

**ANNUAL  
SECURITY  
REPORT**

**2020-2021  
Academic Year**

**2017-2019  
Crime Statistics**



**american  
career  
college**

Orange County Campus, Los Angeles Campus, and Ontario Campus



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## INTRODUCTION

The Annual Security Report is available on the ACC website at:

<http://americancareercollege.edu/pdf/AnnualSecurityReport.pdf>

If you would like to receive a paper copy of the Annual Security Report which contains this information, you can request that a copy be mailed to you by calling the Safety & Security Department at (855) 955-9911.

The report contains information regarding campus security and personal safety including topics such as: crime prevention, security officers' enforcement authority, crime reporting policies, policies related to and programs to prevent sexual assault and other crimes, disciplinary procedures and other matters of importance related to security and safety on campus. They also contain information about crime statistics for the three previous calendar years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by ACC; and on public property within, or immediately adjacent to and accessible from the campus.

This information is required by law and is provided by the Executive Director, Safety and Security.

American Career College (ACC) is committed to providing a reasonable level of security for its students, associates and visitors. The following report provides information regarding campus security policies and procedures for all students and associates of American Career College.

The American Career College Annual Security Report is published each year to provide you with information on safety and security-related services offered by the college in compliance with the Jeanne Clery Act, the Higher Education Opportunity Act of 2008 and the California Education Code – Section 67380-67385.7 Chapter 16 – Student Safety.

This document is prepared under direction of the Executive Director, Safety and Security with information provided by respective municipal police agencies with jurisdiction for each campus, Campus Executive Directors, and Title IX Coordinator, Student Resource Center associates, and contracted security partners. It summarizes campus programs, policies, and procedures designed to enhance your personal safety while you work or study at American Career College.

Each year, an e-mail notification, regarding the availability of this report, is made to all enrolled students providing the website to access the report. Faculty and associates receive a similar notification via their email.

All policy statements contained in this report apply to all campuses.

### The Jeanne Clery Act

The Jeanne Clery Act, a consumer protection law passed in 1990, requires all colleges and universities who receive federal funding to share information about crime on campus and their efforts to improve campus safety as well as inform the public of crime in or around campus. This information is publicly accessible through the college's annual security report.

Under the Act, institutions must provide survivors of sexual assault, domestic violence, dating violence, and stalking with options such as accommodations to academic resources, assisting with transportation, living, or working situations, and assistance in notifying local law enforcement, if the student or associate chooses to do so. It also provides both parties engaged in a campus disciplinary process with certain rights.

Colleges and universities must outline specific policies and procedures within their annual security reports, including those



related to disseminating timely warnings and emergency notifications, options for survivors of sexual assault, domestic violence, dating violence, and stalking, and campus crime reporting processes.

## Campus Security

ACC employs the contracted security company Allied Universal Security (CA PPO#14417), which operates under the Business and Profession Code and is regulated by the Bureau of Security and Investigative Services, BSIS. ACC does not have sworn police officers working at any of the campuses and the officers do not enforce State and local laws, but they do enforce ACC policies and procedures, however it does maintain solid relationship with local law enforcement departments who are called upon to enforce federal, state, and local laws and codes. The Security Officers have jurisdiction to operate on ACC owned or controlled property and have the authority to make a private person's arrest (Penal Code Section 837) but they must immediately contact the local police agency to take over the arrest.

## Training

All contracted security officers complete a course of training which includes an eight-hour session in exercising the power of arrest prior to assignment to a campus. The training covers the following topics:

1. Responsibilities and ethics in citizen arrest, and the power to arrest as outlined by the state of California
2. Relationship between a security guard and a peace officer in making an arrest
3. Limitations on security guard power to arrest
4. Restrictions on searches and seizures
5. Criminal and civil liabilities
  - a. Personal liability
  - b. Employer liability
6. Trespass law
7. Ethics and communications
8. Emergency situation response, including response to medical emergencies

## Campus Security Authority (CSA)

Contracted security officers also receive training regarding their duties and responsibilities as Campus Security Authorities as defined by the Clery Act. Contracted security officers maintain a good working relationship with municipal police agencies responsible for policing the campus and areas surrounding the campus. The Safety and Security department hosts routine meetings with contracted security partner leadership to ensure open lines of communication and information exchange occurs to promote safety and security in the community. There are no written agreements or memorandums of understanding regarding any topics, including investigation of criminal incidents between ACC, Los Angeles Police Department (LAPD), Ontario Police Department (OPD), Anaheim Police Department (APD), Los Angeles County Sheriff's Department, or other municipal police agencies.

In addition, ACC has designated the following positions as Campus Security Authorities and students are encouraged to report crimes to these individuals:

- Contracted Security Officers
- Executive Director, Safety & Security
- Vice President, Facilities, Real Estate, and Asset Management
- Student Resources Center Director/Manager/Associate
- Director, Student Affairs
- Director, Student Services
- Conduct Committee Members
- Receptionist - Performing functions to monitor access



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- Title IX Coordinator/Deputy/Administrator
- Student Group Advisor



## REPORTING

### Reporting Crimes or Other Emergencies

All members of the American Career College community and all visitors are encouraged to accurately and promptly report potential criminal activity, suspicious behavior, and any emergencies on campus, on public property running thought or immediately adjacent to the campus, or in other property that is owned or controlled by American Career College, to the Global Security Operations Center (GSOC) by calling (855) 955-9911.

American Career College requests and encourages students, faculty and associates who witness when the victim of a crime elects to, or is unable to, make such a report, or personally experience crime while on American Career College campuses to accurately and promptly for the purposes of making timely warning reports and the annual statistical disclosure to report their observations or experience to the Global Security Operations Center (GSOC) at (855) 955-9911. American Career College has contracted with Allied Universal Security (AUS) to provide a safe campus environment and also respond to emergencies on campus. In the case of an emergency, students, faculty and associates are encouraged to dial 9-1-1. American Career College is required to report all criminal activity occurring on campus, at non-campus facilities, property owned or controlled by American Career College, and on public property within, or immediately adjacent to, and accessible from, each campus.

Members of the community are helpful when they immediately report crimes or emergencies to the GSOC and/or the following individuals for purposes of including them in the annual statistical disclosure and assessing them for issuing a Timely Warning Notices, when deemed necessary:

- Contracted Security Officer
- Executive Director, Safety & Security
- Vice President, Facilities, Real Estate, and Asset Management
- Student Resources Center Director/Manager/Associate
- Director, Student Affairs
- Director, Student Services
- Conduct Committee Members
- Receptionist - Performing functions to monitor access
- Title IX Coordinator/Deputy/Administrator
- Student Group Advisor

Crimes should be accurately and promptly reported to the GSOC or the appropriate police agency, when the victim of a crime elects to, or is unable to, make such a report.

If the victim or witnesses choose to report the crime on a voluntary and confidential basis they can do so by using an anonymous reporting form located at the GSOC, the Student Resource Center on campus, or via the following link [Anonymous Reporting Form](#). These confidentially reported crimes would also be included in the annual disclosure of crime statistics.

Prompt reporting to the Global Security Operations Center (GSOC) will assure timely warning notices on-campus and disclosure in the annual crime statistics.

The college does not have any pastoral or professional counselors on campus, as a result, the college does not have any procedures to encourage pastoral or professional counselors to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.





## Response to a Report

American Career College will respond to each report in an appropriate manner and consistent with state and federal laws and rules.

Dispatchers are available during campus hours to answer your calls. In response to a call regarding a reported crime, the Global Security Operations Center (GSOC) will take the required action, either dispatching a security officer, police officer, or having the student file an incident report with the on-duty security agent or local police department. In response to a reported emergency, the Global Security Operations Center (GSOC) will respond and summon the appropriate resources to assist in the response to the incident. All incident reports are forwarded to the respective Campus Executive Director for review and for potential action, as appropriate. Security will investigate a report when it is deemed appropriate.

Additional information obtained via the investigation will also be forwarded to the American Career College General Counsel. If assistance is required from the respective Police Department or Fire Department, the Global Security Operations Center (GSOC) will contact the appropriate responders. If a sexual assault or rape should occur, associates on the scene (including the Title IX Coordinator, Title IX Administrators and Global Security Operations Center (GSOC)) will offer the victim a variety of services and/or resources.

## Daily Crime Log

Criminal incidents, or alleged criminal incidents reported to the Global Security Operations Center (GSOC) are recorded in the daily crime log and are available upon request from the front desk associate on each campus at the following locations:

Campus	Address
Los Angeles Campus	4021 Rosewood Ave, Los Angeles, CA 90004
Ontario Campus	3130 E. Sedona Ct, Ontario, CA 91764
Orange County Campus	1200 N. Magnolia Ave, Anaheim, CA 92801
	2411 and 2461 W. La Palma Ave, Anaheim, CA 92801

The Executive Director, Safety and Security, or designee, maintains the crime log through an electronic reporting system. The crime log contains a record of all crimes reported that occurred on campus, at non-campus facilities and property owned or controlled by ACC and on public property within, or immediately adjacent to, and accessible from the campus.

Information will be withheld from the Daily Crime Log if there is clear and convincing evidence that release of the information would jeopardize an ongoing criminal investigation, the safety of an individual, cause a suspect to flee or evade capture, or result in the destruction of evidence. Only the information necessary to avoid potential adverse effects will be withheld. The information withheld will be released once the adverse effect previously described is no longer likely to occur. The crime log includes the nature (classification), case number, date, time reported, and date and time the crime occurred or allegedly occurred.

The crime log also contains the general location of the reported crime and disposition of the crime, if known. Only a law enforcement agency can make the determination that a reported crime did not occur. In such situations, the disposition would be noted as "unfounded." An entry, an addition to an entry, or change in the disposition of a complaint must be recorded in the crime log within two business days of the incident reported or the information provided to the campus security department.

## TIMELY WARNING NOTICES

### Timely Warning Standard

In the event a crime is reported, or a situation arises, within the ACC Clery Geography (On Campus, Public Property, and Non-campus property), that in the judgment of the Executive Director, Safety and Security or the Global Security Operations Center (GSOC), and in consultation with responsible authorities when time permits, constitutes a serious or continuing threat, a campus wide “timely warning” notice will be issued. Timely Warning Notices are usually distributed for the following Uniformed Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) classifications: major incidents of arson, murder/non negligent manslaughter, and robbery. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by the Executive Director, Safety and Security.

**IMPORTANT:** Anyone with information warranting a timely warning should report the circumstances to the Global Security Operations Center (GSOC) by phone at (855) 955-9911 or in person at the front receptionist desk.

For example, if an assault occurs between two students who have a disagreement, there may be no on-going threat to other ACC community members and a Crime Alert would not be distributed. In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a “timely” warning notice to the community. Sex offenses will be considered on a case-by-case basis depending on when and where the incident occurred, when it was reported, and information known by the Executive Director, Safety and Security. Cases involving property crimes will be assessed on a case-by-case basis and alerts will typically be sent if there is a discernible pattern of crime. The Executive Director, Safety and Security or designee reviews all reports to determine if there is an on-going threat to the community and if the distribution of a Crime Alert is warranted. Crime Alerts may also be posted for other crime classifications and locations, as deemed necessary.

### Distribution of Timely Warning

The warning will be issued to students, faculty, and associates via LiveSafe Mass Notification System (MNS), which includes mass email, text, and text-to-voice phone call. All members of the ACC community must provide an email address to the institution to facilitate this communication and are encouraged to provide cell phone contact information as well. As an additional measure of communication, bulletins are placed at entry points to affected campus facilities, if deemed appropriate based on the nature of the crime. Timely warning notices will be provided to students and associates in a manner that is timely, that withholds the names of victims as confidential, and that will aid in the prevention of similar occurrences.

### Timely Warning Content

The Executive Director, Safety and Security or the Global Security Operations Center (GSOC) will develop the content of the timely warning notices and is responsible for disseminating the information to the students and associates by sending the blast email. When issuing the Timely Warning, the college withholds all personally identifying information about the victim including the names.

Anyone with information warranting a timely warning should report the circumstances to the Global Security Operations Center (GSOC) by phone at (855) 955-9911 or in person at the front receptionist desk.

The institution is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor as the college does not have any pastoral or professional counselors on campus.

## CAMPUS POLICY STATEMENTS

### Access, Security and Maintenance of Campus Facilities

Campus administrators are responsible for determining access rights and hours. The campus facilities are typically open and accessible to students, associates, and visitors during normal building hours and into the evening hours, depending on class and activity schedules. In general, the building and parking areas are secured after the last class in the building ends, although some administrative offices are secured after normal business hours. Physical security of the building is the responsibility of the Executive Director, Safety and Security through contracted security partners who actively patrol the campus and respond to calls for service. Security is enhanced through utilization of security technology (such as: electronic access control systems, alarm systems, and where appropriate, CCTV systems). Facilities and landscaping are maintained in a manner that minimizes unsafe conditions. Contracted security partners and Facilities Technicians regularly evaluate campus buildings and grounds, and report malfunctioning lights and other unsafe physical conditions to the appropriate department for correction.

The Executive Director, Safety and Security conducts periodic risk assessments of all campuses. Students, associates, and faculty are invited to review and to offer suggestions where additional lighting or physical improvements may enhance the overall safety and security of the area. To request a copy of the risk assessment or to report potentially unsafe or hazardous conditions, contact the Global Security Operations Center (GSOC) at any time by calling (855) 955-9911.

### Residence Halls

American Career College does not maintain residential facilities on campuses.

### Monitoring and Recording of Criminal Activity by Students at Non-campus locations of Recognized Student Organizations

ACC does not have officially recognized student organizations that own or control housing facilities outside of the ACC core campus. Therefore, local PD is not used to monitor and record criminal activity since there are no non-campus locations of student organizations.

### Clinical and Externship Sites

Students assigned to Clinical Sites or Externship Sites are typically provided with the host site's safety management plan and phone numbers to call in case of emergency or concern.

American Career College does not own or control the site or any space within the site.

### Drug and Alcohol Abuse Policy

ACC maintains a zero-tolerance policy with regard to possession, use, and sale of alcoholic beverages on campus and strictly enforces College policy prohibiting these violations and underage drinking. The state underage drinking laws are enforced by the appropriate local law enforcement agency with jurisdiction based on where the violation occurred. ACC maintains a zero-tolerance policy with regard to possession, use, and sale of illegal drugs on campus and College policy prohibiting violations of federal and state drug laws. The local police agency with jurisdiction based on where the violation occurred strictly enforces federal and state drug laws.

ACC associates and faculty are provided with drug and alcohol-abuse information as per the Drug Free Schools and Communities Act (DFSCA) in the associate handbook during orientation. Students are provided with drug and alcohol-abuse information in their student enrollment packets. This information is updated annually or as circumstances dictate. ACC refers all persons identified in need of drug and/or alcohol abuse counseling to a confidential referral program. For more information, students should contact the SRC Manager and/or Director, Student Services.



ACC associates and faculty should contact the Human Resources Department. Information provided in compliance with the DFSCA can be found online at:

[Procedures and Sanctions for Alcohol and other Drugs](#)

### (HEOA) Notification to Victims of Crimes of Violence

ACC will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing or investigation conducted by the college against a student or associate who is the alleged perpetrator of such a crime or offense. If the alleged victim is deceased as a result of such crime or offense, ACC will provide the results of the disciplinary hearing or investigation to the victim's next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph if so requested.

### Sex Offender Registration

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

You may obtain information about registered sex offenders as provided by each respective state under section 121 of the Adam Walsh Child Protection and Safety Act of 2006:

California:

<http://www.meganslaw.ca.gov>

### Policy on Weapons on Campus

ACC is committed to maintaining a safe and secure environment.

