Institute and not on the parties. The Title IX Coordinator is responsible for the investigation of a formal complaint and may designate a specially trained investigator (or team of investigators) to conduct the investigation.

The Institute's formal investigative process will continue during any law enforcement proceeding. The investigator will interview relevant parties and gather documentation. The Institute will simultaneously provide a written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with sufficient time for all parties to prepare to participate. Each party shall have an equal opportunity to present witnesses and other evidence.

### ***Time Frame for Investigation***

Title IX Coordinator seeks to resolve all reports in a timely manner. In general, an investigation may last up to 30 days from receipt of a formal complaint. Adjudication will generally take up to 30 days from the date the investigative report is provided to both the complainant and the respondent. Time frames may be extended for good cause as necessary. Any extension of the timeframes, and the reason for the extension, will be shared simultaneously with all parties, in writing.

### ***Investigation Report***

The investigator will prepare an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to a hearing, send to each party the investigative report in an electronic format or a hard copy, for their review and written response. Such report will include a statement of the allegations and issues, the positions of the complainant and respondent, a summary of the evidence, an explanation why any proffered evidence was not investigated, assessment of individual credibility, and findings of fact and an analysis of whether a violation of school policy has occurred. The complainant and respondent will be simultaneously notified of the completion of the investigation and provided with the investigator's report.

### ***Hearing Panel***

The Institute will convene a hearing panel following the end of the investigation. The hearing panel determines whether the respondent is responsible or not responsible for a violation of the Policy.

The hearing panel will consist of three members designated by the Title IX Coordinator. The hearing panel members may include administrators, officers, lawyers or other individuals with relevant experience and special training but will not include the Title IX Coordinator or the Investigator. All panelists will receive training from experts in the field at least once a year. In addition to training on how the adjudicatory process works, the training will include specific instruction about how to approach individuals about sensitive issues that may arise in the context of domestic violence, dating violence, sexual assault, and stalking.

The complainant and respondent will be informed of the panel's membership and be given the opportunity to challenge the participation of a panel member because of perceived conflict of interest, bias, or prejudice. Such challenges, including rationale, must be made to the Title IX Coordinator at least three days prior to the commencement of the hearing. At its discretion, the Title IX Coordinator will determine whether such a conflict of interest exists and whether a panel member should be replaced. Postponement of a hearing may occur if a replacement panelist cannot be immediately identified.



### ***Written Submissions***

Both the complainant and respondent will have the opportunity to submit written responses to the investigation report and other relevant information to the hearing panel. Each party will have the opportunity to review any written submissions by the other party. The hearing panel may set reasonable parameters for these written submissions. The hearing panel will review the investigation report and written submissions.

### ***Hearing Procedures***

The Title IX Coordinator will give the complainant and respondent at least 10 days' advance notice of the hearing. The hearing is a closed proceeding, meaning that no one other than the panel members, the complainant and respondent, their respective advisors, witnesses (when called), and necessary school personnel may be present during the proceeding. If a party does not have an advisor present, the Institute will provide an advisor of the Institute's choice at no fee, who may or may not be an attorney.

The Title IX Coordinator may set reasonable time limits for any part of the hearing. Each of the complainant and respondent will have the opportunity to present witnesses and other information consistent with the Policy and these Procedures. The panel may determine the relevance of, place restrictions on, or exclude any witnesses or information. In cases where either the complainant or respondent opts not to participate in the hearing, the panel may still hear from the other.

At the hearing, the hearing panel shall permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions. Such cross-examination must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally. Live hearings may be conducted with all parties physically present in the same geographic location or, at the Institute's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other. At the request of either party, the Institute will provide for the hearing to occur with the parties located in separate rooms with technology enabling the hearing panel members and parties to simultaneously see and hear the party or the witness answering questions.

The Institute will create an audio or audiovisual recording, or transcript, of any hearing and make it available to the parties for inspection and review. Cell phones and recording devices may not be used in the hearing room(s) unless approved by the panel in advance.

### ***Panel Determinations***

The hearing panel will issue a written determination regarding responsibility. The panel will find an individual responsible, or not responsible, based on a majority vote. The panel will generally render a written determination within 10 days after the conclusion of a hearing.

The panel's written determination will include:

- Identification of the allegations potentially constituting domestic violence, dating violence, sexual assault, or stalking.
- 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 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 Institute's code of conduct to the facts.
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the Institute imposes on the respondent, and whether remedies designed to restore or preserve equal access to the Institute's education program or activity will be provided by the Institute to the complainant.
- The Institute's procedures and permissible bases for the complainant and respondent to appeal.

