AMERICAN COLLEGE
OF HEALTHCARE & TECHNOLOGY

CAMPUS SAFETY AND SECURITY REPORT

2026

Santa Ana Campus

Effective October 1, 2026 through September 30, 2027

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INTRODUCTION

Student safety and security is a top priority at American College of Healthcare and Technology (ACHT). While we work diligently to ensure the campus remains safe and secure at all times, we need your cooperation and support in this effort. Emergencies, crimes, and suspicious activity must be reported immediately, and guidelines and procedures outlined in this manual must be observed at all times. ACHT's Campus Safety and Security Report is prepared in compliance with federal law (the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly known as the Clery Act); the 2008 Revision to the Higher Education Opportunity Act and California Education Code section 67380, which informs members of the community of institutional policies concerning campus security (including crime reporting policies, alcohol and drug use, crime prevention, sexual assault and other matters of related importance); and the Violence Against Women Reauthorization Act of 2013 (VAWA), which amends the Clery Act, under the Campus Sexual Violence Elimination Act provision.

ACHT prepares, distributes, and reports crime statistics for the period January 1through December 31 yearly. This report contains crime statistics for the previous three years, as reported to the Campus Administration and/or local police department concerning crimes reported to have occurred on campus, areas immediately adjacent, or on public property. Please not ACHT does not own or operate any type of student housing facilities.

This report is posted online at www.ach.edu, and is distributed to all prospective students and employees. Revisions and availability of new reports is notified electronically. Hard copies are available upon request from the office of the Director of Compliance.

PREPARATION OF ANNUAL DISCLOSURES OF CRIME STATISTICS

ACHT Director of Compliance compiles crime statistics from school personnel designated as authorized official to receive reports of crimes on campus, and from the local police department. Should the latter be unavailable after diligent efforts to receive the information, a note will be made in the report indicating that statistics shown do not incorporate crimes reported to the local police department. In any event, only incidents that have been reported to the school administration and/or local police department are contained in the report. Please note that ACHT does not own or operate any non-campus properties; therefore, this report only contains crimes reported on campus and/or in areas immediately adjacent to the campus, or on public property immediately adjacent to the campus. Although the school does not normally offer classes or sponsor activities over the weekend, crime statistics reported by the local police department will include crime activity and related arrests occurring seven days a week, 24 hour per day.

Crime statistics pertaining to this campus may be found in Appendix A of this report. Supporting documentation associated with statistics provided is kept on file at the office of the Director of Compliance.

CRIME DEFINITIONS

The following definitions apply to the incidents of crime disclosed in the crime statistics tables contained within this report:

Murder and Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another.
Negligent Manslaughter: The killing of another person through gross negligence.
Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.
Sex Offenses/ Forcible: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
• **Rape** - 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/Sexual Battery** – The touching of the private body parts of another for the purposes of sexual gratification without consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
Sex Offenses/ Non-Forcible: Non forcible sex offenses include sexual conduct with individuals that the law assumes are not capable of giving consent to sexual acts. (Includes attempts)
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 (18 yrs).
Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. Simple assaults are excluded.
Arson: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another.
Burglary: The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.

Drug/Narcotic Violations: The production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance.

Liquor Law Violations: The violation of state and local municipal laws and ordinances prohibiting the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.)

Weapons Law Violations: The violation of federal, state and local laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

Drug Law Violations: Violations of federal, state, and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, codeine), marijuana, synthetic narcotics (demerol, methadone), and dangerous non-narcotic drugs (barbiturates, benzedrine).

Hate Crimes: Under the Clery Act, a hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias. "Bias" is defined as a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation, ethnicity, national origin, or gender identity.

Hate Incident: Any noncriminal act motivated by bias against any person or group of persons, or the property of any person or group of persons because of the ethnicity, race, national origin, religion, gender, sexual orientation or disability of the person or group, or bias based upon the perception that the person or group has one or more of those characteristics.

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Destruction/Damage/Vandalism of Property (Except "Arson"): To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Larceny/Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Hazing: Any intentional, knowing, or reckless act committed by a person acting alone or with others, that is directed against a student for the purpose of initiating, admitting, affiliating, or maintaining membership in any student organization, and that:

- Causes, or creates a substantial risk of causing, physical, emotional, or psychological injury or harm;
- Involves the forced consumption of any liquid, alcohol, drug, food, or other substance; or
- Coerces or requires a student to perform any illegal or demeaning act.

REPORTING OF CRIME STATISTICS TO THE DEPARTMENT OF EDUCATION

ACHT's crime statistics are submitted annually by the Director of Compliance to the U.S. Department of Education via the web site collection system at https://surveys.ope.ed.gov/campussafety/. Definitions of crimes comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. Crime statistics are provided by the local police department. ACHT's Campus Incident Log is available at the Campus Director's office located on campus. ACHT makes a good faith effort to collect crime statistics for all Clery Act crimes committed in appropriate geographic locations from all law enforcement agencies with jurisdiction for the institution and maintains such documentation.

INSTITUTIONAL POLICIES RELATIVE TO CAMPUS SAFETY AND SECURITY

1. ACHT has zero tolerance for any type of criminal behavior on campus and adjacent areas. Disciplinary action may include immediate termination.
2. ACHT does not employ campus security personnel but encourages both its employees and students to immediately report suspected criminal activity or other emergencies to the nearest available institutional official and/or in the event of emergency to directly contact local law enforcement or other emergency response agencies by dialing 911.
3. (i) All students and employees are required to report any crime or emergency to their institutional official promptly. Bystanders are encouraged to report crimes and assured safety and confidentiality.

   (ii) Preparation for the Annual Disclosure of Crime Statistics report is obtained by the institution's Director of Compliance who contacts the local Police Department District for statistics. Local Police Department statistics are then combined with

statistics of crimes reported to the school administration.

