2026 HOUSTON CAREER INSTITUTE
ANNUAL SAFETY AND SECURITY REPORT
Including Clery Act Disclosures of Campus Security Policy and Crime Statistics
(Houston, Texas)

Including Calendar Year 2023, 2024 and 2025 Crime Statistics

To maintain compliance with Jeanne Clery Campus Safety Act ("Clery Act") and related Higher Education Act ("HEA") requirements, and in an effort to continuously promote and improve safety and security measures on campus, Houston Career Institute ("HCI") collects and publishes information regarding its current safety and security policies, victim services and crime statistics. Once collected, the information is presented annually in this Annual Safety and Security Report ("Report") to prospective and current students, faculty, staff and the public. **Any questions about this Report should be directed to the HCI Campus Director, Keith Cravens at (713) 568-0247, kcravens@houstoncareerinstitute.com, 9700 Bissonnet, St #1400, Houston, TX 77036.**

I. COMPLETION AND DISSEMINATION OF THE REPORT

Prior to October 1 of each year, HCI compiles this Report based on crime, arrest and referral information obtained from local law enforcement agencies and as reported to Campus Director Keith Cravens, who also serves as the Title IX Coordinator and Campus Security Authority. Keith Cravens can be reached at **(713) 568-0247, kcravens@houstoncareerinstitute.com, 9700 Bissonnet, St #1400, Houston, TX 77036.** All crime statistics contained in this Report are for Clery Act reportable crimes occurring on HCI's campus, as defined by 34 C.F.R. § 668.46(a), and on public property, including thoroughfares, streets, sidewalks, and parking facilities, within the campus or immediately adjacent to or accessible from the campus. HCI's physical campus includes approximately 60,000 square feet of dedicated space within a building shared by several businesses, located at **9700 Bissonnet, St #1400, Houston, TX 77036,** and the surrounding parking lot shared by all of the businesses**.** The Report also includes HCI's current policies required pursuant to the current version of 34 C.F.R. § 668.46 and the Jeanne Clery Campus Safety Act (Clery Act), as amended by the Violence Against Women Reauthorization Act of 2013 (VAWA), Pub. Law 113-4.

HCI annually (prior to October 1 of each year) distributes this Report, inclusive of crime statistics, campus policies, and grievance procedures, and/or provides a notification to all enrolled students and current employees that the current version of the Report has been posted to https://houstoncareerinstitute.edu/consumer-information/ and that a paper copy of the Report will be provided at no cost upon request. Distribution methods for the Report and/or the notification include classroom/office distribution, U.S. Postal Service delivery, and/or electronic mail or text. The Admissions Department provides written notice to all prospective students prior to enrollment regarding the availability and location of the Report. The Human Resources Department provides all prospective employees with information regarding the availability and location of the Report. All prospective employees may receive a copy of the Report by calling the Campus Director. In addition, a copy of the current Report is available to the public on HCI's website at https://houstoncareerinstitute.edu/consumer-information/. The crime statistics contained in this Report, as reported annually to the U.S. Secretary of Education, can also be viewed by searching under HCI's name in the Department of Education's Campus Safety and Security Data located at https://ope.ed.gov/campussafety/#/.

II. POLICIES FOR REPORTING AND RESPONDING TO CRIME AND EMERGENCIES

A. STUDENT, FACULTY AND STAFF REPORTING PROCEDURES

1. Reporting Emergencies

"Emergency" includes any dangerous situation involving immediate threat to the health or safety of students, faculty, staff or guests occurring on or near the campus, including fire. Upon observing or involvement in any type of emergency, students, faculty, staff and guests should immediately **call 911**. If possible, information about the emergency should also be communicated immediately to the Campus Director, Keith Cravens, who can be reached at **(713) 568-0247, kcravens@houstoncareerinstitute.com, 9700 Bissonnet, St #1400, Houston, TX 77036** and/or to other available HCI staff for purposes of expediting HCI's Emergency Response and Evaluation Procedures as set forth in Section II.B.3 of this Report.

2. Reporting Crimes

Crimes occurring on campus or in areas immediately adjacent to or accessible from the campus (as defined above) should be reported by students, faculty and staff to the Campus Director or his/her designee. The categories of crimes that are tracked in the crime statistics published in the Annual Security Report: criminal homicide, murder and non-negligent manslaughter, manslaughter by negligence, rape, fondling, incest, statutory rape, dating violence, domestic violence, stalking, hate crimes, robbery, aggravated assault, burglary, motor vehicle theft, arson, drug and alcohol violations, illegal weapons possession, and hazing. Incidents involving sexual harassment or a sexual offense should be reported to the Campus Director, serving in the capacity of the Title IX Coordinator. Where there is any question about whether an incident is a crime, a report should be made to the Campus Director or his/her designee for assistance in determining the nature of the incident. Witnesses or victims of crimes may report crimes on a voluntary, confidential basis for inclusion in HCI's annual crime statistics reporting by contacting the Campus Director.

Upon observing or involvement in any type of crime on campus or on public property, including thoroughfares, streets, sidewalks, and parking facilities, within the campus or immediately adjacent to or accessible from the campus:

- ***A student should immediately notify the Campus Director or nearest available HCI staff member. All HCI faculty and staff are trained to notify the Campus Director or his/her designee immediately of all crimes reported to them by students.***
- ***Faculty and staff should immediately notify the Campus Director or his/her designee.***

HCI strongly encourages individuals to report all crimes in an accurate and timely manner to local law enforcement agencies or campus authorities. Upon written request, HCI will disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by HCI against a student who is accused of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

B. INSTITUTIONAL RESPONSE PROCEDURES

1. Response to Reports of Crime or Emergency

Upon receipt of a report of a crime or emergency, the Campus Director or his/her designee will:

- Immediately assess, based on his/her own judgment or after consultation with other HCI officials as needed, whether the situation warrants contacting 911 and/or following the emergency response and evacuation procedures contained in Section II.B.3 of this Report.
- Immediately assess, based on his/her own judgment and/or after consultation with other HCI officials and/or the local police, whether a "timely warning" to the campus community should be issued pursuant to the Timely Warning Policy in Section II.B.2 of this Report.
- With regard to a reported incident that is or may be sexual harassment or sexual offenses, the Campus Title IX Coordinator will also evaluate and respond to the reported sex offense in accordance with HCI's Sexual Harassment Policies and Procedures contained in HCI's Title IX policy.

- For all reported crimes, the Campus Director or his/her designee will, within 24 hours of notification of the incident, document all then-available and relevant information including the date, time, location, and description of the incident for purposes of maintaining an accurate record of events and compiling this annual Report. Documentation will be updated as more information becomes available.