ACC policy prohibits all persons who enter College property from possession, use, manufacturing, distributing, sales, etc. of any firearm, knives, explosives of any kind, TASERs, or other weapons capable of threatening or producing bodily harm, regardless of whether the person is licensed to carry the weapon or not; with the exception of authorized law enforcement officials, contracted security personnel, and ACC associates specifically authorized to carry weapons for security purposes. Anyone found in violation of ACC's policies shall be subject to disciplinary policies and procedures applicable to students, associates, and/or criminal prosecution by the appropriate jurisdiction.

Individuals should immediately report weapons violations to the Global Security Operations Center (GSOC) at the campus or by dialing (855) 955-9911 or call 911 if they feel an immediate threat of bodily harm. It is important to provide a description and location of the individual carrying the weapon. Contracted security partners have and will continue to investigate any threat to the safety of ACC students and associates.

### Criminal Statutes and College Policy

Conduct may also be punishable under both criminal statutes and college policy. These processes are separate and distinct from one another, but can run concurrently. The codification of Criminal Sexual Assault is located in Ca. Code §261 through §269 and can be accessed on the Code of California web site at:

[Code of California Criminal Sexual Assault](#)



See Ca. Code §261.5 for the age of consent under California law:

[California Age of Consent](#)

## Anti-Retaliation Policy

Retaliation is defined as the taking of an adverse action against a person because of his or her opposition to unlawful discrimination or participation in a complaint, investigation, or lawsuit about discrimination. Retaliation includes acts like taking actions to affect a person's academic or school-related activities such as threats, unjustified negative evaluations, unjustified negative references, or increased surveillance, and any other action such as an assault or unfounded civil or criminal charges that are likely to deter reasonable people from pursuing their rights.

Adverse actions do not include petty slights and annoyances, such as stray negative comments in an otherwise positive or neutral evaluation, "snubbing" a student, not talking to a student, or negative comments that are justified by a student's poor performance or history.

It is unlawful and a violation of this policy to retaliate against any person who has brought a good-faith complaint of discrimination or harassment or who has assisted in the investigation of a complaint of discrimination or harassment. Retaliation, whether actual or threatened, destroys the sense of community and trust that is critical to a learning and work environment. ACC considers acts or threats of retaliation in response to such disclosures or participation to constitute a serious violation of ACC's policy, which may result in disciplinary action, up to and including dismissal, against the retaliator.

It is important to note that impermissible retaliation can occur even in those circumstances where it is determined that the complaint brought was without merit.

The College takes all allegations of retaliation seriously. Any allegation of retaliation should be reported immediately to the Human Resources, Student Services or Title IX Coordinator, where the appropriate measures will be taken. Allegations of retaliation will be handled through the [Student Conduct Code](#) or the [Associate Handbook](#).

## Notice of Victim's Rights

American Career College does not discriminate on the basis of sex in its educational programs. Sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include sexual assault, dating violence, domestic violence, and stalking. As a result, the College issues this statement of policy to inform the community of this comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a college official. In this context, ACC prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the college community.

It is the policy of American Career College that no member of the campus community - students, faculty, administrators, associates, vendors, contractors, or third parties, may conduct sexual violence or harassment on any other member of our community.

For a complete copy of American Career College's Title IX Policy visit:

[ACC Title IX Policy](#)

For the Student Conduct Policy visit: [Student Conduct Policy](#)



For the Associate Handbook Policy visit: [Associate Handbook Policy](#)

## Policy Statement Addressing Preventing and Responding to Dating Violence, Domestic Violence, Sexual Assault and Stalking

ACC prohibits domestic violence, dating violence, sexual assault, and stalking. ACC maintains a zero-tolerance policy for the above offenses. Toward that end, American Career College issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a College official.

## Risk Reduction

While learning about risk reduction strategies can be a helpful first step in understanding the context of violence, it is never meant to attribute blame to victims for not having recognized signs of abuse. The perpetrator of abuse and violence is always the one responsible and should never be excused due to a victim's behavior, decisions, or judgments. Offering risk reduction information is meant to provide an educational foundation for recognizing signs of abuse, not just for those who may be at risk of experiencing it, but to help our community understand, recognize, and acknowledge the behaviors as harmful.

## Engaged Bystander

While some forms of sexual violence may not be illegal, such as sexist jokes, catcalling, or vulgar gestures, this does not make them any less threatening or harmful to the victimized person. These behaviors contribute to a culture that accepts sexual violence. Bystanders can speak up when they witness these actions to foster healthy sexuality and safer communities. Many opportunities exist in daily life where society can prevent behaviors that promote sexual violence.

ACC is an advocate for bystander intervention. Safe and positive bystander intervention may be carried out by an individual to prevent harm or to intervene when there is a risk of domestic violence, dating violence, sexual assault or stalking against a person other than themselves.

An engaged bystander is someone who intervenes before, during, or after a situation when they see or hear behaviors that promote sexual violence. It is common for people to witness situations where someone makes an inappropriate sexual comment or innuendo, tells a rape joke, or touches someone in a sexual manner. Bystanders might also witness other forms of sexual violence. Bystanders who witness the behavior or hear the comment can intervene in a way that will help create a safer environment. Research has shown that bystander programs can produce positive results by increasing participants' knowledge of sexual violence, decreasing participants' acceptance of rape myths, and increasing the likelihood that they will intervene. Engaged bystanders help create healthy communities and help others build safe and respectful environments by discouraging victim blaming, changing social norms that accept sexual violence, and shifting the responsibility to prevent sexual violence to all community members.

## When and How to Intervene

Every situation is different and there is no universal response when intervening to prevent sexual violence. Safety is important in deciding when and how to respond to sexual violence. Every person must decide for themselves the safest and most meaningful way to become an engaged bystander. The following are ideas on how one can maintain safety while being an engaged bystander:

- If you witness sexual violence, get support from people around you. You do not have to act alone.
- Practice with friends and family about what you would say and how you would say it
- When intervening, be respectful, direct, and honest
- Contact your local sexual assault center to see if they offer resources or training on bystander intervention.





- Visit: <http://www.nsvrc.org/organizations/state-and-territory-coalitions> for coalition contact information.
- If you see or hear something and you do not feel safe, contact the police.

## When Alcohol is involved

Unfortunately, bystanders are less likely to intervene when alcohol is involved, particularly when both the victim and offender have been drinking. People tend to place the responsibility on the female for her behavior. However, alcohol is never a cause of rape or an excuse for committing a crime; consent cannot be obtained when someone is incapacitated due to alcohol or other substances.

## Role of Social Media

During and after acts of sexual violence, social media and online anonymous websites could provide venues for harmful comments and abusive behavior toward others. This might include threatening the distribution of photos or videos of the assault. Responsible bystanders play a powerful role in showing support for survivors, challenging disrespectful comments, and changing the culture to end violence.

## Bystander CARE

“A good friend knows how to **CARE**.”

**C**reate a Distraction

**A**sk Directly

**R**efers to an authority

**E**nlist others

### Create a distraction

Do what you can to interrupt the situation. A distraction can give the person at risk a chance to get to a safe place. Cut off the conversation with a diversion like, “Let’s get pizza, I’m starving,” or “This party is lame. Let’s try somewhere else.” Bring out fresh food or drinks and offer them to everyone at the party, including the people you are concerned about. Start an activity that draws other people in, like a game, a debate, or a dance party.

### Ask directly

Talk directly to the person who might be in trouble. Ask questions like “Who did you come here with?” or “Would you like me to stay with you?”

### Refer to an authority

Sometimes the safest way to intervene is to refer to a neutral party with the authority to change the situation, like a security guard. Talk to a security guard, bartender, or another associate about your concerns. It is in their best interest to ensure that their patrons are safe, and they will usually be willing to step in. Do not hesitate to call 911 if you are concerned for someone else’s safety.

### Enlist others

It can be intimidating to approach a situation alone. Enlist another person to support you. Ask someone to come with you to approach the person at risk. When it comes to expressing concern, sometimes there is power in numbers. Ask someone to intervene in your place. For example, you could ask someone who knows the person at risk to escort them to the bathroom. Enlist the friend of the person you are concerned about. “Your friend looks like they’ve had a lot to drink. Can you check on them?”

## Bystander Intervention Examples

### At school

A group starts making sexual gestures and comments to another student. The student tries to ignore the comments but becomes upset. An engaged bystander could tell the group to stop harassing the student or ask the student if they want to leave and tell an instructor, associate, Security or Dean.

### At a party

A friend starts flirting with someone. The other person is not interested, but the friend will not leave them alone. An engaged bystander could go up to the friend and start a conversation to distract them from the uninterested person.

### At work

Someone overhears a female supervisor say that she wishes her boyfriend had a butt like one of her male associates. An engaged bystander could talk with the supervisor directly or report the incident based on the workplace's sexual harassment policy.

### Online

There are comments posted in regard to a story about a sexual assault that imply that the person deserved to get raped because of how they were dressed and how much they had to drink. An engaged bystander could respond to the comments by posting that it is never the survivor's fault if he or she is sexually assaulted, and that the responsibility lies with the person who chose to commit sexual violence.

## Signs of Stalking

Stalking occurs when a person repeatedly watches, follows, or harasses you, making you feel afraid, unsafe, or uncomfortable. It is intentional and often uncontrolled. A stalker can be someone you know, a past boyfriend or girlfriend or a stranger. Here are some examples of what a stalker may do:

- Send you unwanted text messages, letters, emails, and voicemails, often repeatedly and numerous
- Show up at your residence or place of work unannounced or uninvited
- Follow you with or without your knowledge
- Leave items like gifts or flowers that could seem romantic or non-threatening but are unwanted
- Constantly call and hang up
- Use social networking sites and technology to track you or repeatedly try to engage you
- Spread rumors about you via the internet or word of mouth
- Call your employer or instructor
- Wait at places you hang out or outside your classroom or residence
- Try to get information about you through others, i.e. looking at your Facebook page through someone else's page or befriending your friends in order to get more information about you
- Damage your home, car or other property

This list is not inclusive of all behaviors of stalking. However, if you think you or someone you know is being stalked on or off campus, call the Global Security Operations Center (GSOC) at (855) 955-9911 or seek resources and support to help.

## Examples of Domestic/Intimate Partner/Dating Violence

Domestic/Intimate partner/Dating Violence can happen to anyone. It can happen to partners who are married, living together, or dating. It affects people of all socioeconomic backgrounds and education levels. Domestic/Intimate partner/Dating Violence not only affects those abused, but also has an impact on family members, friends, co-workers,



other witnesses, and the community at large.

Domestic/Intimate Partner/Dating Violence encompasses physical, psychological, sexual, economic, and emotional harm by a current or former partner or spouse. This type of violence can occur among straight or same-sex couples and falls in this category even if there is no sexual intimacy. Women ages 16 to 24 are three times more likely to experience intimate partner violence than women of other age groups. The goal is to stop the violence before it begins but often individuals are uncertain if experiences are considered abusive, particularly when there has been an ongoing relationship.

The list below provides some examples of behaviors that demonstrate abuse in a relationship or could lead to abuse:

- A partner acts extremely jealous when you talk to others
- A partner calls you names and puts you down
- A partner is always checking up on you, calling or texting, and has to know where you are and who you are with at all times
- A partner isolates you from your friends and family by demanding your time, or threatening you when you try to spend time with others
- A partner gets too serious about the relationship too fast and feels possessive
- A partner is abusive and loses their temper but always excuses themselves or does not accept responsibility for their actions
- A partner tries to control you by making all the decisions, tell you what you should and should not do
- A partner demands sexual intimacy when you are not willing or interested
- A partner threatens violence
- A partner physically, verbally, or sexually assaults you

In response to the abuse in a relationship, you might engage in these behaviors:

- Give up things that are important to you
- Cancel plans with friends to appease the other person
- Become isolated from family or friends
- Worry about making your partner angry
- Find others ask you about signs of physical abuse, fear, or intimidation or if you are ok
- Feel embarrassed or ashamed about what is going on in your relationship
- Make excuses for your partner's behavior

If you think you have experienced some of these behaviors in your relationship, or know someone who has, contact a Campus Security Authority. Please see the below resources for further information.

### **Risk Reduction, Warning Signs of Abusive Behavior and Future Attacks**

No victim is ever to blame for being assaulted or abused. Unfortunately, a person who is the victim of sexual or dating violence is more likely to be re-victimized. Below are some tips to help reduce your risk, to recognize warnings signs of abusive behavior and how to avoid potential attacks.

#### **Warning Signs of Abusive Behavior**

Domestic and dating abuse often escalates from threats and verbal abuse to violence. And, while physical injury may be the most obvious danger, the emotional and psychological consequences of domestic and dating violence are also severe. Warning signs of dating and domestic violence include the following:

- Being afraid of your partner
- Constantly watching what you say to avoid a "blow up"

- Feelings of low self-worth and helplessness about your relationship
- Feeling isolated from family or friends because of your relationship
- Hiding bruises or other injuries from family or friends
- Being prevented from working, studying, going home, and/or using technology (including your cell phone)
- Being monitored by your partner at home, work, or school
- Being forced to do things you do not want to do

## Help Reduce Your Risk and Avoid Potential Attacks

If you are being abused or suspect that someone you know is being abused, speak up or intervene.

- Get help by contacting the Counseling Center or Health Center for support services (listed on the following pages)
- Learn how to look for “red flags” in relationships so you can learn to avoid some of those characteristics in future partners
- Consider making a report with the Global Security Operations Center (GSOC) and/or the Title IX Administrator/Coordinator and ask for a “no contact” directive from the college to prevent future contact
- Consider getting a protective order
- Learn more about what behaviors constitute dating and domestic violence, understand it is not your fault, and talk with friends and family members about ways you can be supported
- Trust your instincts—if something does not feel right in a relationship, speak up or end it

## Sexual Assault Prevention (from RAINN)

- Be aware of rape drugs
- Try not to leave your drink unattended
- Only drink from un-opened containers or from drinks you have watched being made and poured
- Avoid group drinks like punch bowls
- Cover your drink. It is easy to slip in a small pill even while you are holding your drink. Hold a cup with your hand over the top or choose drinks that are contained in a bottle and keep your thumb over the nozzle.
- If you feel extremely tired or drunk for no apparent reason, you may have been drugged. Find your friends and ask them to leave with you as soon as possible.
- If you suspect you have been drugged, go to a hospital, and ask to be tested
- Keep track of how many drinks you have had
- Try to arrive and leave with a group of people you trust
- Avoid giving out your personal information (phone number, where you live, etc.). If someone asks for your number, take his/her number instead of giving out yours.

## Traveling around Campus (walking)

- Make sure your cell phone is easily accessible and fully charged
- Be aware of open buildings where you can use a phone
- Keep some change accessible just in case you need to use a pay phone
- Take major, public paths rather than less populated shortcuts
- Avoid dimly lit places and talk to campus administrators if lights need to be installed in an area
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone
- Carry a noisemaker (like a whistle) on your keychain
- Carry a small flashlight on your keychain
- If walking feels unsafe, contact the Global Security Operations Center (GSOC) at (855) 955-9911



## SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS

During the 2019-2020 academic year, ACC offered approximately 253 crime prevention and security awareness programs. Topics such as personal safety, drug and alcohol abuse awareness and sexual assault prevention are some examples of programs offered during the prior academic year.

During student orientation sessions and new associate orientation sessions, students, faculty, and associates are informed of services offered by ACC. Crime Prevention, Security Awareness and Sexual Assault Prevention Programs are developed and presented on an annual basis. Periodically, the Safety and Security department, in coordination with Campus Executive Directors, will present crime prevention and security awareness sessions on a variety of timely topics specific to the campus or surrounding community. The common theme of all security awareness and crime prevention programs is to encourage students, faculty and associates to be aware of their shared responsibility with the college for their own security and the security of others. In addition to seminars, crime prevention information is disseminated to students, faculty and associates through crime prevention awareness posters, security alert posters, displays, social media outlets, and potentially apps for web and smartphone devices.

