



The Jeanne Clery Act

Annual Safety & Security Report

POLICY ON SEXUAL AND GENDER-BASED HARASSMENT AND OTHER FORMS OF INTERPERSONAL
VIOLENCE

2017-2018

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INTRODUCTION AND PURPOSE

The safety of students, associates and visitors is an important concern of Elite Welding Academy. We prepared this report to in-crease your awareness of a number of programs and provide information to protect your safety and well-being.

Elite Welding Academy prepares the Annual Security Report to comply with the *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act)*. Institutions participating in federal student financial aid must present to current and future students and employees certain crime statistics and policies in accordance with the *Clery Act*. The purpose of this report is to provide information relating to campus safety and security in an effort to aid future and current students and employees in making informed decisions regarding ELITE WELDING ACADEMY.

The Annual Security Report is published every year by October 1st and contains one year of campus crime statistics and campus security policy statements in accordance with the *Clery Act*. ELITE WELDING ACADEMY administrators prepare this report which includes reported campus crime, arrest and referral statistics to local law enforcement agencies and designated campus officials.

Elite Welding Academy does not have on or off campus neither housing nor does ELITE WELDING ACADEMY have student organizations. Therefore, no crime statistics or policies pertaining to such are included in this report.

Dissemination of the report includes email notifications to students, faculty, and staff providing hard copies of the Annual Security Report. Potential students and employees are notified that they have access to the report on our Consumer Information in administration office and a printed copy of the report is also available upon request.

ANNUAL REPORT AND POLICY BIENNIAL REVIEW

Every other year, in the month of January, ELITE WELDING ACADEMY organizes a committee that evaluates the effectiveness of its Safety and Security and Drug and Alcohol policies. This committee consists of the Campus Director and Lead Instructor. Minutes are kept from this meeting and the Campus Director is responsible for implementing addendums to said policies. ELITE WELDING ACADEMY maintains a Security Incident Report wherein all events related to safety and/or security are kept and documented. These Security Incident Reports, along with local Police reports, are evaluated by the Committee at the biennial meeting in order to evaluate the effectiveness of such policies.

CRIME REPORTING PROCEDURES

Reporting Crimes

Students, faculty, and staff are strongly encouraged to report all crimes to local law enforcement, dial 9-1-1 (emergencies only). Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside building should be reported to the local law enforcement agency.

Local Law Enforcement Agency	Local Phone Number	Emergency Number
Harris Police Department	(713) 884.3131	9-1-1

In addition, students, faculty and staff should report a crime to the following areas: **Report crimes to:**

Campus Director	713.640.1794	513.313.2930
Sr. Instructor	713.640.1794	

Timely reporting of criminal activity enables ELITE WELDING ACADEMY to respond to crime in a timely manner and potentially reduce the recurrence of that crime. Timely manner shall be defined to mean immediately or as immediately as possible under the circumstances.

ELITE WELDING ACADEMY works cooperatively with local law enforcement agencies when necessary; however, there are no written memoranda of understanding agreements between Elite Welding Academy and local law enforcement agencies to investigate alleged crimes. ELITE WELDING ACADEMY does, in good faith effort, contact local law enforcement agencies to obtain data on *Clery Act* crimes that occurred on or near the campus. ELITE WELDING ACADEMY does not have a police or security department and no ELITE WELDING ACADEMY employee or staff member possesses arrest authority.

Confidential Crime Reporting

Victims of crime may not want to pursue action with ELITE WELDING ACADEMY or the criminal justice system and may still want to consider making a confidential report. With permission, the Campus Director or a designee of ELITE WELDING ACADEMY can complete an incident report on the details of the incident without revealing the victim's identity. The purpose of confidential reporting is to comply with the wish to keep matters confidential while taking measures to keep the campus community safe. With such information, ELITE WELDING ACADEMY can keep accurate records and become aware of any patterns of crime that may warrant action. Reports filed in this manner are counted and disclosed in the annual crimes statistics for ELITE WELDING ACADEMY.

ELITE WELDING ACADEMY does not employ or contract with any pastoral counselors who provide confidentiality services to students or employees. However, ELITE WELDING ACADEMY provides assistance in obtaining an appropriate referral to a counseling or rehabilitation agency. In addition, ELITE WELDING ACADEMY offers counseling services through the Employee Assistance Program for all employees.

EMERGENCY RESPONSE AND EVACUATION

Response and Evacuation Procedures

Emergencies are unexpected events which must be dealt with urgently to protect the health and safety of others. Emergencies may be related to natural disasters such as earthquakes, criminal activity such as armed robberies, environmental disasters, or highly contagious health concerns.

ELITE WELDING ACADEMY issues an Emergency and Safety Information Handbook that includes emergency response and evacuation procedures and outlines actions staff, faculty, and students must take to protect their mutual health and safety.