(iii) If a student or employee wishes to report a crime on a voluntary or confidential basis, the **institutional official** will be prepared to record and report the crime, but not the name of the informant. The student or employee may, in order to maintain confidentiality, submit the information in writing to his/her **institutional official** without signature. If the student wishes not to maintain confidentiality, the student will contact his/her **teacher or school official** who in turn will contact the nearest **supervisor** to report criminal actions or

4. Only students, employees and other parties having business with this institution should be on institutional property. Staff, faculty, students, and prospective students or any person entering the premises must have and CARRY on them at all times a security identification badge. Those without an identification badge must sign in at the entrance and identify their purpose of visit, the person to be visited and register their time in and out of the building. All rear access doors leading to the campus are closed and locked during evening hours staring at 6 PM. When the school closes for the night, the school's official or supervisor will inspect each building to see that it is empty and then set the alarms and then lock down the campus. Other individuals present on institutional property at any time without the express permission of the appropriate institutional official(s) shall be viewed as trespassing and may as such be subject to a fine and/or arrest. In addition, students and employees present on institutional property during periods of non-operation without the express permission of the appropriate institutional official(s) shall also be viewed as trespassing and may also be subject to a fine and/or arrest.
5. Current policies concerning campus law enforcement are as follows:
    (i) Institution's officials have no powers of arrest other than the Citizens Arrest Law, and are required in the event of a crime or emergency to call the correct agency or dial (911) for the police and emergency services. The Citizens Arrest Law will be invoked only as a last resort, and after all other possibilities have been explored.
    (ii) Employees shall contact their immediate or nearest ranking supervisor to report any criminal action or emergency to the appropriate agency by calling (911). If possible, in the interim, the security guard and or institutional official shall attempt to non-violently deal with the crime or emergency with the appropriate agency on campus. Individual discretion must be used, as undue risk should not be taken.
    (iii) The institution currently has no procedures for encouraging or facilitating pastoral or professional counseling (mental health or otherwise), other than the student or employee is encouraged to seek such aid.
5. Although ACHT does not offer regularly scheduled crime awareness or prevention programs, students are encouraged to exercise proper care in seeing to their personal safety and the safety of others. The following is a description of

policies, rules and programs designed to inform students and employees about the prevention of crimes on campus.

a. Do not leave personal property in classrooms.
b. Report any suspicious persons to your institutional official.
c. Always try to walk in groups outside the school premises.
d. If you are waiting for a ride, wait within sight of other people.
e. Employees (staff and faculty) will close and lock all doors, windows and blinds and turn off lights when leaving a room
f. The Crime Awareness and Campus Security Act are distributed to students, employees (staff and faculty) and prospective students.
g. The school has no formal program, other than orientation, that disseminates this information. All information is available on request.
h. Information regarding any crimes committed on the campus or leased/attached properties (parking lot) will be available and posted in a conspicuous place within two (2) business days after the reporting of the crime and be available for sixty (60) business days during normal business hours, unless the disclosure is prohibited by law, would jeopardize the confidentiality of the victim or an ongoing criminal investigation, would jeopardize the safety of an individual, would cause a suspect to flee or evade detection, or would result in the destruction of evidence. Once the reason for the lack of disclosure is no longer in force, the institution must disclose the information. If there is a request for information that is older than sixty 60 days, that information must be made available within two (2) business days of the request.

The institution does not offer regularly scheduled crime awareness or prevention programs other than orientation where all the institution's policies and regulations are properly disclosed to prospective students.

6. All incidents shall be recorded in an Incident Log at the institutional official's station. The log includes the date, time, location, incident reported, and disposition of incident and the name of the person who took the report. The report must be entered in the log within two (2) business days after it is reported to the school's official, unless that disclosure is prohibited by law or would endanger the confidentiality of the victim.

   a. ACHT does not permit the sale, possession or consumption of alcoholic beverages on school property and adheres to and enforces all state underage-drinking laws.

   b. ACHT does not permit the possession, use or sale of illegal drugs by its employees and students and adheres to and enforces all state and Federal drug laws. The violation of these policies by students or employees may result in expulsion, termination and/or arrest.

c. Information concerning drug and alcohol abuse education programs is posted at the campus and is distributed annually to students and staff. The institution makes available to students and staff members information on an agency that provides counseling and help on drug and alcohol abuse education).

7. It is the policy of this institution to have any sexual assaults (criminal offenses) on campus to be reported immediately to the institution's official, who will report it to (911) emergency and police units. During the daily functioning of the school operations, staff and administrators focus in observing that students are not in any circumstance by themselves. When a student or employee reports to the school 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, the school will provide the student or employee with a written explanation of the student's or employee's rights and options.

(i) The institutional program to prevent sexual crimes consists in maintaining a continuous lookout for each other to protect and prevent any sexual assaults. The entire staff takes part in this program to protect the students and the staff among themselves.

(ii) A person who was victimized will be encouraged to seek counseling at a rape crisis center and to maintain all physical evidence until such a time when that person can be properly transported to a hospital or rape crisis center for proper treatment.

(iii) A victim of a sexual crime has the option of reporting this crime to the institutional officials or to report it directly to (911). If requested, the institutional personnel will be prepared to request assistance calling (911

(iv) The institution does not have accessibility to professional counseling; mental health or otherwise, students and employees are encouraged to seek such professional assistance at the nearest hospital or health care services.

(v) The institution will offer the victim of a sexual crime, any available options to change the academic schedule in as much as possible to the benefit of the victimized person.

(vi) The institutional disciplinary actions in reference to an alleged sex offence are as follows:

(A) The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceedings: and

(B) Both the accuser and the accused must be informed of the outcome of any institutional proceeding brought alleging a sex offense

(vii) This institution has zero tolerance of violation of this policy. Once the offense is confirmed the institutional disciplinary action against students or employees may result in expulsion from school, or termination

of employment and in accordance to local laws, to an arrest of the offender by the authorities.

TIMELY WARNING SYSTEM

In the event that a situation arises, either on or off campus that, in the judgment of the Campus Director, constitutes a serious ongoing or continuing threat, a campus wide "Time Warning" will be issued. A timely warning will be issued for any reported Clery Act crimes. The method and content of the warning will be determined by the Campus Director and will include at minimum all information that would promote safety and aid in the prevention of similar crimes.

The warning will be issued through the school e-mail, text messaging and/or campus bulletin board posting to students and employees.

Anyone with information warranting a timely warning should report the circumstance to the Campus Director by phone or in person.

Notification Procedure

- In case of Emergency, 911 shall be contacted immediately
- The employee who first learns of the significant emergency shall contact the Campus Director or alternative Emergency Management Team Leader on duty.
- The Campus Director or Emergency Management Team Leader will be responsible for implementing the Emergency plan.
- The Campus Director or Emergency Team Leader upon confirmation that there is a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or employees occurring on campus will immediately notify the campus community.
- Initiation and content of the notification is the responsibility of the Campus Director or Emergency Management Team Leader.
- Notification will occur by means of audible alert, e-mail, text messages, telephone calls or any other form of effective communication determined to best address the situation.
- If indicated the evacuation plan will be implemented.
- The building will be secured and students and employees will be directed to a safe location
- If indicated, a campus lockdown and Shelter in Place procedure will be implemented.

- The entire campus community will be notified of the emergency.
- The Campus Director or Emergency Management Team Leader will serve as the media contact and be responsible for dissemination of emergency information to the larger community.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

American College of Healthcare and Technology will, without delay and taking into account the safety of the campus community, immediately notify the campus community of a significant emergency or dangerous situation involving an immediate threat to the health or safety of those on campus, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or contain, respond to our otherwise mitigate the emergency.