All students and associates are encouraged to participate in security awareness and crime prevention programs via asynchronous video-based training modules provided by 360StaySafe. The program includes personal safety modules which provide practical tips including security awareness training, identity theft protection techniques, and active shooter training. The program is separated into twelve modules and also includes prevention and awareness information regarding the crimes of Domestic Violence, Dating Violence, Sexual Assault and Stalking. This information explores forming healthy relationships, identifying, and protecting oneself against controlling behaviors, safe and positive options for bystander intervention and information on risk reduction. All modules encourage students and associates to be responsible for their own security and the security of others.

Participants in these programs are asked to be alert, security-conscious and involved, and advised to call GSOC to report suspicious behavior. For additional questions regarding crime prevention, contact the Safety and Security Department directly at (855) 955-9911.

### VAWA Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking

The College engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:

1. are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
2. consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new associates and ongoing awareness and prevention campaigns for students that address the following concepts:

1. How the institution prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act and as those terms are defined later in this document)
2. Explains the definitions of domestic violence, dating violence, sexual assault and stalking according to any applicable jurisdictional definitions of these terms
3. Incorporates what actions constitute consent, in reference to sexual activity, in the State of California
4. Provides ACC's definition of consent that can be found on page 59 of this document.

5. Describes safe and positive options for bystander intervention. Bystander intervention means 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.
6. Provides Information on risk reduction. Risk reduction means 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.
7. The college also provides information regarding:
  - a. Procedures victims should follow if a crime of domestic violence, dating violence, sexual assault or stalking occurs (as described in "Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault or Stalking Occurs" elsewhere in this document)
  - b. How the institution will protect the confidentiality of victims and other necessary parties (as described in "Assistance for Victims: Rights and Options" elsewhere in this document)
  - c. Existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services/resources available for victims, both within the institution and in the community (as described in "Assistance for Victims: Rights and Options" elsewhere in this document)
  - d. Options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in "Assistance for Victims: Rights and Options" elsewhere in this document)
  - e. Procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in "Adjudication of Violations" elsewhere in this document)

### Primary Prevention and Awareness Programs

ACC educates the entire community that includes students, faculty and associates about sexual assaults and date rape through mandatory training required to be taken by students during their time in college. Faculty and associates are required to complete the training during their new employment orientation and on an annual basis going forward. Literature on date rape education, risk reduction, and ACC response is available through the Title IX Administrator.

The college provides four mandatory training modules that each student must complete to learn about how to form healthy relationships while in college, sexual misconduct, active bystanders, etc. The students complete a module a month and build on their knowledge from one module to the next. At the end of each module a student must pass a test that shows that they comprehend the concepts learned. There are 6 additional modules that are offered to students throughout their time at ACC to build on their understanding of prevention and awareness of sexual misconduct. Each new associate is required to complete mandatory sexual misconduct training during the orientation and prior to starting their role with ACC.

The following modules are offered continuously throughout the year and students and Associates are encouraged to participate in any and all of these sessions:

- Forming Healthy Relationships
- Sexual Assault
- Stalking
- Bystander Intervention
- Protecting Your Possessions and Identity
- Everyday Safety
- Common Sense Defense



- Racial Discrimination and Classism
- Religious Discrimination
- Sexual Orientation and Gender Identity Discrimination
- Non-traditional College Student
- Drug and Alcohol Awareness

All prevention and awareness campaigns are ongoing as new students begin classes every month; and therefore, the modules are offered 24/7 and the college encourages students to continue learning throughout their time at the College.

All faculty and associates must take a Title IX training that incorporates the topics above and are assigned through the Academy learning system in a single module.

### Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs

After an incident of sexual assault, dating violence or domestic violence the victim should consider seeking medical attention as soon as possible at a local emergency room to have a rape kit completed <sup>1</sup>. This could help to preserve evidence in proving that the illegal criminal offense occurred. It also may help in obtaining a protective order by the victim or in the case if the victim decides to file a police report. No law enforcement charges are required in order to have a rape kit collected; however, the victim must use his/her legal name.

Police Department contact information is listed beginning on Page 22.

### If you have been sexually assaulted

- Get to a safe place. (For example -- someone's home, the nearest hospital, or police department)
- Call 911 to be taken to an emergency room for medical care and/or for immediate police protection and assistance. When you call 911, explain what has happened and request to be sent to an emergency department that has a SANE nurse (Sexual Assault Nurse Examiner.)
- Alternatively, go directly to the nearest Emergency Room. If you go to the nearest emergency department that does not have SANE services, you can be transferred to the nearest facility.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen area where they were assaulted if the offense occurred within the past 96 hours so that evidence as may be necessary to the proof that criminal activity is occurring or has occurred may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs, or other copies of documents, if any exist that would be useful to college hearing boards/investigators or police and that may assist in proving that the illegal criminal offense occurred or may be helpful in obtaining a protection order.

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<sup>1</sup> Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not "require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both."



As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with the Safety and Security Department or law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the College at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

If a student or associate has been the victim of domestic violence, dating violence, sexual assault, or stalking, the complainant should report the incident promptly to the Title IX Coordinator Valerie Mendelsohn, (949-743-5765), the Title IX Administrators Mandy DeJong, (949-783-4952) or Nina Khiev, (949-783-4826), or Human Resources, (949-783-4029) by calling, writing, or coming into the office to report in person and the Safety and Security Department (if the victim so desires.)

### Involvement of Law Enforcement and Campus Authorities

Although the college strongly encourages all members of its community to report violations of this policy to law enforcement in the jurisdiction where the offense occurred, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. In addition, the victim may choose to be assisted by the Title IX Coordinator, Valerie Mendelsohn (949-743-5765) or a Campus Security Authority in notifying law enforcement authorities. If the victim would like to contact the Global Security Operations Center (GSOC) (855-955-9911) and/or local authorities either of the following maybe completed:

1. File a complaint but not have charges brought against the respondent. Charges may be brought at a later time if desired and the prosecuting attorney's office agrees, however, evidence may be lost. Victims of sexual assault are encouraged to get a rape kit done and cooperate fully with an investigation so the possibility of filing criminal charges may be an option when they are ready to pursue, if ever.
2. File a complaint and ask that the investigation and charges be pursued immediately. While the prosecuting attorney is still the decision-maker in whether the perpetrator is charged criminally, the victim can cooperate and provide as much timely cooperation and information as may be possible.

Police Department contact information is listed beginning on Page 25.

**IMPORTANT:** Victims under the age of 18 that file a report with Campus Security Authorities will be deemed a child in need and the appropriate authorities will decide of whether to pursue charges.

If a student or associate has been the victim of domestic violence, dating violence, sexual assault, or stalking, the complainant should report the incident promptly to the Title IX Coordinator Valerie Mendelsohn, (949 743-5765), Title IX Administrators Mandy DeJong, (949-783-4952), or Nina Khiev, (949-783-4826), or Human Resources, (949-783-4029) by calling, writing, or coming into the office to report in person and the Safety and Security Department (if the victim so desires.)

Reports of all domestic violence, dating violence, sexual assault and stalking made to the Safety and Security Department will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant choses to pursue criminal charges.

The College will provide a number of resources to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and the College will apply appropriate disciplinary procedures to those who violate this [policy](#).





## RESOURCES

### On/Off Campus Resources

Please note that ACC does not offer on campus resources in health, mental health, counseling, victim advocacy, legal assistance, or visa and immigration assistance. Students should access the off-campus resources in their area of residence or use the chart below to utilize resources near campus. If you need help, contact your Title IX Administrators or Safety and Security on your campus. Either of those offices can assist you in connecting with the resources you need. If you need immediate assistance, call 9-1-1.

Student Financial Aid is available on campus. For further information, please contact:

Campus	Address
Orange County	Student Financial Aid Office Address: 1200 North Magnolia Ave, Anaheim, CA 92801 Email: <a href="mailto:jRuiz@americancareercollege.edu">jRuiz@americancareercollege.edu</a> Phone: 714-763-9081
Ontario	Student Financial Aid Office Address: 3130 East Sedona Court, Ontario, CA 91764 Email: <a href="mailto:alSanchez@americancareercollege.edu">alSanchez@americancareercollege.edu</a> Phone: 909-218-3254
Los Angeles	Student Financial Aid Office Address: 4021 Rosewood Ave, Los Angeles, CA 90004 Email: <a href="mailto:eNguyen@americancareercollege.edu">eNguyen@americancareercollege.edu</a> Phone: 323-906-2280

Off campus resources for victims are included below, organized by region:

### Orange County

LOCAL Police Department	<b>Anaheim Police Department</b> 320 S. Beach Blvd, Anaheim, CA 92804 (714) 765-1900
STATE Police Department	<b>California Highway Patrol</b> 13200 Goldenwest St, Westminster, CA 92683 (714) 892-4426
Closest Emergency Room	<b>Anaheim Regional Medical Center</b> 1111 W. La Palma Ave, Anaheim, CA 92801 (714) 774-1450
Hospital w/ SANE Services (sexual assault evidence collection services)	<b>Anaheim Regional Medical Center</b> 1111 W. La Palma Ave, Anaheim, CA 92801 (714) 774-1450
Prosecuting Attorney's Office (Court)	<b>North Orange County Courthouse</b> 1275 N. Berkeley Ave., Fullerton, CA 92832 (657) 622-5600

Where to obtain a Restraining Order	<b>North Orange County Courthouse</b> 1275 N. Berkeley Ave., Fullerton, CA 92832 (657) 622-5600
Victim Advocacy	<b>Community Service Programs -</b> North Orange County Courthouse 1275 N. Berkeley Ave., Fullerton, CA. 92832 (714) 834-4317
Legal Assistance	<b>Legal Aid Society of Orange County</b> 250 E. Center St. Anaheim, CA. 92805 (714) 571-5200
Counseling	<b>Mental Health Association of Orange County</b> 1971 E. 4 <sup>th</sup> Street, Suite 130A, Santa Ana, CA 92705 (714) 547-7559
Health	<b>Amistad Medical Clinic – Anaheim</b> 606 S. Euclid Street, Anaheim, CA 92802 (714) 635-8570
Mental Health	<b>Mental Health Association of Orange County</b> 1971 E. 4 <sup>th</sup> Street, Suite 130A, Santa Ana, CA 92705 (714) 547-7559
Visa & Immigration Assistance	<b>U.S. Citizenship and Immigration Services</b> 8381 La Palma Ave. #A, Buena Park, CA 90620 (800) 375-5283
Rape Crisis	<b>Community Service Programs</b> North Orange County Courthouse 1275 N. Berkeley Ave, Fullerton, CA 92832 (714) 957-2737 – 24 Hour Hotline
Battered Women’s Shelter	<b>Human Options</b> Business office - 5540 Trabuco Rd, Suite 100, Irvine, CA 92620 (877) 854-3594 – 24 Hour Hotline
Resources Specific to Male Victims	<b>Community Service Programs</b> North Orange County Courthouse 1275 N. Berkeley Ave, Fullerton, CA 92832 (714) 957-2737 – 24 Hour Hotline
Resources for the LGBTQ community	<b>CenterLink LGBT Center OC</b> 1605 N. Spurgeon St., Santa Ana, CA 92701 (714) 953-5428
Other	<b>Coalition for Humane Immigrant Rights of Orange County</b> 32118 Paseo Adelanto #9A San Juan Capistrano, CA 92675 Tel 714-430-8771 <a href="http://www.chirla.org/">http://www.chirla.org/</a>





## Ontario

LOCAL Police Department	<b>Ontario Police Department</b> 2500 S. Archibald Ave, Ontario, CA 91761 (909) 395-2001
STATE Police Department	<b>California Highway Patrol</b> 9530 Pittsburgh Ave, Rancho Cucamonga, CA 91730 (909) 980-3994
Closest Emergency Room	<b>Arrowhead Regional Center</b> 400 N. Pepper Ave, Colton, CA 92324 (909) 580-1000 Toll Free: (877) USE-ARMC
Hospital w/ SANE Services (sexual assault evidence collection services)	<b>Pomona Valley Medical Center</b> 1798 N. Garey Ave., Pomona, CA 91767 (909) 865-9500
Prosecuting Attorney's Office (Court)	<b>San Bernardino County District Attorney</b> 303 W. 3rd Street, 6th Floor, San Bernardino, CA 92415 (909) 382-3800
Where to obtain a Restraining Order	<b>San Bernardino County District Attorney</b> 303 W. 3rd Street, 6th Floor, San Bernardino, CA 92415 (909) 382-3800
Victim Advocacy	<b>San Bernardino Victim Services Center</b> 316 North Mt. View Avenue, San Bernardino, CA 92415 (909) 387-6540 <b>Rancho Cucamonga Courthouse</b> 8303 Haven Ave., 4th Floor Rancho Cucamonga, CA 91730 (909) 989-0056
Legal Assistance	<b>Inland Counties Legal Services</b> 10565 Civic Center Dr. Suite 200, Rancho Cucamonga, CA 91730 (909) 980-0982
Counseling	<b>Bilingual Family Counseling</b> 317 West F. Street, Ontario, CA 91762 (909) 987-7111
Health	<b>Clinica Salud and Familia</b> 1019 E. Holt Ave, Pomona, CA 91767 (909) 623-7799  <b>Central Urgent Medical Care</b> 9695 Baseline Rd, Rancho Cucamonga, CA 91730 (909) 941-0920  <b>Advanced Medical and Urgent Care Center</b> 974 W. Foothill Blvd, Upland, CA 91786 (909) 981-2273



Mental Health	<b>Phoenix Community Counseling</b> 820 E. Gilbert St, San Bernardino, CA 92415 (909) 387-7200
Financial Aid	<b>Community Action Partnership</b> 696 S. Tippecanoe Ave, San Bernardino, CA 92408 (909) 723-1500
Visa & Immigration Assistance	<b>Visa and Immigration Assistance- Inland Legal Services</b> 715 N. Arrowhead Ave Suite #113, San Bernardino, CA 92401 (909) 884-8615 <a href="http://www.inlandlegal.org">http://www.inlandlegal.org</a>
Rape Crisis	<b>San Bernardino Sexual Assault Services</b> 444 N. Arrowhead Ave # 101, San Bernardino, CA. 92401 (800) 656-4673 -24 Hour Hotline
Battered Women's Shelter	<b>Option House</b> 813 N D St #3 San Bernardino, CA 92401 (909)381-3471
Resources Specific to Male Victims	<b>San Bernardino Sexual Assault Services</b> 444 N. Arrowhead Ave, # 101, San Bernardino, CA. 92401 (800) 656-4673 -24 Hour Hotline
Resources for the LGBTQ community	<b>The LGBT Community Center Of The Desert</b> 611 S. Palm Canyon Dr., Suite 201, Palm Springs, CA 92264 (760) 416-7790
Other	<b>Coalition for Humane Immigrant Rights of San Bernardino</b> 2130 N Arrowhead Ave, San Bernardino, CA 92405 Tel. 909-688-6319 <a href="http://www.chirla.org/">http://www.chirla.org/</a>

## Los Angeles

LOCAL Police Department	<b>Los Angeles Police Department</b> 7600 S. Broadway, Los Angeles, CA 90003 (213) 485-6409
STATE Police Department	<b>California Highway Patrol</b> 411 N. Central Ave #410, Glendale, CA 91203 (818) 240-8200
Closest Emergency Room	<b>Good Samaritan Hospital</b> 1225 Wilshire Blvd, Los Angeles, CA 90017 (213) 977-2121
Hospital w/ SANE Services (sexual assault evidence collection services)	<b>LAC + USC Medical Center</b> 1200 N. State St, Los Angeles, CA 90033 (323) 409-1000
Prosecuting Attorney's Office (Court)	<b>Central Civil West Courthouse</b> 600 S. Commonwealth Ave, Los Angeles, CA 90005 (213) 351-8738
Where to obtain a protective order	<b>Central Civil West Courthouse Central Civil West Courthouse</b> 600 South Commonwealth Ave. Los Angeles, CA 90005 (213) 351-8738