ELITE WELDING ACADEMY will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate its Emergency Notification System (ENS), 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 Campus Director and Lead Instructor have the authority and are responsible for overall management and administration of the plan. The entire campus community will be notified when there is at least the potential that a very large segment of the community will be affected by a situation or when a situation threatens the operation of the campus as a whole.

The Campus Director or Lead Instructor will create the notification and ELITE WELDING ACADEMY's Registrar, Lead Instructor, Campus Director or Lead Instructor or designated appointee will be responsible to notify students/employees. If deemed necessary, the outside of the campus community will be notified of the emergency through local law enforcement and/or public health agency. In addition, ELITE WELDING ACADEMY's administrative staff will contact parents, guardians, spouses and those listed as emergency contacts by the student via phone. Other staff and faculty members may be designated as back-ups and to assist with assigned tasks.

Emergencies are identified by campus staff, by other campus community members, emergency alert radio, and forms of public media and notification. Anyone wishing to report an emergency should contact the Campus Director or Lead Instructor or other available administrative staff as soon as safely possible using the most efficient means available.

Upon confirmation of a significant on campus emergency or dangerous situation involving an immediate threat to the health or safety of students and employees, the Campus Director or Lead Instructor will issue an emergency notification and also notify the appropriate local emergency response teams, law enforcement, and individuals on campus who are in harm's way. Local authorities will determine when and if it is necessary to notify the surrounding community. The Campus Director or Lead Instructor will determine what information should be contained in the alert. Campus alerts may be issued consisting of four one second bursts with one second pause in-between using a portable air horn, classroom announcement, local police, or any combination of methods determined to be necessary. Employees should regularly check their ELITE WELDING ACADEMY e-mail account. The alerts will identify the appropriate action to take in an effort to have students and employees avoid the confirmed danger and minimize injuries. Depending on the situation, additional alerts will be disseminated as information becomes available.

Evacuations to safe locations will be implemented when necessary and proceed in an organized manner per policy and procedure. All students are required to comply with the plan and the directions given to them by campus safety staff, faculty, or public emergency response teams or law enforcement agencies during actual emergencies and drills for their personal safety. At no time during an actual campus emergency or drill shall students be permitted to leave the campus unless directed to do so.

The plan, including any updates, is reviewed with new students and employees during orientation. Evacuation routes are identified in each classroom and other areas the Campus Director deems necessary.

Emergency response and evacuation drills are conducted, at minimum, annually and all student, faculty, and staff participate and conduct themselves appropriately. Tests may be announced or unannounced at the discretion of the Campus Director. Tests are evaluated for needed improvement. At a later drill any needed improvements will be tested, and if successful, included in the campus procedures. If not successful, different approaches will be tried until acceptable results are achieved.

Students and employees are encouraged to be responsible for their own security and the security of others. Employees and students are expected to follow safe practices while on campus property. Following safe practices will reduce the possibility of accidental emergencies, and increase the effectiveness of the campus response to unforeseen emergencies.

The campus community is obligated to report all unsafe activities, potential and real emergencies, and/or criminal activities to the Campus Director or Lead Instructor as soon as possible.

Persons responsible for carrying out the emergency response and evacuation procedures include: Campus Director, Lead Instructor, and Facilities Manager.

Timely Warnings for an Emergency

In the event of an ongoing or continuing threat to the campus community, a timely warning is issued verbally, notices are posted in common on-campus areas, campus alerts may be issued consisting of four one second bursts with one second pause in-between using a portable air horn, classroom announcement, local police, or any combination of methods determined to be necessary. Timely shall be defined to mean immediately or as immediately as possible under the circumstances. The intent of a timely warning is to provide adequate information necessary to enable the campus community to protect themselves when a significant emergency or dangerous situation occurs. The content of the timely warning will not disclose information that may compromise law enforcement efforts. Anyone with information that warrants a timely warning should report it immediately to the Campus Director or Lead Instructor. The Campus Director or Lead Instructor is responsible for ensuring timely warnings are issued to the campus community.

FACILITIES SECURITY AND ACCESS

The campus facilities are open during day and evening business hours and are accessible to students, employees, contractors, guests, and invitees. The campus is secured during non-business hours by locking doors and setting alarms and only accessible by issued key and alarm pass code. Maintenance personnel enter the facilities during the evening or early morning non business hours by issued key and alarm pass code. ELITE WELDING ACADEMY does not have on or off campus residences or official off campus student organizations. ELITE WELDING ACADEMY does not have a security or police department. Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. The Campus Director or Lead Instructor regularly reviews the campus and reports malfunctioning lights and other unsafe physical conditions to ELITE WELDING ACADEMY's Facilities Department for correction.

SECURITY AWARENESS PROGRAMS FOR STUDENTS AND EMPLOYEES

Safety and security awareness programs are in place for students, employees and community-wide. The common theme of awareness and crime prevention programs are to encourage students, employees and community-wide to be aware of their responsibility for their own security and the security of others. The safety rules, including crime prevention, are available in Elite Welding Academy's Student Handbook and reviewed with students during orientation. Security, including crime prevention, is reviewed with employees at hire dates and during staff and faculty meetings.