2. Timely Warning of Reported Crime

All decisions concerning the issuance of a campus wide "timely warning" will be made on case-by-case basis. In the event that HCI receives notice of a crime reportable pursuant to the Clery Act, either on campus or on public property within the campus or immediately adjacent to or accessible from the campus, that, in the judgment of the Campus Director or his/her designee, constitutes an ongoing or continuing threat to students and employees, a timely warning will be issued as soon as pertinent information is available and/or confirmable. Depending on the particular circumstances of the crime/situation, especially in all situations that could pose an immediate threat to students and employees, HCI will post the timely warning via one or more of the following means of communication: classroom notification, email or text message, online notification, the HCI website, social media, and/or verbal or written notice. The specific mean(s) of communication used will be those determined to be the most effective at reaching the campus community quickly given the nature and timing of the warning, as determined by the Campus Director or his/her designee. The warning will withhold as confidential the names and other identifying information of the victims.

Anyone with information warranting a timely warning should report the circumstances to the Campus Director or his/her designee by phone at (713) 568-0247 or in person.

3. Emergency Response and Evacuation Procedures

In the event the building needs to be evacuated or locked down due to any emergency or any other dangerous situation involving an imminent threat to the health and safety of students and employees (an "Emergency"), HCI will initiate its emergency and evacuation procedures. Maps of the evacuation route have been posted in each office, common area and classroom. The Campus Director or his/her designee will, without delay, and taking into account the safety of students, faculty and staff, and guests, determine the content of the notification and initiate the notification process. The notification will not be initiated if, in his/her professional judgment, a notification will compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

HCI has developed a process to confirm that there is an Emergency, determine who to notify, determine the content of the notification, and initiate the notification process. The Campus Director or his/her designee will contact local law enforcement, campus personnel, and local news sources to obtain as much information as possible. Upon the confirmation of an Emergency, HCI will issue a warning via one or more of the following means of communication: classroom notification, email, text message, online notification, the HCI website, social media, other spoken or written verbal announcement, and/or other appropriate means to immediately inform individuals on campus of the need to evacuate and procedures to follow. As necessary, the Campus Director or his/her designee will contact specific sections of the campus and take steps to inform the larger community of the Emergency. The front desk personnel and Campus Director or his/her designee will notify the local police, fire or other appropriate first responder(s) to assist with the Emergency. When appropriate and practicable, the Campus Director or his/her designee will designate a staff member to alert neighboring businesses (those immediately adjacent to the campus) of the emergency via phone, text or other electronic means, or in person.

HCI publishes maps of the campus showing the school's emergency evacuation routes in every classroom and at other gathering places for students, faculty, and staff. The school tests the emergency response and evacuation procedures on at least an annual basis, including announced or unannounced tests. Additionally, the school tests its fire sprinklers and alarms on an annual basis.

III. SCHOOL CLOSURES OR DELAYS – NON-EMERGENCY

All decisions to close a campus or delay opening for any reason, including for a weather-related reason, will be made by the Campus Director or his/her designee after consultation with other HCI officials as appropriate. HCI will announce the decision and any related information as it deems appropriate given the circumstances, by email, text, online notification, the HCI website, social media, classroom notification, other spoken or written verbal announcement, and/or on local radio or TV stations on a timely basis for the day classes and for the evening classes respectively. Closings for day and evening classes may be announced separately. When school closings are excessive, or as determined by applicable law and regulations, make up classes may be required.

IV. POLICY STATEMENT ADDRESSING COUNSELORS AND COUNSELING SERVICES

There are no Pastoral or Professional Counselors on Campus. Crisis, mental health and victim resource hotline numbers are available from the Campus Director. Section IX of this policy addresses HCI's policies with respect to support services and confidentiality for victims of sexual violence.

V. ACCESS POLICY, SECURITY OF CAMPUS FACILITIES, AND SECURITY CONSIDERATIONS USED IN THE MAINTENANCE OF CAMPUS FACILITIES

HCI does not maintain residential facilities and does not have any officially recognized student organizations with noncampus locations. During business hours (8 am to 10:45 pm Monday-Thursday, 8 am to 5 pm Friday, and as may be scheduled on Saturday for labs) the campus building is accessible to staff, faculty and/or students via their school-issued badge. Visitors without a badge can only access the campus through the main entrance where front desk staff log their entry and control their access to the rest of the campus. During non-business only authorized campus and executive staff badges have access, as well as cleaning staff who are provided with a key and alarm code. For monitoring purposes, security cameras are posted throughout the campus for maximum coverage. Additional campus security measures include an alarm system, environmental sensors, and panic buttons for front desk staff. HCI evaluates its security policies regarding campus facilities annually.

VI. CAMPUS LAW ENFORCEMENT AND RELATED POLICIES

HCI does not employ security personnel or campus police and HCI employees have no authority to arrest or detain any individual. HCI does not have a written memorandum of understanding or other agreement with local police agencies. HCI faculty or staff will assist in notifying appropriate law enforcement authorities if a student requests assistance in contacting police. Students, faculty, and staff are encouraged to accurately and promptly report all crimes and public safety related incidents to the Campus Director as set forth in Section II.A of this Report and to notify local police when the victim of a crime elects to do so, or is unable to make such a report.

If you are a victim of or witness to a crime and do not want to pursue action through HCI's procedures or the criminal justice system, the School encourages you to consider reporting the incident to the Campus Director for the limited purpose of permitting HCI to include the incident in its crime statistic reporting without revealing your identity. With such information, HCI can keep an accurate record of the number of similar incidents, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. HCI will make its best efforts, to the extent permitted by law, to maintain the privacy of that information and to comply with the Family Educational Rights and Privacy Act of 1974 (FERPA). Police reports are public records under state law, and HCI cannot hold reports of crime obtained from police records in confidence. Policies with respect to victims of sexual violence are contained in Section IX of this Report. Policies pertaining to hazing are contained in Section X of this Report.

VII. SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS

During new student and new employee (faculty and staff) onboarding, students and employees are informed of HCI's safety and security practices and procedures, given this Report, and are encouraged to be responsible for their own security and the security of others. Such onboarding and trainings may include an informational handout, a Power Point presentation, and/or review of the policies contained in this Report and in the school catalog.

Campus crime statistics for the previous three calendar years are also disclosed on an annual basis within this Annual Security Report. The topics of crime prevention and security awareness as they relate to preventing and responding to sexual harassment/violence (specifically, bystander intervention and risk reduction strategies), are also covered during onboarding.