The Campus Director or Emergency Management Team Leader should be immediately informed of a significant emergency or dangerous situation; personnel should not delay contacting the local emergency response system should the Campus Director or Emergency Management Team Leader be inaccessible.

Students and employees should refer to the person or agency listed at the end of this report when reporting or seeking help on a criminal incident. Please note that any emergency that requires immediate attention should not wait to report to the school's officer but rather should contact the appropriate agency by calling (911).

ACHT does not maintain any special relationship with State and local police and does not have an agreement with those police agencies (such as written memoranda of understanding) to investigate alleged crimes.

ACHT encourages students to complete a timely reporting of all crimes to the campus administrators, police and appropriate law enforcement agencies

ACHT encourages students to immediately report an incident where an emergency evacuation will be needed. All students should be familiar with the evacuation procedures posted in several key places around the campus. Evacuation drills are held at once a year at a minimum. Documentation of evacuation drills is kept with the Campus Director. Yearly Evacuation drills serve to test the school's emergency response and evacuation program, and the Campus Director will take corrective action when needed.

Response to Active Shooter on Campus: In the event of active shooters on campus (as defined by the U.S Department of Homeland Security (USDHS), an active shooter is an individual actively engaged in killing or attempting to kill people in a confined and populated area, normally using firearms, and with no method or pattern to their selection of victims), the standard protocol of **RUN-HIDE-FIGHT** proposed by USDHS will apply.

RUN

If there is an accessible escape path, attempt to evacuate the premises.

- Have an escape route and plan in mind
- Evacuate regardless of whether others agree to follow
- Leave your belongings behind
- Help others escape, if possible
- Prevent individuals from entering an area where the active shooter may be
- Keep your hands visible
- Follow the instructions of any police officers
- Do not attempt to move wounded people
- Call 911 when you are safe

HIDE

If evacuation is not possible, find a place to hide where the active shooter is less likely to find you. Your hiding place should:

- Be out of the active shooter's view
- Provide protection if shots are fired in your direction (i.e., an office with a closed and locked door)
- Not trap you or restrict your options for movement

To prevent an active shooter from entering your hiding place:

- Lock the door
- Blockade the door with heavy furniture

If the active shooter is nearby:

- Lock the door
- Silence your cell phone and/or pager
- Turn off any source of noise (i.e., radios, televisions)
- Hide behind large items (i.e., cabinets, desks)
- Remain quiet

If evacuation and hiding out are not possible:

- Remain calm
- Dial 911, if possible, to alert police to the active shooter's location
- If you cannot speak, leave the line open and allow the dispatcher to listen

FIGHT

As a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter by:

- Acting as aggressively as possible against him/her
- Throwing items and improvising weapons
- Yelling
- Committing to your actions

TITLE IX SEXUAL HARASSMENT

American College of Healthcare and Technology is committed to providing a safe learning and working environment. Policies and procedures have been adopted in compliance with federal laws, to raise awareness, prevent and respond to incidents of sexual harassment, sexual assault, domestic violence, dating violence, and stalking involving members of the school and campus community. Guidelines apply to all students, faculty, staff, contractors and visitors. Students are educated about sexual harassment during new student orientation. Employees are trained on sexual harassment topics yearly. Resources and referrals are available to students, staff and faculty in the Student Services department. The school will promptly initiate its sexual harassment response system/grievance process when a complaint is received or when the school has actual knowledge of a possible incident of sexual harassment. Supportive measures are available to the person alleged to be the victim; should a formal complaint be filed, the grievance process conducted by the Title IX Coordinator will be prompt, equitable, consistent, and transparent; and, an appealable decision will be made on the basis of preponderance of evidence gathered to impose the corresponding disciplinary sanctions, as warranted. The Title IX Coordinator may or may not be involved in the investigative process, but not in the decision making process. All personnel involved in processes related to alleged TIX misconduct are duly trained.

Any student or employee reporting incidents of sexual harassment, including VAWA crimes, occurring on campus or off campus at any school sponsored activity will be provided with supportive measures, including but not limited to:

- Being assisted by campus authorities if wishing to report a crime to law enforcement
- Changing academic or work situations to avoid a hostile environment
- Obtaining or enforcing a no contact directive or restraining order
- Having a clear description of the school's disciplinary process to include the range of possible sanctions
- Receiving referrals with information about existing counseling, health, victim advocacy, legal assistance, and other services available in the community
- Being protected against any form of retaliation

Definitions

- Sexual Harassment for Title IX purposes is defined as any instance of quid pro quo harassment by a school employee; any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; any instance of sexual assault, dating violence, domestic violence, or stalking.
- Dating Violence is defined as 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 based on the length of the relationship, type of relationship, and frequency of interaction between persons involved in the relationship. Dating violence includes, but not limited to, sexual or physical abuse or the threat of such abuse.
- Domestic Violence is defined as a felony or misdemeanor crime of violence by a current or former spouse or intimate party of the victim; with whom the victim shares a child in common; by a current or former cohabitant with the victim; 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 offence that meets the definition of rape, fondling, incest, or statutory rape.
- Stalking is defined as 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.
- Consent is defined as intelligent, knowing, and voluntary agreement and does not include coerced submission. "Consent" shall not be deemed or construed to mean failure by the alleged victim to offer physical resistance to the offender. Giving in is not the same as giving consent.
- Complainant is defined as the person alleged to be the victim of a conduct that could constitute sexual harassment. To be able to file a formal complaint, the Complainant must be participating or attempting to participate in any event on campus or any activity off campus that is related to the program in which the Complainant is enrolled at the time of filing such complaint.
- Respondent is defined as an individual who has been reported to be the perpetrator of a conduct that could constitute sexual harassment.
- Complaint is a document signed by the Complainant or Title IX Coordinator requesting that the school investigate an allegation of sexual harassment.

Parties in the Response System

- Title IX Coordinator is the school employee designated to coordinate the school efforts to promote a safe learning and working environment, receive complaints

from complainant or any interested party, initiate the response system, and implement supportive measures. Contact information for the Title IX Coordinator is below:

Cesar Morales
Director of Compliance
11801 Pierce St # 100, Riverside, CA 92505
Telephone # 951-848-7543
cmorales@ach.edu

- Investigator, who may or may not be the Title IX Coordinator, is the person designated to conduct a fair, objective, and unbiased investigation of the facts and circumstances surrounding the alleged sexual harassment incident.
- Decision Maker(s) evaluate/s evidence gathered during the investigative process and make and write a decision.
- Advisors are individuals that question and cross examine opposing parties and witnesses during the required live hearings. Advisors may or may not be attorneys.

