



2019 ANNUAL SECURITY REPORT
EXTON CAMPUS

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PREPARATION OF THE ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS

The Financial Aid Department publishes this Annual Security Report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This report is prepared with information provided by the Career and Student Services Department and Employee Records, as well as crime statistics provided by the Warminster Township Police Department.

This report provides statistics for the previous three years concerning reported crimes that occurred on campus or on public property adjacent to the campus (e.g. roads, sidewalks). This report also includes institutional policies concerning alcohol and drug use, crime prevention, the reporting of crimes, sexual assault and other matters.

ATC distributes a notice of the availability of this Annual Security Report by October 1 of each year to every member of the ATC community. Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting the Financial Aid Department.

Automotive Training Center is committed to providing a safe environment for students, faculty, staff and visitors. We encourage members of the ATC community to use this report as a guide for safe practices on and off campus.

CAMPUS SECURITY

Access Security

ATC staff members patrol the campus property several times a day to check for safety, security and parking concerns. Only ATC staff members, registered visitors and enrolled students are allowed on campus. All visitors must check in at the main reception desk to receive a visitor badge. No students are allowed on the premises outside normal school hours unless they are participating in a school sponsored and supervised activity. All faculty and student vehicles must be registered at the campus and the ATC parking decal must be properly displayed. No vehicles are allowed to be in the school's parking lot during non-business hours without prior permission from the school director or his/her designee. ATC encourages all faculty and students to be responsible for their own security and that of others by being observant and communicating concerns to the appropriate parties.

Crime Prevention

- Write your name in all textbooks, notebooks, etc. and take them with you at the end of each class.
- Do not leave personal belongings or tools in the classrooms or shops overnight. The school is not responsible for lost or missing personal items.
- Scribe your name on your tools to ensure easy identification. Many students own similar tools made by the same manufacturers. These can be difficult to distinguish without some reliable form of identification.
- Take your tool/tool boxes with you at the end of each day unless told otherwise. Keep tool boxes locked during scheduled breaks and lunch. The school is not responsible for missing tools or tool boxes.

- Do not leave valuables in your vehicle* and make sure that it is locked.
- Students must obtain the permission of their instructor to leave a vehicle overnight in any of the shops. Keys should be left with the instructor. ATC does not assume liability for any damage or theft of any vehicle within the school building or on school property.

THE CLERY ACT

The Clery Act is a federal law that requires colleges and universities across the United States to disclose information about crime on and around their campuses. Its purpose is to provide the campus community with accurate, complete, and timely information about crime and the safety of the campus environment so that they can make informed decisions. A crime should be reported if it occurred on campus or on public property adjacent to the campus such as the roads and sidewalks.

Campus Security Authorities

Campus Security Authorities (CSAs) are campus officials with significant responsibility for student and campus activities. The function of a CSA is to collect necessary information involving crimes that are reported to them by any person (faculty, staff, student, or a non-affiliated person).

ATC has appointed two school officials to be CSAs at the Warminster Campus:

Lillian Geletei
School Director

Rachael Gonzales
Assistant Director of Career and Student Services

Crimes to be reported

The Clery Act requires institutions to keep and disclose three general categories of crime statistics:

- Criminal homicide, which includes murder, negligent/non-negligent manslaughter, sex offenses forcible and non-forcible, robbery, aggravated assault, burglary, motor vehicle theft and arson.
- Hate crimes, which include any of the previously mentioned offenses and any incidents of larceny-theft, simple assault, intimidation or destruction/damage/vandalism of property that were motivated by bias.
- Arrests and referrals for disciplinary action for weapons: carrying, possessing, etc., drug abuse violations and liquor law violations.

Reporting Procedures

For **emergencies** and crimes in progress, we encourage you to immediately call 9-1-1. Afterwards, when it is safe to do so, report the emergency to one of the designated CSAs.

Crimes of a **non-emergency** nature should first be reported to their instructor as soon as possible. A CSA will contact you to discuss the matter further and can assist you in making a report with the local police if requested.

A crime will be considered reported when it is brought to the attention of a CSA or to local police by a victim, witness, other third party or even an offender. With the assistance of the person reporting the crime, the CSA will complete a Crime Incident Report. The crime details are recorded on a Daily Crime Log which is maintained in the Financial Aid Office. This crime log, together with a report solicited from the Local Police Department each year, is used to create the Crime Statistics found in this Annual Security Report.

Confidential Reporting

If you are the victim of a crime but you do not want to notify the police or pursue further action within the campus, we ask that you still consider filing a confidential report. With your permission, a CSA can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, to the extent the law allows, while taking steps to ensure the future safety of yourself and others. With such information, ATC can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

Unfounded crimes

Once reported, ATC will only exclude a reported crime from its upcoming annual security report, or remove a reported crime from its previously reported statistics after a full investigation. Only sworn or commissioned law enforcement personnel can make a formal determination that the report was false or baseless when made and that the crime report was therefore 'unfounded.' Crime reports can be properly determined to be false only if the evidence from the complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner. Crime reports can only be determined to be baseless if the allegations reported did not meet the elements of the offense or were improperly classified as crimes in the first place. A case cannot be designated 'unfounded' if no investigation was conducted or the investigation was not completed. Nor can it be designated unfounded merely because the investigation failed to prove that the crime occurred; this would be an inconclusive or unsubstantiated investigation.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT (VAWA)

The Violence Against Women Reauthorization Act amended the Jeanne Clery Act to afford additional rights to campus victims of sexual assault, domestic violence, dating violence, and stalking.

Sexual assault is a sex act directed against another person, without the consent of the victim, including where the victim is incapable of giving consent. Consent is voluntary and positive agreement between the participants to engage in specific sexual activity.

Domestic Violence is a crime of violence committed by a current or former spouse or by a person with whom the victim shares a child in common.

Dating violence is a crime of violence committed by a person who is or has been in a social relationship of romantic or intimate nature with the victim.

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety and/or suffer substantial emotional distress.

Sexual assault, domestic violence, dating violence, and stalking are prohibited and ATC strongly supports efforts to eliminate its occurrence and to discipline offenders.

Primary Prevention Programs

Primary prevention programs are programming, initiatives and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe direction.

ATC takes the following initiatives to prevent sexual offenses, and other violent crimes, from occurring on campus:

- Acceptance to ATC is contingent, in part, on the applicant successfully completing a background check, including a check of criminal history. Depending upon the circumstances and at the sole discretion of ATC, an applicant may be denied admission to ATC based in whole or in part on the applicant's background check. This policy may extend to applicants who have already enrolled or who are active students.
- ATC may perform, or request that third parties perform, background checks or other types of investigations of its employees. These background checks and investigations may be performed at the sole discretion of ATC, at any time, including but not limited to, in connection with an application for employment or at any time during the course of employment.
- All visitors must check in at the main reception desk and are given visitor badges.
- Surveillance cameras are located throughout the campus and are monitored by all department directors and the front desk receptionist.
- CSAs regularly patrol the campus during school hours.

Our hope is that all students and employees within the ATC community will see crime prevention as their responsibility. Prevention can occur when anyone takes even the smallest steps to remove or reduce the risk of a criminal act.

Awareness Programs

Awareness programs are a 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.

ATC's program for awareness of sexual assault, domestic violence, dating violence and stalking begins at the new student orientation, or for new employees at the employee orientation, where the applicable handbook is reviewed thoroughly. Included in both handbooks is a section that

details information about victim services, institutional protocols and policies, including clear definitions on what constitutes sexual assault, domestic violence, dating violence and stalking.

In January, during National Stalking Awareness Month, ATC launches a poster campaign addressing harassment and stalking on campus. A text and email blast is sent out reminding all students and employees that ATC strictly prohibits all forms of harassment and of the availability of brochures and counseling resources in the Career and Student Services Department.

