


# Campus Safety

## *Annual Security Report 2026*

*Dallas, TX*
*Las Vegas, NV*
*Sacramento, CA*

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# 1 Quick Contact Reference Guide

## For Emergencies: Call 9-1-1

**Police Department Contact Numbers** *(non-emergency)*

| | |
|---|---|
| Dallas | 214-744-4444 |
| Las Vegas | 702-828-3111 |
| Sacramento | 916-874-5115 |

**Campus Contact Numbers**

| | |
|---|---|
| Dallas | 972-248-9000 |
| Las Vegas | 702-836-9900 |
| Sacramento | 916-649-9600 |
| Corporate Office | 719-632-8116 |

www.asher.edu

## Know your Title IX Representatives

### Deputy Title IX Coordinators

#### Dallas

**Fred Alvarado**
Phone: (972) 325-2307
Email: falvarado@asher.edu

#### Las Vegas

**Anne Buzak**
Phone: (702) 776-6825
Email: abuzak@asher.edu

#### Sacramento

**Edward Cook**
Phone: (916) 597-1495
Email: ecook@asher.edu

### Corporate Title IX Coordinator

**Katie Hager**
Phone: 719.354.3429
Email: khager@intellitec.edu

# 2 Crime Statistics 2025

## ***Dallas*** Campus Crime Statistics

| Offense | Year | On-Campus Property | Public Property |
|---|---|---|---|
| **Murder / Non-negligent Manslaughter** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Negligent Manslaughter** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Rape** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Fondling** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Incest** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Statutory Rape** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Robbery** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Aggravated Assault** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Burglary** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Motor Vehicle Theft** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Arson** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **VAWA Offense** | **Year** | **On-Campus Property** | **Public Property** |
| **Stalking** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Dating Violence** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Domestic Violence** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |

## ***Dallas*** **Campus Crime Statistics** ***(continued)***

| Arrests and Disciplinary Referrals | Year | On-Campus Property | Public Property |
|---|---|---|---|
| **Arrests:** | 2023 | 0 | 0 |
| **Weapons: Carrying, Possessing, etc.** | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Disciplinary Referrals:** | 2023 | 0 | 0 |
| **Weapons: Carrying, Possessing, etc.** | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Arrests:** | 2023 | 0 | 0 |
| **Drug Abuse Violations** | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Disciplinary Referrals:** | 2023 | 0 | 0 |
| **Drug Abuse Violations** | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Arrests:** | 2023 | 0 | 0 |
| **Liquor Law Violations** | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Disciplinary Referrals:** | 2023 | 0 | 0 |
| **Liquor Law Violations** | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| ***No hate crimes were reported for the years 2023, 2024, and 2025.*** | | | |
| ***There were no unfounded crimes for 2023, 2024, and 2025.*** | | | |
| ***The College does not have on-campus housing or residential facilities or any non-campus buildings that qualify for reporting.*** | | | |

## ***Las Vegas*** Campus Crime Statistics

| Offense | Year | On-Campus Property | Public Property |
|---|---|---|---|
| Murder / Non-negligent Manslaughter | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| Negligent Manslaughter | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| Rape | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| Fondling | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| Incest | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| Statutory Rape | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| Robbery | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| Aggravated Assault | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| Burglary | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| Motor Vehicle Theft | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| Arson | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **VAWA Offense** | **Year** | **On-Campus Property** | **Public Property** |
| Stalking | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| Dating Violence | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| Domestic Violence | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |

## ***Las Vegas*** **Campus Crime Statistics** ***(continued)***

| Arrests and Disciplinary Referrals | Year | On-Campus Property | Public Property |
|---|---|---|---|
| **Arrests:** | 2023 | 0 | 0 |
| **Weapons: Carrying, Possessing, etc.** | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Disciplinary Referrals:** | 2023 | 0 | 0 |
| **Weapons: Carrying, Possessing, etc.** | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Arrests:** | 2023 | 0 | 0 |
| **Drug Abuse Violations** | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Disciplinary Referrals:** | 2023 | 0 | 0 |
| **Drug Abuse Violations** | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Arrests:** | 2023 | 0 | 0 |
| **Liquor Law Violations** | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Disciplinary Referrals:** | 2023 | 0 | 0 |
| **Liquor Law Violations** | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |

***No hate crimes were reported for the years 2023, 2024, and 2025.***

***There were no unfounded crimes for 2023, 2024, and 2025.***

***The College does not have on-campus housing or residential facilities or any non-campus buildings that qualify for reporting.***

## ***Sacramento*** **Campus Crime Statistics**

| Offense | Year | On-Campus Property | Public Property |
|---|---|---|---|
| **Murder / Non-negligent Manslaughter** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Negligent Manslaughter** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Rape** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Fondling** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Incest** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Statutory Rape** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Robbery** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Aggravated Assault** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Burglary** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Motor Vehicle Theft** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Arson** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **VAWA Offense** | **Year** | **On-Campus Property** | **Public Property** |
| **Stalking** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Dating Violence** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Domestic Violence** | 2023 | 0 | 0 |
| | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |

## ***Sacramento*** **Campus Crime Statistics** ***(continued)***

| Arrests and Disciplinary Referrals | Year | On-Campus Property | Public Property |
|---|---|---|---|
| **Arrests:** | 2023 | 0 | 0 |
| **Weapons: Carrying, Possessing, etc.** | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Disciplinary Referrals:** | 2023 | 0 | 0 |
| **Weapons: Carrying, Possessing, etc.** | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Arrests:** | 2023 | 0 | 0 |
| **Drug Abuse Violations** | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Disciplinary Referrals:** | 2023 | 0 | 0 |
| **Drug Abuse Violations** | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Arrests:** | 2023 | 0 | 0 |
| **Liquor Law Violations** | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |
| **Disciplinary Referrals:** | 2023 | 0 | 0 |
| **Liquor Law Violations** | 2024 | 0 | 0 |
| | 2025 | 0 | 0 |

***No hate crimes were reported for the years 2023, 2024, and 2025.***

***There were no unfounded crimes for 2023, 2024, and 2025.***

***The College does not have on-campus housing or residential facilities or any non-campus buildings that qualify for reporting.***

# 3 The College Policy Statement

Asher College ("The College") complies with all requirements of the Clery Act. This policy sets forth guidelines and procedures intended to ensure the College's ongoing compliance with the Clery Act's crime reporting and disclosure obligations, and its obligation to make available to the campus community and the public, campus security and safety policy statements as prescribed by the law. The Jeanne Clery Campus Safety Act (Clery Act) requires institutions to:

- Compile and disclose statistics of reports of the types of crimes specified in the Clery Act ("Clery Crimes") for its campuses, the immediately adjacent public areas, and public areas running through the campuses, and remote classroom facilities;
- Collect available information on reports of Clery Crimes made to local law enforcement, school officials, and others associated with the College who have "significant responsibility for student and campus activities";
- Submit an annual report to the Department of Education with statistics of Clery Crimes for the last three years and the College policy statements addressing campus security and safety ("Clery Report");
- Issue warnings of any Clery Crime that may be an ongoing threat to the campus in a timely manner, so that individuals may take steps to protect themselves and to aid in the prevention of similar crimes;
- Conduct educational programs to promote awareness.

The College does not have any on-campus housing and therefore does not maintain a fire log or issue missing student notifications.

A school must report statistics for the three most recent calendar years:

1. Primary crimes, including criminal homicide (murder, non-negligent manslaughter, and negligent manslaughter); sex offenses (rape, fondling, incest, and stator rape); robbery; aggravated assault; burglary; motor vehicle theft; arson.
2. Arrests and referrals for disciplinary actions, including arrests for liquor law violations, drug law violations, and illegal weapons possession and persons not arrested for one of those offenses but who were referred for campus disciplinary action
3. Hate crimes, including the number of each type of primary crime listed above that is determined to be a hate crime and number of the following that are determined to be hate crimes: larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property.
4. Dating violence, domestic violence, and stalking.
5. Hazing incidents

# 4 Definitions

**Consent**

"Consent" means cooperation in act or attitude pursuant to an exercise of free will and with knowledge of the nature of the act. A current or previous relationship shall not be sufficient to constitute consent. Submission under the influence of fear shall not constitute consent.

**Domestic Violence**
Domestic violence means an act or threatened act of violence upon a person with whom the actor is or has been involved in an intimate relationship. An intimate relationship means a relationship between spouses, former spouses, past or present unmarried couples, or persons who are both the parents of the same child, regardless of whether the persons have been married or have lived together at any time.

Domestic violence also includes any other crime against a person, or against property, including an animal, or any municipal ordinance violation against a person, or against property, including an animal, when used as a method of coercion, control, punishment, intimidation, or revenge directed against a person with whom the actor is or has been involved in an intimate relationship.

**Sexual Assault**
(1) Any actor who knowingly inflicts sexual intrusion or sexual penetration on a victim commits sexual assault if:

(a) The actor causes submission of the victim by means of sufficient consequences reasonably calculated to cause submission against the victim's will; or

(b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or

(c) The actor knows that the victim submits erroneously, believing the actor to be the victim's spouse; or

(d) At the time of the commission of the act, the victim is less than fifteen years of age and the actor is at least four years older than the victim and is not the spouse of the victim; or

(e) At the time of the commission of the act, the victim is at least fifteen years of age but less than seventeen years of age, and the actor is at least ten years older than the victim and is not the spouse of the victim; or

(f) The victim is in custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority, unless incident to a lawful search, to coerce the victim to submit; or

(g) The actor, while purporting to offer a medical service, engages in treatment or examination of a victim for other than bona fide medical purposes or in a manner substantially inconsistent with reasonable medical practices; or

(h) The victim is physically helpless and the actor knows the victim is physically helpless and the victim has not consented.