Response System – Grievance Process

- **Principles:** The school grievance process to address allegations of sexual misconduct will be based on the principles below:
  - The school response system or grievance process will be prompt, aiming at reaching a determination no later than 60 days after the complaint is filed, unless there is good cause for short term delays and/or extensions.
  - The treatment of complainants and respondents will be equitable.
  - All forms of retaliation are prohibited.
  - Confidentiality on the identity of the parties involved will be kept, except as strictly necessary to conduct the investigation, or as required by law.
  - Remedies, when the respondent is found responsible, must maintain the complainant's equal access to education, and may be the same individualized supportive measures offered initially.
  - Relevant evidence will be assessed objectively, regardless of the parties' status.
  - All persons involved in the Title IX process will be free from conflicts of interest or bias, and trained in the concept of sexual harassment, the scope of the school's educational program or activity, how to conduct investigation processes, and how to serve impartially.
  - The respondent will be presumed not responsible until a determination is made at the end of the grievance process.
  - Privileged information may not be pursued or used, unless the person holding the privilege has waived this right.
  - Sexual harassment complaints are not affected by statute of limitations.

- **Complaint:** As soon as a complaint is received by the Title IX Coordinator, the school's response obligations trigger to ensure supportive measures are offered to the Complainant. The TIX Coordinator will contact the Complainant within 24 hours to confidentially discuss the availability of customized and reasonable supportive measures available, the Complainant's wishes relative to supportive measures and the complaint process. Sexual discrimination, including incidents of sexual harassment, may be reported by any interested party at any time using the published Title IX Coordinator's contact information. When a formal complaint is received, the Title IX Coordinator will send written notice to the Complainant and the Respondent of all allegations received for them to have the opportunity to present inculpatory or exculpatory facts and/or witnesses. Parties will have unrestricted ability to discuss allegations or gather evidence. Complaints may be withdrawn by the Complainant in writing at any time, and will be withdrawn by the Title IX Coordinator if the Respondent or employee is no longer enrolled in/employed by the school, or if specific circumstances prevent the school from gathering sufficient evidence to reach a determination. Complaints arising from the same facts may be consolidated.
- **Supportive/Protective Measures:** Upon receipt of a complaint, the school will provide written notification to the complainant about accommodations available to them, including academic, transportation and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations). At the complainant's request, and to the extent of his/her cooperation and consent, the school will work cooperatively to assist in obtaining accommodations. If reasonably available, a complainant may be offered changes to academic, working or transportation situations regardless of whether the complainant chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, distance learning, withdraw and take a class at another time if there is no option for moving to a different section, etc. Possible changes to work situations may include changing working hours, changing assigned work location, etc. Possible changes in transportation may include assisting the student or employee with a safety escort, etc.
- **Investigation:** The Title IX Coordinator will thoroughly investigate all reports of alleged sexual harassment in a prompt, transparent, objective, and equitable manner. Should the Complainant wish to not report an incident, the Complainant's wish will be respected unless the Title IX Coordinator deems it necessary to avoid putting more students or employees at risk in light of the circumstances. Should the allegations in a formal complaint not meet the definition of sexual harassment contained in these policies, the allegation will be dismissed for purposes of investigation and discipline, but the Code of Conduct,

including sanctions, may still apply at the sole discretion of the Title IX Coordinator. Investigation by the Title IX Coordinator may include a variety of means, including but not limited to self-discovery and interviews with parties and witnesses. Parties have to right to select an advisor of their choice, who may or may not be an attorney. All evidence presented by one party must be promptly sent to the other party, allowing no less than 10 days but no more than 20 days for the party to respond in writing. Before the live hearing, the Title IX Coordinator or Investigator will prepare a report summarizing relevant evidence, and simultaneously send to the parties for review no less than 10 days prior to the hearing.

- **Live Hearing:** A live hearing with cross examination will be required with the participation of complainant, respondent, and advisors (if any), under the oversight of a Chairperson who will also be in charge of making a decision on the case. Involved parties will receive a written notice stating the hearing date via email. The date shall be at least ten calendar days after the date of the written notice to the involved parties containing the investigative report. Hearings will be conducted according to the following guidelines:
  - Advisors, if any, will ask the other party and witnesses, if any, all relevant questions and follow up questions, including those that challenge credibility.
  - Cross examination at the live hearing must be conducted directly, orally, and in real time by the advisor. Complainant and Respondent may not personally ask questions.
  - If requested by a party, the live hearing, including cross-examination, may take place with the parties located in separate rooms in a Zoom meeting or equivalent.
  - The Chairperson may exclude questions asked by advisors if he/she considers them to be irrelevant to the case.
  - The Complainant's prior sexual behavior will be deemed irrelevant, unless offered to prove that someone other than the respondent is responsible for the alleged misconduct, or to prove consent.
  - Should a party have no advisor, the school will provide one free of cost for cross examination purposes.
  - Failure to submit to cross examination will not necessarily be interpreted as acceptance of allegations by the other party, unless the Chairperson determines that circumstances warrant such acceptance.
  - Live hearings may be conducted physically or virtually utilizing Zoom or similar technology at the school's discretion.
  - Live hearings will be recorded.
- **Standard of Evidence:** The Preponderance of the Evidence standard is the standard used by the Decision Maker(s) to determine the outcome of a Complaint. The Preponderance of the Evidence standard is met if it is more likely than not that the Respondent/accused party violated this Policy. This standard will be used

in all cases of alleged sexual misconduct, regardless of the respondent being a students, staff member, faculty member, or visitor on campus.

- **Written Determination:** The Decision Maker(s) will make a determination in writing relative to the responsibility of the respondent. The written determination will contain findings of fact, conclusion, rationale for the result as to each allegation, disciplinary sanctions imposed, and remedies for the complainant, if any. The written determination will be made within seven business days of the live hearing, and must be sent simultaneously to the parties, along with information on how to file an appeal.
- **Remedies/Disciplinary Sanctions:** Should a respondent be found responsible for the alleged misconduct, the Decision Maker(s) may impose any of the disciplinary sanctions below, or any other sanction he/she may deem appropriate:
  - Reprimand/warning
  - Conduct Probation
  - Issuing a "no contact" directive to the Respondent or requiring that such an order remain in place
  - Loss of Privileges
  - Restitution
  - Educational Sanctions
  - Suspension (limited time or indefinite)
  - Expulsion`
- **Appeals:** Appeals must be submitted in writing no later than 48 hours after receipt of the written determination, and may only be filed on the bases of procedural irregularity, new evidence, or bias of any personnel involved in the TIX investigation, provided that such bases affected the outcome of the matter. Appeals will be reviewed and decided by (a) Decision Maker(s) different from the person/panel that rendered the decision being appealed. Appeal decisions will be made within seven business days of received, and are final.