Victim Advocacy	<p><b>Family Crisis Center</b> 2116 Arlington Ave. Suite 200, Los Angeles, CA 90018 (323) 737-3900</p> <p>Hotlines: (310)379-3620, (310)370-5902, (213)745-6434, (562)388-7652</p> <p><b>East Los Angeles Women's Center</b> 1255 South Atlantic Blvd Los Angeles, CA 90022 Phone: (323)526-5819 Hotline: (800)585-6231</p>
Legal Assistance	<p><b>Neighborhood Legal Services of Los Angeles County</b> 1102 E. Chevy Chase Drive, Glendale, CA 91205 (818) 291-1765 <a href="http://www.nlsla.org/">http://www.nlsla.org/</a></p> <p><b>Legal Aid Foundation of Los Angeles</b> 1102 East Chevy Chase Drive, Glendale, CA 91205 Phone 818-291-1765 <a href="http://www.lafla.org/index.php">http://www.lafla.org/index.php</a> (800) 399-4529</p>
Counseling	<p><b>Intercommunity Counseling Center</b> 7702 Washington Ave., Whittier, CA 90602 (562) 698-1272</p>
Health	<p><b>Hollywood Sunset Free Clinic</b> 3324 W. Sunset Blvd, Los Angeles, CA 90026 (323) 660-2400 or (323) 660-1408</p> <p><b>Her Medical Clinic</b> Phone 213-747-4391 Her Medical Clinic 2502 S Figueroa St, Los Angeles, CA 90007</p> <p><b>Knights of Malta Free Clinic</b> 2222 Ocean View Ave #112, Los Angeles, CA 90057 (213) 384-4323</p>
Mental Health	<p><b>Center for Individual &amp; Family Counseling</b> 5445 Laurel Canyon Blvd, North Hollywood, CA 91607 (818)761-2227</p> <p><b>Southern California Counseling Center</b> 5615 Pico Blvd., Los Angeles, CA 90019 Phone 323-937-1344</p>
Visa & Immigration Assistance	<p><b>Visa and Immigration Assistance Public Counsel</b> Immigrant's Rights Project 610 S. Ardmore Ave. Los Angeles, CA 90031 Phone 213-385-2977 <a href="http://www.publiccounsel.org/">http://www.publiccounsel.org/</a></p>

Rape Crisis	<b>Peace Over Violence</b> 1015 Wilshire Blvd, Suite 200, Los Angeles, CA 90017 (626) 584-6191 Hotline (310) 392-8381
Battered Women's Shelter	<b>Violence Intervention Program/24-Hour Domestic Violence Response Team</b> 1721 Griffin Ave., Los Angeles, CA 90031 Phone (323)226-2095 <a href="https://www.violenceinterventionprogram.org/vip/">https://www.violenceinterventionprogram.org/vip/</a>
Resources Specific to Male Victims	<b>Los Angeles Male Survivors of Sexual Abuse</b> Culver City, CA (323) 250-6116
Resources for the LGBTQ community	<b>Los Angeles LGBT Center – McDonald/ Wright Building</b> 1625 N. Schrader Blvd, Los Angeles CA 90028 (323) 993-7400
Other	<b>Coalition for Humane Immigrant Rights of Los Angeles, CA</b> 2533 W. 3rd St. Suite 101. CA 90057 Phone 213-353-1333

## Online Resources

### The Gift of Fear

*The Gift of Fear: Survival Signals That Protect Us from Violence* is a nonfiction self-help book (1997) written by Gavin de Becker. The book provides strategies to help readers avoid trauma and violence by teaching them various warning signs and precursors to violence. To order *The Gift of Fear*, visit:

<http://www.amazon.com/The-Gift-Fear-Gavin-Becker-ebook/dp/B0036Z9U2A>

### MOSAIC Threat Assessment Systems

DV - MOSAIC assesses situations involving domestic violence. DV - MOSAIC is available at no-cost to the public at:

<http://www.mosaicmethod.com>

### Rape, Abuse, and Incest National Network

The Rape, Abuse, & Incest National Network (RAINN) is the nation's largest anti-sexual assault organization. Although there are no proven strategies for "preventing" sexual assault or rape, the following risk-reduction strategies are recommended by RAINN:

#### Safety planning

<https://www.rainn.org/get-information/sexual-assault-prevention/safety-plan>

#### Steps you can take in a social situation to prevent sexual assault

<https://rainn.org/get-information/sexual-assault-prevention/protecting-your-friends>

#### How to respond if someone is pressuring you

<https://www.rainn.org/get-information/sexual-assault-prevention/avoiding-pressure>

#### Your role as a bystander in preventing sexual assault

<https://rainn.org/get-information/sexual-assault-prevention/bystanders-can-help>

#### Protecting a child from sexual assault

<https://rainn.org/get-information/sexual-assault-prevention/protecting-a-child-from-sexual-assault>



**The California Partnership to End Domestic Violence**

<http://www.cpedv.org>

**Department of Justice**

<https://oag.ca.gov/sexual-violence>

**Department of Education, Office of Civil Rights**

<https://www2.ed.gov/about/offices/list/ocr/index.html>

**Information Regarding Registered Sex Offenders**

You may obtain information about registered sex offenders as provided by each respective state under section 121 of the Adam Walsh Child Protection and Safety Act of 2006:

**California**

<http://www.meganslaw.ca.gov> From the National Domestic Violence Hotline Website Help for Survivors

<https://www.thehotline.org/get-help/>

**Article: Tips on Rebuilding and Maintaining Support After the Isolation of Abuse**

<https://www.thehotline.org/resources/tips-on-rebuilding-and-maintaining-support-after-the-isolation-of-abuse/>

**Survivor Stories**

<https://www.thehotline.org/resources/seeking-shelter-what-to-expect-how-to-share-your-story-and-what-to-do-if-you-are-denied-assistance/>

**Blogpost: Why am I Struggling to Move on After Abuse**

<https://www.loveisrespect.org/resources/why-am-i-struggling-to-move-on-after-abuse/>

## ADJUDICATION OF VIOLATIONS

ACC committed to maintaining a respectful and professional academic and working environment for students and associates, including faculty. This includes having an environment free from unlawful sexual misconduct. This Title IX Policy applies to all settings and activities of the institution, whether on individual campus properties owned or controlled by ACC or off campus while a person is participating in an education program or activity of the Institution. The Title IX policy governs all persons who have a relationship with ACC that enables the Institution to exercise some control over the individual's conduct in places and activities that relate to the Institution's work. While any person may report an incident of sexual misconduct, incidents of sexual misconduct that occur off campus, outside the United States or that involve persons not affiliated with ACC are outside the scope of this policy, however, the incidents may be considered under the [Student Conduct Code](#) or the [Associate Handbook](#).

Sexual misconduct, as described in the Title IX policy, is a form of sexual harassment, which is a form of discrimination and is prohibited by Title IX of the Education Amendments of 1972. Sexual assault, domestic violence, dating violence and stalking also are prohibited conduct under Title IX, and are additionally defined by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by the Violence Against Women Reauthorization Act of 2013. These acts, as defined in this policy, are expressly prohibited at ACC.

American Career College recognizes that it is important to coordinate this policy with other existing policies related to harassment and discrimination, knowing that harassment related to an individual's sex, sexual orientation, or gender expression can occur in conjunction with misconduct and harassment related to a person's race, ethnicity, national origin, religion, age, pregnancy or parenting status, disability, or other protected status. Therefore, when a report is made of harassment or discrimination based on sex as well as harassment or discrimination based on some other protected status, the College will use all applicable policies respectively to address the reports and will coordinate the investigation and resolution efforts.

College officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the complainant and promotes accountability. Furthermore, each policy provides that:

1. The complainant and the respondent will have timely notice for meetings at which the complainant or respondent, may be present;
2. The complainant, the respondent and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary investigations;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the complainant or the respondent;
4. The complainant and the respondent will have the same opportunities to have others present during any institutional investigation. The complainant and the respondent each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The College will not limit the choice of advisor or presence for either the complainant or the respondent in any meeting or institutional disciplinary investigation. However, the role of the advisor is limited to consulting and advising his or her advisee, but not speak for the advisee at any meeting or hearing, unless it is a Title IX Live Hearing.
5. The Complainant and the Respondent would be given with the same opportunity to review the evidence gathered to-date and provide additional information before the decision is made on the final outcome of the investigation.
6. The complainant and the respondent will be notified simultaneously, in writing, of the initial, interim and final

decision of any disciplinary proceeding; and

7. Where an appeal is permitted under the applicable policy, the complainant and the respondent will be notified simultaneously in writing, of the procedures for the respondent and the complainant to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the complainant and the respondent will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

## Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking

The College only uses one type of disciplinary proceedings for domestic violence, dating violence, sexual assault and stalking allegations by using a Live Hearing model. The steps and the decision-making process are outlined in the section below “Investigation and Resolution.”

The victim of dating violence, domestic violence, sexual assault or stalking may choose for the investigation to be pursued through the criminal justice system and the ACC Title IX Coordinator’s office, or only the former or the latter. A Title IX Administrator can guide the victim through the available options and support the victim in his or her decision.

## Investigation and Resolution

### Training

Investigators, Decision-Makers, Appellate Officers, and Title IX Coordinators, and Administrators are trained annually on issues related to domestic violence, dating violence, sexual assault, and stalking and taught how to conduct an investigation and grievance process that protects the safety of the victim and promotes accountability as required by the Clery Act. Additionally, they have received training as required by Title IX on the definition of sexual harassment in this policy, the scope of ACC’s education program and activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

Those persons serving as investigators have also received training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. Those persons serving as decision-makers will also receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant.

### Filing a Formal Complaint

A person who wishes to pursue a formal or informal resolution process at the Institution must file a formal complaint. A “formal complaint” is made when the Institution has received a complaint signed by the complainant or signed by the Title IX Coordinator on his/her behalf. Additionally, the Institution may sign a complaint on behalf of the complainant that does not wish to participate if the reported behavior has the potential to interfere with the educational mission of the Institution. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the Institution.

To file a complaint of sexual misconduct, contact the Title IX Coordinator or the Title IX Administrators via mail, email, telephone, or in person.

At the time of the filing of the formal complaint, the complainant may request the complaint be considered under the formal or informal resolution process.





### **Dismissals of the Formal Complaint**

Upon receipt of a formal complaint, the Title IX Coordinator will conduct an assessment to determine if the complaint constitutes a potential violation of this policy. If it does not, the complaint will be dismissed (or could be referred to another department or grievance process if the complaint constituted a violation of another ACC policy.) This includes complaints that would not constitute sexual harassment as defined by this policy even if proved, did not occur within the Institution's education program or activity or did not occur against a person in the United States.

Additionally, a formal complaint may be dismissed at any time during the investigation or hearing if a complainant notifies the Title IX Coordinator in writing that he or she would like to withdraw the formal complaint, the respondent is no longer enrolled or employed by the Institution or specific circumstances prevent the Institution from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

The decision on dismissal will be made by the Title IX Coordinator but may be appealed by either party utilizing the appeal's process outlined in this policy. Upon a dismissal required or permitted pursuant to this section, the Title IX Coordinator will promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties.

### **Consolidations**

The Title IX Coordinator has the discretion to consolidate multiple complaints or reports into a single investigation if evidence relevant to one incident might be relevant to the others. Where a grievance process involves more than one complainant or more than one respondent, references in this section to the singular "party," "complainant," or "respondent" include the plural, as applicable.

If a case involves violations of other ACC policies, the Title IX Coordinator, in consultation with other school officials, will determine which grievance process to use or if different grievance processes would be more appropriate.

### **Amnesty/Immunity**

In order to encourage reports of conduct that is prohibited under this policy, the Institution may offer leniency with respect to other violations which may come to light as a result of such reports, including alcohol and drug use. The Title IX Coordinator will make the determination on behalf of the Institution on a case-by-case basis.

### **Formal Resolution Process**

If the complaint could constitute a violation of this policy and the complainant has requested a formal resolution process, the complainant and respondent will receive written notice from the Title IX Coordinator of the allegations of sexual harassment, including sufficient details known at the time with sufficient time to prepare before any initial interview. The parties will receive written simultaneous notification of additional allegations as appropriate.

A fair and impartial investigation will be conducted by at least one trained investigator appointed by the Title IX Coordinator. ACC reserves the right to employ external investigators if it determines that the investigation would be best conducted in this way. The parties will be provided with the name(s) of the investigator(s) and allowed 5 days to request the removal and replacement of an investigator based on bias or conflict of interest. Any request for a change in an investigator must be accompanied by supporting information and the decision to assign a new investigator will be made by the Title IX Coordinator.

Throughout the grievance process, the Title IX Coordinator will provide to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of meetings, investigative interviews, and hearings, with sufficient time for the party to 15 prepare to participate as well as advise the party of the opportunity to present evidence and witness information, if applicable.





A complainants and respondents have the right to an advisor of choice to be present at any meeting or disciplinary proceeding in which either party is required to be present. ACC will not restrict who this advisor is but can and will restrict the role the advisor plays within the meeting or proceeding.

The investigation will typically include interviewing all involved parties (respondent, complainant, witnesses) and the collecting of any documentation or evidence relevant to the allegation. The Institution will not restrict either party from discussing allegations under investigation or from presenting relevant evidence or identifying relevant witnesses.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant and will not be requested by the investigator or allowed at the hearing, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. Additionally, the investigation and the hearing will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

At the conclusion of the investigation, the investigator and the Title IX Coordinator shall meet to determine if the preliminary investigation is complete. If the preliminary investigation is complete, the Title IX Coordinator will send to each party and the party's advisor, if any, a preliminary investigative report containing any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint.

The parties will be given 10 days to correct any information that is factually inaccurate or to present any new information to the investigator at this time. If new information is presented that prompts the need for further investigation, the investigator will complete the investigation based on the new information shared. At the conclusion of the supplemental investigation or if no further investigation needs to occur, the investigator will provide the final investigative report to the Title IX Coordinator who will distribute it to the respective parties and the party's advisor, if any, at least 10 days prior to the hearing. The Investigator will include in the final investigative report a summary of relevant evidence.

### **Live Hearing**

Upon completion of the final investigative report, the case will be assigned to a hearing. The Title IX Coordinator will appoint a trained decision-maker to adjudicate the matter who is not the Title IX Coordinator or the investigator for the complaint. The parties will be provided with the name of the decision-maker and will be allowed 5 days to request the removal and replacement of the decision-maker based on bias or conflict of interest. Any request for a change in a decision-maker must be accompanied by supporting information and the decision to assign a new decision-maker will be made by the Title IX Coordinator.

Hearings will be conducted via an online platform with video capability, rather than in person.

At the live hearing each party's advisor will be permitted to ask the other party and any witnesses all relevant questions and follow-up questions, including questions that challenging credibility. If a party does not have an advisor, the Institution will appoint one on behalf of the party free of charge. In this capacity, the advisor will be appointed for the sole purpose of conducting cross examination of the other party and witnesses. If any advisor violates the rules or engages in behavior or advocacy that harasses, abuses, or intimidates either party, a witness, or the decision-maker, that advisor may be prohibited from further participation.

At the hearing, the decision-maker is responsible for maintaining an orderly, fair, impartial, and respectful hearing. The



decision-maker has broad authority to respond to disruptive or harassing behaviors, including adjourning the hearing or excluding any offending person. The Decision-Maker will determine the method for questioning at the hearing. Only relevant cross examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination question, the decision-maker must first determine whether the question is relevant and will explain any decision to exclude a question as not relevant. The decision-maker may also ask questions of the parties and witnesses.

In the absence of good cause, as determined by the decision-maker, information, witnesses, and other evidence discoverable through the exercise of due diligence that is not provided to the investigator during the investigation will not be considered at the hearing.

All hearings are closed to the public. A recording will be made by the Institution, but all other recordings are prohibited.