**Stalking**
A person commits stalking if, directly or indirectly through another person, the person knowingly:

(a) Makes a credible threat to another person and, in connection with the threat, repeatedly follows, approaches, contacts, or places under surveillance that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship; or

(b) Makes a credible threat to another person and, in connection with the threat, repeatedly makes any form of communication with that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship, regardless of whether a conversation ensues; or

(c) Repeatedly follows, approaches, contacts, places under surveillance, or makes any form of communication with another person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship in a manner that would cause a reasonable person to suffer serious emotional distress and does cause that person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship to suffer serious emotional distress. For purposes of this paragraph (c), a victim need not show that he or she received professional treatment or counseling to show that he or she suffered serious emotional distress.

**Unlawful Sexual Contact**

(1) Any actor who knowingly subjects a victim to any sexual contact commits unlawful sexual contact if:

(a) The actor knows that the victim does not consent; or

(b) The actor knows that the victim is incapable of appraising the nature of the victim's conduct; or

(c) The victim is physically helpless and the actor knows that the victim is physically helpless and the victim has not consented; or

(d) The actor has substantially impaired the victim's power to appraise or control the victim's conduct by employing, without the victim's consent, any drug, intoxicant, or other means for the purpose of causing submission; or

(f) The victim is in the custody of law or detained in a hospital or other institution and the actor has supervisory or disciplinary authority over the victim and uses this position of authority, unless incident to a lawful search, to coerce the victim to submit; or

(g) The actor engages in treatment or examination of a victim for other than bona fide medical purposes or in a manner substantially inconsistent with reasonable medical practices. (1.5) Any person who knowingly, with or without sexual contact, induces or coerces a child by any of the means set forth in section 18-3-402 to expose intimate parts or to engage in any sexual contact, intrusion, or penetration with another person, for the purpose of the actor's own sexual gratification, commits unlawful sexual contact. For the purposes of this subsection (1.5), the term "child" means any person under the age of eighteen years.

# 5 Other Definitions

**Annual Security Report (ASR)** - Also known as Clery Reports or Crime Reports. The Clery Act requires the College to annually submit a report to the Department of Education containing the following: statistics for Clery Crimes by type location and year; campus safety and security related policy statements that address crime reporting and prevention; law enforcement databases of registered sex offenders; drug, alcohol and sex offenses; procedures for issuing timely warning to the campus of potentially dangerous criminal and emergency situations; and campus evacuation procedures.

**Arrest** – Persons processed by arrest, citation or summons. The College shall compile statistics for and specifically disclose arrests related to weapons and drug and alcohol abuse. If an individual is both arrested and referred for disciplinary action for an offense, only the arrest will be disclosed.

**Campus Security Authority (CSA)** – Used in the Clery Act to identify persons at the College who, as a result of their job duties, have an obligation under the law to disclose all alleged Clery Crimes that are reported

to them, which they conclude, have been made in good faith. Such persons making the notifications need not be an employee of the College, such as students and outside volunteers. CSA's are defined by their job duties and function; not by job title. While an individual's ordinary responsibilities and functions at the College would not classify them as a CSA, the individual may take on a responsibility, which would then qualify them as a CSA, for example, if an employee or volunteer organizes or helps lead a student trip or outing.

There are three general categories of CSA:

1. Any individual(s) who is responsible for an aspect of campus security. These individuals are responsible for monitoring access to college property.
2. Any individual or organizational unit at the College to which students and employees should report criminal offenses.
3. The College officials who have significant responsibility for student and campus activities. The Clery Act broadly defines the term "official" as "any person who has the authority and duty to take action or respond to a particular issue on behalf of the institution."

For example, the Program Supervisors, Director of Education (DOE), and Campus Director are officials who have significant responsibility. There may be other individuals who qualify, but these are the most common.

**Clery Crimes** – The College must compile statistics of reports made to CSA's and local law enforcement of the following types of crimes: aggravated assault; arson; burglary, motor vehicle theft, murder and non-negligent manslaughter, negligent manslaughter, robbery, forcible and non-forcible sex offenses, stalking, domestic violence, dating violence, and hate crimes.

**Clery Geography** – Includes buildings and property that are part of the intuition's campus, the institution's non-campus buildings and property, and public property within or immediately adjacent to and accessible from the campus. When recording crimes in the crime log, Clery geography includes, in addition to the locations above, areas within the patrol jurisdiction of the campus police.

**Dating Violence** *(used by The College*) – Acts of violence including threat or intimidation, that harm or injure and are committed by a person who has been or is in a romantic or intimate relationship with the victim. Whether a relationship exists will depend on the length, type, and frequency of interaction. These acts include, but are not limited to, sexual or physical abuse or the threat of such abuse. Dating relationship violence can be a single act or pattern of behavior.

**Domestic Violence** *(used by The College*) – Felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner, current or former cohabitant, a person with whom a victim shares a child in common, a person similarly situated to a spouse under domestic or family violence law, or anyone else protected under domestic or family violence law. A "household" exists when individuals who are married or have an intimate relationship share access to the same private living space or bathroom.

**Emergency Notification** – Requirement to make emergency notifications of emergency events and dangerous conditions occurring on campus or that present an imminent threat to the campus.

**Hate Crime** – Clery Crimes and any incidents of larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property that are motivated by bias toward race, gender, religion, sexual orientation, ethnicity/national origin, and disability.

**Hazing** – Any intentional, knowing, or reckless act committed against a person, regardless of their willingness to participate, that occurs during initiation, affiliation, or maintenance of membership in a student organization and causes or creates a risk of physical or psychological injury above the reasonable risk encountered at the institution of higher education or the organization.

**On Campus Property** - Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to that described in the first part of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**Public Property** - All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

**Referral for Disciplinary Action** – The referral of any person to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

**Reported Crime** – The College shall compile and publish statistics of "reported" Clery Crimes. For purposes of the Clery Act, a crime is reported when it is brought to the attention of a CSA or local law enforcement by a victim, witness, other third party or even the offender. Information about the crime does not need to be explicit. It does not matter whether the persons involved with the crime or making a report are associated with the College. If a CSA believes that there is a reasonable basis to conclude the information is not just rumor or hearsay (the information about the crime was provided in "good faith") he or she should document the reported information pursuant to the College procedure.

**Responsible Employee** – A responsible employee refers to all faculty, academic and campus management, and all persons in a position of perceived authority. This means they are required to disclose any complaints, including names of those involved, to the Title IX Deputy Coordinators and/or the College's Title IX Coordinator to ensure proper measures are taken. The responsible employee must notify complainants of their responsibilities to report the incident or suspected Title IX violation to appropriate personnel.

**Stalking** *(used by The College*) - Stalking is a course of conduct (i.e., more than one act) directed at a specific person that would cause a reasonable person to feel fear, to experience substantial emotional distress, or to fear for their safety or the safety of a third person. Acts that together constitute stalking may be direct actions or may be communicated by a third party, and can include, but are not limited to, threats of harm to self, others, or property; pursuing or following; non-consensual (unwanted) communication by any means; unwanted gifts; trespassing; and surveillance or other related types of observation.

- **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, methos, 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.

**Timely Warning -** The College must timely alert the campus community to Clery Crimes. Even if all of the facts surrounding the criminal incident are not yet available, a warning will be issued as soon as pertinent information is available to enable individuals to take precautions to protect themselves and to prevent similar crimes from occurring.

**Violence Against Women Act (VAWA) --** Enacted in 1994, VAWA is a landmark federal law that provides comprehensive provisions to improve the criminal justice response to violence against women, specifically related to sexual and domestic violence. In 2013, section 304 of VAWA amended the Clery Act to add additional reportable crimes. The Violence Against Women Act (VAWA) amendments to the Clery Act expand the rights afforded to campus survivors of sexual assault, domestic violence, dating violence, and stalking.

# 6 Clery Act Reporting & Crime Statistics

The College compiles statistics of reported crimes from CSA's and local law enforcement for the ASR. Copies of the prepared report are available to the following:

1. Human Resources: For distribution to all new and current employees.
2. Academics: For distribution to all new and current students.
3. Posted on Internet site under Consumer Right-to-Know.

Students and employees are notified via email regarding the availability and exact URL location of the Annual Campus Report data.

## 6.1 Gathering and Compiling Statistics of Clery Crimes

The College will collect and compile statistics regarding Clery Crimes. The College will coordinate with local law enforcement to gather crime statistics that occur on public property adjacent to, or on the defined Clery geography for each campus. The College does not have any on-campus housing or residential facilities or have any non-campus buildings that require reporting. In addition, the College does not officially recognize any student organizations with off-campus locations.

The statistics are collected from each campus via an incident report and from local law enforcement via annual requests. Data is compiled by the corporate office and submitted to the Department of Education as required by no later than October 1st* of each year.

While the College collects pertinent personal and crime-related information regarding the crimes and misconduct in order to ensure that crimes are counted correctly and to avoid double counting, no personal information is released or included in this annual security report or statistic disclosure.

## 6.2 Clery Report

The Annual Security Report (ASR) will be published and distributed by October 1st* of each year. The ASR must be distributed to all currently enrolled students and all employees in the following manner:

The Annual Security Report is published on the College's Internet website at:
https://asher.edu/disclosures/

An email will be sent to the student body and all employees notifying of the release of the Annual Security Report each year by October 1st*. The notice will include: a statement of the report's availability; a list and brief description of the information contained in the report; the exact address (URL) of the Internet or Intranet website at which the report is posted; and a statement that the school will provide a paper copy of the annual security report without fee upon request, written or otherwise.