VIII. POLICY ON POSSESSION, USE AND SALE OF ALCOHOLIC BEVERAGES AND ILLEGAL DRUGS

All HCI property has been designated "drug free" and the School is committed to full compliance with the Drug-Free Workplace Act and the Drug-Free Schools and Communities Act regulations as contained in 34 C.F.R. Part 86. HCI does not permit the sale, possession or consumption of alcoholic beverages on School property and adheres to and enforces all state underage drinking laws. A complete copy of HCI's six page Drug-Free Schools/Drug-Free Workplace Annual Disclosure containing its policy on possession, use and sale of alcoholic beverages and illegal drugs is included in both the School Catalog and on HCI's website at https://houstoncareerinstitute.edu/consumer-information/. At least on an annual basis, students, faculty and staff are provided with a copy of that policy. New students, faculty and staff are provided this information during their onboarding process. Annually students are provided this information by means of the current School Catalog, annual distribution with this Report, and material posted on campus. Current faculty and staff are provided this information with a copy of this Report.

The consumption and/or possession of any alcoholic beverage by any person younger than 21 years of age is forbidden as provided by state law. HCI prohibits the use, possession, manufacture, sale or distribution by its students, faculty and staff of any illegal drug. This includes all forms of marijuana and synthetic marijuana, regardless of the legality of either substance. A state's legalization of marijuana and/or the possession of a legitimate medical marijuana card are not accepted as exceptions to this policy. Under federal law marijuana remains classified as a Schedule I drug and its possession and use by any individual, regardless of age, are prohibited. Students, faculty and staff are reminded that unlawful possession, distribution or use of alcohol or illegal drugs may subject individuals to criminal prosecution. HCI may refer violation of prescribed conduct to the appropriate authorities for prosecution in connection with federal and state laws.

IX. POLICY REGARDING SEXUAL HARASSMENT AND SEX OFFENSES

HCI policy prohibits harassment or discrimination based on race, religion, creed, national origin, ethnicity, ancestry, color, sex, military or veteran status, physical or mental disability, mental condition, marital status, age, sexual orientation, gender, gender identity or expression, genetic information or any other basis protected by federal, state or local law. Additionally, in accordance with Title IX of the Education Amendments of 1972, the School prohibits discrimination based on sex, which includes sexual harassment and sexual violence, and the Institution has jurisdiction over Title IX complaints. To the extent that an employee or contract worker is not satisfied with HCI's handling of a sexual harassment or discrimination complaint, he or she may also contact the appropriate state or federal enforcement agency for legal relief.

HCI is committed to creating and maintaining an educational climate that is free from all forms of sex discrimination, including sexual offenses of all types. Students, faculty and staff should be aware that discrimination and/or other harassment based on sex, gender identity or sexual orientation is unacceptable. HCI prohibits dating violence, domestic violence, sexual assault, and stalking as defined

below. To fulfill its educational mission, HCI has designated Keith Cravens, Campus Director, as its representative to coordinate HCI's compliance with Title IX of the Education Amendments of 1972, as amended, and the Clery Act. **Students, faculty or staff who feel that they have been the victim of sex harassment, sex discrimination, sexual violence or other sexual offenses should contact the Title IX Coordinator at (713) 568-0247, kcravens@houstoncareerinstitute.com, 9700 Bissonnet, St #1400, Houston, TX 77036, and follow the procedures outlined in this section (IX).** For grievances other than those related to Title IX, students should follow the procedure outlined in the Notice of Student Rights in the School Catalog.

Confidentiality

All proceedings and records concerning sexual harassment or sexual offense complaints shall be confidential to the extent permitted or required by law, even if the victim does not specifically request confidentiality. In coordination with HCI's executive management and its legal counsel, a victim's personally identifying information will not be included in any publicly available recordkeeping, including Clery Act reporting and disclosures such as this Annual Security Report. Memoranda describing any formal reprimand or disciplinary action for violating this policy will be placed in a student's permanent academic file and an employee's permanent personnel file. HCI will maintain as confidential any accommodations or protective measures provided to the victim; however, in some cases, HCI may need to disclose some information about a victim to a third party to provide necessary accommodations or protective measures. The determination of the need to disclose such information will be made by the Title IX Coordinator in coordination with HCI's legal counsel and the School's executives. The victim will be notified regarding which information will be shared, with whom it will be shared, and why, prior to HCI sharing the information.

When a victim ("Complainant") specifically requests confidentiality, the School will generally grant the request, and will make every reasonable effort to provide appropriate accommodations or protective measures to the Complainant and to conduct a meaningful investigation. However, the Complainant must understand that HCI's ability to meaningfully investigate the incident and pursue disciplinary action against the Respondent may be limited. In such cases and in cases a Complainant discloses an incident but requests that no formal investigation be conducted or disciplinary action taken, HCI will take the request seriously, but must weigh that request against its obligation to provide a safe and nondiscriminatory environment for all the entire campus community, including for the Complainant.

In determining whether to disclose a Complainant's identity or proceed to an investigation over the objection of the Complainant, the institution will consider whether any of the following apply:

1. There are multiple or prior reports of sexual misconduct against the Respondent.
2. The Respondent reportedly used a weapon, physical restraints, or engaged in battery.
3. The Respondent is a faculty or staff member with oversight of students.
4. There is a power imbalance between the Complainant and Respondent.
5. The Complainant believes that the Complainant will be less safe if the Complainant's name is disclosed or an investigation is conducted.
6. The institution is able to conduct a thorough investigation and obtain relevant evidence in the absence of the Complainant's cooperation.

If the School determines that it must disclose the Complainant's identity to the Respondent or proceed with an investigation, the Complainant will be notified prior to making this disclosure or initiating the investigation. Under these circumstances, the School will also take immediate steps to provide for the safety of the Complainant where appropriate. In the event the Complainant requests that the School inform the Respondent that the Complainant asked the School not to investigate or seek discipline, the School shall honor this request.

If the institution determines that it can honor the student's request for confidentiality, it shall still take reasonable steps to respond to the complaint, consistent with the request, to limit the effects of the alleged sexual harassment and prevent its recurrence without initiating formal action against the alleged

perpetrator or revealing the identity of the Complainant. These steps may include increased monitoring, supervision, or security at locations or activities where the alleged misconduct occurred; providing additional training and education materials for students and employees; or conducting climate surveys regarding sexual violence. The institution shall also take immediate steps to provide for the safety of the Complainant while keeping the Complainant's identity confidential as appropriate. These steps may include changing course schedules, assignments, or tests. The Complainant shall be notified that the steps the institution will take to respond to the complaint will be limited by the request for confidentiality.

No student, faculty or staff will be subjected to retaliation, threats, intimidation, coercion or otherwise discriminated against by members of the HCI community as a result of filing a Title IX report or grievance, or by serving as a witness or otherwise assisting in a Title IX grievance procedure. Anyone experiencing retaliation should report the incident to the Title IX Coordinator. Additionally, a Complainant or witness who participates in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of the institution's conduct policies at or near the time of the incident, unless the institution determines that the violation was egregious, including, but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic dishonesty.