Both parties will be informed of the results of the hearing by simultaneous written notice. The determination becomes final either on the date that the Institute provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

## **Standard of Evidence**

34 CFR 668.46(k)(1)(ii)

The institution will use “preponderance of the evidence” as the standard of proof used during any institutional disciplinary proceeding arising from an allegation of dating violence, domestic violence, sexual assault, or stalking. Preponderance of the evidence means that the institution must be convinced based on the information it considers that the accused was more likely than not to have engaged in the conduct at issue in order to find the accused responsible for violating the policy.

## **Institutional Sanctions**

34 CFR 668.46(k)(1)(iii)

When determining the sanctions, the Institution will consider relevant factors, including, if applicable:

- The specifics of crime
- The circumstances regarding consent
- The victim’s state of mind
- The impact of the offense on the accused
- Prior disciplinary history
- The safety of the campus community
- The accused’s conduct during the disciplinary process.

The Institution shall be responsible for imposing sanctions that are:

- Fair and appropriate given the facts of the particular case;
- Consistent with the School’s handling of similar cases;
- Adequate to protect the safety of the campus community; and
- Reflective of the seriousness of the offense.

The Institution may impose any one or more of the following sanctions on an individual determined to have violated the Policy:

- Reprimand/warning
- Changing the respondent’s academic or work schedule
- Disciplinary probation
- Restricting access to Campus facilities or activities
- Community service
- Issuing a “no contact” order or requiring that such an order remain in place
- Suspension (limited time or indefinite)
- Expulsion, termination, or dismissal

In addition, the School may require anyone determined to be responsible for a violation of the Policy to receive appropriate education and/or training related to the violation at issue. The School may also recommend counseling or other support services for the accused. No disciplinary sanctions or other actions that are not supportive measures will be imposed against the accused until the completion of the institution’s disciplinary procedure, including any applicable appeal.

## **Protective Measures**

34 CFR 668.46(k)(1)(iv)

The school's Title IX Coordinator will work with all individuals affected by domestic violence, dating violence, sexual assault, or stalking, to ensure their safety and support their wellbeing. This assistance may include providing measures to support or protect an individual after an incident and while an investigation or disciplinary proceeding is pending. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available to the complainant or the respondent. Such measures are designed to restore or preserve equal access to the School's education programs and activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the School's educational environment, or deter further occurrences.

Supportive measures vary depending on the individual and may include:

- Advising or counseling referrals
- Extensions of deadlines or other time-related adjustments
- Modifications of schedules
- Campus escort services
- Mutual restrictions on contact between the parties
- Changes in classroom or workstation locations
- Leaves of absence
- Increased security and monitoring of certain areas of the campus
- Other similar measures

The School will maintain as confidential any supportive measures provided to the accused or accuser, to the extent that maintaining such confidentiality would not impair the ability of the School to provide the supportive measures.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. The measures needed by each individual may change over time, and the Title IX Coordinator will communicate with the individual throughout any investigation to ensure that any supportive measures are necessary and effective based on the individual's evolving needs.

The School may also determine that additional measures are appropriate to respond to the effects of the incident on the campus community. Additional responses for the benefit of the campus community may include additional training and educational materials, revisions to policies, or climate surveys.

## **Standards of Proceedings**

34 CFR 668.46(k)(2)

All proceedings will be completed within reasonably prompt timeframes designated by the school's policy, allowing for the extension of time frames for good cause. In the event of an extension, the school will provide the accuser and accused a written notice of the delay including the reason for the delay.

All proceedings will be conducted fairly and impartially and in a manner that is consistent with the school's grievance procedures and be transparent to the accuser and the accused. The school will provide timely notice to both the accuser and the accused of any meetings in which their attendance is permissible. Any information that will be used during any informal or formal disciplinary meetings or hearings will be provided to the accuser, the accused, and appropriate officials in a timely and equal basis.

The school will verify that the prompt, fair, and impartial hearings are conducted by officials who do not have a conflict of interest or bias for or against the accuser or accused.

All proceedings will be conducted by individuals who receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking. [34 CFR 668.46(k)(2)(ii)] Annual training will also include how to conduct an investigation and hearing process in such a manner as to protect the safety of victims and promote accountability.