The ASR will be provided to prospective students and prospective employees upon request. If the ASR is provided to prospective students and prospective employees by posting the report on an Internet site, the notice provided to each individual will include: the exact URL where the report is posted; a brief description of the report; and a statement that the institution will provide a paper copy of the report upon request.

## 6.3 Records Retention

The supporting records used in compiling the report shall be retained on campus for a minimum of three years from the latest publication of the report to which they apply. After three (3) years, the records may be archived permanently at the designated vendor. Records to be kept include, but are not limited to:

- Copies of crime reports
- records for arrests and referrals for disciplinary action
- Timely warning and emergency notification reports
- Documentation, such as letters to and from local police having to do with Clery Act compliance letters to and from Campus Security Authorities; correspondence with the Department of Education regarding Clery Act compliance
- Copies of notices to students and employees about the availability of the annual security report.

All documentation is dated, and a full copy of the records for each annual Clery Act submission is retained in the compliance office for reference.

## 6.4 Submitting Crime Statistics to the Department of Education (DOE)

The College is required to submit the crime statistics from the Annual Security Report (ASR). During late summer, the Department of Education (DOE) conducts the annual Campus Safety and Security Survey. This Web-based survey is used to collect statistical data from the ASR. The data is then posted on the DOE public website for use by higher education consumers. The site is located at http://www.ope.ed.gov/security. Each year a few weeks prior to the collection, DOE sends a letter and a registration certificate to the College. The certificate contains information necessary to access the survey and enter data.

# 7 Emergency Responses and Evacuation Procedures

The College maintains an overall plan for the protection of members of the College community from the hazards of various types of emergencies through the implementation of a comprehensive evacuation policy.

The Campus Director and/or designated management during a fire or emergency situation is responsible for ensuring proper procedures are followed to evacuate or lockdown the building.

## 7.1 Fire & Evacuation Exits

The College posts building floor plans in each room and near exit doors showing fire and evacuation exit routes and locations of fire extinguishers. Tampering with posted exit plans is prohibited. Fire exits or any emergency egress may not be blocked or tampered with in any fashion. Items, including furniture and bicycles, may not be stored in or near exits or in fire stairwells.

## 7.2 Responding to an Emergency

**Actions to take in response to an Emergency Situation**

- In the event of a fire or emergency which threatens life or limb, **DIAL 911 IMMEDIATELY**.
- In the event of a fire, employees may make an attempt to extinguish a fire using either a fire extinguisher or other fire control device. In the event the fire is not controllable, take action to evacuate the building as soon as possible after discovery of the fire.
- In buildings equipped with a fire alarm, trigger the fire alarm. Otherwise, activate an emergency exit door alarm or sound an audible alarm such as a bullhorn.
- In an emergency, call 9-1-1 before proceeding with other notifications to campus staff. The Campus Director or current designated supervisor must be notified as soon as it is safe to do so and will then determine who else needs to be notified (emergency response personnel, corporate officers, etc.), how, and when. The Director will then determine the nature and content of the notification, and initiate the campus-wide emergency notification system immediately upon confirmation of an emergency or dangerous situation. *Please refer to Section 7.10 for more information regarding emergency notifications*. Follow-up and "All Clear" notifications will be released when it is deemed safe to do so.

## Response to a Fire Alarm/Emergency Notification

- When the building evacuation notification is received, walk quickly to the nearest EXIT and alert others to do the same.
    - Close all doors if able.
    - Do not use elevators during an evacuation.
    - Do not take any personal items with you during the evacuation. During cold weather, bring a jacket if it is immediately accessible.
    - Do not make any stops during your exit; proceed immediately out to the designated Assembly Point.
- As front desk personnel are responsible for checking visitors in, they are to assist any visitors who were not previously assigned to other personnel. All other visitors should be assisted by the campus staff working with them.
- Smoke is the greatest danger in a fire: if needed, stay near the floor and crawl to the exit.
- Once outside, walk with your instructor or next immediate supervisor to the location designated for your respective class. Stay with your class/instructor until directed otherwise.
- Keep streets, fire lanes, hydrants, and walkways clear for emergency personnel.
- In the event you become trapped in a building during a fire, stay near the floor where the air will be less toxic. Shout at regular intervals to alert emergency crews of your location.

## Report to designated areas

Outdoor assembly areas are established for each campus and must be located a minimum of 100 yards from the building to which they are evacuated to avoid interference with fire and emergency department operations. The assembly areas shall be arranged to keep each class separate to provide accountability of all individuals. In some instances, evacuation may not apply to all buildings; emergency notifications will indicate which locations are impacted. The below information outlines the appropriate assembly areas at each campus and campus building. While these areas are pre-designated, in an emergency situation, an alternate evacuation point may be established to accommodate for unexpected circumstances *(ex. smoke is blowing into the designated spots).* The Campus Director and/or designated supervisor at the time of the evacuation should re-direct to a new designated spot that is a minimum of 100 yards from the building and does not interfere with emergency responders.

The Campus Director will be responsible for confirming that all classes and departmental staff are safely accounted for and, the Campus Director must determine whether or not to send someone back inside the building to retrieve this person, depending on perceived safety of the specific situation.

*Never, under any circumstance, go back inside a burning building or during a crisis situation.*

## Wait for Emergency Responders

- The Campus Director or supervisor in charge during the evacuation will relay necessary information to first responders.
- All staff and students are to remain in their assembly areas and wait for further instructions from the emergency responders.

## 7.3 Emergency Lockdowns

Lockdown situations may occur in instances where there is an immediate threat to the campus. In situations other than natural disasters, students and staff will be notified to stay in their classrooms and offices until further notice. In addition, all doors will be closed and outside exits locked. Upon notification of a situation, the Campus Director will issue appropriate emergency notifications, appropriate emergency instructions, and will provide an all clear when able to do so.

**Weather:** In cases of extreme weather emergencies or natural disasters, lockdowns may occur but additionally, staff and students will be moved to secure rooms with no windows.

## 7.4 Active Shooter Response

In the event an employee or student makes a threat or exhibits threatening behavior contact security, campus management, or the police. In most cases, the more specific the threat, the greater probability of danger and any out of control behavior should be considered a serious threat.

If an employee or student reports a threat, treat the situation seriously and take action right away. Be sure that you follow up with the person reporting the threat and let them know the situation is being addressed.

- Verify information you have been given is valid.
- Keep all information **confidential**, stick to **need-to-know.**
- Once police are notified, the incident becomes a matter of public record.
- Continually assess and reassess the situation and take additional steps if necessary.

In the event of an active shooter situation, law enforcement will most likely not be present at the beginning of the situation. It is normal to be startled, feel fear and anxiety, or experience disbelief and denial of what is occurring. Expect to hear loud noise from alarms, gunfire, explosions, shouting, and screaming.

The College trains on three basic options: **RUN, HIDE, OR FIGHT.**

### Option 1: Run

- Leave personal belongings behind.
- Visualize possible escape routes including physically accessible routes for those with disabilities.
- Avoid escalators and elevators.
- Call 911 when safe to do so.
- Let others know where you are when you reach a safe place.
- Follow instructions from police, which may include being treated as a threat until you are verified as not one.

### Option 2: Hide

- Lock the doors, if possible and turn off all lights.
- Barricade the doors with heavy furniture.
- Close and lock windows, and close blinds to cover windows.
- Silence all electronic devices and remain quiet.
- Use strategies to communicate silently with responders.
- Hide along the wall closest to the exit but out of the view from the hallway.
- Remain in place until given the all clear by identifiable law enforcement or it is no longer safe to do so.

**Option 3: Fight**

- If neither running nor hiding is an option, when confronted by the shooter, try to disrupt or incapacitate the shooter by using aggressive force through items in your environment such as books, fire extinguishers, chairs, etc.
- This is not a requirement but, if there are no other options, act decisively and violently to disable or incapacitate the shooter.

**Interacting with responders:**

- In the event of an active shooter situation, first priority will be given to locating and stopping the person believed to be the shooter.
- Cooperate with and follow all instructions to the best of your ability.
- Do not attempt to help or interfere with the response unless specifically told to do so by a responder.
- Present yourself to responders with open hands and empty palms to ensure they can clearly see you are not armed.
- You may be searched, handcuffed, told to lay down or to kneel, place hands on your heads.
- **DO AS YOU ARE INSTRUCTED**.

## 7.5 Fire and Evacuation Staff and Student Training

Employees will be provided fire extinguisher training annually through local fire training programs, appropriately trained staff, or through online training. Specific safety training is provided to staff and students of each department based on the programmatic safety requirements and needs.

In addition, evacuation and fire drills are conducted at least once a year to ensure staff and students are familiar with the emergency procedures.

## 7.6 Fire & Evacuation Drills

Fire and evacuation drills will be conducted on a periodic basis occurring no less than once per year. Fire drills will be held for each building during the first half of every year; reminders will be issued by the safety committee. Drills should be conducted at different times of the day; however, drills should be scheduled during times when a majority of the employees are available to respond to the drill. The exception to this rule would be in the case of shift work where it is necessary to determine the actions of employees on a particular shift.

Emergency evacuation drills must involve the actual evacuation of all staff, students, and visitors to a selected assembly point and will provide staff, students, and visitors with experience in exiting through all required exits. All required exits must be used during emergency evacuation drills.

The Campus Director and Campus Safety Committee Member will coordinate the drill and will notify emergency response personnel and the Fire Department (or other reporting agency) via telephone as necessary to ensure emergency services are aware of the drill.

Upon conclusion of a drill, the effectiveness will be evaluated by the Campus Director to include a description of the exercise, the date it was held, and the times it started and ended. The summary should also indicate if the drill was announced or unannounced. A recap is then e-mailed to the Safety Committee, and discussed

at the next meeting to ensure the ongoing evaluation of the campus procedures and overall effectiveness of them.