Sexual Harassment and Sexual Offenses

Sexual harassment and other sexual offenses, including sexual assault, domestic violence, intimate partner violence, dating violence and stalking are prohibited by HCI and will not be tolerated. All members of the HCI community (students, faculty and staff) are encouraged to promptly and accurately report incidents of sexual harassment and sexual violence. This allows HCI to quickly respond to the allegations and offer immediate support to the victim. HCI is committed to protecting the confidentiality of victims, will work closely with individuals who wish to obtain confidential assistance regarding an incident of a sexual offense, and will maintain the privacy of information to the extent permitted or required by law. Allegations will be investigated promptly and thoroughly as provided by this policy, and both the victim and the Respondent will be afforded equitable rights during the investigative process. HCI will include information on crimes of sexual violence in its Clery Act Annual Security Report in a manner that protects the identity of the victim.

Any student or staff member who feels that he or she is the victim of sexual harassment or a sexual offense has the right to seek redress of the grievance pursuant to the HCI Title IX Policy. Substantiated accusations may result in disciplinary action against the offender, up to and including termination of the employee's employment or the student's enrollment. In addition, complainants who make accusations of sexual harassment or a sexual offense in bad faith may be subject to equivalent disciplinary action.

Key Definitions

a. For Clery Act campus crime reporting purposes, HCI uses the following definitions:

Sexual violence means physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. A number of acts fall into the category, including sexual assault or harassment based on sexual orientation, domestic violence, dating violence, and stalking. Alleged sexual violence against another may also constitute a crime resulting in an additional, independent law enforcement investigation falling outside of this Grievance Policy. These acts will not be tolerated at HCI as such acts are inappropriate and create an environment contrary to the goals and mission of HCI. Any such acts will be thoroughly investigated and will subject an individual to appropriate disciplinary sanctions and/or possible action by appropriate law enforcement agencies.

Sexual assault is defined as any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. Sexual assault includes any offense that meets the definition of rape, fondling, incest and statutory rape as used in the Federal

Bureau of Investigation's Uniform Crime Reporting[1] program and as set forth in Appendix A to Subpart D of Title 34 of the Code of Federal Regulations, Part 668, which defines each offense as follows:

> **Rape** is 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 offense includes the rape of both males and females.
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> **Fondling** is the touching of the private body parts of another person for the purpose 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.
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> **Incest** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
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> **Statutory Rape** is sexual intercourse with a person who is under the statutory age of consent.

Sexual assault is defined in the Texas Sexual Assault statute (Penal Code, Title 5, Chapter 22, Section 22.011) as: A person commits an offense if the person intentionally or knowingly (1) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent; (2) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or (3) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor. A person also commits an offense if, regardless of whether the person knows the age of the child at the time of the offense, the person intentionally or knowingly (1) causes the penetration of the anus or sexual organ of a child by any means; (2) causes the penetration of the mouth of a child by the sexual organ of the actor; (3) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; (4) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or (5) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.

Domestic violence means a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, a person with whom the victim shares a child in common, a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, a person similarly situated to a spouse of the victim under domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or any other person against an adult or youth victim who is protected from that person's act under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Texas does not define "Domestic Violence." However, Texas Family Code, Section 71.004 defines "Family Violence" as an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself. Texas Family Code, Title 4, Section 71.005 defines "household" as a unit composed of persons living together in the same dwelling, without regard to whether they are related to each other.

Dating violence means 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 following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the

[1] The FBI's UCR definitions are used to describe all crimes reported in the Clery Act Crime Statistics section of this Report.

relationship. Dating violence includes, but is not limited to, sexual or physical abuse or threat of such abuse, and dating violence does not include acts covered under the definition of domestic violence.

Dating Violence is defined in Texas Family Code, Section 71.0021 as an act, other than a defensive measure to protect oneself, by an actor that is against a victim with whom that person has or has had a dating relationship, or because of the victim's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage, and that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the individual in fear of imminent physical harm, bodily injury, assault, or sexual assault. Under this same Section "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of: (1) the length of the relationship; (2) the nature of the relationship; and (3) the frequency and type of interaction between the persons involved in the relationship. A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a "dating relationship".

Stalking means "engaging in a course of conduct (two or more acts including but not limited to acts in which the stalker directly, indirectly, or through third parties, or by any action, method, device or means, follows, monitors, observes, surveils, threatens or communicates to or about a person or interferes with his or her property) that is directed at a specific person and would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress." Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Stalking is defined in Texas Penal Code Section 42.072. A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that: (1) constitutes the offense of Harassment under Section 42.07, or that the actor knows or reasonably should know the other person will regard as threatening bodily injury or death for the other person; bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or that an offense will be committed against the other person's property; (2) causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and (3) would cause a reasonable person to; fear bodily injury or death for himself or herself; fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship; fear that an offense will be committed against the person's property; or feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

Consent means voluntary agreement to engage in sexual activity by verbal agreement or active and willing participation in sexual activity. Someone who is incapacitated or under the age of consent under state law cannot consent. Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent may be withdrawn at any time. Coercion, force, or threat of either invalidates consent.

Texas Penal Code, Section 1.07 defines "consent" as assent in fact, whether express or apparent. Further, under Texas Penal Code, Section 22.011, a sexual assault is without the consent of the other person if (1) the actor compels the other person to submit or participate by the use of physical force, violence, or coercion; (2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person or to cause harm to the other person, and the other person believes that the actor has the present ability to execute the threat; (3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist; (4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising

the nature of the act or of resisting it; (5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring; (6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge; (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat; (8) the actor is a public servant who coerces the other person to submit or participate; (9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor; (10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; (11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code; (12) the actor is a health care services provider who, in the course of performing an assisted reproduction procedure on the other person, uses human reproductive material from a donor knowing that the other person has not expressly consented to the use of material from that donor; (13) the actor is a coach or tutor who causes the other person to submit or participate by using the actor's power or influence to exploit the other person's dependency on the actor; or (14) the actor is a caregiver hired to assist the other person with activities of daily life and causes the other person to submit or participate by exploiting the other person's dependency on the actor.

b. For the purposes of HCI's Title IX Policies and Procedures, including the formal investigatory and disciplinary procedures outlined below, the following definitions will be used:

Sexual Harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the School conditioning the provision of an aid, benefit, or service of the School on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School's education programs or activities; or
3. As defined below, sexual assault, domestic violence, dating violence, or stalking.

Sexual Assault means any sexual act directed against another person, 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.

Dating Violence means violence committed by a person—

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
    i. The length of the relationship.
    ii. The type of relationship.
    iii. The frequency of interaction between the persons involved in the relationship.

Domestic Violence includes felony or misdemeanor crimes 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 receiving grant monies, 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.

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

1. Fear for his or her safety or the safety of others; or
2. Suffer substantial emotional distress.

Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment, as defined above.

Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment, as defined above.

Formal Complaint means a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the recipient investigate the allegation of sexual harassment.