A complainant, respondent, or witness may decline to participate in the hearing. If a party does not appear at the hearing, the decision-maker will not rely on any previous statement of that party or witness in reaching a determination as to responsibility, but the decision-maker will not draw an inference about the responsibility determination based solely on a party's or witness's absence from the hearing or refusal to submit to questions.

At the conclusion of the hearing, the decision-maker will make a determination of responsibility. If the decision-maker has determined that it is more likely than not that sexual misconduct occurred in violation of this policy, the decision-maker will decide on the appropriate sanctions and remedies. After making a finding, the decision-maker will issue the determination, to include the reason for the finding and the associated sanctions and remedies, if any, in writing and simultaneously to the complainant and respondent.

The Title IX Coordinator will routinely review all cases to ensure consistent application of this policy.

The standard of proof used to determine whether or not a violation of this policy has occurred is the preponderance of evidence, which means it is more likely than not the misconduct occurred.

Typically, the investigation, resolution, and appeal will not exceed 60 days although ACC reserves the right to exceed this timeframe in order to conduct a thorough investigation. If the grievance process does or is anticipated to exceed 60 days, ACC will notify the complainant and respondent in writing and will advise them of the reason for the delay and the anticipated timeframe for the completion of the investigation.

The outcome/finding, the rationalization for the finding, and the sanctions imposed, if any, shall be conveyed to the complainant and respondent simultaneously and in writing as noted above via the ACC email system and will be delivered via certified US Mail at the same time.

### **Sanctions**

The Decision-maker is responsible for determining sanctions and remedies. The following sanctions and remedies may be imposed, individually or in any combination, when a Respondent is found responsible for violating this policy:

- Education/Training Requirement
- Loss of Privileges
- Forfeiture of Financial Assistance
- Permanent Supportive Measures



- Restitution
- Termination from Employment
- Probation
- Suspension
- Expulsion

Student Services will impose the sanctions as identified by the Decision-Maker. The Title IX Coordinator will be responsible for implementing any remedies for the complainant.

### Appeals

Both the complainant and the respondent have a right to appeal the finding or non-finding of responsibility or the dismissal of the case. Appeals must be on one of the following grounds:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Both parties will have five business days from notification to appeal in writing to the next level of authority, whose decision is final. The decision-maker on appeal will not have been involved in the process up to the point of appeal.

Appellate Officer [TitleIXAppeal@americancareercollege.edu](mailto:TitleIXAppeal@americancareercollege.edu)

Both individuals will be informed in writing and simultaneously of any change to the results that occur prior to the time that such results become final and when such results become final.

### Informal Resolution Process

At the time of the filing of a formal complaint or at any time prior to a determination of responsibility, either party may request to proceed under a voluntary informal resolution process that does not involve a full investigation. The Title IX Coordinator will determine, based on the totality of the circumstances, whether an informal resolution process is appropriate given the facts and participants. For example, an informal resolution process is never appropriate for resolving reports alleging sexual harassment of a student by an employee.

Upon request and written agreement by the parties and the Title IX Coordinator that the informal resolution process is appropriate, the Title IX Coordinator will provide to the parties a written notice disclosing the allegations, and the requirements of the informal resolution process, including when the parties are precluded from resuming a formal resolution process, any consequences resulting from participating in the informal resolution, and the records that will be maintained and shared. Informal resolutions are not subject to appeal by any party.

Informal resolutions may include, but are not limited to;

- Placing a respondent on notice that, if such behavior has occurred or is occurring, such conduct should cease immediately;
- A written warning;
- Education and/or training for a respondent;

- Permanent supportive measures for the complainant;
- Mediation or other informal communication between the complainant and respondent;
- Messaging to the campus community;

The parties may withdraw from the informal resolution process at any time prior to agreeing to a resolution and resume the formal resolution process with respect to the complaint.

### Non-Retaliation

Retaliation is defined as the taking of an adverse action against a person *because of* his or her opposition to unlawful discrimination or participation in a complaint, investigation, or lawsuit about discrimination. Retaliation includes acts like taking actions to affect a person's academic or school-related activities such as threats, unjustified negative evaluations, unjustified negative references, or increased surveillance, and any other action such as an assault or unfounded civil or criminal charges that are likely to deter reasonable people from pursuing their rights.

Adverse actions do not include petty slights and annoyances, such as stray negative comments in an otherwise positive or neutral evaluation, "snubbing" a student, not talking to a student, or negative comments that are justified by a student's poor performance or history.

It is unlawful and a violation of this policy to retaliate against any person who has brought a good-faith complaint of discrimination or harassment or who has assisted in the investigation of a complaint of discrimination or harassment. Retaliation, whether actual or threatened, destroys the sense of community and trust that is critical to a learning and work environment. ACC considers acts or threats of retaliation in response to such disclosures or participation to constitute a serious violation of ACC's policy, which may result in disciplinary action, up to and including dismissal, against the retaliator.

It is important to note that impermissible retaliation can occur even in those circumstances where it is determined that the complaint brought was without merit.

Any person who believes he or she is being retaliated against because of making a complaint or assisting in an investigation in violation of this policy, should promptly report the concerns to the Title IX or Title IX assigned to the case. Allegations of retaliation will be handled through the [Student Conduct Code](#) or the [Associate Handbook](#).

### College-Initiated Protective Measures

The Title IX Coordinator or their designee will determine whether interim intervention and protective measures should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include but are not limited to: A College order of no contact, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved.

Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by the decision makers.

The Institution does not issue orders of protection, but victims may be able to secure an order of protection through the courts in the jurisdiction where they live.

The Institution cannot apply for a legal order of protection or restraining order for a complainant or on their behalf--the victim is required to apply directly for these services in conjunction with the police of the county in which they are located. The Institution will assist students and associates in obtaining court orders of protection to the extent they can.

The Institution will comply with state laws in recognizing orders of protection regardless of whether a complainant elects to pursue a criminal complaint. Persons should provide a copy of the order of protection to Safety and Security and the Title IX Coordinator. A complainant may then meet with Safety and Security to develop a Safety Action Plan, which is a plan aimed to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location, etc.

#### CALIFORNIA

For helpful information see the website, [www.courts.ca.gov](http://www.courts.ca.gov). In California, an Emergency Protection Order may be available through a law enforcement officer at any time of day.

### Disciplinary Procedures Following a Complaint

Whether or not criminal charges are filed, the College or a person may file a complaint under the Title IX Policy alleging that a student or associate violated the College's policy. Reports of all domestic violence, dating violence, sexual assault and stalking made to the Global Security Operations Center (GSOC), Clery Campus Security Authorities or Title IX Responsible Associates, will automatically be referred to the Title IX Coordinator for investigation regardless of whether the complainant chooses to pursue criminal charges.

The Title IX Coordinator responsibilities include overseeing all Title IX complaints and identifying and addressing any patterns or systemic problems that arise during the review of such complaints.

### Complainant's and Respondent's Rights and Options

The Title IX Coordinator will ensure that the complainant receives an explanation of rights and options written in plain language with concise information. The written notification of rights and options will include the following:

- The importance of obtaining and preserving forensic and other evidence;
- The right to report or not report the alleged incident to the Institution, law enforcement or both, including information about the survivor's right to privacy and which reporting methods are confidential;
- The right to request and receive assistance from campus authorities in notifying law enforcement;
- The right to request and receive assistance in obtaining and enforcing a campus-issued order of protection or no contact order;
- The right to speak to and receive assistance from on and off campus resources and other organizations that provide support and services to victims and survivors;
- The right to assistance from the Institution in accessing local health and mental health services, counseling, advocacy services, legal assistance, financial aid services and immigration/visa assistance;
- The right to supportive measures with or without the filing of a formal complaint, no matter where the incident is reported to have occurred and that the Institution will consider the complainant's wishes with respect to available supportive measures including without limitation changes to academic, living, dining, working, and transportation situations;
- The right to request a formal or informal resolution process if cause is found to proceed under this policy and a summary of the appropriate complaint resolution procedures; and
- Contact information for all of the people and organizations listed herein.

In the event that a formal complaint is filed, the complainant and the respondent will receive a written notification of rights and options regarding the adjudication process, to include the following:

- The right for complainants and respondents to be treated equitably by the Institution which includes providing

remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following a grievance process that complies with this policy;

- The right to a fair, impartial, proceeding that begins promptly and is completed within reasonably prompt timeframes;
- The right to a resolution process that is consistent with the Institution's policies, transparent to the complainant and respondent, and in which the burden of proof and of gathering evidence rests with the Institution and not the parties;
- The right to an advisor of the party's choosing during the grievance process. If a party does not have an advisor at the time of the hearing, the Institution will provide without fee or charge, an advisor of the Institution's choice for purposes of conducting cross examination;
- The right to reasonable accommodations during any hearing, such as not being in the same room as the other party;
- The right to an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence—and that credibility determinations will not be based on a person's status as a complainant, respondent, or witness;
- The right to a determination regarding responsibility made at the conclusion of the resolution process and that the Institution makes no prior presumption of responsibility; and
- The right not to be retaliated against for filing a formal complaint and/or for participating in an informal or formal resolution process.

For further information on Sexual Misconduct contact:

Name and Contact Information	Position	Institution
Valerie Mendelsohn Vice President of Compliance and Risk Management Office Address: 151 Innovation Drive, Irvine, CA 92617 Direct Line: (949) 743-5765 Email: <a href="mailto:vmendelsohn@americancareercollege.edu">vmendelsohn@americancareercollege.edu</a>	Title IX Coordinator	Title IX Coordinator American Career College
<b>Title IX Administrators American Career College</b>		
Mandy DeJong Compliance Liaison Address: 151 Innovation Drive, Irvine, CA 92617 Direct Line: (949) 783-4952 Email: <a href="mailto:mdejong@americancareercollege.edu">mdejong@americancareercollege.edu</a>	Title IX Administrator	American Career College
Nina Khiev Compliance Liaison Address: 151 Innovation Drive, Irvine, CA 92617 Direct Line: (949) 783-4826 Email: <a href="mailto:nkhiev@americancareercollege.edu">nkhiev@americancareercollege.edu</a>	Title IX Administrator	American Career College
<b>To contact the United States Department of Education's Office for Civil Rights:</b> U.S. Department of Education Office for Civil Rights Lyndon Baines Johnson Department of Education Building 400 Maryland Avenue, SW Washington, DC 20202-1100 Telephone: 800-421-3481   FAX: 202-453-6012   TDD: 800-877-8339   Email: <a href="mailto:OCR@ed.gov">OCR@ed.gov</a>		

Associates, applicants, interns, and volunteers are encouraged to report incidents of inappropriate or unwelcome conduct whenever it occurs. Associates, applicants, interns, and volunteers are not required to wait for the conduct to be repeated or to worsen. Any incident of alleged harassment by any employee or any other person should be reported promptly to the employee's supervisor or manager and/or to Human Resources, the Title IX Coordinator, or the Vice President of Human





Resources, who will arrange for an investigation of the matter. Managers who receive complaints or who observe harassing conduct are required to immediately inform Human Resources. An Associate may contact Human Resources directly and is not required to file a complaint first to his or her supervisor. Contact information is as follows:

Human Resources	
Teri Parker Vice President, Human Resources 949-783-4845 <a href="mailto:tparker@westcoastuniversity.edu">tparker@westcoastuniversity.edu</a>	Administration Office 151 Innovation Drive Irvine, CA 92617
Selese Gonzalez Senior Human Resource Generalist 949-783-4847 <a href="mailto:Gonzales@westcoastuniversity.edu">Gonzales@westcoastuniversity.edu</a>	ACC Ontario Campus 3130 East Sedona Court Ontario, CA 91764

### Campus Sexual Misconduct Procedure

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the College, below are the procedures that the College will follow:

Incident Reported	Procedure Institution Will Follow
<b>Sexual Assault</b>	<ol style="list-style-type: none"><li>1. Depending on when reported (immediate vs. delayed report), institution will help provide the victim with access to medical care</li><li>2. Institution will assess immediate safety needs of victim</li><li>3. Institution will assist victim with contacting local police if victim requests AND provide the victim with contact information for local police department</li><li>4. Institution will provide victim with referrals to off campus mental health providers</li><li>5. Institution will assess need to implement interim or long-term protective measures, if appropriate</li><li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li><li>7. Institution will provide a "No trespassing" directive to accused party if deemed appropriate</li><li>8. Institution will provide written instructions on how to apply for Protective Order</li><li>9. Institution will provide a copy of the policy applicable to Sexual Assault to the victim and inform the victim regarding timeframes for inquiry, investigation and resolution</li><li>10. Institution will inform the victim of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is</li><li>11. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li></ol>
<b>Stalking</b>	<ol style="list-style-type: none"><li>1. Institution will assess immediate safety needs of victim</li><li>2. Institution will assist victim with contacting local police if victim requests AND provide the victim with contact information for local police department</li><li>3. Institution will provide written instructions on how to apply for Protective Order</li></ol>

	<ol style="list-style-type: none"> <li>Institution will provide written information to victim on how to preserve evidence</li> <li>Institution will assess need to implement interim or long-term protective measures to protect the victim, if appropriate</li> <li>Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>Institution will provide a "No Trespass" (PNG) directive to accused party if deemed appropriate</li> </ol>
<b>Dating Violence</b>	<ol style="list-style-type: none"> <li>Institution will assess immediate safety needs of victim</li> <li>Institution will assist victim with contacting local police if victim requests AND provide the victim with contact information for local police department</li> <li>Institution will provide written instructions on how to apply for Protective Order</li> <li>Institution will provide written information to victim on how to preserve evidence</li> <li>Institution will assess need to implement interim or long-term protective measures to protect the victim, if appropriate</li> <li>Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>Institution will provide a "No trespassing" directive to accused party if deemed appropriate</li> </ol>
<b>Domestic Violence</b>	<ol style="list-style-type: none"> <li>Institution will assess immediate safety needs of victim</li> <li>Institution will assist victim with contacting local police if victim requests AND provide the victim with contact information for local police department</li> <li>Institution will provide written instructions on how to apply for Protective Order</li> <li>Institution will provide written information to victim on how to preserve evidence</li> <li>Institution will assess need to implement interim or long-term protective measures to protect the victim, if appropriate</li> <li>Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>Institution will provide a "No trespassing" directive to accused party if deemed appropriate</li> </ol>

## Procedures the College Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported

The College has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on or off campus as well as additional remedies to prevent contact between a complainant and a respondent party, such as housing, academic, transportation and working accommodations, if reasonably available. The College will make such accommodations, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to local law enforcement. Students and associates should contact Title IX Administrators/Coordinator.

## ASSISTANCE FOR VICTIMS

### Rights and Options

Regardless of whether a victim elects to pursue a criminal complaint, the College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of his/her rights





regardless whether the offense occurred on or off campus.

Such written information will include:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- information about how the institution will protect the confidentiality of victims and other necessary parties;
- a statement that the institution will provide written notification to students and associates about victim services within the institution and in the community;
- a statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for institutional disciplinary action

### Safety Action Plans

American Career College complies with California law in recognizing orders of protection, "no contact" orders, restraining orders, or similar lawful orders.

Any person who obtains such an order should provide a copy to the Global Security Operations Center (GSOC) and the Office of the Title IX Coordinator.

A victim may then coordinate with the Global Security Operations Center (GSOC) to develop a Safety Action Plan, which is a plan for Campus Security Authorities and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location, etc. In California, an Emergency Protection Order may be available through a law enforcement officer at any time of day. The College cannot apply for a legal order of protection, no contact order, or restraining order for a victim or on their behalf. The victim is required to apply directly for these services in conjunction with the police of the county. The College can issue an institutional "No Contact" directive if deemed appropriate and at the request of the victim or if deemed needed.

To the extent of the victim's cooperation and consent, college offices and Campus Security Authorities work cooperatively to ensure that the victim's health, physical safety, work, and academic status are protected, pending the outcome of a formal College investigation of the complaint.