## 7.7 Emergency Equipment

All fire extinguishers are checked for readiness monthly by a qualified individual, and inspected annually by an outside service as required. This is accomplished during the safety walkthroughs that occur each month by the safety committee member and/or a designated employee at each campus responsible for applicable areas on campus.

In addition, all exit signs and emergency lighting are checked during the monthly safety walkthroughs to ensure they are in proper working order. If maintenance is required, a maintenance request should be made immediately to ensure these items are returned to proper working order as soon as possible.

## 7.8 Campus Emergency Communication Procedures

Below is a general procedure for ensuring proper communication and support throughout an emergency situation.

**Receptionist/ Night Supervisor:**

- Receive information from media or other sources that indicates nearby disturbance of a nature warranting secure action (fire, shooting, criminal at large in area, bomb threat, severe weather, severe accident, hazardous spill, etc.).
- Pass on to management or designated management personnel: Campus Director (CD) or Director of Education (DOE). At night, pass on to the designated Night Supervisor.
- Continue to listen for updates to the situation, maintaining close communications with next-level supervisor.

**Management**

- Determine level of appropriate response.
  ***Standby:*** *no extreme measures, increased vigilance only.*
  ***Evacuate:*** *get everyone out and home as quickly and safely as possible.*
  ***Stay-In-Place:*** *stay inside buildings. All doors locked, no unnecessary movement inside or outside.*
  ***Lock-Down:*** *move everyone to secure rooms – no windows as define above. All doors locked, volunteer guards at strategic hallway positions watching doors, no movement inside or outside.*
- Create command center if necessary, and contact required support staff.
- Work directly with emergency personnel to resolve situation (if applicable and safe to do so).
- Contact appropriate Corporate level personnel if appropriate and timely.
- Send Emergency Flash Alert or Text (160-character maximum) describing emergency and any instructions.
- Await response from Night Supervisor/Evening Administrator and/or confirmation from emergency personnel stating the emergency has subsided.
- Contact satellite campus (es) via cell phone to provide alert, and recommend all staff and students stay away until the issue has subsided. If issue at the satellite location, reverse procedure accordingly.
- Re-evaluate situation frequently to upgrade or downgrade alert status, or All-Clear message and

contact appropriate personnel to debrief.

## 7.9 Emergency Notification Systems

Emergency notification systems are used to provide students and staff with instant notifications regarding emergency or fire situations. These systems must be response-tested at least once annually. This testing may be conducted by the campus or by the emergency notification system provider. If the provider does not conduct the testing, the Campus Director or Safety Committee Representative should activate the text system prior to first fire drill of every year, by March 1. If the message also sends to authorities should be notified ahead of time. The message should also include the words, "This is only a test." *See section 7.10 for more information regarding emergency notifications.*

## 7.10 Emergency Notifications

Campus Directors are responsible for issuing emergency notifications. The Director will evaluate the situation and determine if there is an immediate or imminent threat to life or property. To do so, the Campus Director will evaluate all relevant information, and /or rely on outside expertise such as law enforcement or emergency agencies. In the event that the Campus Director is unavailable, the on-shift manager will take responsibility for the evaluation. In the event that an emergency notification needs to be issued for any portion of the campus, the entire campus will be notified due to the small size of the campus geography.

The College will issue an emergency notification upon the confirmation of a significant emergency or dangerous situation occurring on the campus involving an immediate threat to the health or safety of students and/or employees. The College's email system will be used to issue the necessary emergency notifications. When appropriate, the same system will be used to issue an all clear notification.

Social media avenues are used to provide additional community information. This includes social media accounts such as Facebook and Twitter. These notifications will be coordinated through the corporate office designated social media account manager.

The College 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 responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. The College will notify the campus community as soon as it is confirmed that a significant emergency or dangerous situation exists, and will:

- Take into account the safety of the campus community,
- Determine what information to release about the situation, and
- Begin the notification process.

Depending on the situation, the content of the emergency notification may differ but in general will include the current situation and the immediate steps to be taken in response to the situation. In the event that the emergency requires law enforcement or additional emergency department involvement, the school will notify the required emergency services.

The College may not immediately issue a notification for a confirmed emergency or dangerous situation if doing so will compromise efforts to:

- Assist a victim,
- Contain the emergency,

- Respond to the emergency, or
- Otherwise mitigate the emergency. An example of not compromising efforts to mitigate the emergency might be agreeing to a request of local law enforcement or fire department officials.

### 7.11 Timely Warnings

When determining whether to issue a timely warning, the Campus Director will make a case-by-case decision based on the following items:

- The nature of the crime,
- The continuing danger to the campus community,
- And the possible risk of compromising law enforcement efforts.

When issuing a timely warning, the College will issue sufficient information including:

- Information required for members of the campus community to protect themselves,
- All information that promotes safety,
- Information to aid in the prevention of similar crimes,
- And information about the crime that triggered the warning.

The College email system will be used to provide timely warnings for any Clery item that represents an immediate threat to students or staff at the College.

# 8 Campus Policies and Procedures

## 8.1 Access to Campus Facilities

During business hours, the College will be open to all individuals who require access to the campus for schooling and business related needs. All staff and students are required to wear issued badges while on campus for identification purposes. Visitors must sign in at the front desk at each respective building location and wear an issued visitor's ID prior to being allowed on campus. Visitors must be under the supervision of appropriate personnel at all times during their visit. *(ex. Potential students should be escorted by admissions representatives)*. During non-business hours, access is restricted to employees or contractors with prior authorization only. Students are not allowed into the College facilities outside of business hours or without The College employee oversight. End of night walk-throughs are conducted and all buildings are locked and secured. *The College does not have any student housing or residences.*

The College conducts monthly safety inspections of all facilities to ensure they are properly maintained and secure. Any safety concerns discovered are promptly addressed.

## 8.2 Security Personnel

The College does not have any law enforcement personnel; as such, security personnel cannot make any arrests but can contact local law enforcement in the event they feel there is any threat to person or property. Any security personnel contracted by the College do not have any formal agreements with local law enforcement agencies to include Memorandums of Understanding (MOU) or any other type of written agreement.

Crimes should be reported to the Campus Director and/or any other CSA as defined below as soon as possible.

## 8.3 Daily Crime Log

The College does not have any law enforcement personnel; as such, the College maintains is not required to maintain a crime log.

## 8.4 CSA Identification

Because personnel and job positions change, someone who is a CSA one year may not be a CSA the following year. To determine which individuals are CSAs, the function served by that individual must be considered. If someone has significant responsibility for student and campus activities, he or she is considered a CSA.

The College's Corporate office and Campus Directors will identify individuals whose functions qualify as a CSA and informs the College personnel of their Clery Act obligations, and the College's procedures for collecting information about Reported Crimes.

**The College does not employ any confidential resources that meet the exemption for professional and pastoral counselors.** As such, any reported crimes cannot be treated as confidential, will be included in Clery Act statistics, and may invoke Title IX or additional procedures including law enforcement contact depending on the nature of the crime. If a student or employee does not want to make a formal report, they may contact local resources that the College has provided to the students on request. Reports will be handled as confidentially as possible with only those with a need-to-know being informed. If there is a request to keep a complaint informal the request will be reviewed on a case by case basis. (See section 10.1 Informal Complaint)

**The College strongly encourages any victims or anyone who has witnessed a crime to report them to the police and to the school. Any reports given to the police will become a matter of public record.**

## 8.5 Reporting a Crime or Incident

**Emergency situations should be reported by calling 911.** Non-emergency crimes should be reported to a CSA (including but not limited to Director of Education or Campus Director) immediately. If a crime has occurred, The College encourages students and staff to report to a law enforcement agency. Internally, the situation or event will be evaluated to determine if a timely and/or emergency warning is needed and the necessary information will be collected for the Clery Act Crime Reporting requirements.

In addition, CSA's must document and report any alleged crimes that they are notified of by students or employees. CSA's who are unsure whether an incident is a Clery Act crime should still report it. CSA's are not responsible for determining authoritatively whether a crime took place. CSA's must complete the College Incident report via Microsoft Forms. This form is accessible through the "Report an Incident" link. Specific questions will be asked regarding Clery crimes to ensure all necessary information is collected.

## 8.6 Preserving Evidence

Regardless of whether an incident of sexual misconduct is reported to the police or the College, the College strongly encourages individuals who have experienced sexual misconduct to preserve evidence to the greatest extent possible, as this will best maintain all legal options for them in the future including protective and/or custody orders.

Below are suggestions for preserving evidence related to an incident of sexual misconduct. It is important to keep in mind that each suggestion may not apply in every incident:

### 8.6.1 General Suggestions

Do not alter, dispose of, or destroy any physical evidence.

If there is suspicion that a drink may have been drugged, inform a medical assistance provider and/or law enforcement as soon as possible so they can attempt to collect possible evidence (e.g., from the drink, through urine or blood sample).

Preserve evidence of electronic communications by saving them and/or by taking screen shots of text messages, instant messages, social networking pages, or other electronic communications, and by keeping pictures, logs, or copies of documents that relate to the incident and/or perpetrator.

Even if victims choose not to make a complaint regarding sexual misconduct, they should nevertheless consider speaking with law enforcement to preserve evidence in the event that they change their mind at a later date.

### 8.6.2 Suggestions Specific to Sexual Assault

Because some evidence, particularly evidence that may be located on the body, dissipates quickly (within 48-96 hours), individuals who have been sexually assaulted and wish to preserve evidence should go to a hospital or medical facility immediately to seek a medical examination and/or evidence collection. This preserved evidence may be necessary as proof of criminal activity. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

An individual who has been sexually assaulted should not shower, bathe, douche, smoke, brush teeth, eat, drink, or change clothes or bedding before going to the hospital or seeking medical attention. If the individual who has been sexually assaulted decides to change clothes or bedding, they should not wash the clothes worn or bedding used during the assault, and should bring them to a hospital, medical facility or the police in a non-plastic bag (e.g., paper bag).