Responsible Employee means an employee who has the authority to take action to redress sexual harassment or provide supportive measures to students, or who has the duty to report sexual harassment to an appropriate School official who has that authority. At HCI Responsible Employees include the Campus Director, Director of Education, Title IX Coordinator, and the Director of Career Services.

Supportive Measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. Supportive measures are available to the Complainant and Respondent regardless of whether the Complainant files a formal complaint.

Business Days means Monday through Friday, except for federal or state holidays and any day in which the School is closed due to inclement weather, emergency, or scheduled breaks in the School's academic calendar.

A. If You Are the Witness or Victim of a Sexual Offense

Upon observing or involvement in any type of sexual offense by a stranger or non-stranger on campus or on public property, including thoroughfares, streets, sidewalks, and parking facilities, within the campus or immediately adjacent to or accessible from the campus, HCI encourages students, faculty and staff to promptly report the incident to the local police and/or HCI's Title IX Coordinator at **(713) 568-0247, kcravens@houstoncareerinstitute.com, 9700 Bissonnet, St #1400, Houston, TX 77036.** A report may be made to either or both the police and the Title IX Coordinator. The Title IX Coordinator is responsible for HCI's compliance with Title IX of the Education Amendments of 1972. In this role, the Title IX Coordinator administers the review, investigation and resolution procedures for reports of sexual offenses. Where there is any question about whether an incident is a sex offense, a report should be made to the Title IX Coordinator for assistance in determining the nature of the incident.

Victims of a Sexual Offense: If you are a victim of a sexual offense, your first priority should be to get to a place of safety. You should then obtain any necessary medical treatment. Information about the alleged offense should be provided to the Title IX Coordinator as soon as possible. Victims of sexual violence may also wish to seek support services from organizations trained in providing counseling and support services to victims. HCI refers victims of sexual offenses to a number of organizations, including the Houston Area Women's Center (HAWC) at their 24/7 Sexual Assault Hotline (713) 528-RAPE (7273),

their 24/7 Domestic Violence Hotline (713) 528-2121, and https://hawc.org/; The Bridge Over Troubled Waters at 713-473-2801 (24-Hour Hotline) or https://tbotw.org/; and Rape, Abuse & Incest National Network's (RAINN) National Sexual Assault Hotline at 800.656.HOPE (4673), Chat at RAINN.org/hotline, or Text "HOPE" to 64673.

It is important to preserve evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order. Time is a critical factor for evidence collection and preservation. You don't have to decide if you want to file charges right away, but preserving the evidence helps if you decide to file charges against the perpetrator at a later date. If at all possible:

- Document the details of the incident, such as dates, times, locations, and witnesses.
- Save clothing worn during the offense in separate paper bags.
- Save digital evidence such as harassing or threatening emails, voicemails, text messages, social media posts, etc.
- Take pictures of any injuries or damages and have any injuries looked at and documented by your doctor.

Victims of a sexual offense are also encouraged to preserve DNA evidence by obtaining a forensic examination from a medical professional. Victims are not required to file a police report in order to receive a sexual assault forensic exam. These exams are always free and do not require the use of medical insurance. In order to ensure the greatest chance of collecting DNA evidence, a forensic examination should be done as soon as possible after an assault.

HCI strongly advocates that a victim of a sexual offense report the incident to police in a timely manner. If requested to do so by the victim, HCI will assist the victim in contacting the police. However, the victim is not required to contact the police, and may pursue the Grievance Procedure contained in this policy or request HCI to conduct an independent investigation under this section regardless of whether the police are contacted.

HCI does not issue orders of protection. However, orders of protection and restraining orders are issued by criminal, civil or tribunal courts in HCI's local area upon the application of a Complainant and upon a showing of appropriate cause against the Respondent. HCI will assist in referring a Complainant to the appropriate court or other government office. Further, HCI will strictly comply with and enforce the terms of a protective/restraining order when it becomes aware of such order using such means as requiring the Respondent to stay away from the School pending any court hearing, transferring the Respondent to other classes, or transferring the Respondent to different class attendance times.

B. **Role of the Title IX Coordinator:**

The Title IX Coordinator has primary responsibility for receiving, evaluating, and overseeing the review, investigation, including follow up victim and witness interviews, and resolution procedures of reports of sexual harassment and sexual offenses, and for assisting in the maintenance of accurate Clery Act crime statistics. Students, faculty and staff who believe they are the victim of sexual harassment or a sexual offense, or who have witnessed an act of sexual harassment or a sexual offense, by a stranger or non-stranger, should report the incident to the Title IX Coordinator. Upon receipt of the report, the Title IX Coordinator will provide a written explanation of the victim's rights and options, and the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred. The Title IX Coordinator also has the following responsibilities:

1. Provide the Complainant with a copy HCI's Title IX policies and procedures, and written information about local victim support resources (off-campus) for victims including existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available to victims.

2. Maintain the confidentiality of the personally identifying information ("PII") of the victim or other necessary parties by ensuring PII is not included in the Annual Security Report and related disclosures.

3. Provide written notification of options to facilitate changes to academic, externship, and/or transportation situations, if requested, while an informal or formal investigation is pending, including the option to issue a no-contact order. HCI is obligated under federal law to give reasonable accommodations to a victim. Upon the victim's request to the Title IX Coordinator, HCI will facilitate reasonable accommodations, which may include changes to classes, attendance times, parking arrangements, and/or externship location where applicable, as well as extensions of time or other course related adjustments. The Respondent may also request reasonable interim accommodations. HCI does not rely on one fixed set of rules regarding interim accommodations. Any specific measures taken will be individualized and determined based the Title IX Coordinator's assessment of the specific situation, the severity and pervasiveness of the allegations, and his/her best judgment of which available measures will reasonably accommodate the requestor's needs and specific requests, while making every effort to avoid depriving any student of his or her education. The Title IX Coordinator may choose to alter the interim measures taken or offer different reasonable accommodations at any point as their understanding of the situation and the needs of the parties involved evolve throughout the investigation. HCI will seek to maintain the confidentiality of the identity of the victim and any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of HCI to provide the accommodations or protective measures. These steps will be taken by HCI regardless of whether the victim chooses to file a formal complaint.

4. Inform the Complainant of their right to file a separate criminal complaint for allegations relating to a sexual offense. HCI will comply with a victim's request for assistance in notifying authorities.

5. Unless the allegations of sexual harassment or sexual offense involve conduct by a HCI employee towards a student, will undertake, with permission of or at the request of the Complainant, to resolve the conflict informally by informing the individual alleged to have caused the grievance in writing that the complaint has been filed; seek to find out the facts; and, if both parties and HCI desire it, arrange a meeting to try to resolve the differences. All individuals who are involved in an investigation as the Respondent, Complainant or witness have a duty to keep all information confidential to the extent permitted by law. Persons who violate the confidentiality rights of other individuals may be subject to disciplinary action.