In April, during Sexual Assault Awareness Month, ATC launches a poster campaign addressing sexual assault on campus. A text and email blast is sent out reminding all students and employees that sexual assault is strictly prohibited and of the availability of brochures and counseling resources in the Career and Student Services Department. ATC follows up with an annual sexual violence prevention presentation for all students and employees.

In October, during Domestic Violence Awareness Month, ATC launches a poster campaign addressing domestic and dating violence. A text and email blast is sent out reminding all students and employees that domestic and dating violence is strictly prohibited and of the availability of brochures and counseling resources in the Career and Student Services Department.

Sexual Assault Risk Reduction

Risk reductions are options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. The majority of sexual assault cases are not random attacks; they are committed by someone familiar and often involve the use of alcohol or other drugs. Although there are no sure means to prevent sexual assault, you can lessen the likelihood that you will be assaulted. Here are some tips to consider when you go out:

1. Know that drinking and drug use can impair your judgment. You might not be able to make the same decision you would make if you were sober.
2. Only drink something that you have poured yourself or that comes in a pre-sealed container. Premixed drinks can have more alcohol in them than you might want to drink. Also, drugs like Rohypnol and GHB are being dissolved in drinks, causing the person who consumes the beverage to lose consciousness quickly. Don't drink something that has been left unattended.
3. Listen to your gut feelings. If you feel uncomfortable or think you might be at risk, leave the situation immediately and go to a safe place.

Communicate your limits firmly and directly. If you say "No," say it like you mean it. Avoid giving mixed messages. Back up your words with a firm voice and clear body language. Do not assume that someone will automatically know how you feel or will eventually "get the message" without you having to say anything.

Bystander Intervention

The Clery Act defines bystander intervention as, "Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating

violence, domestic violence, sexual assault, or stalking. Bystander intervention 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.”

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

Below is a list of some ways to be an active bystander:

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer others to the Career and Student Services Department where they can obtain information on off-campus counseling.

Reporting VAWA Crimes

All members of ATC have been trained in confidentiality of student records and the provisions of the Family Educational Rights and Privacy Act. Personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant.

Sexual Assault Reporting

Sexual assault victims are encouraged to immediately report an incident of sexual assault to one of the designated CSAs, either in person or by telephone, and to report the incident to local law enforcement.

Ideally a victim of sexual assault should not wash or change clothing prior to a medical/legal exam. The preservation of evidence is crucial in this type of case. Showering, bathing, changing/cleaning clothes and other items destroys valuable evidence. Even if victims may not wish to prosecute at the time, they might have a change of mind at a later date.

At the time a report is made to the CSA, a complainant does not have to immediately decide whether or not to request any particular course of action, nor does a complainant need to know how to label what happened. Making a report and then deciding on how to proceed can be a process that unfolds over time. Reporting options are not mutually exclusive. Pressing charges through the criminal justice system and through the campus’ disciplinary system may be pursued simultaneously. If requested, the CSA can assist the victim in making these important

decisions, and to the extent legally possible, will respect the victim's decision on how to proceed. In this process, the CSA will balance the victim's interest with its obligation to provide a safe and non-discriminatory environment for all members of the ATC community. In every report under this policy, the school will make an immediate assessment of any risk of harm to the complainant or to the broader campus community and will take steps necessary to address those risks. These steps will include interim measures, such as class changes, if requested, to provide for the safety of the complainant.

Referrals to outside agencies will be provided to the victim. Examples of outside agencies are:

Rape, abuse, and incest national network – www.rainn.org
National Sexual Assault Hotline – 1-800-656-HOPE
Rape Crisis Hotline - 1-888-311-RAPE
Chester County: Crisis Intervention/Emergencies: 877-918-2100/610-918-2100
Philadelphia: WOAR (Women Organized Against Rape) - 215-985-3333

Domestic and Dating Violence Reporting

A victim of relationship violence is encouraged to secure a place of safety, obtain necessary medical treatment and report the incident to local law enforcement. The provisions for protecting the rights of victims, the accused, and the accusers are applicable no matter where the act of violence occurred. The goal is to create a campus that is safe from violence and this can only be accomplished if all the members of that campus are free from threats that may adversely affect their academic performance and professional opportunities, whether these threats originate on campus or off.

A CSA can provide referrals to outside agencies. Examples of outside agencies are:

National Domestic Violence Hotline – 1-800-799-SAFE
Philadelphia Domestic Violence Hotline – 1-866-723-3014
Domestic Violence Center of Chester County – 1-610-431-1430
<http://loveisrespect.org> 1-866-331-9474 or by texting "loveis" to 22522
<http://breakthecycle.org>

Stalking Reporting

Stalking includes repeatedly following, harassing, threatening, or intimidating another person by telephone, mail, electronic communication, social media, or any other action, device, or method that purposely or knowingly causes substantial emotional distress or reasonable fear of injury or threat to the safety of oneself or others.

Instances of stalking should be reported to a CSA. The preservation of evidence is crucial in this type of case. Victims should preserve evidence by saving text messages, instant messages, voicemails, social networking pages, other communications, and keeping pictures, logs, or other copies of documents that would be useful to ATC and/or the local police. If requested, the CSA will take interim measures, such as class changes, and provide referrals to outside agencies.

Outcomes and Investigations

Possible outcomes once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported:

- 1) The incident is documented, but no further action is determined to be necessary by the complainant and the CSA. Appropriate accommodations, such as class changes, will be made for the complainant and appropriate remedial measures will be applied; OR
- 2) Complainant wishes for ATC to proceed with an **initial investigation** to include contact with the respondent. Appropriate accommodations, such as class changes, will be made for the complainant and appropriate remedial measures will be applied. The complainant will also be informed that if at any point in the future the complainant wishes for formal action, the complainant can request it at that time. A timeline for next steps will be reviewed, and when appropriate, additional meetings scheduled; OR
- 3) The complainant requests that ATC proceed with a **formal disciplinary proceeding**. A proceeding is defined as “all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact finding investigations, formal or informal meetings, and hearings”. Appropriate accommodations, such as class changes, will be made for the complainant and appropriate remedial measures will be applied. Additional information necessary to proceed with the formal process will be obtained. A timeline for next steps will be reviewed and when appropriate, additional meetings scheduled.

In any of the three outcomes listed above, appropriate documentation will be completed. There may be cases in which the information provided requires that action be taken (including initiating informal or formal action), irrespective of the desires of the complainant and in such cases, ATC will take that action. In those cases, every effort will be made to explain to the complainant the rationale for moving forward and the relevant procedures and timelines, and to keep them abreast of the process. At no time, however, will the complainant be compelled to participate in the process.

The CSA will conduct a full investigation into any claim of sexual assault, relationship violence or stalking on campus, as well as a claim of these crimes off campus in which ATC community member is involved. ATC resolves to execute a prompt, fair and impartial process from the initial investigation to the final result. A result is defined as “any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution.”

Initial Investigation

When an initial investigation is pursued, the CSA will contact the accused to schedule a meeting. In that meeting, the CSA will review the following:

1. Rights of the accuser,
2. The allegations,
3. The accuser’s perspective on the allegations,
4. Actions requested by the accuser, if any, and
5. Actions recommended by ATC.

If, following the discussion, the accused agrees to honor the accuser's and the CSAs requests, and the CSA believes that the requests are reasonable and appropriate, then steps will be taken to complete those actions in a prompt and timely manner. Examples of such actions include, but are not limited to, outside counseling for the accused, commitment to change/end the behavior, restricted activity, class changes and/or a "no contact" directive. The accuser will be notified of the agreement and appropriate documentation will be completed for records. The information will remain on file should future concerns be reported. When the accused is not willing to honor the requests, a follow-up meeting will be held with the accuser to determine next steps. Although selecting the initial investigation initially, the accuser may wish to modify the request to a formal disciplinary proceeding.