If you are in immediate danger or need emergency assistance, call 911. You may also report an incident to local law enforcement by contacting your local police department or sheriff's office. Victims may seek free, confidential support and resources through local rape crisis centers. Individuals who experience sexual assault may seek medical care and a Sexual Assault Forensic Exam (SAFE) to address medical needs and preserve evidence.

Victims of sexual assault have various options in different states:

**In California**, a person may generally receive a forensic examination without immediately deciding whether to report the incident to law enforcement.

**Nevada** law allows up to 20 years to report a sexual.

**In Texas**, Adults (18 and older) have the right to get a forensic exam and medical treatment without being required to make a police report. Evidence in non-reporting cases can be stored securely (generally for 5 years) if you decide to report later. Under Texas law and the Office of the Attorney General, the cost of the forensic portion of the exam is billed directly to the state and is free to the survivor. In Texas, you have the right to use a pseudonym (a fictitious name) to protect your identity in public court files and police records related to the offense.

## 8.7 Reporting Sexual Misconduct: Policies and Protocols

The College encourages all individuals to report any alleged or suspected violation of the Sexual Misconduct and Discrimination Policy including domestic violence, dating violence, stalking, and sexual assault to the campus Title IX Deputy Coordinator. The College employees who become aware of potential violations of this policy are required to notify the College.

The College strongly encourages that any criminal conduct be reported to law enforcement and will provide any assistance necessary in contacting and notifying appropriate law enforcement if requested. In addition, should the individual decline to notify such authorities, the College will support that decision.

Anyone who seeks to make a complaint or report may complete one of the following actions. These options will initiate the College's procedures under Title IX and it will be considered an informal complaint until the complainant requests the complaint be considered formal. *(For the difference between formal vs. informal complaints please see Sections 10.1 and 10.3)*

- File an internal complaint or report with the College's Title IX Coordinator or Deputy Title IX Coordinators. This can be completed by:
    - Scheduling an appointment or walk-in
    - Call to report a potential violation.
    - Email or submit written complaints
    - *See Sections 5.1 and 5.2 for contact information.*
- Request interim measures from the College's Title IX Coordinator.
- If on or off campus, contact the local police department *(See Section 3.1)* for assistance in filing a criminal complaint and preserving physical evidence.

An individual may pursue some or all of these steps at the same time (e.g., one may simultaneously pursue an internal complaint and a criminal complaint). When initiating any of the above options, an individual does not need to know whether he/she wishes to request any particular course of action nor how to label what happened.

## 8.8 Immediate Assistance following an instance of Sexual Misconduct

The College prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as defined by the Clery Act. **In the event of an emergency, please contact 911.** Immediate assistance can also be obtained by contacting the Deputy Title IX Coordinator designated for your campus or the College's Title IX Coordinator. Additional off-campus confidential assistance may be obtained by requesting a list of local resources.

Local community resources may be available at each campus; please see the Campus Director, Director of Education (DOE), or the campus Deputy Title IX Coordinator for additional assistance. If there is no immediate emergency, additional law enforcement assistance may be obtained by contacting:

| | |
|---|---|
| **Albuquerque Police Department** | (505) 242-COPS or (505) 242-2677 |

| | |
|---|---|
| **Colorado Springs Police Department** | (719) 444-7000 |
| **Grand Junction Police Department** | (970) 549-5000 |
| **Pueblo Police Department** | (719) 553-2538 or (844) PPD-COLO |

## 8.9 Drug & Alcohol Policy

The College is a drug and alcohol free campus. Additional details are available in the Drug and Alcohol Abuse Prevention Policy available at the following website url:

https://asher.edu/disclosures/

Violators of this policy are subject to the College disciplinary actions, criminal prosecution, and fines and imprisonment. The possession of alcohol by anyone under the age of 21 is illegal. Possession of drugs as defined in the Drug and Alcohol policy, including medicinal and recreational marijuana, regardless of state regulations, is not allowed and is a violation of the College policy. Information on recovery programs can be accessed at the links below:

- **New Dawn Recovery Center**
  9960 Business Park Drive Suite 160
  Sacramento, CA 95827
  Phone (916) 363-2732; (916) 723-1319
  www.newdawnrecovery.com

- **BRIDGE COUNSELING ASSOCIATES**
  1640 Alta Drive, Suite #4
  Las Vegas, NV 89106
  Phone: (702) 474-6450
  Fax: (702) 474-6463

- **Arise Recovery Centers**
  5440 Harvest Hill Rd #230, Dallas, TX 75230
  Phone: (214) 613-0616
  https://ariserecoverycenters.com/

Alcoholics Anonymous: https://www.aa.org/
Al-Anon Family Groups: https://al-anon.org/
Narcotics Anonymous: https://www.na.org/

## 8.10 Sex Offender Registry Database

In accordance to the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the College is providing a link to the Colorado State Sex Offender Registry. All sex offenders are required to register in the state of Colorado and to provide notice of each institution of higher education in Colorado at which the person is employed, carries a vocation or is a student. In Colorado, convicted sex offenders must register with the Colorado Bureau of Investigation (CBI).
**The California sex offender website:** https://www.ca.gov/departments/223/services/1132/
**The Nevada sex offender website:** https://sexoffenders.nv.gov/ConditionsOfUse.Aspx
**The Texas sex offender website:** https://sor.dps.texas.gov/

**National Sex Offender Public Website**: http://www.nsopw.gov/ NSOPW is managed by the Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) as authorized by the Sex Offender Registration and Notification Act (SORNA) and provides links to each states sex offender registry as applicable.

### 8.11 Hazing Policy

The College prohibits hazing in any form. Hazing is any act, activity, or conduct, whether intentional or reckless, that is directed toward or required of another person as a condition of joining, participating in, maintaining membership in, or remaining associated with any group, organization, activity, or program, when the conduct causes or is reasonably likely to cause physical or emotional harm, humiliation, intimidation, degradation, or creates a risk to the health or safety of any person. Hazing is prohibited regardless of whether the person subjected to the conduct agrees to participate or considers the conduct voluntary. Students and employees who engage in, encourage, assist with, or knowingly permit hazing may be subject to disciplinary action, up to and including suspension, dismissal, or termination of employment, consistent with applicable College policies and law. The College encourages anyone who experiences or witnesses suspected hazing to report it promptly to the College. Every year the College publishes a Campus Hazing Transparency Report (CHTR). This can be found at https://asher.edu/disclosures/.

## 9 Support and Accommodations

Victims are encouraged to exercise their rights, if desired, including:

- Proceeding to a place where it is safe from further attack and reporting offenses to proper local law enforcement and campus security authorities.
- Preserving any evidence of the assault that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order.
- Obtaining immediate medical attention.
- Receiving appropriate counseling referral information. (Local Resources)
- Receiving information on services for health, victim advocacy, legal assistance, visa and immigration assistance, and student financial aid.
- Completing crime reports.
- Applying for judicial no-contact, restraining and protective orders.
- Assistance through Academic Accommodations or Interim Measures.

Each of these rights are described in detail below throughout this report and appropriate campus staff can provide assistance when needed.

### 9.5 Healthcare Options for Treatment of Sexual Assault

Victims should seek treatment for injuries, preventative treatment for sexually transmitted diseases, and other health services, including but not limited to mental health services for posttraumatic event counseling. Rapid medical treatment is often key to preserving key evidence of assault; it is recommended that victims seek treatment as soon as possible following an incident.

### 9.6 Ongoing Assistance: Counseling, Advocacy, and Support

Resource packets with materials relating to sexual violence, national and local resources, are available from your Deputy Title IX Coordinator and/or Director of Education.

Immediately following a report of sexual misconduct, the College will provide written notification to students and employees regarding counseling options, victim's school and local resources, and other support services that the campus and local community can provide. In addition, options for accommodations and interim measures are provided including whom to contact to request such assistance. Student and employees will be informed of their rights and options moving forward after the complaint.

Individuals may also seek ongoing support during institutional disciplinary or criminal processes from the campus Deputy Title IX Coordinator or from others in campus administration such as the Campus Director or Director of Education.

## 9.7 Protective Orders

The College does not issue orders of protection; however, local law enforcement can assist in obtaining appropriate protective, restraining, or "no contact" orders. See section 8.8 for local law enforcement general information. The College will enforce all court or law enforcement no contact or restraining orders as required. Notify the Deputy Title IX Coordinator or upper management, including the Campus Director or Director of Education as soon as possible to ensure the order can be immediately enforced and appropriate action taken.

## 9.8 Academic Accommodations and Interim Measures

Upon receipt of a complaint or report of a violation of this policy, the College will provide reasonable and appropriate interim measures designed to preserve the complainant's educational experience, the safety of all parties, and the broader the College community. In addition, the College will maintain the integrity of the investigative and/or resolution process and place a strong emphasis on deterring retaliation. Certain interim measures may be available to the complainant regardless of whether the complainant seeks formal disciplinary action. Interim measures may include but are not limited to:

- Re-scheduling of assignments and/or testing without penalty;
- No penalty for absence or missed professional grades;
- Leave of absence (LOA) process;
- Completion of a Student Support Plan (SSP);
- Special arrangements for completion of labs or hands-on testing;
- Waiving or compensation of re-take test fees;
- Access to counseling services;
- Changes in class schedule, including the ability to transfer course sections or withdraw from a course;
- Change in work schedule or job assignment;
- Ability to re-take courses with no charge or penalty to the student;
- Additional tutoring or open lab time, as needed;
- Enforcement of any court, College, or law enforcement no contact or restraining order;
- Assistance or accommodations with any disabilities that may have occurred according to the College's Accommodation Policy;
- And other remedies that can be used to achieve the goals of this policy and are reasonable in nature.