In the event that an attempt at informal resolution of the problem is unsuccessful, or if the Complainant, Respondent, or HCI deems that informal resolution is undesirable or not permitted by law, the Title IX Coordinator will stop the informal resolution process and assist the Complainant in filing of a formal complaint or self-initiate a formal investigation.

C. **Formal Investigatory and Disciplinary Procedures for Students and Employees**

All reports of sexual harassment or sexual offenses received by the Title IX Coordinator must be resolved through its Title IX policies and procedures. HCI is committed to providing a fair, prompt and impartial proceeding from investigation initiation to final result that is conducted by officials who do not have a conflict of interest or bias for or against the Complainant ("victim") or the Respondent ("accused"). Except in cases in which Title IX or its implementing regulations require formal hearings, direct cross examination, or other adversarial procedures, the School does not view the investigation and adjudication of alleged sexual harassment or sexual offenses as an adversarial process between the Complainant, the Respondent, and the witnesses. Instead the intention is to allow the School to help ensure both the safety of the campus community and students' equal access to its educational programs in compliance with its obligations under existing law. The Complainant does not have the burden to prove, nor does the Respondent have the burden to disprove, the underlying allegation or allegations of misconduct.

If a victim discloses an incident but wishes to maintain confidentiality or request that no formal investigation be conducted or disciplinary action taken, HCI must weigh that request against its obligation to maintain a safe campus environment. When HCI honors the Complainant's request for confidentiality, the Complainant must understand that HCI's ability to meaningfully investigate the incident and pursue disciplinary action against the Respondent may be limited. In the case of sexual violence, HCI may be required to formally investigate and, if appropriate, pursue disciplinary action under this policy. If HCI determines it cannot maintain the victim's confidentiality, it will so inform the victim prior to initiating the investigation and will, to the extent possible, share as limited information as possible in an effort to protect the victim's identity. HCI may not require a victim to participate in a formal investigation or hearing that it has initiated.

Any student, faculty or staff, or group of same, alleging that an act of sexual harassment or a sexual offense has taken place has the right to seek redress of the grievance by means of the HCI Title IX policies and procedures. In order to ensure availability of witnesses and fresh memories of the alleged discriminatory event, all reports should be made as promptly as possible after the alleged discriminatory conduct. Informal resolution of the conflict is always an option if all parties involved voluntarily agree to participate. However, an attempt at informal resolution is never a prerequisite to filing a formal complaint. Even if the parties agree to informally resolve a complaint, HCI may nonetheless determine that informal resolution is not appropriate and initiate the formal investigation and grievance procedures discussed below.

HCI's Title IX Policy details the process for reporting incidents of sexual harassment and sexual offenses and also the procedures HCI will follow in its formal grievance process. Those procedures are described below. The full version of HCI's Title IX Policy can be found on the school's website at https://houstoncareerinstitute.edu/title-ix-information.

a. **REPORTING AN ALLEGATION**

Title IX Coordinator - Any individual – student, employee or third party - may make a report concerning sexual harassment or sex discrimination whether or not they are the victim of that behavior. Complainants and third parties are encouraged to report sexual harassment as soon as possible to allow the School to respond promptly and effectively. **Students are strongly encouraged to and all Responsible Employees are required to report any instances or allegations of sexual harassment to the Title IX Coordinator. In cases where the allegation is against the Title IX Coordinator, the report may be made to the Chief Executive Officer. Only the campus Title IX Coordinator or Chief Executive Officer has authority to issue corrective measures for an incident of sexual harassment or sex discrimination.** Students and employees should not expect any action taken with respect to a complaint or report directed to any other employee or faculty of the School other than a Title IX Coordinator or Campus Director. The Title IX Coordinator at the School is the Campus Director, and can be contacted at:

Keith Cravens, Campus Director
9700 Bissonnet, St #1400
Houston, TX 77036
(713) 568-0247
kcravens@houstoncareerinstitute.com or TitleIXCoordinator@houstoncareerinstitute.com

The School has designated the Title IX Coordinator to oversee the intake of complaints of sexual harassment at the School. An individual who has experienced sexual misconduct has the right to choose whether or not to report the incident to the Title IX Coordinator for investigation. The Title IX Coordinator is trained to assist individuals who report sexual misconduct and can provide information about resources and services available to students and employees, both on and off campus, including the availability of supportive measures.

Confidentiality - The Title IX Coordinator is not a confidential source of support. While he or she will address your complaint with sensitivity and will keep your information as private as possible, confidentiality cannot be guaranteed. The Title IX Coordinator will treat as confidential all information

related to the provision of supportive measures, to the extent that such confidentiality does not interfere with the ability of the School to provide the supportive measures.

Report vs. Formal Complaint - Making a **report** is different from filing a **formal complaint**. A report is defined as notification of an incident of sexual misconduct to the Title IX Coordinator. A report may be accompanied by a request for (1) supportive or interim measures; (2) no further action; (3) the initiation of the formal complaint process; and/or (4) a request to initiate an informal resolution process. Informal resolution can only occur after a formal complaint is filed. Filing a formal complaint initiates the School's formal Title IX grievance process.

Criminal Complaint/Civil Actions - A person who has experienced sexual harassment, as defined in Section II, above, or a person who witnesses sexual harassment, has the right to simultaneously file a complaint with the School and to pursue a criminal complaint with law enforcement in the event that the individual believes in good faith that the alleged conduct of the Respondent constitutes a criminal violation of law. Victims and witnesses of sexual harassment have the right to be assisted by the School in notifying law enforcement authorities of sexual harassment or they can decline to notify such authorities. The School may, however, have a statutory reporting obligation when it becomes aware of certain factual allegations. Parties may also have options to file civil actions in court or with administrative agencies.

How to Make a Report - If a student, employee or third party wishes to report an allegation of sexual harassment, he or she should submit any relevant information to the Title IX Coordinator in person, via email, via regular mail or by phone. Please Note: All Responsible Employees are required to report any instances or allegations of sexual harassment to the Title IX Coordinator.