Additionally, personal identifiable information about the victim will be treated as confidential and only shared with individuals with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the victim. These individuals include the Title IX Coordinator, Title IX Administrators, Title IX Investigators, and Security Officers of the Global Security Operations Center. Further, the institution will maintain as confidential any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures. The College does not publish the name of crime victims nor house identifiable information regarding victims in the Daily Crime Log or online.

Victims may request that directory information on file be removed from public sources by contacting the Title IX Coordinator by calling (949) 743-5765.

### Rights of Complainants and the Institution's Responsibilities for Orders of Protection, "No Contact" Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution

The College cannot apply for a legal order of protection, no contact order or restraining order for a complainant from the applicable jurisdiction(s).



American Career College commits to the following procedures:

- WE WILL meet with you privately at a location where you are comfortable when feasible
- WE WILL only notify your parents, spouse, or significant other if you ask us to
- WE WILL treat you and your concerns with courtesy, sensitivity, dignity, understanding, and professionalism
- WE WILL openly listen with no prejudgment and you will not be blamed for what occurred
- WE WILL absolutely consider your case regardless of your gender, gender identity, sexual orientation, or the gender or status of the suspect
- WE WILL assist you in arranging for any necessary hospital treatment or other medical needs. If needed, we also will assist you with the information to obtain emergency housing
- WE WILL assist you with information for advocacy support, privately contacting confidential counseling, and/or other available resources
- WE WILL assist you in contacting law enforcement and filing a police report
- WE WILL continue to be available to answer your questions and concerns

### Accommodations and Protective Measures Available for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, American Career College will provide written notification to students and associates about accommodations available to them, including academic, living, transportation protective measures and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations.)

At the complainant's request, and to the extent of the complainant's cooperation and consent, the College will work cooperatively to assist the complainant in obtaining accommodations. The College is obligated to comply with a complainant's reasonable request to make changes to academic, living, working or transportation situations regardless of whether the complainant chooses to report the crime to campus security or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or associate park in a different location, assisting the student or associate with a safety escort, etc.

To request changes to academic, living, transportation and/or working situations or protective measures, a complainant should contact the Title IX Administrator, Valerie Mendelsohn (949-743-5765). If the complainant wishes to receive assistance in requesting these accommodations, she or he should contact the Title IX Administrator.

The College may issue an institutional No Contact Order if deemed appropriate or at the request of the complainant or respondent. If the College receives a report that such an institutional No Contact Order has been violated, the College will initiate disciplinary proceedings appropriate to the status of the respondent (student, associate, etc.) and will impose sanctions if the respondent is found responsible for violating the No Contact Order.

Type of Order:	Who Can File For One:	Court:	Based On:
<b>Domestic Violence Civil Protection Order –</b> <b>CA: up to 5 years, can be renewed</b>	Family or household members including: <ul style="list-style-type: none"> <li>• Spouses, former spouses</li> <li>• Parent, child, foster parent</li> <li>• People who have kids together</li> <li>• Intimate partners who lived together in the last 5 years</li> <li>• Same sex couples are eligible</li> </ul>	Domestic Relations Court – where victim lives, where abuser lives or has a business, or where incident(s) occurred	Causing or trying to cause injury or placing someone in fear of imminent serious harm (Courts use different requirements for how recent the incident must be)
<b>Stalking Protection Order -</b> <b>CA: up to 5 years, can be renewed</b>	Any person who is a victim of stalking. No relationship with stalker is required.	Common Pleas Court - where victim lives (if family or household member, can be filed as DV Protection Order, see above)	Pattern of conduct (2 or more events), closely related in time, that cause distress or make a victim believe the stalker will cause harm
<b>Sexually Oriented Offense Protection Order -</b> <b>CA: up to 5 years, can be renewed</b>	Any person who was a victim of a sexually oriented offense (see ORC 2950.01). No relationship with offender is required. Case does not have to be criminally prosecuted.	Common Pleas Court – where victim lives	Sexual assault or unwanted sexual contact (see ORC 2950.01)
<b>Juvenile Protection Order –</b> <b>CA: Last about 3 years</b>	Victim of abuse by a person who is under age 18, or the victim’s parent or another household member, or other parties the Court approves.	Juvenile Court – where victim lives	Assault, stalking, sexual offenses, threats of harm or aggravated trespass

Type of Order	Rights of Victims	Institution’s Responsibilities
Orders of protection	CALIFORNIA For helpful information see the website, <a href="http://www.courts.ca.gov">www.courts.ca.gov</a> —click the underlined information to access the specific webpage and get more info. In California, an Emergency Protection Order may be available through a law enforcement officer at any time of day.	The Institution does not issue orders of protection, but victims may be able to secure an order of protection through the courts in the jurisdiction where they live. The Institution cannot apply for a legal order of protection or restraining order for a complainant or on their behalf – the victim is required to apply directly for these services in conjunction with the police of the country in which they are located. The Institution will assist students and associates in

		obtaining court orders of protection to the extent they can. The Institution will comply with state laws in recognizing orders of protection regardless of whether a complainant elects to pursue a criminal complaint. Persons should provide a copy of the order of protection to Safety and Security and the Title IX Coordinator. A complainant may then meet with Safety and Security to develop a Safety Action Plan, which is a plan aimed to reduce risk of harm while on campus or coming and going from campus. This may include, but is not limited to escort, special parking arrangements, changing classroom location, etc.
No contact orders	CALIFORNIA For helpful information see the website, <a href="http://www.courts.ca.gov">www.courts.ca.gov</a> —click the underlined information to access the specific webpage and get more info.	If the accused individual is a member of the ACC community, a no contact letter will be given to all parties involved by the Institution until the conclusion of the investigation. This will prohibit communication between the parties, including contact verbally, in writing, through technology, or third parties. If you have been the victim of domestic or dating violence, stalking or sexual abuse, you may also want to consider obtaining an order of protection from the State of California.
Restraining orders	CALIFORNIA For helpful information see the website, <a href="http://www.courts.ca.gov">www.courts.ca.gov</a> —click the underlined information to access the specific webpage and get more info.	The Institution cannot apply for a legal order of protection or restraining order for a complainant or on their behalf- the victim is required to apply directly for these services in conjunction with the police of the county in which they are located. The Institution will assist students and associates in obtaining court orders of protection to the extent they can

## Confidentiality

If the complainant reports to the Institution and requests confidentiality or asks that the complaint not be pursued, the Institution will take all reasonable steps to respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation including providing supportive measures as available. If a complainant insists that his/her name or other identifiable information not be disclosed to the respondent, the Institution's ability to respond may be limited. If the complainant continues to ask that his or her name not be revealed, the Institution will take all reasonable steps to



respond to the complaint consistent with the party's request as long as doing so does not prevent the Institution from responding effectively to the harassment and preventing harassment of other parties. At the same time, the Institution will evaluate the confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all persons. It is a violation of the Institution policy to retaliate against an individual bringing a complaint or providing information for an investigation.

Education records are maintained in accordance to Family Educational Rights and Privacy Act of 1974 (FERPA). All documentation related to a student's complaint, investigation, and resolution is protected by FERPA and not available to the public. Non-identifying information may be shared with Safety and Security in order to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. A complainant's name will never be published nor does the Institution house identifiable information regarding victims in the daily crime log or online. Persons may request that directory information on file be removed from public sources by request. To request removal of directory information, students should contact the Registrar or the Title IX Coordinator.

## EMERGENCY RESPONSE AND EVACUATION PROCEDURES

### Summary of Emergency Response Plans

American Career College maintains a Crisis and Emergency Management Plan and associated Emergency Action Plans for each campus that outline responsibilities of campus units during emergencies. These plans outline incident priorities, campus organization, and specific responsibilities of particular units or positions and are posted on the College Intranet and in the LiveSafe mobile application.

College units are responsible for developing and maintaining emergency action and continuity of operations plans for their areas and associates. The Safety and Security Department provides resources and guidance for the development of these plans. The Emergency response and evacuation procedures are reviewed and updated on an annual basis in conjunction with the annual drill evacuations. Each test, a description of the exercise, the date, and time and whether it was announced or unannounced is documented. A copy of the report could be accessed through Global Security Operations Center (GSOC).

At least once a year, ACC will conduct an announced or unannounced test designed to assess the emergency plans and capabilities of the campus, provide feedback to judge capabilities and limitations of the emergency plan and include at minimum drills, exercises, and follow through activities. The annual test is designed and implemented to meet Clery regulations and intended to keep the faculty, associates and students informed about threats to their safety and health in a manner that allows them to protect themselves. These tests include a test of the LiveSafe mass notification system. An after-action report is generated for each annual test and incorporated into the periodic risk assessment for each campus and can be requested via the Global Security Operations Center (GSOC) at (855) 955-9911. This after-action report documents the date and time of each exercise, whether the exercise was announced or unannounced, a general description of the exercise, general observations, and specific suggestions for improvement.

Each test, a description of the exercise, the date, and time and whether it was announced or unannounced is documented. A copy of the report could be accessed through Global Security Operations Center (GSOC).

The campus publicizes a summary of the emergency response and evacuation procedures via email at least once each year in conjunction with a test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act.

### Summary of General Evacuation Procedures

ACC has no residence halls and therefore is not required to conduct annual fire drills.

ACC does, however, conduct annual building evacuation drills. The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. Evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During drills, occupant's practice drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about evacuation procedures, the drills also provide the college an opportunity to test operation of fire alarm system components.

At least once a year, ACC will conduct an announced or unannounced test designed to assess the emergency plans and capabilities of the campus, provide feedback to judge capabilities and limitations of the emergency plan and include at minimum drills, exercises, and follow through activities. The annual test is designed and implemented to meet Clery regulations and intended to keep the faculty, associates and students informed about threats to their safety and health in a manner that allows them to protect themselves.

An after-action report is generated for each annual test and incorporated into the periodic risk assessment for each campus and can be requested via the Global Security Operations Center (GSOC) at (855) 955-9911. This after-action report documents the date and time of each exercise, whether the exercise was announced or unannounced, a general description of the exercise, general observations and specific suggestions for improvement.

An overview of emergency action procedures is available at this location: [ACC Safety & Security Webpage](#)

At the sound of a fire alarm, or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, dial 911 as necessary, and notify the Global Security Operations Center (GSOC) at (855) 955-9911. Additional tips are noted below:

1. Remain calm
2. Do NOT use elevators. Use the stairs.
3. If you are unable to self-evacuate without the use of elevators, proceed to the Temporary Gathering Place as identified on the building emergency evacuation plans posted in all buildings. Oftentimes, this is near or in a stairwell. If you are part of a personal support network for someone who is unable to self-evacuate, evacuate the building and immediately inform the Global Security Operations Center (GSOC) or Fire Department of the individual's location. Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
4. Make sure all personnel are out of the building
5. Do not re-enter the building until the all-clear is given by the Campus Executive Director or Campus Security.

#### **Shelter-in-Place Procedures – What it means to “Shelter-in-Place”**

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

#### **Basic “Shelter-in-Place” Guidance**

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belonging (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest College building quickly. If police or fire department personnel are on the scene, follow their directions.

#### **How You Will Know to “Shelter-in-Place”**

A shelter-in-place notification may come from several sources, the Safety & Security Department, other College associates, Local PD, or other authorities utilizing the College's emergency communications tools.

#### **How to “Shelter-in-Place”**

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
  - An interior room;



- Above ground level; and
  - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms maybe necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.
  4. Turn off air conditioners, heaters, and fans.
  5. Close vents to ventilation systems as you are able. (College staff will turn off the ventilation as quickly as possible.)
  6. Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list in to [CPSA] so they know where you are sheltering. If only students are present, one of the students should call in the list.
  7. Turn on a radio or TV and listen for further instructions.
  8. Make yourself comfortable.

### Immediate Notification

In the event of an emergency, ACC will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the ACC community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, associates, and visitors. Immediate notification for incidents that may pose an immediate threat to health and safety will be made unless issuing a notification will, in the professional judgment of responsible authorities and considering the safety of the ACC community, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The ACC Safety and Security Department is responsible for responding to reported emergencies and confirming the existence of an emergency, sometimes in conjunction with ACC administrators, local first responders, and/or the National Weather Service, that may warrant the distribution of an immediate notification to the some or all members of the ACC community.

The following officials have been designated the authority to authorize emergency/immediate notifications to provide alert, warning and safety or protection instructions:

- Chief Executive Officer
- Chief Operating Officer
- Vice President of Facilities, Real Estate and Asset Management
- Executive Director, Safety and Security

These positions will be collectively referred to as “Responsible Authorities” for immediate notification purposes. In reference to any of these positions, in the absence of the referenced individual, their designee will have the authority. These positions will typically be responsible for developing the content and distributing the notifications as described.

If the emergency is limited to a particular segment or segments of the campus, the Executive Director, Safety and Security or the Global Security Operations Center (GSOC) faculty will typically determine the segment or segments of the community to receive the immediate notification.

Notification will be made through use of the Mass Notification System (MNS) that contains capabilities for telephone alerts, text message alerts and email notification. In addition, ACC may also use the following methods of communication: public address systems (where available), fire alarm system, social media, local media, webpage and/or in person communication. Students, faculty, and associates contact information will automatically be entered into LiveSafe. LiveSafe is also a downloadable application, which can be found in each phone’s application store. Students and associates have the option to create their own account with their ACC email address in order to access the additional features LiveSafe offers.



If any these systems fail or ACC deems it appropriate, in person communication may be used to communicate an emergency.

### Immediate Notification Activation Procedures

The Immediate Notification emergency notification system will be initiated once the Executive Director, Safety and Security or designee, in conjunction with other College Administrators, local first responders, Public Health Officials and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an imminent threat or danger to some or all members of the American Career College community. The Executive Director, Safety and Security will develop the content of the notification and can initiate Immediate Notifications for single or multiple campuses and the appropriate segment(s) of the community (i.e. faculty, associates or students).

American Career College will, without delay and taking into account the safety of the community, determine the content of all Immediate Notifications messages based upon the nature, severity, and duration of each emergency and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: the Executive Director, Safety and Security or the Global Security Operations Center (GSOC), Local PD, and/or the Local Fire and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

### Immediate Notification Message Content

American Career College will determine the content of all Immediate Notifications messages based upon the nature, severity, and duration of each emergency. The Immediate Notifications system contains pre-approved and pre-written templates that are available for immediate use when activating the system.

### Immediate Notification Testing Procedures

The Immediate Notification system is tested quarterly and involves sending a text message to every subscriber and every registered device. The message is initiated using Immediate Notification procedures and the tests are documented.

At least once a year, ACC will conduct an announced or unannounced test designed to assess the emergency plans and capabilities of the campus, provide feedback to judge capabilities and limitations of the emergency plan and include at minimum drills, exercises, and follow through activities. The annual test is designed and implemented to meet Clery regulations and intended to keep the faculty, associates and students informed about threats to their safety and health in a manner that allows them to protect themselves.

### Crisis Communication to the American Career College Community

Notifications will be made by using some or all of the following methods depending on the type of emergency:

- Mass Notification System (MNS) that contains capabilities for telephone alerts, text message alerts and email notification
- Public address system (where available)
- Fire alarm system
- Local media
- Webpage
- In person communication

Depending on the circumstances of the incident, and in particular, situations that pose an immediate threat to the community, the Executive Director, Safety and Security may choose to place information on the following website:

<http://americancareercollege.edu/general/safety-security.html>



In such instances, a copy of the notice may also be posted at each entry door at affected campuses.

This emergency notification requirement does not replace the timely warning requirement. They differ in that the Timely Warning applies only to Clery reportable crimes, while the mass notification requirement addresses a much wider range of threats (i.e., gas leaks, tornadoes, contagious viruses, etc.).

An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances but must provide adequate follow up information to the community as needed. Follow-up information will be provided by using some or all of the methods listed in this section (except fire alarms).