Any interim measures will not disproportionately impact the complainant. The complainant may make requests for interim measures to the College's Deputy Title IX Coordinators or Campus Director. Typically, the Deputy Title IX Coordinators will ensure the implementation of interim measures and coordinating the

College's response with the appropriate offices on campus such as the Campus Director or Director of Education. All individuals are encouraged to report concerns about the failure of another to abide by any restrictions imposed through interim measures. The College will take immediate action to enforce a previously implemented measure, and disciplinary penalties can be imposed for failing to abide by a College-imposed interim measure.

The College will maintain as much confidentiality as possible when providing accommodations or protective measures for individuals. Only employees who need-to-know will be informed to ensure the accommodations and/or protective measures can be carried out appropriately.

## 9.9 Confidentiality

When the College is required to investigate potential misconduct, absolute confidentiality cannot be promised with respect to a formal complaint of discrimination, harassment, sexual harassment, violence (i.e., dating violence, domestic violence, sexual assault, or stalking), or retaliation received through the College's reporting options. The College wishes, however, to create an environment in which legitimate complaints are encouraged, while also protecting the privacy of all involved in an investigation. Complaints about violations of these policies will therefore be handled in strict confidence, with facts made available only to those who need-to-know in order for the College to promptly and thoroughly investigate and resolve the matter. If there is a request to keep a complaint informal the request will be reviewed on a case by case basis. (See section 10.1 Informal Complaint)

The College will complete publicly available recordkeeping, including Cleary Act reporting and disclosures, without the inclusion of personally identifying information about the victim. The College will also maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality does not impair the ability of the school to provide the accommodations or protective measures or is otherwise not inconsistent with any policy or applicable law.

## 9.10 Confidential Resources

While the College does not offer on-campus confidential resources, the College does make local resources available to all students and staff.

# 10 Investigation Procedures & Protocols

In determining whether alleged conduct violates this policy, the College makes a commitment to consider the totality of the facts and circumstances involved in the incident, including the nature of the alleged conduct and the context in which it occurred. Any of the prohibited conduct defined in this policy can be committed by individuals of any sex, and it can occur between individuals of the same or different sex(es). It can occur between strangers or acquaintances, as well as persons involved in sexual, dating, or family relationships. The College will treat complainants and respondents equitably.

The College presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of its grievance procedures.

The College may consolidate complaints against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations arise out of the same facts or circumstances.

## 10.1 Informal Complaint

If the individual reporting would still like to maintain privacy and does not wish for a formal investigation or the College to address the matter the Deputy Title IX Coordinator and Campus Director will weigh and determine that request against the school's obligation to provide a safe, nondiscriminatory environment for all students, faculty, and staff. In making that decision they will consider a range of factors, including the following:

- The risk that the alleged perpetrator will commit additional acts of misconduct or other violence;
- The seriousness of the alleged misconduct, including risk of repeat incident, whether the respondent threatened further misconduct or other violence against the complainant or others, whether the alleged misconduct was facilitated by the incapacitation of the complainant, or whether the respondent has been found responsible in legal or other disciplinary proceedings for acts of misconduct or other violence;
- Whether the alleged misconduct was perpetrated with a weapon;
- Whether the complainant is a minor;
- Whether the University possesses means other than the complainant's testimony to obtain relevant evidence of the alleged misconduct (e.g., security cameras, personnel records, or physical evidence);
- Whether the alleged misconduct reveals a pattern of perpetration at a given location or by a particular group.

If it is concluded that a formal investigation is not needed the Deputy Title IX Coordinator and/or the Campus Director may determine that the most effective way to address the concern is through provision of support measures and/or policy compliance remedy. This would not involve a Formal Investigation or written report to determine if a policy has been violated. Instead, this approach allows the school to tailor a remedy to the specific facts and circumstances of the incident. Resolution can include but are not limited to the following:

- Provide interim or long-term support measures to the complainant and/or the respondent;
- Provide training to address the incident;
- Provide a referral to other campus resolution processes as appropriate based on the specific facts of the case;
- Provide information about external resources available.
- Conduct a Policy Education Meeting with the respondent to
    - Discuss the behavior as alleged and provide an opportunity to respond;
    - Review prohibited conduct under the Applicable Policies;
    - Identify and discuss appropriate future conduct and behavior as well as how to avoid behavior that could be interpreted as retaliatory;
    - Inform the complainant of the respondent's responses if appropriate; and determine whether any other disciplinary action is appropriate. All of the above must be documented.

## 10.2 Formal Complaint and Investigation

A formal complaint will trigger an investigation. The investigation will be overseen by either the College's Deputy Title IX Coordinators, the Corporate Title IX Coordinator, and/or Campus Director and will entail a thorough review of all evidence, interviews, electronic records, audio, etc. related to the complaint. In some situations, a third party may be utilized for investigations if the above employees are unable to oversee the investigation. The College does not provide any confidential resources on campus; therefore, any complaints will be investigated in accordance with this policy. We will keep the manner as confidential as possible and will include only parties that must be informed.

All parties will be notified of the formal complaint and informed of their rights during an investigation. This notification will be made within (4) business days of the complaint. The College will make every effort to conduct and complete an investigation with action within thirty (30) days of the initial complaint notification. Some situations of a more complex nature may require additional time to ensure that all evidence and claims are thoroughly investigated. All those involved will be notified in writing of any extensions to timeframes needed. The thirty (30) days may also be extended in the event that one of the following occurs:

- Availability or unavailability of a witness or relevant/material documents;
- Recalcitrance of a witness and/or any necessary party;
- Delay or other uncooperative actions of any necessary party;
- Number of witnesses;
- Coordination with law enforcement efforts;
- Holidays and vacation periods; or
- Any other unforeseeable event/circumstance which impacts the investigation.

Each party, whether a Complainant or a Respondent, may have an advisor of their choice present during any interview, which can include, but is not limited to an attorney or advocate. Advisors are not authorized to speak or participate instead of the complainant or respondent in interviews. If a complainant or respondent chooses to have an advisor present for interviews, it is complainant or respondent's obligation to select an advisor whose schedule allows attendance within the timeframes designated.

Once notified of a formal investigation, all parties are required to preserve any and all evidence pertaining to the investigation. The College will make every effort to investigate fully all aspects of every claim to ensure equitable treatment of all parties during the investigative process. At the conclusion of the investigation, the College will create a report summarizing the investigation including evidence reviewed, interviews conducted, and any additional resources consulted during the investigation. This report will be submitted to the decision maker(s) for a final decision.

## 10.3 Formal Hearing and Resolution

The investigator, typically the Deputy Title IX Coordinator, will submit the complete investigation report to the respondent, the complainant, and their advisors, if any, for their review and response at least 10 days prior to a hearing.

The College shall, upon receipt of the final investigative report, proceed to schedule a live hearing on the matter. A hearing shall be conducted unless both the respondent and the complainant both waive, in

writing, the right to such a hearing. The College shall designate a Title IX hearing examiner or hearing committee to hear discipline cases. The College shall have the right to decide whether the matter will be heard by a hearing examiner or a hearing committee.

A fair hearing shall include all of the following:

- A right to the names of witnesses and of access to documentary and other evidence which serve as the basis for seeking discipline.
- Evidence collected during the investigative process will be made available to the Complainant, Respondent, and their Advisors for review and comment at least ten (10) days prior to the hearing. New evidence (evidence not gathered and considered during the investigative phase) may not be introduced during the live hearing. Likewise, new witnesses (who have not been interviewed by the investigators) are not permitted at the hearing.
- A right for the complainant and employee to be heard on their own behalf.
- A right to an advisor, counsel, or other representatives, and to offer witnesses. The respondent's or complainant's advisor or counsel may ask all witnesses relevant questions and follow-up questions, including those challenging credibility. Credibility determinations, however, may not be made based on a person's status as a complainant, respondent, or witness.
    - A right to confront and cross-examine adverse witnesses. The respondent's or complainant's advisor shall conduct cross examination directly, orally, and in real time. The respondent and the complainant may not personally conduct cross-examination. If the respondent, the complainant, or a witness does not submit to cross-examination at the hearing the hearing committee or hearing examiner may not draw a negative inference in reaching its findings and recommendations based solely on the absence of an respondent, complainant, or witness from the hearing or refusal to answer cross-examination or other questions.
    - A verbatim record of all hearings, which might be a sound recording, made available at no cost for inspection and review.
    - All parties are expected to be civil and not engage in behavior that violates collegial standards, such as talking over someone, yelling, taking an aggressive stance towards someone (i.e., shaking a fist or standing too close to someone's face), or any other behavior that is deemed disruptive by the hearing committee.
    - During the hearing the hearing committee or hearing facilitator will have the right to determine the relevancy of any questions asked on cross-examination and can exclude any irrelevant questioning.
    - Upon request, the college shall provide for the hearing to occur with the respondent and complainant located in separate rooms with technology enabling the hearing committee or hearing examiner, the respondent, and the complainant to simultaneously see and hear witnesses answering questions.
    - Upon scheduling the hearing the above rules and additional procedures will be sent to the respondent, complainant, and their advisors.

After the hearing the hearing examiner or the hearing panel will finalize a conclusion. The report and conclusions are also sent to the Corporate Title IX Coordinator for review of the final outcomes prior to release to the notifications to all parties involved. If the Corporate Title IX Coordinator is unavailable results should be sent to appropriate corporate management such as the CFO or Vice President of Operations for review.