Instructors are required at the start of each term to discuss emergency evacuation procedures and safety policy on the first day of class. Visual emergency exiting layouts are posted at the entrances of all campus rooms and Emergency Classroom Procedures shall be posted in each lab.

In the event of eminent danger or immediate emergency, information is released through four one second bursts with one second pause in-between using a portable air horn, or classroom announcements.

ALCOHOLIC AND DRUG PREVENTION POLICY

ELITE WELDING ACADEMY is proud to be a drug-free work place, comply with the Drug Free Work Place Act, and the Drug Free Schools and Campuses Act.

Prevention and Treatment

ELITE WELDING ACADEMY has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees on campus or at off campus student related activities. The program provides services related to drug use and abuse including dissemination of informational materials, disciplinary actions and a list of educational programs, counseling services, and treatment programs.

The Campus Director or Lead Instructor provides an overall coordination of the Drug-Free School Program. Drug and Alcohol education materials are available to students and employees.

Alcoholic Beverages

The possession, sale or the furnishing of alcohol at ELITE WELDING ACADEMY is governed by ELITE WELDING ACADEMY's Drug and Alcohol Policy and state law. Laws regarding the possession, sale, consumption or furnishing of alcohol are controlled by the state's Department of Transportation. However, the enforcement of alcohol laws on-campus is the primary responsibility of the Campus Director, Lead Instructor and local law enforcement agencies. ELITE WELDING ACADEMY has been designated "Drug free" and in no circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Campus Director, Lead Instructor and local law enforcement agencies. Violators are subject to ELITE WELDING ACADEMY's disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of ELITE WELDING ACADEMY's Drug and Alcohol Policy for anyone to consume or possess alcohol in any public or private area of ELITE WELDING ACADEMY. Students and employees violating alcohol/substance policies or laws will be subject to discipline by ELITE WELDING ACADEMY. For more information, please refer to the most recent Drug and Alcohol policy.

HEALTH RISKS ASSOCIATED WITH SUBSTANCE ABUSE

Substance abuse can cause very serious health and behavioral problems, including short-and long-term effects upon both the body (physiological) and mind (psychological), as well as impairment of learning ability, memory, and performance. For additional information on health risks of substance abuse, see: <http://www.drugabuse.gov/related-topics/medical-consequences-drug-abuse>. (See Appendix B)

Illegal Drug Possession

ELITE WELDING ACADEMY has been designated “Drug free”. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Campus Director, Assistant Campus Director and local law enforcement agencies. Violators are subject to ELITE WELDING ACADEMY’s disciplinary action, criminal prosecution, fine and imprisonment. For more information, please refer to the most recent Drug and Alcohol policy.

Disciplinary Action for Weapons, Drug, and Alcohol Violation

ELITE WELDING ACADEMY is committed to helping students meet their educational and career goals. Employees are held to a high standard and are required to conduct themselves in a professional manner. When students or employees violate weapon, drug, or alcohol laws, disciplinary action will result as described on the following page. ELITE WELDING ACADEMY provides assistance in obtaining an appropriate referral to a counseling or rehabilitation agency.

The results of any investigation are available upon request to victims or if necessary, the victims next of kin as determined and required by Federal and State laws.

Legal Sanctions – Laws Governing Alcohol

The Clery Act requires ELITE WELDING ACADEMY to inform students and employees of laws governing Alcohol. The State of Ohio has set 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws, including driving while intoxicated, are available from the State Department of Transportation (See Appendix A)

ELITE WELDING ACADEMY Sanctions

A violation of any law regarding the unlawful possession, use or distribution of illicit drugs and alcohol by students or employees is also a violation of ELITE WELDING ACADEMY’s Drug and Alcohol policy and will be treated as a separate disciplinary matter by ELITE WELDING ACADEMY. For more information, please refer to the most recent Drug and Alcohol policy.

SEXUAL OFFENSE POLICY AND OTHER INFORMATION

ELITE WELDING ACADEMY is required by the Clery Act to include in its Annual Security Report information about Sex offense policy and procedures, prevention and how to access information on registered sex offenders in the campus community. The website to visit regarding sex offense can be located on:

<http://www.drc.ohio.gov/OffenderSearch/search.aspx>.

Sexual Offense Policy

Sexual assault is not tolerated by ELITE WELDING ACADEMY. ELITE WELDING ACADEMY will promptly investigate all allegations of sexual assault and take appropriate action where required. For instance, ELITE WELDING ACADEMY will change a student's academic schedule in order to protect the victim of a sexual offense.

What to do if you are Sexually Assaulted

If you are a victim of a sexual assault, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. ELITE WELDING ACADEMY strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. Victims of an assault should be reported directly to the local law enforcement agency but reporting is at the victim's discretion. In addition, the Campus Director or Lead Instructor will assist the student in notifying these authorities at the student's request.