The school will ensure that accuser and the accused will be provided with the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. An advisor may be any individual who provides support, guidance, or advice. [34 CFR 668.46(k)(2)(iii)]

Both the accuser and the accused are entitled to be accompanied to any meeting or proceeding relating to the allegation by an advisor or support person of their choice, provided the involvement does not result in the postponement or delay of such meeting as scheduled. The institution reserves the right to establish restrictions regarding the extent to which an advisor may participate in the proceedings. If such restrictions are imposed, they will apply equally to all parties. Any such restrictions will be detailed in writing and be provided to the parties with advance notice. [34 CFR 668.46(k)(2)(iv)]

The school will provide simultaneous notification, in writing, to both the accuser and the accused, of the results of any disciplinary proceeding from the allegation of dating violence, domestic violence, sexual assault, or stalking. This includes any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The results will include any sanctions imposed by the institution as well as the institution's procedures to appeal the results of the disciplinary proceeding. If any changes occur as a result of the appeal process, both the accuser and the accused will simultaneously receive a written notification of the appeal results as well as when such results become final. [34 CFR 668.46(k)(2)(v)]

## Explanation of Rights and Options

34 CFR 668.46(b)(11)(vii)

When the Institution receives a report that a student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the institution will provide the student or employee a written explanation of the student's or employee's rights and options, including the procedures victims should follow, information about confidentiality, and notifications of services available.

## Registered Sex Offender Information

34 CFR 668.46(b)(12)

Information pertaining to each state's registered sex offenders may be found in the following law enforcement agency web sites.

State	Location
Arizona	State of Arizona Department of Public Safety, Arizona Sex Offender Compliance <a href="https://www.azdps.gov/services/public-services-center/sex-offender-compliance">https://www.azdps.gov/services/public-services-center/sex-offender-compliance</a>
California	State of California Department of Justice, California Megan's Law Website <a href="https://www.meganslaw.ca.gov/mobile/Search.aspx">https://www.meganslaw.ca.gov/mobile/Search.aspx</a>
Florida	Florida Department of Law Enforcement, Sexual Offenders and Predators Search <a href="https://offender.fdle.state.fl.us/offender/sops/home.jsf">https://offender.fdle.state.fl.us/offender/sops/home.jsf</a>

Georgia	Georgia Bureau of Investigation, Sex Offender Registry <a href="https://state.sor.gbi.ga.gov/Sort_Public/">https://state.sor.gbi.ga.gov/Sort_Public/</a>
Illinois	Illinois State Police <a href="https://isp.illinois.gov/Sor">https://isp.illinois.gov/Sor</a>
Indiana	Indiana Department of Correction, Sex & Violent Offender Registry <a href="https://www.icrimewatch.net/indiana.php">https://www.icrimewatch.net/indiana.php</a>
New Jersey	New Jersey Sex Offender Internet Registry, New Jersey State Police <a href="https://nj.gov/njsp/sex-offender-registry/">https://nj.gov/njsp/sex-offender-registry/</a>
North Carolina	North Carolina State Bureau of Investigation, North Carolina Sex Offender Registry <a href="https://sexoffender.ncsbi.gov/">https://sexoffender.ncsbi.gov/</a>
Missouri	Missouri State Highway Patrol, Sex Offender Registry <a href="https://www.mshp.dps.missouri.gov/CJ38/search.jsp">https://www.mshp.dps.missouri.gov/CJ38/search.jsp</a>
Nevada	Nevada Department of Public Safety, Sex Offender Registry Website <a href="http://www.nvsexoffenders.gov/SearchOffender.aspx">http://www.nvsexoffenders.gov/SearchOffender.aspx</a>
Pennsylvania	Pennsylvania State Police, Megan’s Law Website <a href="https://www.pameganslaw.state.pa.us/">https://www.pameganslaw.state.pa.us/</a>
Texas	Texas Department of Public Safety, Texas Public Sex Offender Website <a href="https://publicsite.dps.texas.gov/SexOffenderRegistry">https://publicsite.dps.texas.gov/SexOffenderRegistry</a>
Virginia	Virginia State Police <a href="https://sex-offender.vsp.virginia.gov/sor/zipSearch.html">https://sex-offender.vsp.virginia.gov/sor/zipSearch.html</a>

In addition, the US Department of Justice maintains a National Sex Offender Public Website that searches sex offender registries for all 50 states, the District to Columbia, U.S. Territories, and Indian Country.

Web site <https://www.nsopw.gov>

## Emergency Response and Evacuation Procedures

34 CFR 668.46(b)(13)

The Campus Emergency Response Plan has been created to provide guidance and identify the processes and procedures that are to be followed to help ensure the safety and security of students, employees, and guests on campus. The plan serves as a description of what you should expect in an emergency as well as the actions that should be taken.

One of the primary goals of the school is to provide students and employees with a secure and safe environment. Emergencies can happen suddenly, and it is essential that the campus community know how to respond to these emergencies quickly and effectively. Everyone must react and respond in a coordinated way that will minimize the potential risks to everyone who is involved and will allow students and employees to continue to function normally without creating any additional emergencies.