The larger community, such as neighbors, parents, etc. can receive information about emergencies on campus via the website or local/national media.

## CRIME DISCLOSURES AND STATISTICS

### Crime Disclosures

This report contains the disclosure of crime occurrences within ACC Clery Geography for the three most recent calendar years. The most recent report, dated December 31, 2020, contains crime occurrences from 2017, 2018, and 2019 and includes the number of crime occurrences in the following categories:

- Murder/Non-Negligent Manslaughter
- Manslaughter by Negligence
- Rape
- Fondling
- Incest
- Statutory Rape
- Domestic Violence
- Dating Violence
- Stalking
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Hate crimes, including simple assault, larceny-theft, intimidation, destruction/damage vandalism of property
- Separately, by category of prejudice, each crime listed above and any crime involving bodily injury reported to the local police agencies or to a campus security authority that shows evidence of prejudice based on race, gender, religion, sexual orientation, ethnicity, national origin, gender identity, or disability
- Arrests for violations of liquor and drug law violations, and illegal weapons possession; and
- Persons not arrested but referred for campus disciplinary action for liquor, drug, and weapons law violations

### ACC Clery Geography

#### ON CAMPUS

As defined by the Clery Act (U.S. Department of Education, Office of Postsecondary Education, 2011, p. 12):

- Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and
- Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

#### NON-CAMPUS

As defined by the Clery Act (U.S. Department of Education, Office of Postsecondary Education, 2011, p. 25):

- Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
- Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.



## **PUBLIC PROPERTY**

As defined by the Clery Act (U.S. Department of Education, Office of Postsecondary Education, 2011, p. 12, p.19):

- Public property immediately adjacent to, within, or surrounding one's on campus geography.

American Career College defined Clery Geography can be found as an attachment to this document.

## **Crime Statistics**

Although improvements to safety and security are evaluated, modified, and/or changed to adjust to changing criminal behavior, crime can periodically increase. Students, faculty, and associates are reminded that crime reduction is a shared responsibility. Crime Prevention measures taken by faculty, students and associates can significantly reduce criminal activity. Students, faculty, and associates are reminded to be alert, report suspicious persons and avoid behavior such as leaving property unattended or leaving valuables in plain sight in parked vehicles. Always feel comfortable knowing that the College will follow through on all reported incidents.

## **Procedures for Preparing the Annual Disclosure of Crime Statistics**

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the ACC community obtained from the following sources:

- Global Security Operations Center (GSOC)
- Los Angeles County Sheriff
- Los Angeles Police Department
- Anaheim Police Department
- Orange County Sheriff
- Ontario Police Department
- San Bernardino County Sheriff
- California Highway Patrol
- Campus Security Authorities

For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. A written request for statistical information is made on an annual basis to all Campus Security Authorities (as defined by federal law). The information is gathered from all of these sources by the Global Security Operations Center (GSOC).

All of the statistics are gathered, compiled, and reported to the College community in the Annual Security Report which is published by ACC. ACC submits the annual crime statistics published in the Annual Security Report to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website.



## VAWA CRIME DEFINITIONS

There are numerous terms used by American Career College in this policy as defined by the Violence Against Women Act of 2013 (VAWA). These definitions may differ from those used by the State of California to define sexual assault for the criminal justice system. In some cases, the College's definitions include behaviors that, while not codified as criminal under the California statutes, still violate the standards of conduct to which all American Career College faculty, associates and students are held. These terms are defined below.

In some cases, the College's definitions include behaviors that, while not codified as criminal under California, still violate the standards of conduct to which all ACC faculty, associates and students are held. Conduct may also be both punishable under the criminal statutes and college policy. These processes are separate and distinct from one another, however, but can run concurrently.

The codification of Criminal Sexual Assault is located in Ca. Code § 261 through 269 and can be accessed on the Code of California website at:

[http://leginfo.legislature.ca.gov/faces/codes\\_displayText.xhtml?chapter=1.&part=1.&lawCode=PEN&title=9](http://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?chapter=1.&part=1.&lawCode=PEN&title=9)

See also Ca. Code § 261.5 for the age of consent under California law:

[https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=PEN&sectionNum=261.5](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN&sectionNum=261.5)

### **Sexual Assault**

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Clery Act Sex Offense Definitions that fall within the definition of "sexual assault" under the Clery Act.

### **Rape**

The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator.

### **Fondling**

The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

### **Incest**

Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law

### **Statutory Rape**

Sexual intercourse with a person who is under the statutory age of consent. Statutory rape is prosecuted under each state's rape, carnal knowledge, and juvenile delinquency laws. Penalties depend on the ages of the defendant and victim, and the conduct that occurred, as described below.

NOTE: As of 2013 crime statistics, the rape definition is based on the Uniform Crime Reporting Handbook 2004 (Summary

Reporting Statistics). The remaining Sex Offenses Definitions are from the National Incident-Based-Reporting System Edition of the Uniform Crime Reporting Program.

### **Domestic Violence**

The term “domestic violence” is defined as a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### **Dating Violence**

Dating violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition:

- A) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- B) Dating violence does not include acts covered under the definition of domestic violence.

For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### **Stalking**

Defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition:

- Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim
- For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### **California State Law Definitions (California Penal Code):**

#### **Consent (Section 261.6)**

Consent is defined to mean positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved. A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue.

There are three categories of sexual assaults – rape, statutory rape, and sexual battery.

#### **Rape (Section 2617)**

- (a) Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:
  - (1) Where a person is incapable, because of a mental disorder or developmental or physical disability, of



giving legal consent, and this is known or reasonably should be known to the person committing the act. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent.

- (2) Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.
- (3) Where a person prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused.
- (4) Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets any one of the following conditions:
  - i. Was unconscious or asleep
  - ii. Was not aware, knowing, perceiving, or cognizant that the act occurred.
  - iii. Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.
  - iv. Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.
- (5) Where a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief.
- (6) Where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death
- (7) Where the act
  - (a) is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.
  - (b) used in this section, "duress" means direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and his or her relationship to the defendant, or factors to consider in appraising the existence of duress.
  - (c) As used in this section, "menace" means any threat, declaration, or act which shows an intention to inflict an injury upon another.

#### Statutory Rape (Section 261.5)

Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator if the person is a minor. For the purpose of this section, a "minor" is a person under the age of 18 years and an "adult" is a person who is at least 18 years of age.

#### Sexual battery (section 243.4)

Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an

accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery. It includes persons institutionalized for medical treatment and seriously disabled or medically incapacitated.

Incest: (section 285)

Persons being within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who intermarry with each other, or who being 14 years of age or older, commit fornication or adultery with each other, are punishable by imprisonment in the state prison.

Domestic Violence (Section 243(e))

Domestic violence means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. For purposes of this subdivision, "cohabitant" means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to:

- (1) sexual relations between the parties while sharing the same living quarters,
- (2) sharing of income or expenses,
- (3) joint use or ownership of property,
- (4) whether the parties hold themselves out as husband and wife,
- (5) the continuity of the relationship, and
- (6) the length of the relationship.

Dating Violence: California covers dating violence under domestic violence statutes.

Stalking (section 646.910)

Any person who willfully, maliciously, and repeatedly follows or harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, of his or her immediate family.

Other Definitions:

**ACC Consent Definition**

In the State of California, in order for individuals to engage in sexual activity of any type with each other, there must be affirmative consent prior to and during sexual activity. Affirmative consent is defined as affirmative, conscious, and voluntary agreement to engage in sexual activity. To obtain consent, a clear, "yes" is necessary. Consent cannot be inferred from the absence of a "no." Non-verbal consent is not as clear as talking about what an individual wants or does not want sexually. Consent can be revoked at any time and the existence of a dating or marital relationship between the parties in no way infers consent.

Consent cannot be inferred through silence or lack of resistance. Consent to one activity does not constitute consent to other sexual acts. Past sexual activity does not constitute consent for future acts. If at any time consent is uncertain, the initiating party should stop and obtain verbal consent. Consent can be withdrawn at any time. The use of any force display of force, coercion, or intimidation negates consent. Consent is also not present if someone is incapacitated by alcohol, illegal drugs, or over the counter medication.

Individuals who are incapacitated may not legally give consent to sexual activity. Incapacitation includes, but is not limited to, being highly intoxicated, passed out, or asleep. A person who is incapacitated for purposes of this policy is one who is not legally able to give consent because they are mentally or physically helpless. "Mentally helpless" is when a person suffers



from a mental illness or a condition (like being passed out, asleep, or highly impaired) that renders them incapable of understanding the nature of their conduct or rendering their own self-care. “Physically helpless” means a person has restriction of movement, either temporarily or permanently.

When incapacitation occurs due to alcohol or drug use, indicators of incapacitation may include the following:

- Slurred speech
- Bloodshot or unfocused eyes
- Unsteady gait; needing assistance to walk/stand
- Vomiting
- Outrageous or unusual behavior
- Concern expressed by others about the individual Expressed memory loss or disorientation

### **Impairment**

The state of being diminished or weakened due to the consumption of a substance

### **FERPA**

Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 C.F.R. Part 99 Force Using physical, threat, intimidation or coercion actions

### **Force**

Using physical, threat, intimidation, or coercion actions

### **Physical**

Hitting, pushing, holding, pinching, leaning on, obstructing exit, carrying away. Also includes use or display of any weapon.

### **Coercion**

Undue amount of pressure

### **Threat**

An overt threat

### **Intimidation**

An implied threat

### **Incapacitation**

The physical and/or mental inability to make informed, rational judgments. States of incapacitation include, without limitation, sleep, blackouts, and flashbacks. Where alcohol is involved, one does not have to be intoxicated or drunk to be considered incapacitated. Rather, incapacitation is determined by how the alcohol consumed impacts a person’s decision-making capacity, awareness of consequences, and ability to make informed judgments.

### **Sexual Harassment**

Any conduct, including physical contact, advances, and comments in person and/or via phone, text message, email, or other electronic medium, that is (1) unwelcome; (2) based on sex or gender stereotypes; and (3) is so severe or pervasive that it unreasonably interferes with a person’s academic performance or equal opportunity to participate in or benefit from College programs or activities. Sexual Harassment may include, depending upon the facts, persistent and unwelcome efforts to

develop a romantic or sexual relationship; persistent and unwelcome commentary about an individual's body or sexual activities; threatening to engage in the commission of a sexual act with another person; stalking or cyberstalking; and engaging in indecent exposure. Title IX and this Policy prohibit gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex- stereotyping, even if those acts do not involve conduct of a sexual nature.

### **Fondling**

The touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity

### **Sexual Contact**

The deliberate touching of a person's intimate parts (including genitalia, groin, breast or buttocks, or clothing covering any of those areas), or using force to cause a person to touch his or her own or another person's intimate parts

### **Sexual Intercourse**

Penetration (anal, oral, or vaginal) by a penis, tongue, finger, or an inanimate object

### **Family or household member**

Defined as:

- The person's spouse, whether or not he or she resides in the same home with the person
- The person's former spouse, whether or not he or she resides in the same home with the person
- The person's parents, stepparents, children, stepchildren, brothers, sisters, half-brothers, half- sisters, grandparents, and grandchildren, regardless of whether such persons reside in the same home with the person
- The person's mother-in-law, father-in-law, sons-in-law, daughters-in-law, brothers-in-law, and sisters-in-law who reside in the same home with the person
- Any individual who has a child in common with the person, whether or not the person and that individual have been married or have resided together at any time
- Any individual who cohabits or who, within the previous 12 months, cohabited with the person, and any children of either of them then residing in the same home with the person

### **Preponderance of the evidence**

The complaint at hand will be resolved by a determination of which party's version of events is more likely to be true. Preponderance of the evidence is understood to require more than 50 percent certainty to determine guilt (51% or greater).

### **Retaliation**

Reprisal, interference, restraint, penalty, discrimination, intimidation, or harassment, determined in accordance with applicable legal standards

These definitions may differ from those used by the State of California to define sexual assault for the criminal justice system. In some cases, the Colleges' definitions include behaviors that, while not codified as a criminal under the California statute, still violate the standards of conduct to which all ACC faculty, associates and students are held. Conduct may also be both punishable under the criminal statutes and college policy. These processes are separate and distinct from one another, however, but can run concurrently.

The codification of Criminal Sexual Assault is located in CA. Code §261 through 269 and can be accessed on the Code of



California website at:

[https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=261.&lawCode=PEN](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=261.&lawCode=PEN)

See Ca. Code §261.5 for the age of consent under California law:

[https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=PEN&sectionNum=261.5](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN&sectionNum=261.5)

## CLERY DEFINITIONS

The following definitions are used when classifying offenses for Clery Act purposes.

### Crimes

The following crime definitions are from the Uniform Crime Reporting Handbook 2004 (Summary Reporting Statistics):

#### **Murder/Non-Negligent Manslaughter**

The willful (non-negligent) killing of one human being by another. Deaths caused by negligence, attempts to kill, assaults to kill, suicides, incidental deaths, and justifiable homicides are excluded.

#### **Manslaughter by Negligence**

The killing of another person through gross negligence

#### **Robbery**

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

#### **Aggravated Assault**

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

#### **Burglary**

The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

#### **Motor Vehicle Theft**

The theft or attempted theft of a motor vehicle (classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned - including joy riding.)

#### **Arson**

The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind.

#### **Sexual Assault**

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.



## Clery Act Sex Offenses Definitions that fall within the definition of “sexual assault” under the Clery Act

### **Rape**

Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator.

### **Fondling**

The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

### **Incest**

Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

### **Statutory Rape**

Sexual intercourse with a person who is under the statutory age of consent.

NOTE: As of 2013 crime statistics, the rape definition is based on the Uniform Crime Reporting Handbook 2004 (Summary Reporting Statistics). The remaining Sex Offenses Definitions are from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program.

## **Arrests and Referrals for Discipline for Violations of Liquor, Drug, and Weapons Laws**

### **Weapon Law Violations**

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

### **Drug Abuse Violations**

Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, Methadone); and dangerous non-narcotic drugs (Barbiturates, Benzedrine).

### **Liquor Law Violations**

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

## **Hate Crimes**

American Career College is also required to report statistics for hate (bias) related crimes by the type of bias as defined below for the following classifications: murder/non-negligent manslaughter, manslaughter by negligence, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson (see definitions above) and larceny, vandalism, intimidation, and simple assault (see definitions below).



**Larceny**

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

**Vandalism**

To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

**Intimidation**

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

**Simple Assault**

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



## CLERY CRIME STATISTICS

### Orange County

CLERY CRIME STATISTICS ACC Orange County   1200 N. Magnolia Avenue, 2411 and 2461 W. La Palma Avenue, Anaheim, CA 92801				
Offense	Year	On-Campus Property	Non-Campus Property	Public Property
MURDER/NON-NEGLIGENT MANSLAUGHTER	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
RAPE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
FONDLING	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
INCEST	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
STATUTORY RAPE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
DOMESTIC VIOLENCE	2019	0	0	0
	2018	0	0	0
	2017	1	0	0
DATING VIOLENCE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
STALKING	2019	1	0	0
	2018	0	0	0
	2017	0	0	0
ROBBERY	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
AGGRAVATED ASSAULT	2019	0	0	0
	2018	0	0	0
	2017	1	0	0

BURGLARY	2019	1	0	0
	2018	0	0	0
	2017	0	0	0
MOTOR VEHICLE THEFT	2019	1	0	0
	2018	1	0	0
	2017	0	0	0
ARSON	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
ARRESTS: WEAPONS, CARRYING, POSSESSING, ETC.	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	0	0	0
	2018	4	0	0
	2017	0	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	0	0
	2018	2	0	0
	2017	0	0	0
DISCIPLINARY REFERRALS: WEAPONS, CARRYING, POSSESSING, ETC.	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	2	0	0
	2018	1	0	0
	2017	0	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	0	0
	2018	1	0	0
	2017	1	0	0

\*American Career College had no hate crimes reported in 2017, 2018, and 2019 on this campus.