The Title IX Coordinator will take the Complainant's wishes into account when determining whether to file a formal complaint. However, if the Title IX Coordinator determines that pursuing an investigation into the allegations is necessary for the safety of the community or other reasons, he or she may initiate the formal complaint to start the grievance process notwithstanding the Complainant's decision not to pursue a formal complaint. If this occurs, and the Complainant requests that the School inform the Respondent that the Complainant asked the School not to investigate or seek discipline, the School shall honor this request.

b. **HOW TO FILE A FORMAL COMPLAINT**:

To file a formal complaint, the Complainant must submit, in writing, allegations of sexual harassment against a Respondent and must request that the School investigate the allegation of sexual harassment. Only the Complainant or Title IX Coordinator may file a formal complaint. Any person wishing to make complaint must submit it to the Title IX Coordinator in person, via email, via regular mail or by phone to the attention of:

Keith Cravens, Campus Director
9700 Bissonnet, St #1400
Houston, TX 77036
(713) 568-0247
kcravens@houstoncareerinstitute.com or TitleIXCoordinator@houstoncareerinstitute.com

c. **SCHOOL'S RESPONSE TO ACTUAL KNOWLEDGE OF SEXUAL HARRASSMENT**

Supportive Measures - Upon receiving a report, a formal complaint or notice of allegations of sexual harassment in an educational program or activity, the Title IX Coordinator will promptly respond to the Complainant/Alleged Victim (or reach out to them, if the information was provided by a third party) to discuss the availability of supportive measures, consider his/her wishes with respect to the supportive measures, and explain the process for filing a formal complaint. Appropriate supportive measures are available regardless of whether the Complainant ultimately decided to pursue a formal or informal resolution and will never be predicated on the Complainant accepting a possible resolution to the

complaint. The Title IX Coordinator will respond similarly to incidents that occur outside of the School's educational programs or activities that involve individuals subject to the institution's policies, whether they occurred on or off campus, if, based on the allegations, there is any reason to believe that the incident could contribute to a hostile educational environment or otherwise interfere with a student's access to education. The Title IX Coordinator will also consider and, when appropriate, respond to requests for supportive measures relating to prior incidents of sexual harassment that could contribute to a hostile educational environment or otherwise interfere with a student's access to education where both individuals are, at the time of the request, subject to the institution's policies.

The School will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the School to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Preliminary Inquiry/Actions - The Title IX Coordinator, in consultation with others as necessary, will conduct an initial assessment of the alleged conduct, the reporting party's desired course of action, and interim measures to protect the safety of the Complainant or the community. The goal is to prevent any hostile educational or workplace environment from developing at the School. If a report made to the Title IX Coordinator involves a serious or immediate threat to the campus community, the School will issue a timely notification to the community to protect the health or safety of the community. The timely notification will not include any identifying information about the Complainant.

If a Complainant chooses to pursue a formal complaint, the School must follow the grievance process outlined below, unless the Title IX Coordinator determines, after this preliminary inquiry, that the alleged conduct, even if proven, would not rise to the level of conduct prohibited by this policy for one of three reasons:

1. The alleged conduct did not occur in scope of the School's education program or activity, or
2. The alleged conduct does not meet this policy's definition of sexual harassment, or
3. The alleged conduct did not occur to a person located in the United States

Scope of Education Programs or Activities - For the purposes of the Title IX Coordinator's determination under Subsection c of this policy statement, the scope of the School's education program or activity includes locations, events, or circumstances over which the School has exercised substantial control over both the Respondent and the context in which the sexual harassment occurs, and shall also include any building owned or controlled by a student organization that is officially recognized by the School.

Dismissal of Formal Complaint - If the Title IX Coordinator determines that the alleged conduct, even if proven, would not rise to the level of conduct prohibited by this policy, the formal complaint will be dismissed, and the Complainant will be provided written notification of that decision, which will include the reasons for the dismissal. A determination that the alleged conduct does not warrant initiating the grievance process does not preclude the School from taking action to address any prohibited conduct/actions under another provision of its Code of Conduct.

If the Complainant or Respondent is an employee of the School or one of its affiliates, the Title IX Coordinator will notify the Director of the Human Resources department who is responsible for overseeing the School's compliance with Title VII of the Civil Rights Act of 1964.

d. REMOVAL OF A RESPONDENT FROM EDUCATION PROGRAM OR ACTIVITY - INTERIM ACTION

The Title IX Coordinator may remove a Respondent from his or her educational program or activity if the Title IX Coordinator determines that an immediate threat to the physical health or safety of any student or other individual arising from allegations of sexual harassment justifies removal.

If the Title IX Coordinator determines that allegations of sexual harassment justify removal, he or she will provide the Respondent with notice of the removal to the Respondent's School-provided email address and the Respondent must immediately cease participation in campus activities and may not return to the campus at any time pending the resolution of the complaint. Within three (3) Business Days after the Title IX Coordinator sends the notice, Respondent may challenge the removal decision by providing a written explanation of why the sexual harassment allegations do not justify removal. The Title IX Coordinator will notify the Respondent within three (3) Business Days whether the challenge is successful and whether any alternative interim measures are warranted. A Respondent who has been removed from his/her programs or activities as an interim measure may not attend any activity or program of the School while his/ her challenge to removal is pending.

The Title IX Coordinator may also place a non-student employee Respondent on administrative leave during the pendency of a grievance process.

e. **INFORMAL RESOLUTION**

After a formal complaint is filed and as an alternative to completing the School's formal Title IX grievance process, the Complainant and Respondent may agree to resolve a formal complaint through an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. Informal resolution is not available to resolve allegations of sexual violence or allegations that any employee of the School sexually harassed a student.

Participation in an informal resolution process is entirely voluntary, and requires written consent from all parties, including the School. The School will not require a Complainant or Respondent to participate in informal resolution. However, once the parties and the School agree to informal resolution, the School will suspend its obligation to pursue the grievance process except to the extent necessary to facilitate the informal resolution process as agreed to by the parties and the School.

At any time prior to the parties reaching an agreement on the resolution of the allegations, any party may withdraw from the informal resolution process and initiate or resume the grievance process.

If the parties and the School agree to an informal resolution process, the Title IX Coordinator will provide the parties with a written notice disclosing (1) the allegations; (2) the requirements and procedures of the informal resolution process; (3) the circumstances under which the parties will be precluded from resuming a formal complaint arising from the same allegations; (4) notice that at any time prior to the parties' agreeable resolution of the allegations, any party has the right to withdraw from the informal resolution process and initiate or resume the grievance process; and (5) the records that will be maintained or could be shared during and after the informal resolution process.

In the event that the parties reach a mutually agreeable resolution of the complaint through the informal resolution process, the Title IX Coordinator will close and dismiss the complaint.

f. **RETALIATION**

The School or any other person is prohibited from intimidating, threatening, coercing, discriminating, or retaliating in any way against any individual for the purpose of interfering with any right or privilege secured by Title IX or the Regulations of the Department of Education (34 C.F.R. § 106, et. seq.), or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any aspect of the grievance process.