Formal Disciplinary Proceeding

During the formal disciplinary proceeding process, the CSA will attempt to interview all individuals who have substantive information to share about the allegations, and will attempt to gather all available documentation. An incident file containing the information received and collected will be compiled and kept secure in the CSA's office. The investigation will be completed within 30 days, however, allowing for extension of this timeframe for good cause with written notice to the accuser and the accused of the delay and the reason for the delay.

Upon conclusion of the investigation, the CSA will prepare a written report of the factual findings and apply a preponderance of evidence standard to arrive with a decision. In other words, the determination is whether it is more likely than not that a violation occurred. Both the accuser and the accused (hereafter "parties") will be given timely notice of the disciplinary hearing, which will be conducted by the investigating CSA along with an attending CSA. Both parties will be provided with the opportunity to have others present during the disciplinary hearing, including an advisor of their choice. At the conclusion of the hearing, the parties will receive simultaneous notification of the result and both parties will receive a copy of the result in writing after the hearing. If it was determined that a violation has occurred and the accused accepts the charges, disciplinary action will be imposed at that time or shortly thereafter.

Appeals

At the time the result is announced, either party may verbally request a hearing before the Appeals Board. An appeal may occur in situations where the accused denies the charges OR if it was determined that no violation has occurred and the accuser wishes to appeal. During the appeal process, the accused will be given a minimum of a three day suspension during which time the individual requesting the appeal will put their request in writing with an explanation of why they disagree with the result. This written request must be brought to the appeal hearing. Both parties will be given timely notice of the appeal hearing date and both parties will be given the opportunity at that time to provide any additional documentation or information related to the incident. The Appeals Board will also apply a preponderance of evidence standard (burden of proof). At the conclusion of the appeal hearing, both parties will be notified simultaneously of the outcome of the appeal and disciplinary action.

The following individuals are members of the Appeals Board:

Richard A. Hiscox, President/CEO

Donald VanDemark, COO/School Director, Warminster Campus

Disciplinary Action

Following a final result, ATC may impose one or more the following actions:

Students

- Termination from ATC
- Directives for “no contact”
- Restriction from portions of campus (e.g. cafeteria)
- Assistance with the transfer of off-campus housing
- Change in course and/or session assignment
- Mandated counseling and/or educational course

Faculty/Staff

- Termination of employment with ATC
- Unpaid suspension
- Restrictions from all or portions of campus
- Mandated education
- Written reprimand in personnel file
- Removal from classroom teaching and/or activities

Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

TITLE IX

Title IX of the Federal Higher Education Amendment of 1972 prohibits discrimination on the basis of sex in any education program or activity receiving Federal Financial Aid. ATC is committed to providing a learning and working environment free from sex discrimination in its education programs and activities. Sex discrimination includes sexual misconduct which is a term used to describe a range of behaviors, including sexual harassment and sexual assault. Any form of sex discrimination committed by students, staff, or faculty will not be tolerated. This policy applies to all members of the campus community, including faculty and other employees and students. Vendors, contractors, and third parties acting as agents for the campus are covered by this policy in their interactions with members of the community; this policy does not extend to the internal policies or practices of those entities. This policy applies to conduct that takes place on or off campus.

Title IX Coordinator

Any community member who believes that he/she has been subjected to discrimination prohibited by Title IX, or that the school has failed to meet its Title IX obligations, may bring the concern to the attention of ATC’s Title IX Coordinator:

Lillian Geletei, School Director, Exton Campus
114 Pickering Way
Exton, PA 19341
610-363-6716
lgeletei@autotraining.edu

While the Title IX Coordinator welcomes an informal presentation of such allegations, and is available to address concerns through counseling, advice, and informal resolution, the Title IX Coordinator is fully prepared to receive and address such allegations through formal complaint procedures.

The Title IX Coordinator has the authority to investigate allegations of discrimination prohibited by Title IX even absent the filing of a formal complaint, or its subsequent withdrawal. In addition, the Title IX Coordinator may proceed with investigating a formal or informal complaint even if a complainant specifically requests that the matter not be pursued. In such a circumstance, the Title IX Coordinator will take all reasonable steps to investigate and respond to the matter in a manner which is informed by the complainant's articulated concerns.

In most circumstances, the Title IX Coordinator will coordinate her activities with other offices charged with responsibilities for student, faculty and staff conduct and discipline and for enforcing the school's policies and procedures generally.

Informal Resolution

In many instances, an informal discussion may be useful in resolving concerns about allegations of discrimination prohibited by Title IX. Complainants who wish to resolve their concerns informally should bring them to the attention of the Title IX Coordinator.

In working to resolve the matter, the Title IX Coordinator ordinarily will interview the complainant and, as appropriate, others who may have knowledge of the facts underlying the complaint. At any point, including while the informal process is ongoing or afterward, the complainant may elect to end the informal process in favor of filing a formal complaint.

Although ATC welcomes informal resolution of complaints when appropriate, it will not use mediation between a complainant and alleged perpetrator or any other informal resolution mechanism to resolve complaints concerning non-consensual sexual contact.

Formal (i.e. Written) Complaints

Complainants who are considering bringing a formal complaint may at any time meet with the Title IX Coordinator, who will discuss the matter and describe the formal complaint process. Alternatively, a complainant may choose to submit a written complaint to the Title IX Coordinator (including via use of the available Title IX Complaint Form available in the Career and Student Services Department).

A formal complaint process is initiated when a complainant submits a written statement alleging discrimination prohibited by Title IX to the Title IX Coordinator. In the statement, the complainant is encouraged to request any relief sought from the school. A prompt submission of a formal complaint is encouraged.

The Title IX Coordinator will consider the written complaint, and may dismiss the complaint without further process or review if the Title IX Coordinator determines that the complaint is frivolous, not credible, clearly without merit, or outside the scope of these procedures.

If the complaint is not dismissed, the Title IX Coordinator will interview the individual who submitted the written statement. Depending on the circumstances, the Title IX Coordinator also

may interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider other relevant information.

The Title IX Coordinator will determine whether the complainant was excluded from participation in, denied the benefits of, or subjected to discrimination on the basis of sex in any education program or activity, using a preponderance of the evidence standard. The Title IX Coordinator will consult with other school offices as necessary in reaching a decision regarding the written complaint. The Title IX Coordinator will prepare a written report setting forth findings, conclusions, and actions to be taken, if any, and will determine with whom to share the report.

Following such review, the Title IX Coordinator will, as necessary, take appropriate action to ensure that the school comes into compliance with Title IX in a manner which is prompt and equitable to the complainant. For example, the Title IX Coordinator may assure that appropriate changes to academic programs or working conditions are implemented. The decision of the Title IX Coordinator is the final resolution of the complaint.

While the time it may take to investigate and resolve a Title IX complaint will depend on a variety of factors, including the nature and scope of the allegations, the Title IX Coordinator will seek to resolve the complaint within 45 working days of receipt with the possibility of an extension of this timeframe for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. Throughout the process, the Title IX Coordinator will, as appropriate, keep the participants informed of the status.

Student-on-Student Sexual Harassment and/or Discrimination

Regardless of whether student disciplinary proceedings or a criminal charge are pending or being investigated pertaining to an allegation of student sexual misconduct, and irrespective of their outcome, ATC shall take steps to meet its responsibility to provide an environment where no member of its community is, on the basis of sex, excluded from participation in, denied the benefits of, or subjected to discrimination in any education program or activity.