Numbers to local law enforcement agencies are as follows:

Local Law Enforcement	Local Phone	Emergenc
Houston Police Department	281-405-6465	9-1-1
City of South Houston	713-946-2700	9-1-1

Filing a police report with the local law enforcement agency will not obligate the victim to prosecute.

Filing a police report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests at no expense to the victim;
- Provide the opportunity for collection of evidence helpful in prosecution which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam); and
- Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

Sexual Assault Counseling Services

ELITE WELDING ACADEMY does not provide on-campus or off-campus counseling services. However, ELITE WELDING ACADEMY can and will refer the victim to a non-related, outside counseling service such as a local rape counseling center. In addition, ELITE WELDING ACADEMY offers the Employee Assistance Program for all employees.

Sexual Assault Disciplinary Action

The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system. ELITE WELDING ACADEMY will assist victim in reporting to criminal justice system. To initiate disciplinary action against a student or employee for sexual assault, a report must be made to the Campus Director.

The following disciplinary procedures will be conducted in cases of an alleged sex offense:

- ELITE WELDING ACADEMY will work with criminal justice system in obtaining information from the accuser and accused, and any witnesses.
- ELITE WELDING ACADEMY will respect the findings of the investigation through the criminal justice system.
- Both the accuser and the accused will be informed in writing of ELITE WELDING ACADEMY's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.

Sanctions

A student or employee found guilty of a sexual assault will be dismissed or terminated.

Disclosures to Alleged Victims of Crimes of Violence or Non-forcible Sex Offenses

ELITE WELDING ACADEMY will, upon written request, disclose to the victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the criminal justice system against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, the results of the disciplinary action may be provided to the victim's next of kin, if requested.

Prevention Programs

Educational information regarding sexual assaults, date rape, acquaintance rape, and other forcible and non-forcible sex offenses is addressed to all students at orientation. ELITE WELDING ACADEMY also has information concerning these topics available in the Student Services department.

Availability of Sex Offender Registry

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, ELITE WELDING ACADEMY is providing a link to the State of Ohio Department of Justice's register sex offender's website. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by the State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In Ohio convicted sex offenders must register with local law enforcement under Megan's Law

The registry is available via Internet and is available at the following web address: <http://www.meganslaw.gov/>

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 (VAWA)

The Violence Against Women Reauthorization Act of 2013 (VAWA) amended the Clery Act and will require ELITE WELDING ACADEMY to compile statistics for additional crimes that are reported to ELITE WELDING ACADEMY or to local police agencies. These additional crimes include sexual assault, domestic violence, dating violence, and stalking. ELITE WELDING ACADEMY will begin to compile statistics on VAWA crimes in 2013 and as additional guidance is provided to ELITE WELDING ACADEMY, future Annual Security Reports may have more details on this new law.

HATE CRIMES

There were zero (0) reported incidents of hate crimes reported for 2012, 2013, 2014 or 2015.

Hate crime statistics are presented in narrative format when there are no hate crimes to report or if there are a limited number of hate crimes reported.

A *Clery Act* hate crime is committed when the victim was intentionally targeted because of bias. Bias for the purpose of *Clery Act* hate crime reporting is *a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation, or ethnicity/national origin.*

Hate crime categories include murder/non-negligent manslaughter, sex offenses – forcible, sex offences – non forcible, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, simple assault, larceny-theft, intimidation, destruction/damage/vandalism of property.

ELITE WELDING ACADEMY takes hate crimes and all criminal offences seriously and encourages the campus community to report any crime to the Campus Director or Assistant Campus Director. Crimes also can be reported by calling 911.

Elite Welding academy on-campus geography (Appendix C) category encompasses the following:

Any building or property owned or controlled by Elite Welding Academy within the same reasonably contiguous geographic area and used by Elite Welding Academy in direct support of, or in a manner related to, Elite Welding Academy's educational purposes; and

Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by Elite Welding Academy but controlled by United Group Services, is frequently used by students and supports Elite Welding Academy purposes.

ANNUAL DISCLOSURES PREPARATION

ELITE WELDING ACADEMY maintains a Security Incident Report wherein all events related to safety and/or security are kept and documented. At the conclusion of each year, ELITE WELDING ACADEMY assembles this data, along with local Police reports, in order to produce the data found below.

POLICY ON SEXUAL AND GENDER-BASED HARASSMENT AND OTHER FORMS OF INTERPERSONAL
VIOLENCE

STATEMENT OF POLICY

Elite Welding Academy (EWA) , Elite Pipe Welding Academy (EPWA), and Elite Welding Academy, South Point (EWASP) wherever located, is an institution built upon honor, integrity, TRUST, AND RESPECT. Consistent with these values, EWA/EPWA is committed to providing a safe and non-discriminatory learning, living, and working environment for all members of its community. EWA/EPWA does not discriminate on the basis of sex or gender in any of its education or employment programs and activities. To that end, this policy prohibits specific forms of behavior that violate Title IX of the education Amendments of 1972 (“Title IX”); Title VII of the Civil rights Act of 1964 (“Title VII”). Such behavior also requires the school to fulfill certain obligations under the Violence Against Women Reauthorization Act of 2013 (“VAWA”) and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”).