The College will fully comply with any investigation efforts conducted by law enforcement and will share all necessary information requested. As there are no confidential resources on campus, anything shared with IntelliTec may be provided to law enforcement.

The College will take immediate steps to protect complainants pending the final outcome of an investigation, including academic accommodations and other interim measures. These steps may include any of the interim measures listed in this policy.

## 10.4 Informal Resolution

The informal Resolution process is a voluntary process that is separate from the school's formal investigation process. If an informal resolution can be reached a formal investigation is no longer warranted this can occur anytime during the formal investigation if both parties agree to the resolution.

- Depending on the seriousness of the allegations the Informal Resolution process might not be available.
- Participation in an Informal Resolution process is voluntary, and the College will not require, encourage, or discourage the parties from participating in the Informal Resolution process.
- After a Formal Complaint has been submitted, the complainant or respondent may request an informal resolution in writing. The Deputy Title IX Coordinator, Campus Director, or an assigned

  Resolution Facilitator will meet with the complainant and respondent separately to see if a resolution is possible and collect the requested remedies from both parties in writing. Both parties must consent in writing to participate.
- The Facilitator will share the written requests with the other party and identify areas of agreement.
- Any agreements reached must first be approved by the Campus Director and both parties will sign an Informal Resolution Agreement.
- Upon signing the agreement both parties are bound by its terms and cannot elect for a formal resolution process unless circumstances change significantly.
- Failure to comply with the signed agreement may result in disciplinary action for either party.
- The Informal Resolution process may be discontinued at any time by either the Deputy Title IX Coordinator (or designee), the complainant, or the respondent.
- If the Informal Resolution process is discontinued for any reason or if the parties fail to reach a mutually agreeable outcome, the complainant may request to re-engage an investigation and formal resolution process.
- If an Informal Resolution process is terminated, the Informal Resolution process will no longer be made available as a remedy to resolve the complaint. Because the College has an obligation to address reports of sexual assault, dating violence, domestic violence, and stalking, the school may use party admissions or other information learned during the Informal Resolution Process in the Formal Investigation.

## 10.5 Preponderance of the Evidence

In making his/her determination, the Decision Maker(s) shall observe a preponderance of the evidence standard. This means reaching a conclusion based upon all available facts and information as to whether one party's evidence outweighs the evidence of the other.

The final decision and conclusions are also sent to the Corporate Title IX Coordinator for review of the final outcomes prior to release to the notifications to all parties involved. If the Corporate Title IX Coordinator is unavailable results should be sent to appropriate corporate management such as the CFO or Vice President of Operations for review.

The College will fully comply with any investigation efforts conducted by law enforcement and will share all necessary information requested. As there are no confidential resources on campus, anything shared with the College may be provided to law enforcement.

The College will take immediate steps to protect complainants pending the final outcome of an investigation, including academic accommodations and other interim measures. These steps may include any of the interim measures listed in this policy.

## 10.6 Conflicts of Interest

Investigations will be conducted by either the Deputy Title IX Coordinators, the College's Corporate Title IX Coordinator, and/or the Campus Director. If there are any conflicts of interests in the investigation, a different internal or external party will be assigned to the investigation. If the complaint is in regards to the campus Title IX Deputy Coordinator the Campus Director and/or the Corporate Title IX Coordinator will investigate. If the complaint is in regards to the Campus Director and/or the Corporate Title IX Coordinator the complaint will be referred to the Vice President of Operations or CFO. A third party investigator also may be used in lieu of the above employees.

Based on the outcomes of the investigation, appropriate sanctions, if any, will be determined by the company student disciplinary process and then approved by campus and/or corporate management. Complainants should submit in writing any concerns regarding conflict of interest or impartiality to the College's Title IX Coordinator, Vice President of Operations, or CFO.

During the investigation process, both parties may and are encouraged to present any evidence related to the claim. The College will not allow either party to question directly the other party. Parties may submit questions to the investigator in relation to the claim and the College will ensure it is included in the investigation, if it is relevant to the case. Evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual misconduct.

During the investigation process, both parties may and are encouraged to present any evidence related to the claim. The College will not allow either party to directly question the other party. Parties may submit questions to the investigator in relation to the claim and the College will ensure it is included in the investigation if it is relevant to the case. Evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual misconduct.

# 11 Grievance and Adjudication Procedures

The College is committed to conducting an investigation that is thorough, prompt, and impartial.

## 11.1 Adjudication Process

Employees, faculty, and students who violate the College's policies may be subject to disciplinary action. Employees who have violated this policy will be subject to disciplinary action including and up to termination depending on the investigation and determination of wrongdoing. Students will be subject to disciplinary action including and up to expulsion depending on the investigation and determination of wrongdoing. Interim measures (See Section 4) may become permanent measures as needed. Additionally, the College has the ability to bring in a crisis counselor and make them available to our students necessary.

The parties will be informed of the results of the adjudication, including:

- Simultaneous written notice to both parties of the outcome of the complaint and the option to appeal, if applicable.
- A statement that the school will not require a party to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the re-disclosure of information related to the outcome of the proceeding.

All parties are strongly encouraged to not discuss the investigation or proceedings with other witnesses to preserve the quality of evidence and the subsequent investigation.

## 11.2 VAWA Sanctions

The College takes all reports and incidents of Clery crimes and VAWA offense very seriously. Sanctions can range from written warnings and suspensions to termination or expulsion. Below are specific sanctions as they relate to VAWA offenses.

Domestic and dating violence incidents will result in a written warning for minor offenses that do not involve physical harm. Serious offenses which involve physical harm or repeat offenses of any severity would result in expulsion or termination.

Stalking incidents may result in anything from a written warning to expulsion or termination depending on the severity of the offense. In addition, any protective or restraining orders will be enforced, and offenders may be required to change schedules or classes to avoid potential contact. If the stalking incident(s) are combined with additional offenses such as domestic or dating violence, immediate expulsion or termination would result. Refusal to accept class or schedule changes may also result in expulsion or termination.

Sexual Assault (*specifically rape, fondling, incest, or statutory rape*) incidents will result in termination or expulsion.

## 11.3 Disclosures of Disciplinary Proceedings

Upon written request, the College will disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary process conducted by the College against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased, the College will provide the results of the disciplinary process to the victim's next of kin, if so requested.

## 11.4 General Grievance and Appeals

Students are strongly encouraged to report alleged misconduct and policy violations of any

established policies to the lowest staff level. Individuals who receive such reports, will immediately relay them to the Campus Director for further investigation and appropriate action. College Management must also ensure that affected individuals have all health, counseling, and safety needs met. This may include referral to the Employee and Student Assistance Program and/or law enforcement agencies, as deemed appropriate.

The grievance procedure below should be followed by all students who seek resolution of a grievance, complaint, or concern related to their attendance at the College. Certain grievances related to Title IX may require different procedures and the campus Sexual Misconduct policy will then apply. **Under no circumstance will any adverse action be taken against a complainant for registering a complaint in good faith. Please refer to the non-Retaliation policy outlined in this catalog.**

- The student should attempt to resolve the grievance at the staff or faculty level nearest the source or cause of the concern; most concerns can be resolved there. However, if there is a perceived conflict or it is not resolved satisfactorily, the student should escalate the issue to secure the involvement of a person who will serve as an impartial representative of the College and who is not directly involved in the area of complaint.
- If the concern is not resolved, the student may contact the Director of Education.
- If, after a timely review with the above management staff, (which may include a report to the student of the findings and decision) the student remains dissatisfied with the decision, the student may submit a written grievance to be considered by the Campus Director.
    - The written document must include a clear statement of the grievance, complaint or concern, and request a specific remedy, corrective action, or suggest a resolution for the Campus Director's consideration.
    - The Campus Director will be allowed five working days in which to discuss the matters with all interested parties and provide the student a written determination stating the reasons for the decision.
- When further appeal is desired, the student may pursue the matter by contacting:
  Wayne Zellner
  Corporate Vice President of Operations
  2504 E. Pikes Peak Avenue, Suite 305
  Colorado Springs, Colorado 80909
  719.726.2126

If you feel your complaint has not been successfully resolved through the College's internal processes, there are additional outside sources that may contacted. Once you have exhausted all complaint and appeals processes available at the school and are still dissatisfied with the results, you may appeal to the below locations as applicable.

For schools located in California: https://asher.edu/wp-content/uploads/2024/06/CA-complaint-form.pdf

For schools located in Nevada: https://asher.edu/wp-content/uploads/2024/06/NV-Complaint-Form.pdf

For schools located in Texas: https://asher.edu/wp-content/uploads/2024/06/TX-complaint-form.pdf

If a student has used the institution's formal student complaint procedure, and the issue has not been resolved, the student has the right and is encouraged to submit a complaint to ACCET in writing via the online form on the ACCET website (https://accet.org/about-us/contact-us).

The online form will require the following information:

- Name and location of the ACCET institution
- A detailed description of the alleged problem(s)
- The approximate date(s) that the problem(s) occurred
- The names and titles/positions of all persons involved in the problem(s), including faculty, staff, and/or other students What was previously done to resolve the complaint, along with evidence demonstrating that the institution's complaint procedure was followed prior to contacting ACCET.
- The name, email address, telephone number, and mailing address of the complainant. If the complainant specifically requests that anonymity be maintained, ACCET will not reveal his or her name to the institution involved.
- The status of the complainant with the institution (e.g., current student, former student)
- Please include copies of any relevant supporting documentation (e.g., student's enrollment agreement, syllabus or course outline, correspondence between the student and the institution).

Note: Complainants will receive an acknowledgment of receipt within 15 business days.