In addition to the procedures described above, the following additional procedures apply in allegations of student-on-student sexual harassment and/or discrimination:

- The Title IX Coordinator shall be available as a resource to any faculty or staff member who receives an allegation of student-on-student sexual harassment and/or discrimination, and the Title IX Coordinator shall be promptly informed of any such allegation.
- As indicated above, following appropriate investigation and review, the Title IX Coordinator shall determine and promptly implement any remedies that she believes are necessary to maintain an environment free from harassment and/or discrimination and to protect the safety and well-being of community members. Such remedies may include, but are not limited to, no-contact orders, academic accommodations and counseling services. Adjustments to a student(s)' educational environment may be taken on an interim or permanent basis. Any adjustments in that regard would not be punitive, and, as such, would not appear on any student disciplinary record.
- At any point during an informal or formal Title IX complaint procedure, the Title IX Coordinator may, at her discretion, inform other officials, on a need-to-know basis, of the

possibility that a violation of the Code of Conduct and/or disciplinary policies may have taken place.

- These procedures do not replace ATC's student disciplinary processes, including the appeal processes specified therein. While the Title IX Coordinator will review claims as to whether the school has fulfilled its obligations under Title IX, including whether student disciplinary processes were conducted in a manner free of discrimination, it is not the function of the Title IX Coordinator to hear appeals from, rehear or otherwise resolve student discipline matters based on their content.

Under Title IX, both the accuser and accused have equal rights, such as the right to:

- Have an adviser of choice present during the process
- Present evidence or have witnesses speak on their behalf
- Have timely access to information that will be used at the hearing
- Be present at pre-hearing meetings that provide an opportunity to present their testimony
- Receive the final hearing decision in writing at the same time as the other party without being required to sign a non-disclosure agreement

Retaliation

Title IX makes it unlawful to retaliate against an individual for the purpose of interfering with any right or privilege secured by these laws. This means that if an individual brings a complaint to the Title IX Coordinator, it is unlawful for the school to retaliate against that individual for doing so.

It is a violation of ATC policy for any employee to retaliate against any person making a complaint of prohibited conduct or against any person cooperating in the investigation of any such allegation. Retaliation is grounds for disciplinary action and should be reported promptly to the Title IX Coordinator.

Privacy and confidentiality

All activities under these complaint procedures shall be conducted with due regard for any legitimate privacy and reputational interests of those involved. It is expected that any materials and information prepared or acquired under these complaint procedures will be shared only with those who have a legitimate need to know. Disclosure of such information may also be made if it is permitted by law and the Title IX Coordinator determines in her judgment: (1) that such disclosure is necessary to protect the health, safety, or well-being of members of the campus community; or (2) that such disclosure advances the interests of those involved in the process and/or the school and outweighs the interest in confidentiality. While the Title IX Coordinator will take into account any requests made by a complainant for confidentiality or that a Title IX complaint not be investigated, the Title IX Coordinator must take appropriate steps to respond to the complaint consistent with the requirements of Title IX.

VICTIM'S BILL OF RIGHTS

Victims of Sexual Misconduct have the following rights assured by policies under the Clery Act, Title IX and by Automotive Training Center:

- To be safe on campus

- To have any allegations of sexual misconduct taken seriously
- To be informed of and seek medical services and/or evidence collection
- To be notified of counseling and support services available
- To be informed of reporting options including those for on-campus and local police
- To take legal action when a crime is committed against you
- To have your name kept as private and "need to know" as possible
- To make reasonable changes in academic reassignments to ensure your safety
- To have a support person present at any disciplinary hearings
- To be free from a hostile environment and/or any suggestion that you are responsible for what happened
- To be informed of the outcome of any disciplinary proceedings

PENNSYLVANIA MEGAN'S LAW

To find law enforcement agency information concerning registered sex offenders, who may be present on campus, students may visit the Pennsylvania Megan's Law Website at (<http://www.pameganslaw.state.pa.us>) or contact local law enforcement agency nearest the school's location.

ALERTS

Timely Warning

Timely warnings are triggered when the School Director determines that a crime for which it must report statistics — such as a homicide, sex offense or robbery — presents a serious or continuing threat to students and employees. The warning will be issued campus-wide through a direct notification memo to the classroom and/or an announcement through the school's public address system. Anyone with information warranting a timely warning should report the circumstances to their instructor and a CSA.

Emergency Notifications

Emergency notifications are triggered by a far broader range of potential threats — any significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on the campus. This could overlap and include a Clery crime such as a shooting, but it also covers crimes not reportable under Clery as well as non-criminal incidents, such as an outbreak of a communicable illness, an impending weather emergency or a gas leak.

EMERGENCY RESPONSE PLAN

Automotive Training Center has developed an emergency response plan in the event of a significant emergency or dangerous situation that occurs on the campus involving an immediate threat to the health or safety of students and employees.

The School Director, or in her absence, the "Acting Director", will be responsible for

- Determining if a significant emergency or dangerous situation exists.
- Compiling the content of the emergency alert message.
- Activation of the notification system through the public address system and /or the fire alarm immediately upon identifying that an emergency exists.

- Disseminating the information to the local police, thus the larger community upon their arrival at Automotive Training Center.

The emergency response may be activated by any staff member. Staff shall then proceed with notifying the Director or designee about the emergency.

Automotive Training Center will, and without delay, take into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of the responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Automotive Training Center conducts an annual unannounced test of its emergency response plan to assess and evaluate its plan and the capability of the institution.

EVACUATION

Fire / Natural gas leak

On the first day of each new class, instructors will inform the students of their designated meeting spot which will be in the rear parking lot of the CDC building at the furthest point from the building. Building maps are located in each classroom. Exit signs are located above each door. The instructors will also inform and/or remind the students of the operation of the fire alarm, and the locations of the main entrance, the student entrance, CDC entrance, and the CDC alley entrance.

The most effective mode of communication in emergencies that require evacuation, due to a fire or a natural gas leak*, is the fire alarm.

Procedure:

1. All students, staff and visitors are to exit the building at the nearest safest exit and proceed to the designated meeting spot.
2. Close all office and classroom doors behind you.
3. To ensure that no one gets left behind, prior to exiting the building,
 - The instructor in classroom 4 must check the bathrooms in the CDC building.
 - The instructors in classrooms 110 and 112 must check the bathrooms in the main hallway.
4. All instructors must bring their attendance books and take roll at their designated meeting spot.
 - If all students in the class are accounted for, the instructor will hold up an orange laminated sheet of paper (kept in their attendance book at all times).
 - If someone is unaccounted for, the instructor will wave the orange sheet of paper back and forth in the air.

* Natural gas is laden with a chemical added to the fuel to easily permit its detection by odor. The odor smells like a rotten egg or a skunk. If a gas odor is strongly detected and especially is accompanied by a hissing sound, an immediate emergency exists.

5. The receptionist, or whoever is covering the front desk at the time, will have the responsibility for taking roll of the administrative staff. The orange laminated sheet of paper will be kept at the front desk.
6. The designated meeting spot for the administrative staff is the grassy area across the parking lot from the lobby doors.
7. Students are not permitted to go to their vehicles, nor are they to block driveway entrances in order to allow easy access to first responders.

LOCKDOWNS

Hostile Person, Physical Altercations, Active Shooter

ATC has implemented three lockdown levels in response to **acts of violence**.

Level 1 - COMMUNITY LOCKDOWN

A community lockdown is used when it is necessary to secure the school due to an ongoing situation outside and not related to the school. A community lockdown implies that there is no identified imminent danger to students or staff.

Procedure:

1. A staff member will make an announcement over the PA system such as “Attention: The school is in a community lockdown due to criminal activity within the immediate vicinity of the school”.
2. The school continues to function normally and students and staff can move about freely but as a precautionary procedure, all exterior doors will be locked and visitors will be screened until an additional announcement is made that the lockdown has been lifted.

Possible “community lockdown” situations:

A police manhunt is in the vicinity of the school

A non-substantiated threat of violence is in the vicinity of the school.