EWA/EPWA is committed to providing a work and school environment free of unlawful harassment or discrimination. In furtherance of this commitment, all students and employees are required to take our mandatory Sexual Harassment and Prevention Training upon starting with the school and generally every year thereafter. School policy prohibits harassment or discrimination based on race, religion, creed, color, national origin, ancestry, sex (including pregnancy, childbirth or related medical conditions), military or veteran status, physical or mental disability, medical condition, marital status, age, sexual orientation, gender, gender identity or expression, genetic information or any other basis protected by the federal, state or local law. Additionally, in accordance with Title IX of the Education Amendments of 1972, EWA/EPWA has jurisdiction over Title IX of the Education Amendments of 1972, the EWA/EPWA has jurisdiction over Title IX complaints.

EWA/EPWA’s anti-harassment policy applies to all persons involved in the operation of EWA/EPWA, and prohibits unlawful harassment by any employee of EWA/EPWA, as well as students, customers, vendors or anyone who does business with EWA/EPWA. It further extends to prohibit unlawful harassment by or against students. Any employee, student or contract worker who violates this policy will be subject to disciplinary action. To the extent a customer, vendor or other person with whom EWA/EPWA does business engages in unlawful harassment or discrimination, EWA/EPWA will take appropriate corrective action.

As part of EWA/EPWA commitment to providing a harassment-free working and learning environment, this policy shall be disseminated to EWA/EPWA community through publications, EWA/EPWA website, new employee orientations, student orientations, and other appropriate channels of communication. EWA/EPWA provides training to key staff members to enable EWA/EPWA to handle any allegations of sexual harassment or sexual violence promptly and effectively. EWA/EPWA will respond quickly to all reports, and will take appropriate action to prevent, to correct, and if necessary, to discipline behavior that policy.

AWARENESS PROGRAMS

Awareness programs consist of community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration. EWA/EPWA specific annual awareness programs are:

Ongoing Prevention and Awareness Campaigns

EWA/EPWA promote ongoing prevention and awareness campaigns consist of programming, initiative, and strategies that are sustained over time and focus on increasing understanding of topics relevant to, and skills for addressing Prohibited conduct, using a range of strategies with audiences throughout the school. EWA/EPWA specific ongoing prevention and awareness campaigns are:

RISK REDUCTION

Risk reduction consists of options designed to decrease perpetration and bystander inaction and to increase empowerment in an effort to promote safety and to help individuals and communities address conditions that facilitate violence. EWA/EPWA specific risk reduction programs are:

DEFINITIONS:

Sexual Assault consists of (1) Sexual Contact and/or (2) Sexual Intercourse that occurs without Affirmative Consent.

Sexual Contact is:

- Any intentional sexual touching, however, slight,
- With any object or body part (as described below)
- Performed by a person upon another person

Sexual Contact includes (a) intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching another with any of these body parts; and (b) making another touch you or themselves with or on any of these body parts.

Sexual Intercourse is:

- Any penetration
- However slight
- With any object or body part (as described below)
- Performed by a person upon another person

Sexual Intercourse includes (a) vaginal penetration by a penis, object, tongue, or finger; (b) anal penetration by a penis, object, tongue, or finger; and (c) an contact, no matter how slight, between the mouth of one person and the genitalia of another person.

Affirmative Consent is:

- Informed (knowing)
- Voluntary (freely given)
- Active (not passive), meaning that through the demonstration of clear words or actions, a person has indicated permission to engage in mutually agreed – upon sexual activity
- Consent is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed-upon sexual activity. It must be given without coercion, force, threats or intimidation. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Once Consent is withdrawn, the sexual activity must stop immediately.

Affirmative Consent cannot be obtained by Force. Force includes (a) the use of physical violence, (b) threats, (c) intimidation and /or (d) coercion.

Intimidation is an implied threat that menaces or causes reasonable fear in another person. A person's size, alone, does not constitute intimidation; however, a person's size may be used in a way that constitutes intimidation (e.g., blocking access to an exit).

Coercion is the use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice, or attract another person to have sex. When a person makes clear a decision not to participate in a particular form of Sexual Contract or Sexual Intercourse, a decision to stop, or a decision not to go beyond a certain sexual interaction, continued pressure can be coercive.

Sexual Harassment is defined as unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment is conduct that explicitly or implicitly affects a person's employment or education or interferes with a person's work or educational performance or creates an environment such that a reasonable person would find the conduct intimidating, hostile or offensive.

Sexual Violence is defined as physical sexual acts engaged in without the consent of the other person or when the other person is unable to consent to the activity. Sexual violence includes sexual assault, rape, battery, and sexual coercion; domestic violence; dating violence; and stalking.