VIOLENCE AGAINST WOMEN ACT (VAWA)

ACHT does not discriminate on the basis of sex, gender, including gender identity or expression, or sexual orientation in its education programs or activities. The College seeks to provide an education environment in which students, faculty, and staff work together in an atmosphere free of Sexual Misconduct, including Sexual Assault, Sexual Harassment, Dating Violence, Domestic Violence and Stalking. Every member of the College community shall be aware that Sexual Misconduct, and/or acts of violence with a sexual nature directed toward another person will not be tolerated and are prohibited by federal and state law as members of the College community, students shall comply with College policies and guidelines in addition to federal, state, and local laws whether on or off campus. The College will discipline persons identified as responsible for Sexual Misconduct, Dating or Domestic Violence, or Stalking as described in this report. In an

ongoing effort to prevent Sexual Misconduct, Dating Violence, Domestic Violence and Stalking, the College provides community referrals for education and prevention programs, investigates complaints, dispenses corrective or disciplinary action where appropriate, provides referrals for medical care/counseling, modified classes, reduced course loads, work assignment assistance, stay away orders, leaves of absence, and more. The College also provides information to victims on pursuing criminal action and obtaining protective orders, if needed. VAWA crimes, prevention, and reporting procedures are discussed in New Student Orientations, and in yearly personnel training seminars.

The **Violence Against Women Reauthorization Act of 2013** requires that institutions report incidents of sexual assault, domestic and dating violence (also known as 'intimate partner violence) and stalking in its annual security report. The following federal law definitions apply to this reporting requirement. In addition, VAWA requires that institutions publish state law jurisdictions of the same crimes.

Active Bystander Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it." We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk Reduction With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org):

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas. It is more difficult to get help if no one is around.

3. Walk with purpose. Even if you don't know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have cab money.
7. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately by calling 911.
11. Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately by calling 911. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try: a. Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame. b. Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with. c. Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave. d. Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. Try to think of an escape route. How would you try to get out of the room? Where are the doors or windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

17. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

Federal Definitions

Domestic Violence: Is defined as a felony or misdemeanor crime of violence committed

• By a current or former spouse or intimate partner of the victim, or 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;

• 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.

Dating Violence: Is defined as 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 based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition, 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.

Stalking: is 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.

California Penal Code Definitions

The following is a summary of the definitions applicable to Title IX and the Violence Against Women Reauthorization Act (2013) offenses (sexual assault, dating violence, domestic violence, and stalking) under California state law.

Consent: Positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved. A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue. Nothing in this section shall affect the admissibility of evidence or the burden of proof on the issue of consent." See Cal. Penal Code § 261.6.

Sexual Assault: The California Penal Code establishes three categories of sexual assault and related offenses: rape, spousal rape, statutory rape, and sexual battery.

Rape: is defined under section 261 of the California Penal Code as an act of sexual intercourse under certain, enumerated circumstances, including:

a) where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the accused;

b) where the accused uses force, violence, duress, menace, or fear of immediate and unlawful bodily injury;
c) where any intoxicating or anesthetic substance, or any controlled substance, prevents the accuser from resisting, and this condition was known, or reasonably should have been known by the accused;
d) where the accuser is at the time unconscious of the nature of the act, and this is known to the accused;
e) where the accuser submits under the belief that the accused is someone known to the accuser other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief;
f) where the accused threatens to retaliate physically in the future against the accuser or any other person, and there is a reasonable possibility that the accused will execute the threat; and g) where the accused threatens to use the authority of a public official to incarcerate, arrest, or deport the accuser or another and the accuser has a reasonable belief that the accused is a public official.

The definition of **spousal rape** under section 262 of the California Penal Code generally tracks the definition of rape, except that the accused is the spouse of the accuser.

Section 261.5 of the California Penal Code refers to statutory rape as "unlawful sexual intercourse." The term means an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is under eighteen years old. The crime is either a misdemeanor or a felony depending on whether the age difference between the accused and accuser is greater or less than three years.

Under section 243.4 of the California Penal Code, 8 sexual battery is defined, in part, as touching the intimate part of the accused against his or her will for the purpose of sexual arousal while the accuser is either: (1) unlawfully restrained by the accused or an accomplice; (2) institutionalized for medical treatment and seriously disabled or medically incapacitated; or (3) under the impression, due to the accused's fraudulent representations, that the touching served a professional purpose.

Domestic Violence: Section 243(e) of the California Penal Code defines "domestic battery" to mean willful and unlawful touching that is committed against: (1) the accused's spouse or former spouse; (2) the accused's cohabitant or former cohabitant; (3) the parent of the accused's child; (4) the accused's fiancé or fiancée, either former or current; or (5) someone with whom the accused has, or has had, a dating relationship (i.e. frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement independent of financial considerations). In addition, section 273.59 of the California Penal Code prohibits the willful infliction of corporal injury resulting in a traumatic condition upon an accuser who meets these same five categories.

Dating Violence: California law has no criminal law that exclusively addresses dating violence. However, California domestic battery and corporal injury laws, both set forth above, encompass acts committed within the context of dating relationships.

Stalking: Under section 646.910 of the California Penal Code, stalking is defined as willfully, maliciously, and repeatedly following or harassing the accuser and making a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family.

The complete text of section 243 of the California Penal Code is available at https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=243.&lawCode

Disciplinary Proceeding

Available Interim Measures

The school may implement interim measures with potential remedies which may be applied to the Complainant and/or the Respondent including:
• Access to referrals for counseling services and assistance in setting up an initial appointment, on and off campus;
• Imposition of an on-campus "no-contact directive";
• Rescheduling of exams and assignments;
• Providing alternative course completion options;
• Changing class schedules, including the ability to transfer course sections or withdrawal from a course without penalty;
• Changing work schedules or job assignments;
• Voluntary leave of absence;
• Providing an escort to ensure safe movement between classes and activities;
• Providing referrals for medical services;
• Providing academic support services, such as tutoring; and/or
• Any other remedy that can be tailored to the involved individuals to achieve the goals of this policy.

Complaint Resolution Process

Initial Intake and Notice to the Parties
If the initial Report of Sexual Misconduct is to the school designated official (Title IX Coordinator), he/she will notify the person of the act he or she is alleged to have committed. A campus warning/timely notice may also be issued if the designated school official deems appropriate to safeguard students' and employees' safety.

Title IX Coordinator will schedule a meeting with the Complainant to discuss resources available, reporting options on and off campus, any applicable interim measures, and will

refer the Complainant to appropriate resources. During this initial meeting, the Title IX Coordinator will also gather enough information to determine if there is sufficient information to warrant an investigation and the extent of that investigation.