Level 2 - PARTIAL LOCKDOWN

A partial lockdown is used when there is a threat *inside* the school which includes the presence, or implication of, weapon possession. The partial lockdown procedure is a precautionary measure but puts the school in a state of readiness should the situation escalate. A partial lockdown means that students and staff must be in a locked classroom or office.

Procedure:

1. A staff member will make an announcement over the PA system such as “Attention: The school is in a partial lockdown. Return to your classroom”.
2. Instructors are to check the hallway outside of their classrooms for students, lock the classroom door once clear and prepare a list of missing and extra students in the room.
3. Do not open classroom doors during a lockdown, even in the event of a fire alarm. Classroom instruction may continue.

Possible “partial lockdown” situations:

Hostile Person

The definition of hostile is defined as aggressive, angry or unfriendly. If directly confronted by a hostile person:

1. Remain calm, do not confront the person and do not do or say anything that may encourage further irrational behavior.
2. Try to maintain a safe distance from the person,
3. Keep any objects you can between you and the person.
4. Try to ensure that your exit route is not blocked by the person, and position yourself to quickly leave the area if necessary.

Physical Altercations

A physical altercation is generally a confrontation, tussle or physical aggression that may or may not result in injury. Upon notification of a physical altercation **between students** is taking place in the building or in the parking lot, the school director or an acting director and a faculty member will go toward the scene of the altercation, quickly review the situation and look to see if there are any weapons present.

If there is a weapon, immediately call 9-1-1 and do not try to intervene.

If there is no weapon involved, the staff member will:

1. Demand the students to stop fighting.
2. Tell student bystanders to leave the area. If possible, call students by name and tell them specifically where to go.
3. Tell student bystanders, and those involved in the aggression, the consequences of not following your directions.
4. Make a mental note of the names of the bystanders to act as witnesses.

No staff member will get between the students who are fighting.

If upon arriving at the scene, an injury has already occurred the staff member will follow the applicable medical emergency procedure.

Level 3 - FULL LOCKDOWN

A full lockdown involves a serious direct threat to all students, faculty, staff and visitors that requires immediate action.

Procedure:

1. All students, staff and visitors should go into the nearest classroom or secured space. Lock all doors and turn off all lights.
2. Stay low and away from windows and doors.
3. Silence all cell phone and BE QUIET!
4. Ignore any fire alarm activations, as the school will not be evacuated using this method. Chances are it was set off in an attempt to get you out of the room.
5. Remain under lockdown until you receive an “all clear” from authorized personnel.

Possible “full lockdown” situation:

Active Shooter

An active shooter is an individual actively engaged in killing or attempting to kill people in a confined and populated area; in most cases, active shooters use firearm[s] and have no pattern or method to their selection of victims. Active shooter situations are unpredictable and evolve quickly. Typically, the immediate deployment of law enforcement is required to stop the shooting; therefore, each individual must use his/her own discretion as to whether he/she chooses to run to safety or remain in place. Dial 911 if at any time possible and if circumstances prohibit you from speaking, leave the line open and allow the dispatcher to listen. Be prepared to ignore any fire alarm activation, as the school will not be evacuated using this method.

Immediately upon hearing the notification, “**LOCKDOWN ACTIVE SHOOTER**” followed by the general vicinity of the shooter’s location. For example, “**LOCKDOWN ACTIVE SHOOTER LOBBY**”, OR also if gunshots are heard, students and staff need not wait for an announcement to use the following procedures:

RUN...

The first course of action that should be taken, dependent upon the location of the shooter and if there is an accessible escape path, is to run out of the building and go to the designated meeting spot referred to in the evacuation procedure. *An ideal escape path is staying behind large objects such as cars or equipment as to put as much protection between you and the shooter as possible.* Be aware of the situation and if a hazard exists at the evacuation location proceed to a secondary location until first responders have control of the incident.

HIDE...

If running is not a clear option, find a place to hide where the shooter is less likely to find you. Students in classrooms with adjacent shops should have their instructor lock the door. Turn off lights, silence cell phones and make their way to the shop. If exiting the building through the shop area is not an option, stay hidden behind a car or another large object. Be sure to silence cell phones and remain quiet until further notification from recognized staff or a law enforcement official.

Students in classrooms without adjacent shops should remain in the classroom and have their instructor lock the door. Turn off the lights, silence cell phones and move away from the window. Remain quiet until further notification from recognized staff or a law enforcement official.

FIGHT...

Student safety is always our number one concern. The Department of Homeland Security *suggests* that if neither evacuating nor hiding is an option, as a last resort when confronted by the shooter, individuals in immediate danger should consider trying to disrupt or incapacitate the shooter by using aggressive force and throwing items such as tools, fire extinguishers or other heavy objects.

When law enforcement arrives, their purpose is to stop the active shooter as soon as possible. Officers will proceed directly to the area in which the last shots were heard. Put down any items in your hands and immediately raise hands and spread fingers. Remain calm, and follow the officers’ directions.

SHELTER-IN-PLACE

Severe weather, environmental dangers

A Shelter-in-place procedure is used for an environmental or weather related situation, where it is necessary to keep all occupants within the school, to protect them from an external situation.

Procedure:

Immediately upon hearing the notification "SHELTER-IN-PLACE" through the P.A. system

1. Proceed to one of the inner rooms within the building which is any classroom in the Main Technology Center that is adjacent to the main hallway (101, 102, 106, 110, 111, and 112). In the Computer Diagnostics Center (CDC), this would be CDC 2 or 3.
2. In the room, seek cover under a sturdy desk or table and use your arms to protect your head and neck. Remain in the room until further notification from school officials or emergency personnel when to begin the evacuation procedures.
3. Once in the room, seek cover under a sturdy desk or table and use your arms to protect your head and neck.
4. Remain in the room until further notification from school officials or emergency personnel for when to begin the evacuation procedures.

Possible shelter-in-place situations:

An approaching tornado

An accidental or intentional release of chemical, biological, or radiological materials

OTHER EMERGENCIES

BOMB THREAT

Bomb threats are serious until proven otherwise. Act quickly, but remain calm and obtain information. Generally, a bomb threat call is made for one of two reasons:

- The caller has definite knowledge about the explosive device and wants to minimize personal injury.
- The caller wants to disrupt normal activities by creating anxiety and panic.

Procedure:

1. Signal to a coworker to use a landline to call 9-1-1.
2. DO NOT HANG UP THE PHONE, even if the caller does.
3. Listen carefully. Be polite and show interest.
4. Try to obtain as much information as possible.
5. Prolong the conversation by pretending you can't hear the caller. Repeat any instructions the caller may give you.
6. Attempt to determine the caller's knowledge of the facilities layout.
7. While the caller is speaking to you on the phone, fill out the "Bomb Threat Checklist".

Things NOT to do:

- **Do not pull the fire alarm**
- **Do not evacuate the building**
- **Do not use your cell phone or any other electrical equipment**

EARTHQUAKE

Earthquakes occur without any warning. If shaking begins, do not wait for an announcement for instructions. Immediately **drop** to the floor; take **cover** under a sturdy desk or table and **hold on** to it firmly. Be prepared to move with it until the shaking stops. The main goal of "Drop, Cover, and Hold On" is to protect you from falling and flying debris and other nonstructural hazards, and to increase the chance of your ending up in a survivable void space if the building actually collapses. When the shaking stops, you will receive notification from school officials or emergency personnel for when to begin the evacuation procedures.

MEDICAL EMERGENCIES

An emergency is any medical problem that could cause death or permanent injury if not treated quickly.

LOSS OF CONSCIOUSNESS

If you see a person who has become unconscious, check whether they are breathing normally.

To check if a person is breathing normally:

- look to see if their chest is rising and falling
- listen over their mouth and nose for breathing sounds
- feel their breath against your cheek for 10 seconds

Gasping or irregular breathing is not normal breathing.