Domestic Violence is defined as abuse committed against an adult or a minor who is a spouse or former spouse, cohabitant or former cohabitant, or someone with whom the abuser has a child, has an existing dating or engagement relationship, or has had a former dating or engagement relationship.

Sexual Assault occurs when a physical sexual activity is engaged in without the consent of the other person or when the other person is unable to consent to the activity. The activity or conduct may include physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, and taking advantage of the other person's incapacitation (including voluntary intoxication).

Stalking is behavior in which a person repeatedly engages in conduct directed at a specific person that places that person in reasonable fear of his or her safety or the safety of others.

Bystander Intervention

Bystander intervention consists of safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is risk of an occurrence of Prohibited Conduct. It also includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

PROHIBITED CONDUCT

This policy strictly prohibits sexual or other unlawful harassment or discrimination as well as sexual violence, as defined above. Sexual or other unlawful harassment or discrimination includes any verbal, physical or visual conduct based on sex gender, race, age, national origin, disability or any other legally protected basis if:

- i. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education or employment;
- ii. Submission to or rejection of such conduct by an individual is used as a basis for decisions concerning that individual's education or employment; or
- iii. It creates a hostile or offensive work environment, which means the alleged conduct is sufficiently serious to limit or deny a student's ability to participate or benefit from the student's education program.

Unlawful harassment or discrimination may include racial epithets, slurs and derogatory remarks, stereotypes, jokes, posters or cartoons based on race, national origin, age, disability, marital status or other legally protected categories.

Sexual harassment is conduct based on sex, whether directed towards a person of the opposite or same sex, and may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented “kidding” or “teasing”, practical jokes, jokes about or displays of obscene printed or visual material, questions about sexual fantasies, preferences or history, and physical contact such as patting, pinching, or intentionally brushing against another person’s body. Gender-based harassment, including acts of verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping are strictly prohibited, even if those acts do not involve conduct of a sexual nature.

COMPLAINT/GRIEVANCE PROCEDURE

If you believe that you have experienced or witnessed harassment or sexual violence, notify your instructor, supervisor, Human Resources, or the Title IX Coordinator as soon as possible after the incident. Do not allow an inappropriate situation to continue by not reporting it, regardless of who is creating the situation. No employee, contract worker, student, vendor or other person who does business with EWA/EPWA is exempt from the prohibitions in this policy. Supervisors will refer all harassment complaints to the Title IX Coordinator for student-related complaints to the Title IX Coordinator for student-related complaints and to the Human Resources Department if the complaint involves an employee. In order to facilitate the investigation, your complaint should include details of the incident or incidents, names of the individuals involved and names of any witnesses.

All complaints involving a student will be referred to the campus’s Title IX Coordinator. The Title IX Coordinator is listed below and has the responsibility of overseeing all Title IX complaints and identifying and addressing any patterns or systemic problems that arise during the review of such complaints.

Title IX Coordinator:

School Director / 513.265.4761 / 513.454.3215

EWA/EPWA ensures that its employee(s) designated to serve as Title IX Coordinator(s) have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how EWA/EPWA grievance procedures operate. Because complaints can also be filed with an employee’s supervisor or Human resources, these employees also receive training on EWA/EPWA grievance procedures and any other procedures used for investigating reports of sexual harassment.

INVESTIGATION OF COMPLAINTS

In response to all complaints, EWA/EPWA promises prompt and equitable resolution through a reliable and impartial investigation of complaints, including the opportunity for both parties to present witnesses or other evidence. The time necessary to conduct an investigation will vary based on complexity but will generally be completed within sixty (60) days of receipt of the complaint. EWA/EPWA shall maintain confidentiality for all parties to the extent possible, but absolute confidentiality cannot be guaranteed. In cases where a student does not give consent for an investigation, EWA/EPWA will weigh the student’s request for confidentiality against the impact on EWA/EPWA safety to determine whether an investigation must proceed. Complainants should be aware that in a formal investigation due process generally requires that the identity of the charging party and the substance of the complaint be revealed to the person charged with the alleged harassment.

The preponderance of the evidence standard will apply to investigations, meaning EWA/EPWA will evaluate whether it is more likely than not that the alleged conduct occurred. Both parties will receive written notice of the outcome of the complaint.

During the investigation, EWA/EPWA will provide interim measures, as necessary, to protect the safety and wellbeing of students and/or employees involved.