If the Title IX Coordinator determines a formal investigation is needed, the Title IX Coordinator will assign investigator(s) to the case, who may also be the Title IX Coordinator, and will notify the parties by e-mail that an investigation will commence. The notice will state the names of the Complainant and Respondent, the alleged conduct that may constitute a violation of this Policy, including when and where the conduct allegedly occurred, the investigation process, support resources, and appropriate referrals.

If an individual requests that the school not investigate or seek action against the Respondent or that their name or other identifiable information not be shared with the Respondent, the school will need to determine whether or not it can honor such a request while continuing to provide a safe and nondiscriminatory environment for all individuals, including the individual who reported the incident.

Additionally, individuals are strongly encouraged to report alleged incidents of sexual misconduct, domestic violence, dating violence, or stalking immediately to the local law enforcement authorities. The Title IX Coordinator will assist and advise regarding the importance of preserving evidence for the proof of a criminal offense and to whom the alleged offense should be reported. However, it is the individual's decision whether or not to file a police report or to pursue civil action against the Respondent. Individuals will have access to support and referral services regardless of whether or not he/she decides to report the incident to local law enforcement.

Rights, Obligations, and General Principles

The Complainant and the Respondent in a complaint resolution procedure have the right to be assisted by an advisor of their choice, who may or may not be an attorney, so long as that person is free of conflicts of interest and bias. The purpose of the advisor is to support an individual during the complaint resolution procedure, including accompanying the individual to in-person interviews, hearings, or other meetings during the process. Rules pertaining to advisors are set below:

• The advisor may not appear in lieu of the Complainant or the Respondent or speak on their behalf in either in-person or written communications to the school. The advisor may not communicate directly with the investigator(s), decision makers, the Title IX Coordinator or any other school official involved in the complaint resolution procedure and may not interrupt or otherwise delay the complaint resolution procedure.

• Advisors may have access to information concerning a case only when accompanying a party (for in-person access to information) or when a party has given permission for the

advisor to be copied on emails or other correspondence (for access to written communications). An advisor's access to such information is subject to the same limitations as those placed upon the parties and conditioned upon the advisor's agreement to maintain the confidentiality of any student educational records or other confidential information.

• If a party selects an attorney as an advisor, the advisor's participation in the complaint resolution process is in the role of an advisor and not as an attorney representing a party. The advisor will have access to highly confidential information and is prohibited from sharing information obtained as an advisor during the complaint resolution process with anyone, including other individuals who may be part of an attorney-client relationship with the party.

• Parties must provide the name of the person they have selected as their advisor to the Title IX Coordinator. Advisors will be required to sign an Advisor Agreement acknowledging receipt and understanding of the requirements described herein. Failure to comply with these requirements, including violations of confidentiality or other forms of interference with the complaint resolution procedure by the advisor, may result in the disqualification of an advisor.

• The school will notify a party to a complaint resolution procedure if another party involved in the complaint resolution procedure has obtained an advisor, and if so, whether the other party's advisor is an attorney.

Investigation and Hearing

The appointed investigator, who may also be the Title IX Coordinator, will review any related investigative materials. The Title IX Coordinator may conduct further investigation of the report if he or she deems necessary. The scope of any investigation shall be in the sole discretion of the Title IX Coordinator. The investigation may include, but is not limited to, meeting with the parties, talking with witnesses, holding hearing with all parties present, and reviewing any supporting documents.

Prior to the adjudication hearing, the involved parties will receive a written notice stating the hearing date and will include a description of the behavior that allegedly violates the Sexual Misconduct Policy, the investigative materials, and any other information the Title IX Coordinator deems necessary to provide to the involved parties. The notice and related materials will be sent via a secured file to the involved students' email addresses.

The date set for the adjudication hearing shall be at least ten calendar days after the date of the written notice to the involved parties. Other than as outlined below, hearings need not adhere to formal rules of procedure or technical rules of evidence followed by courts of law. Hearings will be conducted according to the following guidelines:

- ✓ All procedural questions are subject to the final decision of the Chairperson (appointed Decision Maker).

- ✓ The hearing will be conducted in private via live video conferencing unless the Chairperson and both parties agree to an in-person hearing.
- ✓ Admission of any person to the hearing will be at the discretion of the Chairperson.
- ✓ The Chairperson may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the Complainant, Respondent, and/or other witness during the hearing (if conducted in-person) by providing separate facilities, and/or by permitting participation by telephone, written statement, or other means, as deemed appropriate by the Chairperson.
- ✓ Involved parties may be assisted at hearings meetings by an advisor of their choice. The advisor cannot speak for the involved parties. The role of the advisor is to accompany the involved parties and advise them privately during the hearing process.

Hearings will be chaired by the Decision Maker, and will proceed in the following manner:

- Reading of the alleged violation(s).
- The Respondent's denial or admission of the alleged violations(s). (If the Respondent admits to the alleged violation(s), then the Chairperson may dismiss the Respondent and notify decision makers.
- Presentation of information and/or witnesses supporting the alleged violation(s) and questions by the Chairperson; and, when necessary and appropriate, cross-examination of the Complainant and/or relevant witnesses.
- Presentation of information and/or witnesses that rebuts the alleged violation(s) and questions by the Chairperson; and, when necessary and appropriate, cross-examination of the Respondent and/or relevant witnesses.
- Each involved party has the option of presenting a closing statement.
- The Chairperson will call witnesses who have relevant testimony about the alleged violations. The involved parties will receive a list of these witnesses at least 72 hours before the hearing. At the hearing, the involved parties may, when necessary and appropriate, indirectly cross-examine the witnesses by submitting written questions. Initial questions should be submitted to the Chairperson at least 48 hours before the hearing. During the hearing, additional follow-up questions may be submitted in writing to the Chairperson.
  The school will make reasonable efforts to make available these witnesses at the hearing; however, written statements may be used if a witness is unable to attend.

Failing to appear in a hearing without good cause at the sole discretion of the Chairperson may be construed as agreement to the other party's allegations.

Timeframe for Resolution

The school is committed to the prompt and equitable resolution of allegations of Sexual Misconduct, and generally seeks to conclude its process within 60 calendar days and its appeal process within 20 days. Circumstances may arise that require the extension of time frames based on: the complexity of the allegations; the number of witnesses involved; the availability of the parties involved; witnesses being absent from campus; the effect of a concurrent criminal investigation; any intervening school break or vacation; or other unforeseen circumstances. When these circumstances warrant additional time, the Title IX Coordinator will notify the parties in writing of the anticipated extended time frame.

In cases where an incident has also been reported to law enforcement, the school will not delay its investigation and adjudication processes to wait for the conclusion of a criminal investigation or proceeding. The school will, however, comply with valid requests by law enforcement for information and/or cooperation in a criminal investigation. As such, the school may need to temporarily delay an investigation under this Policy while law enforcement is in the process of gathering evidence.