If they're not breathing normally:

1. Have someone call 9-1-1 immediately and prepare to begin CPR.
2. Check their airway to make sure there's no obstruction.
3. Open the airway by placing one hand on the person's forehead and gently tilting their head back, lifting the tip of the chin using two fingers. This moves the tongue away from the back of the throat.
4. Check again to see if they're breathing, coughing, or moving. These are signs of positive circulation. If these signs are absent, begin CPR immediately. CPR involves doing chest presses, about 100 per minute.
5. You don't have to hold a certification to perform CPR. 9-1-1 operators can also walk people through this process.

If they're breathing normally:

1. Have someone call 9-1-1 immediately.
2. Position the person on their back and open their airway. This ensures that any vomit or fluid won't cause them to choke.
3. Raise their legs at least 12 inches above the ground.
4. Loosen any restrictive clothing or belts.

5. Continue to monitor their breathing. If they don't regain consciousness within one minute, call 9-1-1.

SEIZURE

A seizure can be a frightening event for the person who is experiencing it, as well as for bystanders. With the most intense seizure, a person will make choking sounds, go stiff, lose consciousness, and jerk their arms and legs. The most important thing you can do if you witness someone having a seizure is to stay calm and clear the area. Have someone time the seizure from start to finish. Look for a medical bracelet or ID card. It may give you information about the person's seizures and particular things to do.

First aid for seizures is keeping the person safe until the seizure stops on its own:

1. Have someone call 9-1-1 immediately.
2. Ease the person to the floor
3. Clear hard or sharp objects away from the person
4. Turn the person gently onto one side. This will help the person breathe.
5. Put something soft and flat, like a folded jacket, under his or her head.
6. Remove eyeglasses.
7. Loosen anything around the neck that may make it hard to breathe.
8. Speak calmly and reassuringly to the person during, and after, the seizure – it will help as they recover from the seizure.
9. Once they are alert and able to communicate, tell them what happened in very simple terms.

Things NOT to do:

- **Do not hold the person down or try to stop his or her movements.**
- **Do not put anything in the person's mouth. A person having a seizure cannot swallow his or her tongue.**
- **Do not try to give CPR. People usually start breathing again on their own after a seizure.**
- **Do not offer the person water or food until he or she is fully alert.**

HEAD TRAUMA

Any of the following signs or symptoms may indicate a more serious head trauma:

- Severe head or facial bleeding
- Bleeding or fluid leakage from the nose or ears
- Severe headache
- Change in level of consciousness for more than a few seconds
- Black-and-blue discoloration below the eyes or behind the ears
- Cessation of breathing
- Confusion
- Loss of balance
- Weakness or an inability to use an arm or leg
- Unequal pupil size
- Slurred speech
- Seizures

If you suspect severe head trauma:

1. Immediately call 9-1-1.
2. Keep the person lying down and quiet. Don't move the person unless necessary, and avoid moving the person's neck.
3. Stop any bleeding. Apply firm pressure to the wound with sterile gauze or a clean cloth. But don't apply direct pressure to the wound if you suspect a skull fracture.
4. Watch for changes in breathing and alertness.

If the person isn't breathing, coughing, or moving perform CPR (see "loss of consciousness/If they're not breathing normally").

TRAUMA WOUNDS

Care of trauma patients is situation-dependent and centered on stabilization of the patient and prompt transport to a hospital.

Blunt trauma happens when a body part collides with something else, usually at high speed. The simplest blunt trauma wounds will be scrapes, cuts or soft tissue injuries such as bruises; however, blunt trauma wounds can also cause a lot of internal damage depending on where the victim was struck. In the case of a significant blunt trauma wound:

1. Immediately call 9-1-1.
2. Keep the person still and help them lie down.
3. Keep the person warm.
4. Watch for changes in breathing and alertness.

If the person isn't breathing, coughing, or moving perform CPR (see "loss of consciousness/If they're not breathing normally").

Penetrating trauma is an injury that occurs when an object, such as a projectile or knife, pierces the skin and enters a tissue of the body, creating an open wound. The penetrating object may remain in the tissues, come back out the way it entered, or pass through the tissue and exit from another area. Deep lacerations are examples of extreme injuries from which massive bleeding can occur.

1. Immediately call 9-1-1.
2. Keep the person still and help them lie down.
3. Apply direct pressure to stop the bleeding. Hold and wait until the bleeding stops.
4. The legs should be elevated about one to two feet.
5. The head should be turned to the side to prevent inhalation of vomit.
6. Keep the person warm.
7. Watch for changes in breathing and alertness.

If the person isn't breathing, coughing, or moving perform CPR (see "loss of consciousness/If they're not breathing normally").

SERIOUS ALLERGIC REACTIONS

Anaphylaxis is a severe, potentially life-threatening allergic reaction. It can occur within seconds or minutes of exposure to something you're allergic to, such as peanuts or bee stings.

Anaphylaxis causes your immune system to release a flood of chemicals that can cause you to go into shock — your blood pressure drops suddenly and your airways narrow, blocking breathing.

Signs of anaphylaxis include:

- skin reactions, such as hives, itching, or pale skin
 - wheezing or trouble with breathing
 - lightheadedness, dizziness, or fainting
 - facial swelling
 - nausea
 - weak and fast pulse
1. See if they have an Epi Pen* and help them, if needed. The sooner the person gets their epinephrine, the better.
 2. Once the Epi Pen is used, call 9-1-1. Anaphylaxis is a life-threatening condition, and using an Epi Pen is only a temporary fix.
 3. Try to keep the person calm.
 4. Help the person lie on their back.
 5. Raise their feet about 12 inches and cover them with a blanket.
 6. Be sure their clothing is loose so they can breathe.
 7. Avoid giving oral medications, anything to drink, or lifting their head, especially if they're having trouble breathing.

***To use an Epi Pen** take off the gray safety cap from the back of the Epi Pen and grasp the Epi Pen in a fist and press the black, rounded tip hard into the thigh. Hold the Epi Pen in place while slowly counting to 10. The pen can inject right through clothing.

If the person stops breathing, coughing, or moving perform CPR (see “loss of consciousness/If they’re not breathing normally”).

Calling 9-1-1

It is best to have the person who is calling 9-1-1 to be physically with the patient at the time the call is made. Be sure that the following information is provided to the dispatcher:

- The approximate age and gender of the patient
 - The location of the patient
 - The nature of the emergency and whether or not the patient is conscious and breathing
 - Any other pertinent information, such as events leading up to the emergency or known past medical history of the patient.
1. Reassure the person that help is on the way.
 2. Send someone to meet and direct the EMT to the location.
 3. Upon arrival of the EMT, remain and provide any specific information about the person and their condition that you are aware of.

Notifying family

The school director or acting director will immediately notify the parent or spouse of any medical emergency situation involving a student. Regardless of FERPA, all phone numbers in CVUE will

be called until someone can be reached. (FERPA's health or safety emergency provision permits such disclosures when the disclosure is necessary to protect the health and safety of the student or other individuals.) In non-life-threatening emergencies, the parent or spouse can determine the best course.

DRUG FREE WORKPLACE/SCHOOL POLICY

Drug and Alcohol Policy

The Drug-Free Workplace Act and the Drug-Free School and Communities Act require that AUTOMOTIVE TRAINING CENTER, as a recipient of federal student aid funds, certifies that this school is maintained as a drug-free workplace/school and that there is a drug prevention program in place. This is a government-wide rule necessary to continue participation in federal financial aid programs and for the general welfare of our employees and students.