Though the plan provides direction for how prepare oneself and how to respond to various types of potential emergencies, it cannot anticipate every potential situation. Therefore, students and employees must be ready to evaluate all the circumstances and make smart and safe decisions based on the situation at hand. Equipped with this information, students, staff and faculty can become effective allies in providing the safest and securest possible environment in which to learn and work.

### Emergency Notifications

34 CFR 668.46(g)(1), (2), (3)

Any individual who becomes aware of a potential significant emergency or dangerous situation should immediately notify the Campus Executive Director (CED) or designee, who will then immediately confirm the existence of an emergency. The CED, with support from the school leadership team, will then determine which segments of the campus community are in immediate danger and need to receive a notification.

Upon confirmation of an emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus, the CED will compose a warning applicable to the situation in hand, detailing the nature of the emergency, what action the community should take, and how the community will know when the emergency is over.

The CED will then initiate the notification system unless such notification would compromise the situation or further endanger the community.

Notifications will be made by either loud-speaker, web alert, or text/SMS messaging system to notify the affected campus community. In certain cases, the CED may request that the notification be made by an appropriate authority.

A school will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of the CED, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency;

The Campus Executive Director or designee will assess the circumstances and decide the best method to notify the campus community of the emergency without delay and taking into account the safety of the community.

## **Emergency Contact Person**

34 CFR 668.46(g)(4)

The Campus Executive Director is responsible for carrying out the actions as described in this section, including assessing and confirming the emergency or dangerous situation, determining the campus community involved, determining the content of the emergency notification, and initiating the notification system. In the rare case that the Campus Executive Director is unavailable, the responsibility will fall to the Campus Assistant Director or the Campus Director of Education.

## **Disseminating Information**

34 CFR 668.46(g)(5)

In most situations, because the campus is relatively small and self-contained, all emergency notifications will be directed to the entire campus community. In the case that the emergency information needs to be disseminated to the larger community, the Campus Executive Director will work with the corporate leadership team to determine the procedures for dissemination.

The release of information and comments to the news and social media should be limited to the Campus Executive Director, upon consultation with the Regional Director and corporate leadership team. All other employees should direct any news media to the appropriate spokesperson and should refrain from speaking to and providing any information, unless given approval to do so.

## **Annual Testing**

34 CFR 668.46(g)(6)

The institution will conduct a test of the emergency response and evacuation procedures annually. The test drills may be announced or unannounced. The drill will include initiating the notification system and evacuating the building. The results will be documented with a description of the test, the time and date, and whether it was announced or unannounced. Additional tests may be conducted, as warranted.

## Missing Student Notification (N/A)

34 CFR 668.46(b)(4)

N/A. The institution does not provide on-campus housing as defined in the Code of Federal Regulations. Therefore, the institution has no missing student policy apart from established procedures regarding student withdrawal.

# Appendix A – Campus Information



# Annual Security Report - Appendix

## Campus: Aviation Institute of Maintenance, Fremont CA

**Campus Address:** 420 Whitney Place, Fremont, CA 94539

### On-Campus Property

Building, surrounding parking lots, and grassy areas, located at 420 Whitney Pl, Fremont, CA 94539, bordered to the north, east, south, and west by a fence.

### Public Property

N/A. AIM-Fremont campus does not have any reportable public property.

### Definitions of Domestic Violence, Dating Violence, Sexual Assault, Stalking, and Consent.

The school uses the Clery definitions of “Domestic Violence”, “Dating Violence”, “Sexual Assault” and “Stalking” for purposes of compliance with the Clery Act. Definitions of these terms within the local campus jurisdiction may be different than those provided for Clery Act reporting. Local definitions as well as the definition of “Consent” in reference to sexual activity are provided here for the purpose of educational awareness.

Campus Jurisdiction: State of California

### **Stalking**

In California, stalking is defined as willfully, maliciously, and repeatedly follows or harasses another and makes credible threat with intent to place another in reasonable fear for own safety or safety of his/her immediate family.

### **Domestic Violence (covers Dating Violence)**

California Penal Code defines domestic violence as “abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship.” Domestic abuse refers to any action whereby the defendant intentionally or recklessly strikes the victim.

California Family Code defines “Domestic violence” as abuse perpetrated against any of the following persons: (a) A spouse or former spouse; (b) A cohabitant or former cohabitant; (c) A person with whom the individual is having or has had a dating or engagement relationship; (d) A person with whom the individual has had a child, where the presumption applies that the male parent is the father of the child of the female parent; (e) A child of a party or a child who is the subject of an action under the Uniform Parentage Act, where the presumption applies that the male parent is the father of the child to be protected; and (f) Any other person related by consanguinity or affinity within the second degree.