Complainants are encouraged to begin the complaint resolution procedure as soon as possible following an alleged Sexual Misconduct incident. There is no deadline for reporting prohibited conduct to the school under this Policy. The school's ability to respond, however, may diminish over time, as evidence may erode, memories may fade, and the Respondent may no longer be affiliated with the school. If a Complaint is brought forward more than four (4) calendar years after an alleged incident or if the Complainant and Respondent are no longer students or employees of the school, the school will decline to process the Complaint under these procedures.

Decision Making

The Chairperson of the hearing is the Decision Maker. He or she will preside the hearing, review the report prepared the Title IX Coordinator on the evidence gathered before the hearing, and make a decision utilizing the standard of evidence described below.

The decision will be notified in writing to the parties within seven business days from the hearing. This decision may be appealed by the parties in writing within 48 hours of received. Appeals will be reviewed by a panel consisting of the school's Chief Executive Officer, the Executive Director of Operations, the Chief Financial Officer, the Director of Compliance, and the involved Campus Director. Appeal panel decisions will be made within seven business days of received, will take into account any new evidence presented by the parties, and are final.

Possible sanctions include but are not limited to:

- Reprimand/warning
- Conduct Probation

• Issuing a “no contact” directive to the Respondent or requiring that such an order remain in place
• Loss of Privileges
• Restitution
• Educational Sanctions
• Suspension (limited time or indefinite)
• Expulsion

Standard of Evidence

The Preponderance of the Evidence standard is the standard used by school appointed adjudicators to determine the outcome of a Complaint. The Preponderance of the Evidence standard is met if it is more likely than not that the Respondent/accused party violated this Policy.

Protective Measures

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, the school will provide written notification to students and employees about accommodations available to them, including academic, transportation and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations). At the victim’s request, and to the extent of the victim’s cooperation and consent, the school will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, working or transportation situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, distance learning, withdraw and take a class at another time if there is no option for moving to a different section, etc. Possible changes to work situations may include changing working hours, changing assigned work location, etc. Possible changes in transportation may include assisting the student or employee with a safety escort, etc.

Adjudication of Violations

The school’s disciplinary process includes a prompt, fair, and impartial process from the initial investigation and through the final resolution process. In all instances, the process will be conducted in a manner that is consistent with the institution’s policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault, and stalking complaints are completed within 60 days of the report. However, each proceeding allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. School officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues

related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. This training may be in-person classroom training, live webinar, or online training session and typically includes legal updates, cases studies, best practices, and practical applications. Furthermore, each policy provides that:

1. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
2. The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
4. The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The school will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing.
5. The accuser and the accused will be notified simultaneously, in writing, of the any initial, interim and final decision (result) of any disciplinary proceeding; and
6. Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the accuser and the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

CAMPUS SEXUAL ASSAULT AND RAPE AWARENESS

ACHT is committed to raising awareness in the student body and personnel of the harm resulting from, and prohibits all types of crimes of sexual nature, including dating violence, domestic violence, sexual assault, and stalking. This section contains guidelines to follow.

Because evidence of a sexual assault and an attacker's identity may be left on a victim's body, the victim of a sexual assault should not shower, use sanitary products, use the restroom, change clothes, or touch anything the suspect may have touched until you have been examined at an appropriate medical facility. A victim may file a complaint against a student, faculty, or staff member by contacting the Campus Director. If the victim believes that reporting the incident to the Campus Director is not appropriate, a complaint may be filed with the Director of Compliance at (951) 848-

7543.

If you are sexually assaulted, or suffer any type of crimes of sexual nature, including dating violence, domestic violence, sexual assault, and stalking – even if these occurred off campus - you may seek assistance by contacting the Campus Director, Director of Compliance or any Department Manager. The Director will help you report the assault to the local law enforcement agency. If you are off campus, call 911 immediately. Victims may decline to notify authorities, or may request assistance from school officials to notify authorities. Confidentiality of victims and other necessary parties will be warranted, and the school commits to making reasonable accommodations to protect victims from further suffering.

Sanctions for sexual assault may involve penalties up to and including dismissal from school for students, and termination of employment for staff and faculty members.
After reporting a sexual assault, a student victim may request a change in the academic situation by contacting the Campus Director. Such a change will be granted if it is reasonably available.

Educational materials to promote awareness of rape, acquaintance rape, or other forcible and non-forcible sex offenses are provided to students at orientation and to new employees. Information about available off-campus counseling, mental health or other student services for victims of sexual assault is available from the Campus Director.

Both the accuser and the accused are entitled to the same opportunity to have others present during a disciplinary proceeding. Both the accuser and the accused in the sexual offense have the right to be notified, upon request, of the outcome of any disciplinary proceeding and the result of the complaint. Educational programs to promote the awareness of rape, acquaintance rape, and other forcible and non-forcible sex offences may be sponsored at various times of the year on campus. When available, a calendar of the programs is available from the Campus Director.

OFF CAMPUS COUNSELING AVAILABILITY

ACHT does not provide on campus counseling services relative to mental health or other student services for victims of sex offenses; therefore, students are encouraged to seek these services from the organizations listed below:

Santa Ana Police Department
Emergency call 911
All other calls (714) 245-8665
Website: http://www.santa-ana.org

National Sexual Assault Hotline – RAINN
24-Hour Crisis Hotline (800) 656-4673
Website: http://www.rainn.org

Violence Prevention Resource Directory

Website: http://www.cdph.ca.gov
An Abuse, Rape, and Domestic Violence and Resource Collection (A.A.R.D.V.A.R.C)
California Sexual Assault: Where to Get Help
Website: http://www.aardvarc.org/rape/states/carp.shtml
Missing Persons Hotline
California Department of Justice – Office of the Attorney General
24 Hour Hotline (800) 222-3463
Website: https://oag.ca.gov/missing

Community referrals to counseling services regarding victim advocacy, legal assistance, or immigration assistance may be obtained from the Student Services office. ACHT does not endorse of has any type of affiliation with referred services.

REGISTRATION OF SEX OFFENDERS

ACHT provides the following website to obtain information concerning the registration of sex offender's arrest.
https://www.city-data.com/so/so-Santa-Ana-California.html
www.meganslaw.ca.gov/diclaimer.asp

DRUG AND ALCOHOL POLICY

American College of Healthcare and Technology is committed to maintaining a drug and alcohol free school and workplace. Drug and alcohol abuse can lead to liver, heart and other chronic diseases, low birth weight, birth defects and infant mortality in expectant mothers, and death. The school prohibits unlawful manufacture, distribution, dispensing, possession or use of drugs, alcohol or other controlled substances at this institution. Students and employees are required, as a condition for enrollment and/or employment, to abide by this policy, as complemented by ACHT's Drug and Alcohol Prevention Program.