Employees and students are expected to be in suitable mental and physical condition to perform their functions safely and satisfactorily. ATC's Drug-Free Workplace/School Drug Prevention Policy has been established to inform all employees and students about the dangers of drug and alcohol abuse, particularly in the workplace/school, and to provide notice of the Federal, State and Institutional penalties that will be imposed upon employees/students for drug or alcohol abuse or any drug-related conviction.

ATC's code of conduct therefore includes the following standards for all students and employees:

1. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance or alcohol is prohibited in the workplace/school or as part of any school-sponsored student activities.
2. Notice that an employee or student has been convicted of a criminal drug offense will cause immediate suspension/termination to protect the students (some of whom may be minors) and co-workers at an educational institution.
3. Employees or students suspected, as opposed to being convicted, of drug abuse will be advised within 30 days regarding their impaired job/class performance and their influence upon the educational environment. In those situations where employees/students admit drug use or when drug use is proven, the employee/student will be suspended and referred for rehabilitation assistance (at the employee's/student's expense) at a facility approved for such purposes, such as Federal, State, or local health or law enforcement agencies. The maximum term of leave will be for a period not to exceed 180 days in a 12 month period. At the end of the leave of absence the employee/student can return to work/school when he/she can provide agency documentation that the employee/student has successfully completed the rehabilitation program. Failure to meet this requirement will result in termination. After the employee/student completes the treatment program, he/she must pass a drug and/or alcohol screening prior to being allowed to return to service/school. If the employee/student fails the medical re-examination, or refuses to submit to the required screening test, he/she will be subject to discharge. If the employee/student passes the medical re-examination, he/she will be permitted to return to work/school. The reinstated employee/student will be subject to unannounced drug and/or alcohol screening tests scheduled at management's discretion for two years following

his/her return to work/school. A subsequent positive test result or refusal to submit to a random drug and/or alcohol screening by a reinstated first offender will be considered grounds for discharge.

4. The employee/student is required to notify the employer/school of any criminal drug statute conviction occurring in the workplace/school no later than 5 days after the conviction. Failure to do so will cause termination. Students applying for Federal Aid must also report any prior criminal drug statute conviction as asked on the Free Application for Federal Student Aid, possible resulting in loss of eligibility for that aid.

5. The employer/school is required to notify the United States Department of Education within 10 days after receiving notice of any such conviction.

6. School administration can receive notice of a conviction from any source, e.g. a newspaper report or a contact from a probation officer.

Co-workers/other students are not required to report other workers/students.

Biennial Review

ATC conducts a review of its Drug and Alcohol Prevention Program once every two years. The review evaluates the success of the program by the number of drug- and alcohol-related *violations* occurring on the campus or as part of their activities that are reported to campus officials AND the number and types of *sanctions* that ATC imposes on students or employees as a result of such violations. The last biennial review was completed in 2018 and it was deemed effective.

The following campus departments provided the information to be included in the upcoming 2020 biennial review:

Employee Records
Career and Student Services

Employee violations:

<u>Year</u>	<u>Violations</u>	<u>Outcome</u>
January 1, 2018 to December 31, 2018	0	N/A

Student violations:

<u>Year</u>	<u>Violations</u>	<u>Outcome</u>
January 1, 2018 to December 31, 2018	0	N/A

Sanctions

Institutional disciplinary sanctions

ATC will impose disciplinary sanctions (consistent with local, State, and Federal law) on any student or employee found to be in violation of the school's Drug and Alcohol policy. Such sanctions will include expulsion and/or termination of employment and referral to an appropriate rehabilitation program or law enforcement agency for prosecution.

State and Federal Sanctions

The following is a summary description of the legal sanctions under state and federal law for the unlawful possession or distribution of illicit drugs and alcohol.

1. Drugs - State penalties and sanctions for illegal possession, sale, or delivery of a controlled substance:

a. The Controlled Substance, Drug, Device and Cosmetic Act, 35 P.S. § 780-101 et seq. sets up five schedules of controlled substances based on potential for abuse, dangerousness, and medical uses. The act prohibits, among other things, the manufacture, distribution, sale, or acquisition by misrepresentation or forgery of controlled substances except in accordance with the act, as well as the knowing possession of controlled substances unlawfully acquired. Penalties for first-time violators of the act range from thirty days imprisonment, a \$500 fine, or both, for possession or distribution of a small amount of marijuana or hashish, but which was not for sale, to fifteen years imprisonment, a \$250,000 fine, or both, for the manufacture or delivery of a schedule I or II narcotic.

Fines and terms of imprisonment may be doubled under certain circumstances, including the distribution of a controlled substance to a person under 18 years of age or a conviction for a second or subsequent offense.

b. 18 Pa. C.S. §§ 6314, 6317. A person over 18 years of age who is convicted for violating the Controlled Substance, Drug, Device and Cosmetic Act shall be sentenced to a minimum of at least one year total confinement if the delivery or possession with intent to deliver of the controlled substance was to a minor. If the offense is committed within 1,000 feet of the real property on which is located a public, private, or parochial school or a college or university or within 250 feet of the real property on which is located a recreation center or playground or on a school bus (“drug free school zones”), the person shall be sentenced to an additional minimum sentence of at least two years total confinement. Such offenses not involving minors in drug-free school zones are subject to a mandatory minimum of two years of total confinement.

c. The Pharmacy Act of 1961, 63 P.S. § 390-8 prohibits, among other things, procuring or attempting to procure drugs by fraud, deceit, misrepresentation, or subterfuge or by forgery or alteration of a prescription. The first offense is a misdemeanor, with a maximum penalty of one year of imprisonment, a \$5,000 fine, or both. For each subsequent offense, the maximum penalty is three years of imprisonment, a \$15,000 fine, or both.

d. The Vehicle Code, 75 Pa. C.S. § 3802 et seq. prohibits driving, operating, or being in actual physical control of the movement of a vehicle while under the influence of alcohol or a controlled substance, or both, if the driver is thereby rendered incapable of safely driving, operating, or being in actual physical control of the movement of the vehicle or if the alcohol concentration in the individual’s blood or breath exceeds the stated limits. Penalties for first-time violators of the act range from a mandatory term of six months’ probation, a \$300 fine, or both, to a maximum of seventy-two hours’ imprisonment, a \$5,000 fine, or both. Penalties for subsequent violations increase to a maximum of not less than one year imprisonment, a \$10,000 fine, or both. In addition to the above

penalties, the court has discretion to order any or all of the following: highway safety training, drug or alcohol treatment, community service, attendance at a victim-impact panel, use of an ignition interlock device, and/or suspension of operating privileges.

2. Drugs—Federal penalties and sanctions for illegal possession or trafficking of a controlled substance:

a. 21 U.S.C.S. § 844(a). For the first conviction: up to one year of imprisonment and fine of at least \$1,000, or both. After one prior drug conviction: at least fifteen days' imprisonment, not to exceed two years, and fine of at least \$2,500. After two or more prior drug convictions: At least ninety days' imprisonment, not to exceed three years, and fine of at least \$5,000.

The special sentencing provisions for possession of flunitrazepam (the “date rape drug”) include imprisonment not to exceed three years and fine of at least \$1,000.

The special sentencing provisions for possession of a mixture or substance that contains a cocaine base (i.e., crack) are: a mandatory minimum of at least five years' imprisonment, not to exceed twenty years, and fine of at least \$1,000, if: (i) this is a first (1st) conviction and the amount possessed exceeds five (5) grams; (ii) this is a second (2nd) conviction and the amount possessed exceeds three (3) grams; or (iii) this is a third (3rd) or subsequent conviction and the amount possessed exceeds one (1) gram.

In addition to the above penalties, the court has discretion, upon conviction, to order a fine in the amount of the reasonable costs of the investigation and prosecution of the offense.

b. 21 U.S.C.S. §§ 853(a) and 881(a). This statute allows for the forfeiture of personal and real property used, or intended to be used, to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one year of imprisonment (see special sentencing provisions above for cocaine-based drugs, such as crack).