### **Sexual Assault**

Sexual assault (also known as sexual battery) is defined by the California Penal Code as the touching of another person’s sexual organ, groin, anus, buttocks, or breast against that person’s will and for the specific purpose of sexual arousal, sexual gratification, or sexual abuse.

## **Consent**

California has adopted an affirmative consent standard in the determination of whether consent was given by both parties to sexual activity. "Affirmative consent" means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent. In California, the legal age of consent to have sex is 18 years old.

## **Clery Statistics**

The Clery Act requires institutions to disclose statistics for the three most recent calendar years concerning the number of crimes that fall under this Act that occurred within the school's Clery geography and are reported to local police agencies. Those statistics, as reported, are on the following page.

	Year	On-Campus	Public Property	Hate Crime (Bias)*	Offense	Year	On-Campus	Public Property	Hate Crime (Bias)*
Murder/non-negligent manslaughter	2023	0	N/A	0	Arrests: Weapons: carrying, possessing, etc.:	2023	0	N/A	N/A
	2022	0	N/A	0		2022	0	N/A	N/A
	2021	0	N/A	0		2021	0	N/A	N/A
Negligent manslaughter	2023	0	N/A	0	Disciplinary Referrals: Weapons: carrying, possessing, etc.:	2023	0	N/A	N/A
	2022	0	N/A	0		2022	0	N/A	N/A
	2021	0	N/A	0		2021	0	N/A	N/A
Sexual Assault- Rape:	2023	0	N/A	0	Arrests: Drug Abuse Violations	2023	0	N/A	N/A
	2022	0	N/A	0		2022	0	N/A	N/A
	2021	0	N/A	0		2021	0	N/A	N/A
Sexual Assault- Fondling	2023	0	N/A	0	Disciplinary Referrals: Drug Abuse Violations	2023	0	N/A	N/A
	2022	0	N/A	0		2022	0	N/A	N/A
	2021	0	N/A	0		2021	0	N/A	N/A
Sexual Assault- Incest	2023	0	N/A	0	Arrests: Liquor Law Violations	2023	0	N/A	N/A
	2022	0	N/A	0		2022	0	N/A	N/A
	2021	0	N/A	0		2021	0	N/A	N/A
Sexual Assault- Statutory Rape	2023	0	N/A	0	Disciplinary Referrals: Liquor Law Violations	2023	0	N/A	N/A
	2022	0	N/A	0		2022	0	N/A	N/A
	2021	0	N/A	0		2021	0	N/A	N/A
Robbery	2023	0	N/A	0	Unfounded Crimes	2023	0	N/A	0
	2022	0	N/A	0		2022	0	N/A	0
	2021	0	N/A	0		2021	0	N/A	0
Aggravated Assault	2023	0	N/A	0	Additional Hate Crime Information	Year	On Campus	Public Property	Hate Crime (Bias)*
	2022	0	N/A	0					
	2021	0	N/A	0					
Burglary	2023	0	N/A	0	Larceny-Theft	2023	0	N/A	0
	2022	0	N/A	0		2022	0	N/A	0
	2021	0	N/A	0		2021	0	N/A	0
Motor Vehicle Theft	2023	0	N/A	0	Simple Assault	2023	0	N/A	0
	2022	0	N/A	0		2022	0	N/A	0
	2021	0	N/A	0		2021	0	N/A	0
Arson	2023	0	N/A	0	Intimidation	2023	0	N/A	0
	2022	0	N/A	0		2022	0	N/A	0
	2021	0	N/A	0		2021	0	N/A	0
Dating Violence	2023	0	N/A	0	Destruction/ damage/ vandalism of property	2023	0	N/A	0
	2022	0	N/A	0		2022	0	N/A	0
	2021	0	N/A	0		2021	0	N/A	0
Domestic Violence	2023	0	N/A	0	Other Crimes Involving Bodily Injury	2023	0	N/A	0
	2022	0	N/A	0		2022	0	N/A	0
	2021	0	N/A	0		2021	0	N/A	0
Stalking	2023	0	N/A	0					
	2022	0	N/A	0					
	2021	0	N/A	0					

\*Hate Crime (Bias): Indicates the number of incidents followed by a code for the bias of each based on race (ra), gender (ge), religion (re), national origin (no), sexual orientation (so), gender identity (gi), ethnicity (et), or disability (di).