To the extent allowed by local, state and federal laws, this institution will impose disciplinary action against students and employees for violating these standards of conduct. These actions may include suspension, expulsion, and termination of employment, referral for prosecution and/or required completion of a drug or alcohol rehabilitation or similar program.

This institution, as required by federal regulation (34 CFR 85.635 and Appendix C), will report all employees convicted of a criminal drug offense occurring in the workplace to the U.S. Department of Education. Consistent with these same regulations, employees, as a condition of employment, are required to provide written notice to this institution of their conviction for a criminal drug offense occurring at the workplace within ten (10) days after that conviction. In addition, federal regulations require students receiving Pell

Grants, during their period of enrollment to submit a report in writing within ten (10) days of any criminal drug offense conviction. The school requires that said employees or students must submit written notices to the entity below.

Director of Grants and Services
United States Department of Education
400 Maryland Avenue SW.
Room 3124, GSA Regional Office Bldg. #3
Washington, DC 20202-4571

In addition to institutional sanctions, students and employees convicted of the unlawful possession or distribution of illicit drugs or alcohol could face local, state and federal legal penalties which include the loss of eligibility for federal financial aid, fines, imprisonment and the seizure of drug related assets.

Drug awareness programs consisting of counseling, treatment, rehabilitation, and other related services are available to students and employees of this institution through a number of national hot lines or agencies within Orange County. Students and employees seeking assistance in overcoming a drug or alcohol-related problems are encouraged to contact one of these organizations. For additional information regarding referrals, please see the Student Services department.

ANTI-HAZING POLICY

The school is committed to providing a safe, healthy, and respectful learning environment. The school strictly prohibits hazing in any form, at any time, and in any location. This policy applies to all students, faculty, staff, and student organizations, including informal groups, clubs, athletic teams, and academic cohorts. Hazing is a violation of both the Student Code of Conduct and federal law under the Jeanne Clery Campus Safety Act.

In accordance with the Stop Campus Hazing Act, the school defines hazing as any intentional, knowing, or reckless act committed by a person, acting alone or with others, that is directed against a student for the purpose of initiating, admitting, affiliating, or maintaining membership in any student organization, and that:

- Causes, or creates a substantial risk of causing, physical, emotional, or psychological injury or harm;
- Involves the forced consumption of any liquid, alcohol, drug, food, or other substance; or
- Coerces or requires a student to perform any illegal or demeaning act.

The implied or express consent of the individual subjected to hazing is not a defense under this policy.

Any student, employee, or visitor who experiences, witnesses, or becomes aware of a suspected hazing incident is strongly encouraged to report it immediately. Reports can be filed through the following channels:

- Campus Security/Local Law Enforcement: Call 951-729-5320 or dial 911 for emergencies.
- Campus Security Authorities (CSAs): Reports may be submitted directly to the Director of Compliance at cmorales@ach.edu

Reports can be submitted anonymously to any school official.

All allegations of hazing will be promptly and thoroughly investigated by the school. If a student or student organization is found responsible for violating this policy, the school will impose appropriate sanctions.
- For Individuals: Sanctions may include disciplinary probation, suspension, or permanent expulsion.
- For Student Organizations: Sanctions may include a loss of institutional recognition, suspension of activities, or a permanent ban from campus.

Additionally, any organization found responsible for a hazing violation will be publicly disclosed on the school's Campus Hazing Transparency Report webpage when required by federal mandates.

REPORTING OF CRIMES ON CAMPUS

Students and employees should refer to the person below when reporting or seeking help on all criminal incidents. Please note that any emergency that requires immediate attention should not wait for report to the school's officer but rather be reported immediately by calling 911. Pastoral counselors and professional counselors are encouraged to inform the persons they are counseling, at their own discretion, of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. Should a report involve a student's participation, alleged crimes are investigated by a committee that includes the President, Director of Compliance, Campus Director, and Director of Education. When requested and not prohibited by laws or regulations, victims' and/or witnesses' reports will be kept confidential, but still show in the annual disclosure of crime statistics.

Report all types of crimes to:

Cesar Morales, Director of Compliance
American College of Healthcare and Technology
1840 E. 17th Street, Santa Ana, CA 92705
(949) 429-0181
cmorales@ach.edu

APPENDIX A – CRIME STATISTICS

Occurrences reported within the 2023-2024-2025 calendar years at:
1840 E. 17th Street, Santa Ana, CA 92705

	ON CAMPUS				PUBLIC PROPERTY				HATE CRIME?
CRIME REPORTED	**2023**	**2024**	**2025**		**2023**	**2024**	**2025**		No
Criminal Homicide	0	0	0		0	0	0		No
Murder/Non-negligent manslaughter	0	0	0		0	0	0		No
Negligent manslaughter	0	0	0		0	0	0		No
Sex Offenses/Forcible	0	0	0		0	0	0		No
Rape	0	0	0		0	0	0		No
Forcible Fondling	0	0	0		0	0	0		No
Sex Offenses/Non-Forcible	0	0	0		0	0	0		No
Incest	0	0	0		0	0	0		No
Statutory Rape	0	0	0		0	0	0		No
Robbery	0	0	0		0	0	0		No
Aggravated Assault	0	0	0		0	0	0		No
Burglary	0	1	0		0	1	0		No
Motor Vehicle Theft	0	0	0		0	0	0		No
Arson	0	0	0		0	0	0		No
VAWA Offenses	0	0	0		0	0	0		No
Domestic Violence	0	0	0		0	0	0		No
Dating Violence	0	0	0		0	0	0		No
Stalking	0	0	0		0	0	0		No
Special Category Arrests	0	0	0		0	0	0		No
Weapons Offenses	0	0	0		0	0	0		No
Drug Abuse Violations	0	0	0		0	0	0		No
Liquor Law Violations	0	0	0		0	0	0		No
Disciplinary Referrals	0	0	0		0	0	0		No
Weapons Offenses	0	0	0		0	0	0		No
Drug Abuse Violations	0	0	0		0	0	0		No
Liquor Law Violations	0	0	0		0	0	0		No
Additional Hate Crimes	0	0	0		0	0	0		No
Larceny/Theft	0	0	0		0	0	0		No
Simple Assault	0	0	0		0	0	0		No
Intimidation	0	0	1		0	0	0		Yes
Destruction/Damage/Vandalism of Property	0	0	0		0	0	0		No

Hate Crimes reported under any of the categories listed in this section are crimes that show evidence of prejudice based on race, religion, sexual orientation, ethnicity or disability as prescribed by the Hate Crimes Statistical Act. Crime statistics above include information provided by the local police department.

APPENDIX B – GEOGRAPHICAL AREA MAP

American College of Healthcare and Technology
Santa Ana Campus