Additionally, this allows for the forfeiture of money, controlled substances, drug paraphernalia, firearms, books and records, vehicles, boats, aircraft or any other conveyance used, or intended to be used, to transport or facilitate the transportation, sale, receipt, possession, or concealment of a controlled substance or any raw materials, products, or equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance.

c. 20 U.S.C.S. § 1091(r). A student who has been convicted of any offense under any federal or state law involving the possession or sale of a controlled substance for conduct that occurred during a period of enrollment for which the student was receiving any grant, loan, or work assistance under federal law, shall not be eligible to receive any grant, loan, or work assistance during the period beginning on the date of such conviction and ending after the interval specified as follows. If convicted of an offense involving the possession of a controlled substance: first (1st) offense, the student is ineligible for one year; second (2nd), offense, the student is ineligible for two years; third

(3rd) offense, the student is ineligible indefinitely. If convicted of an offense involving the sale of a controlled substance, the penalty for the first (1st) offense is an ineligibility period of two years; the penalty for a second (2nd) offense is ineligibility for an indefinite period.

A student whose eligibility has been suspended under the above paragraph may resume eligibility before the end of the ineligibility period if (a) the student satisfactorily completes a drug rehabilitation program that (i) complies with such criteria as prescribed by regulations and (ii) includes two (2) unannounced drug tests; (b) the student successfully passes two (2) unannounced drug tests conducted by a drug rehabilitation program that complies with such criteria as prescribed by regulations; or (c) the conviction is reversed, set aside, or otherwise rendered not valid.

d. 21 U.S.C.S. § 862. . The following penalties are for possession of a controlled substance. Penalties are increased for trafficking. Denial of federal benefits, such as grants, contracts, loans, and professional and commercial licenses, up to one year for the first (1st) offense and up to five years for the second (2nd) and subsequent offenses

e. 18 U.S.C.S. § 922(g). Under this statute, one who is an unlawful user of, or addicted to, controlled substances is ineligible to own or possess firearms or ammunition.

f. Miscellaneous statutes. Revocation of certain federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual federal agencies.

g. See the chart describing Federal Trafficking Penalties attached to this handbook as Appendix B for additional information.

3. Alcohol—State penalties and sanctions for illegal possession or other violations:

The Pennsylvania Liquor Code, 47 P.S. § 1-101 et seq., controls the possession and sale of alcoholic beverages within the commonwealth. The code (in conjunction with portions of the Pennsylvania statutes pertaining to crimes and offenses involving minors, 18 Pa. C.S.A. § 6307 et seq.) provides as follows:

a. It is a summary offense for a person under the age of 21 to attempt to purchase, consume, possess, or knowingly and intentionally transport any liquor or malt or brewed beverages. The penalty for a first (1st) offense is suspension of driving privileges for ninety days, a fine up to \$300, and imprisonment for up to ninety days; for a second (2nd) offense, suspension of driving privileges for one year, a fine up to \$500, and imprisonment for up to ninety (90) days; and for a subsequent offense, suspension of driving privileges for two years, a fine up to \$500, and imprisonment for up to ninety days. Multiple sentences involving suspension of driving privileges must be served consecutively.

b. It is a crime intentionally and knowingly to sell or intentionally and knowingly to furnish or to purchase with the intent to sell or furnish, any liquor or malt or brewed beverages to any minor (under the age of 21). “Furnish” means to supply, give, or provide to, or allow a minor to possess on premises or property owned or controlled by the person charged.

The minimum fine for a first (1st) violation is \$1,000; \$2,500 for each subsequent violation; and imprisonment for up to one year for any violation.

c. It is a crime for any person under 21 years of age to possess an identification card falsely identifying that person as being 21 years of age or older, or to obtain or attempt to obtain liquor or malt or brewed beverages by using a false identification card. The penalty for a first (1st) offense is suspension of driving privileges for ninety days, a fine up to \$300, and imprisonment for up to ninety days; for a second (2nd) offense, suspension of driving privileges for one year, a fine up to \$500, and imprisonment for up to one year; and for a subsequent offense, suspension of driving privileges for two years, a fine up to \$500, and imprisonment for up to one year.

d. It is a crime intentionally, knowingly, or recklessly to manufacture, make, alter, sell, or attempt to sell an identification card falsely representing the identity, birth date, or age of another. The fine is up to \$2,500 for the first (1st) violation; up to \$5,000 for subsequent violations; and imprisonment for up to two years for any violation.

e. It is a crime knowingly to misrepresent one's age to obtain liquor. Penalties are as above.

f. It is a crime for any person to appear in any public place manifestly under the influence of alcohol to the degree that she/he may endanger herself/ himself or other persons or property, or annoy persons in her/his vicinity. The penalty is a fine up to \$300 and imprisonment for up to ninety days.

g. It is a crime knowingly, willfully, and falsely to represent that another is of legal age to obtain liquor or malt or brewed beverages. The penalty is a minimum fine of \$300 and imprisonment for up to one year.

h. It is a crime to hire, request, or induce any minor to purchase liquor or malt or brewed beverages. The penalty is a minimum fine of \$300 and imprisonment for up to one year.

i. Sales without a license or purchases from an unlicensed source of liquor or malt beverages are prohibited.

j. It is unlawful to possess or transport liquor or alcohol within the commonwealth unless it has been purchased from a Pennsylvania State Liquor Store or in accordance with Liquor Control Board regulations.

There are obvious safety concerns associated with the physical impairment of students or employees as a result of drug or alcohol abuse in the workplace/school. However, there are many other health risks and dangers associated with drug and alcohol abuse, overdose, and/or addiction. These include liver disease, heart disease, high blood pressure, a risk of coma, respiratory and/or cardiac failure, kidney problems, increased risk of exposure to AIDS, and other dangerous complications.

Counseling

A partial list of drug and alcohol-abuse education programs available to students and employees are listed below.

General Counseling and Mental Health

Coad Mental Health Services Exton, Pa. 610 363-6164

Rehab After Work 1440 Russell Rd. Paoli, Pa. 610 889-9939

Drug and Alcohol, Countywide

Center for Addictive Diseases 468 Thomas Jones Way Exton, Pa. 610 648-1130

Help Counseling Center Inc. 21 Gay St. Phoenixville Pa. 610 933-0400

Additional resources are available through the Career and Student Services Department.

CAMPUS CRIME STATISTICS - EXTON

JAN. 1, 2018 TO DEC. 31, 2018

Reported to:	2016				2017				2018				3 Year Total
	On Campus		Public Property		On Campus		Public Property		On Campus		Public Property		
	School	Police	School	Police	School	Police	School	Police	School	Police	School	Police	
CRIMINAL OFFENSES													
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses-Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex offenses-Non forcible (include only incest and statutory rape)	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0
HATE CRIMES (*)													
Murder/non-negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex offenses-f forcible	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex offenses-non forcible (include only incest and statutory rape)	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0
Any other crime involving bodily injury	0	0	0	0	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/damage/vandalism of property	0	0	0	0	0	0	0	0	0	0	0	0	0
VAWA Violence against Women Act Reauthorization Act of 2013													
Domestic Violence	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0
Dating Violence	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0
Sexual Assault	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0
Stalking	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0	0
ARREST OR DISCIPLINARY ACTIONS ON CAMPUS													
Illegal weapons possession	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug law violations	0	0	0	0	0	0	0	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0	0	0	0	0	0	0	0

There have been no crimes that were “unfounded” and subsequently withheld from ATC’s crime statistics in 2016, 2017 or 2018.

(*) Criminal offenses that were reported to have occurred that manifested evidence of prejudice based on race, gender, gender identity, religion, sexual orientation, ethnicity, national origin or disability.