Initial Assessment

Upon receipt of a report of Prohibited Conduct committed by a Student, the Title IX Coordinator will make an initial assessment of the reported information and respond to any immediate health or safety concerns raised by the report. In this initial assessment, the Title IX Coordinator will:

- A. Assess the Complainant’s safety and well-being and offer EWA/EPWA immediate support and assistance;
- B. Inform the Complainant of the right to seek medical treatment, and explain the importance of obtaining and preserving forensic and other evidence;
- C. Inform the complainant of the right to contact law enforcement, decline to contact law enforcement, and/or seek a protective order;
- D. Inform the Complainant about school and community resources, the right to seek appropriate and available remedial and protective measures, and how to request those resources and measures. Said resources include written information on available counseling, mental health, victim advocacy, legal assistance, visa and immigration assistance, and student financial aid.
- E. Explain EWA/EPWA prohibition against Retaliation and that the school will take prompt action in response to any act of Retaliation;
- F. Assess the nature and circumstances of the report, including whether it provides the names and/or any other information that personally identifies the Complainant, the Respondent, any witness, and/or any other third party with knowledge of the reported incident;
- G. Ascertain the ages of the Complainant and the Respondent, if known, and, if either of the parties is a minor (under 18), contact the appropriate child protective service agency; and
- H. Communicate with appropriate school officials to determine whether the report triggers any Clery Act obligations, including entry of the report in the daily crime log and/or issuance of a timely warning, and take steps to meet those obligations.
- I. Communicate with appropriate school officials if the crime is determined “unfounded” by law enforcement officials so the information may be reported in EWA/EPWA Annual Security Report as ‘unfounded’ and withheld from its crime statistics.

If EWA/EPWA determines that unlawful harassment or sexual violence has occurred, immediate appropriate corrective action will be taken in accordance with the circumstances involved, and EWA/EPWA will take steps to prevent the recurrence of any harassment or discrimination. Any employee determined by EWA/EPWA to be responsible for unlawful harassment or discrimination will be subject to appropriate disciplinary action, up to and including termination. Remedies for student-related claims may include, but are not limited to, an order to stay away, suspension or expulsion.

To initiate a criminal investigation, reports of sexual violence should be made to ‘911’ or local law enforcement. The criminal process is separate from EWA/EPWA disciplinary process. To the extent that an employee or contract worker is not satisfied with the College’s handling of a harassment or discrimination complaint, he or she may also contact the appropriate state or federal enforcement agency for legal relief.

RETALIATION PROHIBITED

EWA/EPWA will not retaliate against you for filing a complaint, and will not tolerate retaliation by students or employees. If you believe you have been retaliated against, you should promptly notify your supervisor, Human Resources or the Title IX Coordinator.

REPORTING REQUIREMENTS

Victims of sexual misconduct should be aware that EWA/EPWA administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to other members of the campus community. EWA/EPWA will make every effort to ensure that a victim’s name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger. EWA/EPWA reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, or a change in student status.

Rights and Options Complainants and Respondents can expect:

- A. Prompt and equitable resolution of allegations of Prohibited Conduct;
- B. Privacy in accordance with the Policy and any legal requirements;

- C. Reasonably available interim remedial measures, as described in the Policy
- D. Freedom from Retaliation for making a good faith report or Prohibited Conduct or participating in any proceeding under the Policy;
- E. The responsibility to refrain from Retaliation directed against any person for making a good faith report of Prohibited Conduct or participating in any proceeding under the Policy;
- F. The responsibility to provide truthful information in connection with any report, investigation, or resolution of Prohibited Conduct under the Policy;
- G. The opportunity to articulate concerns or issues about proceedings under the Policy;
- H. Timely notice of any meeting or proceeding at which the party's presence is contemplated by the Policy;
- I. The opportunity to choose an advisor, including the right to have that advisor attend any meeting or proceeding at which the party's presence is contemplated by the policy;
- J. Written notice of an investigation, including notice of potential Policy violations and the nature of the alleged Prohibited Conduct;
- K. The opportunity to challenge the Investigator or any member of the Review Panel for bias or conflict of interest;
- L. The opportunity to offer information, present evidence, and identify witnesses during an investigation;
- M. The opportunity to be heard, orally and/or in writing, as to the determination of a Policy violation and the imposition of any sanction(s);
- N. Timely and equal access to any information that will be used during proceedings and related meetings;
- O. Reasonable time to prepare any response;
- P. Written notice of any extension of timeframes for good cause; and
- Q. Written notice of the outcome of any Formal Resolution proceedings, including the determination of a Policy violation, imposition of any sanction(s), and the rationale for each.

ADDITIONAL INFORMATION

Employees should contact Human Resources for more information of any questions related to this policy. In addition, the U.S. Department of Education Office for Civil Rights ("OCR") investigates complaints of unlawful harassment of students in educational programs or activities. This agency may serve as a neutral fact finder and will attempt to facilitate the voluntary resolution of disputes with the parties. For more information, visit the OCR website at: <http://www.hhs.gov/or/>.