\*\* American Career College does not maintain residential facilities.

\*\*\* American Career College Orange County Campus had no unfounded crimes in 2017, 2018, and 2019.



## Los Angeles

CLERY CRIME STATISTICS ACC Los Angeles   4021 Rosewood Avenue, Los Angeles, CA 90004				
Offense	Year	On-Campus Property	Non-Campus Property	Public Property
MURDER/NON-NEGLIGENT MANSLAUGHTER	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
RAPE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
FONDLING	2019	0	0	0
	2018	0	0	0
	2017	1	0	0
INCEST	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
STATUTORY RAPE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
DOMESTIC VIOLENCE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
DATING VIOLENCE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
STALKING	2019	0	0	0
	2018	1	0	0
	2017	0	0	0
ROBBERY	2019	0	0	0
	2018	0	0	0
	2017	0	0	1
AGGRAVATED ASSAULT	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
BURGLARY	2019	0	0	0
	2018	0	0	0
	2017	0	0	0

MOTOR VEHICLE THEFT	2019	1	0	0
	2018	0	0	0
	2017	0	0	1
ARSON	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
ARRESTS: WEAPONS, CARRYING, POSSESSING, ETC.	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
DISCIPLINARY REFERRALS: WEAPONS, CARRYING, POSSESSING, ETC.	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	0	0
	2018	2	0	0
	2017	1	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	0	0
	2018	5	0	0
	2017	1	0	0

\*American Career College had no hate crimes reported in 2017, 2018, and 2019 on this campus.

\*\* American Career College does not maintain residential facilities.

\*\*\* American Career College Los Angeles Campus had no unfounded crimes in 2017, 2018, and 2019.

## Ontario

CLERY CRIME STATISTICS ACC Ontario   3130 E. Sedona Court, Ontario, CA 91764				
Offense	Year	On-Campus Property	Non-Campus Property	Public Property
MURDER/NON-NEGLIGENT MANSLAUGHTER	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
RAPE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
FONDLING	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
INCEST	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
STATUTORY RAPE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
DOMESTIC VIOLENCE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
DATING VIOLENCE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
STALKING	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
ROBBERY	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
AGGRAVATED ASSAULT	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
BURGLARY	2019	0	0	0
	2018	0	0	0
	2017	0	0	0

MOTOR VEHICLE THEFT	2019	0	0	0
	2018	0	0	0
	2017	1	0	0
ARSON	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
ARRESTS: WEAPONS, CARRYING, POSSESSING, ETC.	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	0	0	0
	2018	1	0	0
	2017	1	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
DISCIPLINARY REFERRALS: WEAPONS, CARRYING, POSSESSING, ETC.	2019	0	0	0
	2018	2	0	0
	2017	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	0	0
	2018	1	0	0
	2017	0	0	0

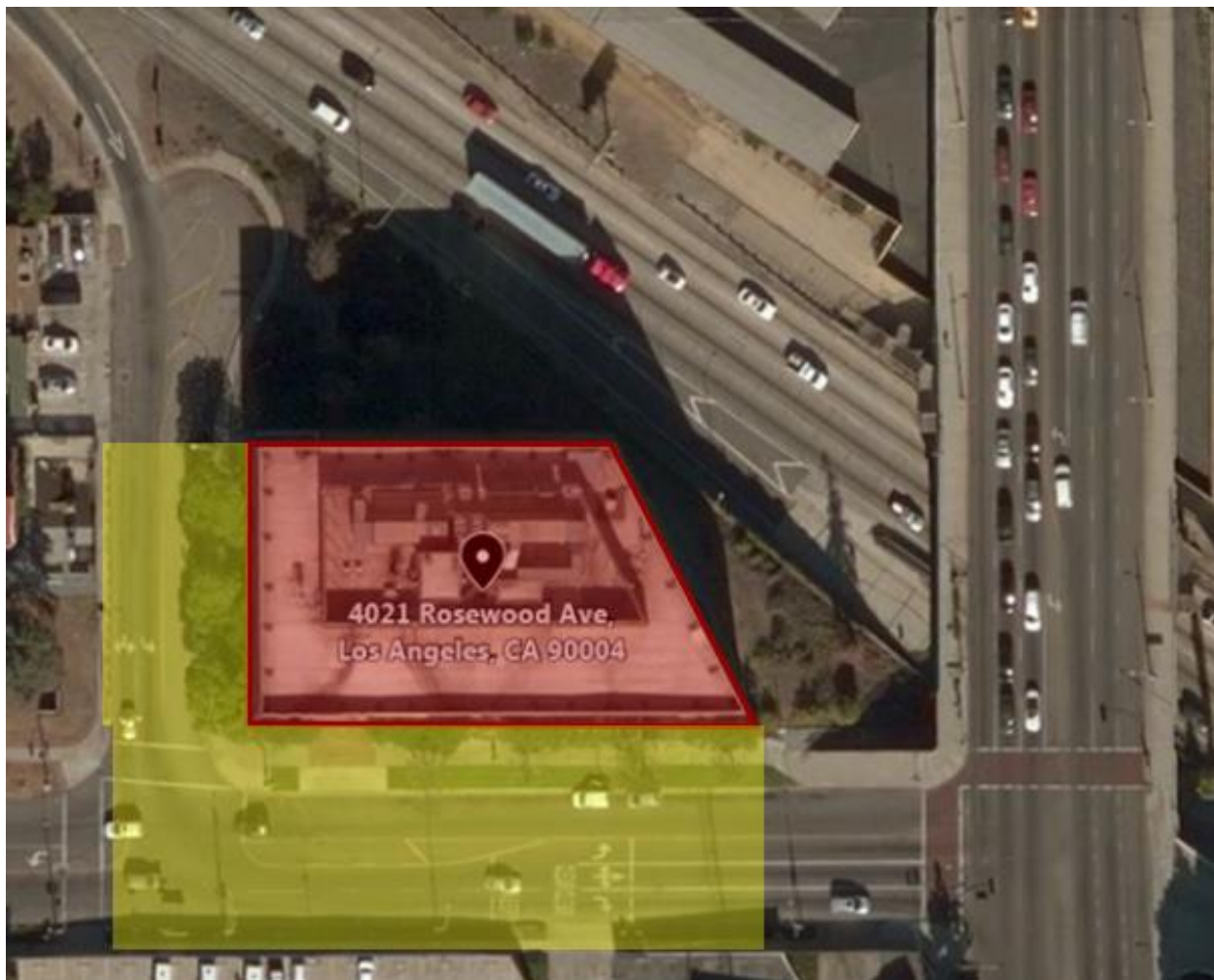
\*American Career College had no hate crimes reported in 2017, 2018, and 2019 on this campus.

\*\* American Career College does not maintain residential facilities.

\*\*\* American Career College Ontario Campus had no unfounded crimes in 2017, 2018, and 2019.



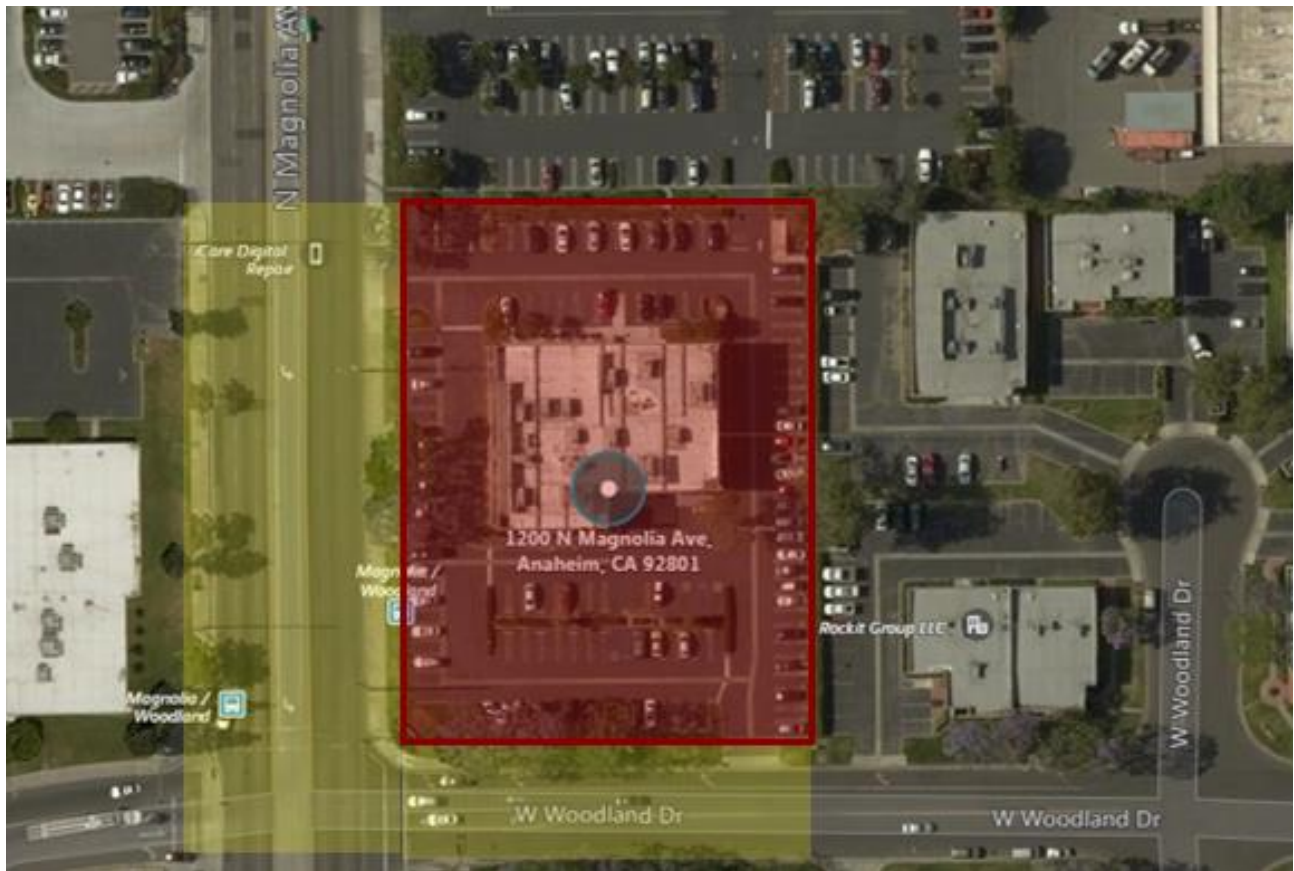
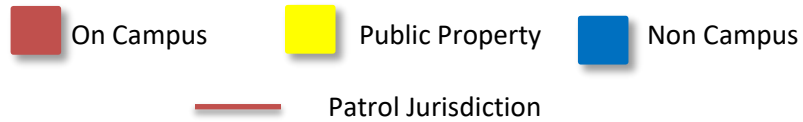
## ACC LA - 4021 Rosewood Avenue, Los Angeles, CA 90004



## ACC LA - 551 N. New Hampshire Avenue, Los Angeles, CA 90004 (Patrol Jurisdiction)

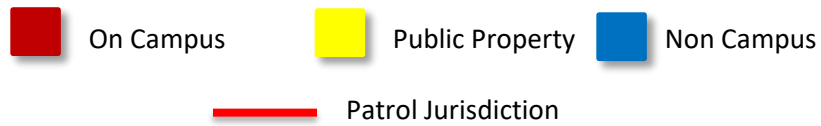


## ACC OC - 1200 N Magnolia Ave, Anaheim, CA 92801

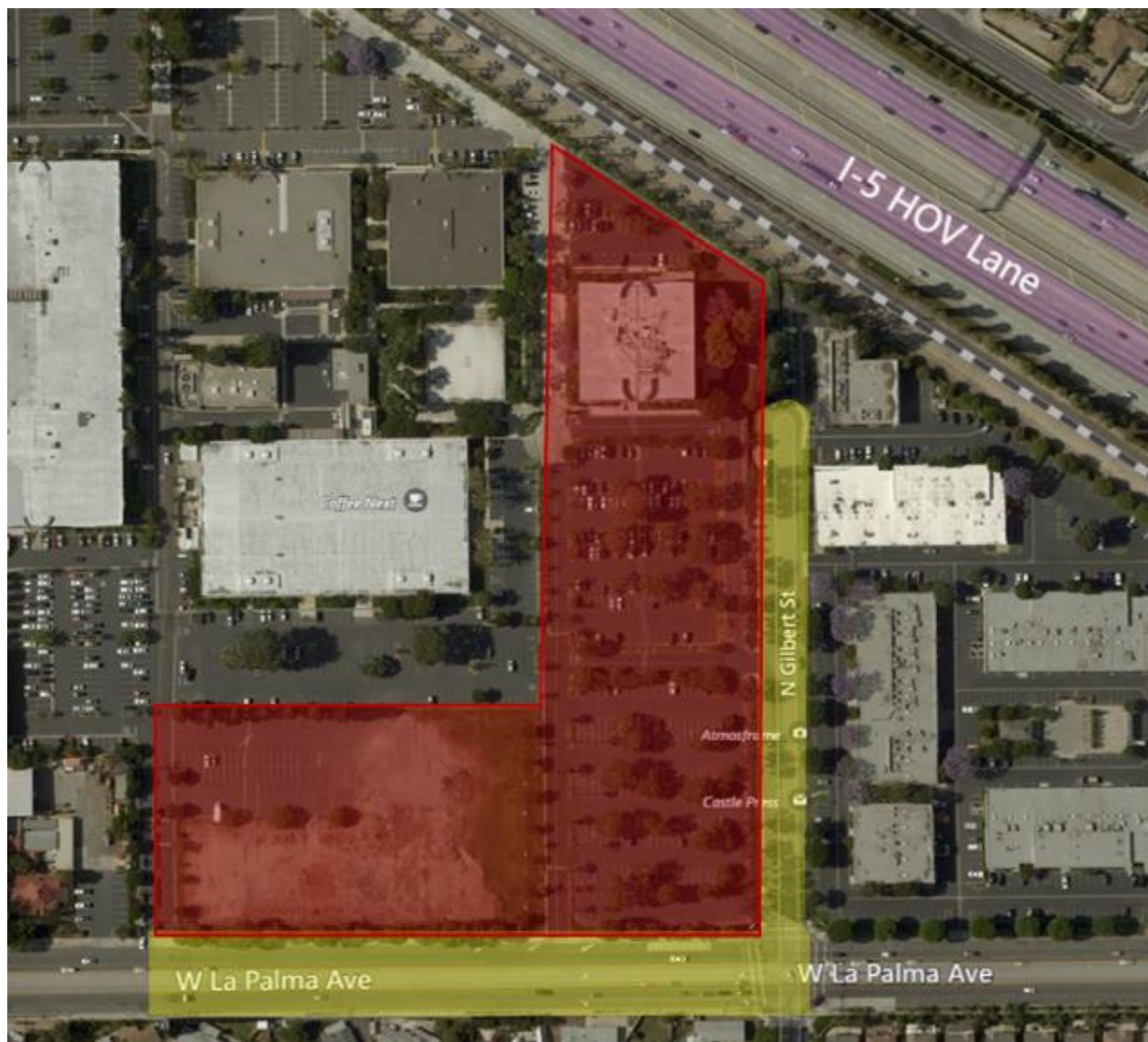
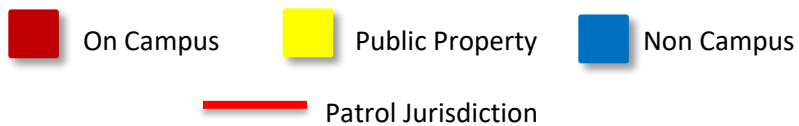




ACC OC - 2461 W. La Palma Ave, Anaheim, CA 92801



## 2411 W. La Palma Ave., Anaheim, CA 92801





## ACC ONT - 3130 E. Sedona Ct, Ontario, CA 91764