**Online Complaint Submission Form:**

In the event that a dispute cannot be satisfactorily resolved through the use of the preceding actions, then the dispute between the student and the College shall be resolved through binding arbitration. The selection of the arbitrator and location shall be governed by the Student Arbitration agreement.

## 11.5 Grievance and Appeals for Title IX

After the final decision has been made and parties are notified in. An appeal may be submitted through the campus Deputy Title IX Coordinator or the Title IX Coordinator within (5) days of receiving the final decision. The appeal will be forwarded to a designated Appeal Officer that was not previously involved in the related investigation. The Appeal Officer will have (3) days to respond that the appeal has been received and filed. Responses will be shared with all parties.

Grounds for appeal are as follows:

- A procedural error or omission occurred that significantly impacted the outcome of the process.
- To consider new evidence, unavailable during the original investigation or adjudication, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included. NOTE: The party previously had knowledge of this evidence and failed to provide this evidence previously it will not be considered ''new evidence''
- A conflict of interest or bias by an investigator, coordinator, or decision maker that substantially impacted the outcome of the investigation or adjudication.

The Appeal Officer will submit a decision limited to the below withing (6) days of receiving the Appeal:

- Affirming the decision of the original decision maker.
- In cases where it is determined that the procedural error did significantly impact the finding or sanction, the Appeal Officer will require one of the following two remedies:
    - Remand the case back to the original coordinators, investigators and/or decision maker with instruction to repair the procedural error.
    - Remand the case back to be reinvestigated by new investigators, new coordinator, and/or new decision maker. This is typically done in cases where the procedural error is so profound as to render the original investigation and/or adjudication too biased or influenced.
- In cases where it is determined that the new evidence, unavailable during the original investigation, is now available and could substantially impact the original finding or sanctions of the decision maker, the Appeal Officer will remand the case back to the original decision maker with instruction to consider the new evidence.
    - In this case, the original decision maker(s) will convene solely to consider the new evidence.

# 12 Prevention, Education and Training

The College is committed to providing training on all Clery, Title IX, VAWA, and safety policies to promote the safety and security of all students and staff. Outlined below are the trainings that are provided at a minimum to all staff and students. In addition, other areas of safety and security are reviewed each year and appropriate training conducted on an as-needed basis.

## 12.1 Bystander Intervention & Risk Reduction

Bystander intervention refers to the safe and positive options that an individual or individuals do to prevent harm or intervene in situations of potential harm when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the individual. The best model for preventing sexual assault as a bystander is to first, notice the event as a potentially harmful situation. If you do identify it as an emergency, take responsibility to provide help. If the situation is not too dangerous, decide how to help and act to intervene. **In cases of emergency, dial 9-1-1.**

Additional steps that can be taken include:

- Step in and ask if the person needs help
- Don't leave
- Have a buddy system, and let your friends know if you're worried about them
- Ask directly, "Do you need a ride?"
- Find their friends or call 911
- Distract the perpetrator so there's time to intervene

Remember, safety starts with you. Ensure that you are aware of your surroundings at all times and do not leave personal belongings unattended in public areas including classrooms and lounge facilities. Always lock your car and remove any valuables from sight. Campus staff and faculty are available at any time for assistance.

## 12.2 Student and Employee Training

During orientation, students and employees are notified of general campus security policies and sexual assault and violence policies. The College strives to encourage students and staff to be aware of their responsibility for their own security and the security of others. Additional training includes who is considered a CSA, how to report a crime, and policies regarding evacuation, emergency notifications, and timely warnings.

Mandatory student and employee education Includes:

- New Student Orientation outlining Campus Security and Prevention, presented at the beginning of each term for all new incoming students;
- New Employee Orientation outlining the Clery Act and Campus Security, presented to each new employee as part of the onboarding process;
- Annual Employee Training regarding school policy and prevention required by all employees.

In addition, potential student and staff training may include:

- Guest speakers and Community advocates,
- Participation in Community events,
- Participation in Awareness Month events (Sexual Assault, Domestic Violence, etc.),
- And other on-site resources as needed.

Awareness months may be observed to encourage students and staff to be aware of issues that affect many of the students and staff on campus. The College coordinates availability of appropriate literature and events to support the outreach including occasional fundraisers, observance days, and other campus events.

The College also strives to provide consistent and accurate prevention and educational tools to students and employees. The College's environment encourages students and staff to report any violations or perceived violations to their Deputy Title IX Coordinator, The College's Corporate Title IX Coordinator, Campus Director, or other responsible employees who may be able to assist.

The training specifically includes a complete review of The College's Title IX Policy including what constitutes sexual violence, the definition of consent, investigation procedures, reporting options, grievance procedures, and disciplinary actions. In addition, training will include information on the effects of trauma, bystander intervention, alcohol and drug roles in sexual violence incidents, retaliation policies, and education on who to contact and how to report incidents of sexual violence.

## 12.3 CSA Training

CSAs shall receive Clery Act training on an annual basis. Training includes a summary of CSA duties and responsibilities, review of the Clery Act Compliance Policy, reporting requirements, completing an incident report, and other topics of relevance. Additional training will include gathering and compiling internal and external sources, the definition of "Clery geography," and other information including prevention and education.

## 12.4 Additional Employee Training

#### *12.4.1.1 Title IX, Clery Act, and VAWA*

The College seeks to ensure that all employees and staff are well educated and trained on the College's Title Sexual Misconduct and Discrimination Policy and federal regulations involving Title IX, the Clery Act,

and VAWA. The College provides initial training through the New Employee Orientation and on-boarding process and will provide follow-up annual training for all responsible employees. Additionally, the Deputy Title IX Coordinators receive initial training regarding their roles and investigative processes and receive additional follow-up training to ensure compliance and understanding of the College's policies and procedures. The College's Corporate Title IX Coordinator receives outside training to ensure the campus is meeting all requirements and keeping policies and procedures up-to-date.

Employees will be specifically trained on:

- the scope of the policy,
- options for assistance regarding a notification,
- The role of the Title IX & Title IX Deputy Coordinators
- Definitions,
- Reporting, Investigating, and Grievance Polices,
- Education and prevention,
- The role of a responsible employee,
- And confidentiality requirements and notifications to students.

In addition, any employees that may conduct an investigation will be trained on:

- Scope of investigation,
- Investigation planning,
- Communication with witnesses,
- Confidentiality/privacy,
- Evidence gathering and retention,
- Interviews,
- Investigation documentation,
- And investigation finding and reporting.

#### *12.4.1.2 Workplace Violence Training*

The College provides periodic Workplace Violence and Active Shooter response training to all employees and typically integrates the information with other trainings provided. The training discusses the College's policy, promoting a safe workplace, dealing with anger, supporting employees and students who are experiencing stress, and how to handle a threatening situation. Additional information is provided on sexual and domestic violence response and emergency procedures for Active Shooter situations.

# 13 Conclusion

The College strives to provide a safe environment and to provide the necessary information to students and staff to maintain that safety. If you have questions regarding content, reporting, the Sexual Misconduct and Discrimination Policy, or your role, please contact your Campus Director or the College's Corporate Title IX Coordinator, Katie Hager, at khager@intellitec.edu. Please contact your campus Title IX Deputy Coordinators or the Title IX Coordinator if you suspect a student or colleague may have been affected by sexual violence. If there are any doubts or concerns, report.

In addition, Clery crimes should be reported to and discussed with the Director of Education, and/or Campus Director at the respective campus or can be reported to any CSA as defined above.

# 14 Off-Campus Resources

Listed below are local resources for each campus that can be contacted for a variety of support services. In addition, national resources are listed below with basic contact information for ongoing support and assistance for students and employees.
When a student or staff member reports to Asher College that he/she has been the victim of a sexual assault, dating violence, domestic violence, or stalking (on campus or off) the institution will provide the victim with resources and information of their rights and options.

Sacramento:
http://www.weaveinc.org/sexual-assault
https://www.cityofsacramento.org/Police/Resources/Crime-Victim-Resources https://www.sacsheriff.com/pages/victim_resources.php

Las Vegas:
https://www.lvmpd.com/en-us/Pages/VictimServices.aspx
http://www.rcclv.org/

Dallas:
https://www.dallascounty.org/government/district-attorney/divisions/sexual-assault.php
http://www.dallasrapecrisis.org/

# 1 Megan's Law

On May 8, 1996, President Bill Clinton signed legislation commonly known as "Megan's Law," named in memory of Megan Kanka, who was sexually assaulted and murdered by a convicted child molester who lived in her neighborhood. The law was enacted to provide the public with information about registered sex offenders so that individuals and families can take appropriate precautions to protect themselves and their children. Below are links to sex offender registry information for the communities served by Asher College.

Sacramento: http://www.city-data.com/soz/soz-95825.html

Las Vegas: http://www.city-data.com/so/so-Las-Vegas-Nevada.html

Dallas: http://www.city-data.com/soz/soz-75243.html

## National & State Resources

**Rape, Abuse & Incest National Network (RAINN)**
- https://rainn.org/
- National Sexual Assault Hotline: 1-800-656-HOPE (4673)

**National Center for Victims of Crime**
- https://victimsofcrime.org/
- Victim Connect (Referral Service) 1-855-4-VICTIM

**Colorado Coalition Against Domestic Violence**
- http://ccadv.org/

**Colorado Coalition Against Sexual Assault**
- http://www.ccasa.org/

**New Mexico Coalition of Sexual Assault Programs, Inc.**
- http://nmcsap.org/

**Not Alone (Together Against Sexual Assault)**
- https://www.notalone.gov/

**The National Domestic Violence Hotline**
- http://www.thehotline.org/
- 1-800-799-SAFE (7233)

**Veterans Crisis Line**

- https://www.veteranscrisisline.net/
- 1-800-273-8255 or text 838255