CAMPUS CRIME STATISTICS

ELITE WELDING ACADEMY Crime Statistics 2012 – 2016 ¹ Criminal Offenses						
	On Campus			Public Property ²		
	2012	2014	2016	2012	2014	2016
Murder & Non-Negligent		0	0	0	0	
Negligent Manslaughter		0	0	0	0	
Rape		0	0	0	0	
Forcible Sex Offenses		0	0	0	0	
Non-Forcible Sex Offenses		0	0	0	0	
Robbery		0	0	0	0	
Aggravated assault		0	0	0	0	
Burglary		0	0	0	0	
Motor Vehicle Theft		0	0	0	0	
Arson		0	0	0	0	
Totals		0	0	0	0	

¹ <http://www.homefacts.com/crime/Ohio/Hamilton-County/Cincinnati/45246.html>

² Police Department statistics & Data <http://www.westchesteroh.org/departments/police-department/statistics-data>

HATE CRIME STATISTICS

ELITE PIPE WELDING ACADEMY Crime Statistics 2013 – 2015 Hate Crimes						
	On Campus			Public Property³ (Oct-Dec)		
	2012	2015	2016	2012	2015	2016
Murder & Non-Negligent		0	0		3	
Negligent Manslaughter		0	0		0	
Forcible Sex Offenses		0	0		3	
Non-Forcible Sex Offenses		0	0		1	
Robbery		0	0		2	
Aggravated assault		0	0		7	
Burglary		0	0		8	
Motor Vehicle Theft		0	0		22	
Arson		0	0		0	
Larceny-Theft		0	0		2	
Simple Assault		0	0		3	
Intimidation		0	0		0	
Destruction, Damage, Vandalism of Property		0	0		56	
Any other crime involving bodily injury		0	0		3	
Totals		0	0		110	

³ Houston Crime Reports <http://www.houstontx.gov/police/cs/index-2.htm>

ARRESTS & DISCIPLINARY ACTIONS

ELITE WELDING ACADEMY						
Crime Statistics 2012 – 2016						
Arrests						
	On Campus			Public Property ⁴		
	2013	2015	2016	2013	2015	2016
Liquor Law Violations		0	0		0	
Drug Law Violations		0	0		0	
Illegal Weapons		0	0		0	
Totals		0	0		0	

⁴ Police Department statistics & Data <http://www.westchesteroh.org/departments/police-department/statistics-data>

**Alcohol and Drug Addiction
Detox and Rehabilitation Information**

HARRIS COUNTY

Bay Area Council on Drugs and Alcohol	1300-A Bay Area Blvd., #102, Houston 77058	1-800-510-3111	
Mental Health and Substance Abuse Texas Department of State Health Services	Building 631, Room 1069 909 W. 45th Street Austin, TX 78751	866-378-8440 option 3	litcenter@dshs.state.tx.us
Gulf Coast Center	4444 West Main League City, TX 77573	866.729.3848	(409)944-4440 (281) 388-1006
	101 Brennen Alvin, TX 77511	(281) 388-1006	800-643-0967
The Council on Alcohol and Drugs Houston	303 Jackson Hill St., Houston, TX 77007	281-200-9118 888-655-3328	Email: prc6@council-houston.org Web Page: http://www.prc6.org
Adult Mental Health Services	5901 Long Dr. Houston, TX 77087	713.970.7000 866.970.4770	

APPENDIX A

FEDERAL PENALTIES AND SANCTIONS FOR ILLEGAL POSSESSION OF A CONTROLLED SUBSTANCE

21.U.S.C. 884(a)

1st conviction: Up to 1 year imprisonment and fined at least \$1,000.00, but not more than \$100,000.00 or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined \$2,500.00, but not more than \$250,000.00 or both.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000.00, but not more than \$250,000.00 or both.

Special sentencing provisions for possession of crack cocaine; Mandatory at least 5 years years in prison, not to exceed 20 years and fined up to \$250,000.00 or both.

- A) 1st conviction and the amount of crack possessed exceeds 5 grams.
- B) 2nd conviction and the amount of crack possessed exceeds 3 grams
- C) 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram

22.U.S.S. 853(a)(2) and 881(a)(7)

Forfeiture of personal and real property used to possess or to facilitate possessions of a controlled substance, that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack).

21,U.S.C.881(a)(4)

Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

21.U.S.C.884a

Civil fine of up to \$10,000.00 (Pending adoption of final regulations).

21.U.S.C.853a

Denial of Federal benefits such as student loans, grants, contracts and professional and commercial licenses, up to 1 year for 1st offense, up to 5 years for 2nd and subsequent offenses.

18.U.C.933(g)

Ineligible to receive or purchase a firearm.

Miscellaneous: Revocation of certain Federal licensees and benefits, e.g. pilot license, public housing tenancy, etc., are vested within the authorities of individual Federal Agencies.

*****NOTE: These are only Federal penalties and sanctions. Additional State penalties and sanctions do apply**

APPENDIX B

HEALTH RISKS ASSOCIATED WITH ALCOHOL

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required in driving a car safely, increasing the likelihood that the driver will be involved in a car accident. Low to moderate doses of alcohol also increases the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol caused marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal symptoms can be life threatening. Long term consumption of large quantities of alcohol, particularly when combined with poor nutrition can also lead to permanent damage to vital organs such as the brain and liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

As described in What Works: Schools Without Drugs (1989 Edition, Department of Education).

APPENDIX C

Geography Elite Welding Academy On-Campus Geographic