Complaints alleging retaliation may be submitted to the Title IX Coordinator in the same manner as a report of sexual harassment. Or, if the allegations of retaliation are against the Title IX Coordinator, the complaint should be directed to Peter Mikhail, the School's Chief Executive Officer, at:

Peter Mikhail, Chief Executive Officer
5150 S. Decatur Blvd.
Las Vegas, NV 89118
(702) 658-7900
pmikhail@mikhailed.com

g. **CONFIDENTIALITY**

The School understands that those involved in the sexual harassment reporting and grievance process, including the parties, witnesses, and individuals who have made reports or complaints of sex harassment, have privacy rights, including rights governed under the Family Education Rights and Privacy Act. The School will not disclose information relating to the reporting of sexual harassment and the grievance process unless it is pursuant to a lawful purpose, such as:

1. Where information is necessary to give fair notice of the allegations and to conduct the investigation, hearing, and appeal;
2. Where other School officials have a need to know of the information in performing the School's business;
3. Where the School determines the information should be shared with law enforcement;
4. Where sharing information will reduce the risk of an immediate threat to the health and safety of others;
5. Where sharing information is necessary for the School to comply with requests from government agencies and accreditors who review the School's compliance with federal law, state law, and accreditation requirements;
6. As necessary to respond to a lawfully issued subpoena or legal request for information;
7. Where disclosure of the information is otherwise permitted by the Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99.

h. **CONFLICTS OF INTEREST**

No investigator or hearing decision-maker will make findings or determinations in a case in which they have a conflict of interest or bias that would prevent that individual from being able to discharge their duties with impartiality. A party wishing to raise the issue of a potential conflict of interest or bias must notify the Title IX Coordinator of the bias or conflict of interest within two (2) Business Days of being advised of the identity of the investigator or decision-maker or within two (2) days of the date the party discovers or reasonably should have discovered the existence of the alleged bias or conflict of interest. The Title IX Coordinator will determine whether a conflict of interest exists. If a party believes that the Title IX Coordinator has a bias or conflict of interest, the party must notify Peter Mikhail, the School's Chief Executive Officer, who will determine whether a conflict of interest or bias exists. Mr. Mikhail can be contacted at:

Peter Mikhail, Chief Executive Officer
5150 S. Decatur Blvd.
Las Vegas, NV 89118
(702) 658-7900
pmikhail@mikhailed.com

i. **GRIEVANCE PROCESS**

Once the Title IX Coordinator determines that allegations in a formal complaint could, if proven, constitute sexual harassment, the School will initiate its Title IX grievance process. The Title IX grievance process is designed to fairly investigate allegations of sexual harassment, determine responsibility for any alleged

violations, and provide remedies designed to restore or preserve equal access to the School's education programs and activities. The School's Title IX grievance process will:

1. Treat Complainants and Respondents equitably;
2. Require an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence—and provide that credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness;
3. Presume that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

Timeline for Resolution - The School will resolve all cases in a prompt and timely manner, however, the timeline will vary based on the circumstances of the case, including scheduled and unscheduled breaks in the academic calendar, availability of the parties and witnesses, scope of the investigation, need for interim actions, and unforeseen or exigent circumstances. The parties will be periodically updated on the status of their case.

Stated timing requirements in this policy will be strictly enforced. Requests for extension are disfavored and will not be granted absent a showing of good cause that is based on extraordinary circumstances. However, if a party believes circumstances require an extension of deadlines, he or she must notify the Title IX Coordinator before the passing of the deadline, in writing, explaining why the deadline must be extended. The Title IX Coordinator will decide whether the deadline should be extended. If a deadline is extended, it will be extended for all parties.

Responsibility to Check Email - Throughout the Title IX grievance process, the School will send important notices and information to the parties' School-provided email accounts. It is each party's responsibility to frequently check his or her School-provided email account. Important deadlines are based on when the School sends certain notices and/or information to a party's email account, and a party's failure to check his or her email is not a valid excuse for a missed deadline.

If a party is unable to access his or her School-provided email account, he or she must immediately notify the Title IX Coordinator to arrange for an alternate method of receiving notices and information. Unless and until the Title IX Coordinator receives such notice, a party will be deemed to have received all emails and attachments on the day they were sent.

Standard of Proof - The School uses the preponderance of the evidence standard in investigations of complaints of sexual harassment. This means that the investigation and hearing determine whether it is more likely than not that a violation of the policy occurred.

Role of Advisors - All parties may have an advisor of their choice to accompany them through the grievance process, including but not limited to a family member, victim advocate or other supporting individuals. A party's advisor may be, but is not required to be, an attorney. A party may have his or her advisor present at any meeting, interview, or other appearance the party is entitled to attend.

Advisors are expected refrain from interfering in the investigation and resolution of a formal complaint and are required to act ethically, with integrity, and in good faith throughout the grievance process. If the Title IX Coordinator, an investigator, hearing decision-maker, or other campus official determines that an advisor is acting in a manner intended to improperly disrupt or interfere with the grievance process, the advisor will receive a warning. Any subsequent attempt to disrupt or interfere with the grievance process will result in the advisor's immediate removal from the proceedings, and he or she will be barred from further participation in the Title IX grievance process. Unless the Title IX Coordinator, investigator, decision-maker, or other campus official determines that an advisor's misconduct is part of a party's deliberate attempt to disrupt or delay the grievance process, the proceedings will be suspended to allow a party to replace his or her advisor.

Each party must have an advisor present at the hearing. As discussed in the Hearing Procedures, below, only advisors may ask a party or witness questions at a hearing. In advance of the hearing, a party may request that the School provide him or her with an advisor of the School's choosing. Absent a showing of bias or a conflict of interest, a party has no right to object to an advisor provided by the School.

Consolidation of Formal Complaints - The School may consolidate formal complaints against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances. Where the grievance process involves more than one Complainant or more than one Respondent, references in this policy to "party," "Complainant," or Respondent" include the plural, as applicable.

Notice of Formal Complaint - Once a Title IX Coordinator determines that a formal complaint alleges a potential violation of this policy, the parties will receive notice that a formal complaint has been filed and that the School has initiated its grievance process. The notice will include:

1. The identities of the parties (Complainant(s) and Respondent(s)) involved in the incident, if known;
2. The conduct allegedly constituting sexual harassment, as defined in this policy, if known;
3. The date and location of the incident, if known;
4. A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
5. An explanation of the parties' right to have an advisor present throughout the grievance process; and
6. An explanation of the School's prohibition against knowingly making false statements or knowingly submitting false information during the grievance process.

Investigation - After notifying the parties of the formal complaint and the initiation of the grievance process, in order to ensure an impartial investigation, the School will appoint one or more trained investigators to interview the parties, including follow up interviews with the Complainant, Respondent, and witnesses as appropriate, and gather evidence as necessary. Investigators will have received training on the following:

1. The definition of sexual harassment, as defined in this policy;
2. The scope of the School's education programs and activities;
3. How to conduct an investigation pursuant to this policy;
4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
5. Issues of relevance to create an investigative report that fairly summarizes the relevant evidence.
6. A comprehensive training program in investigating and adjudicating sexual assault, domestic violence, dating violence, and stalking cases.

During the investigation, the parties will have an equal opportunity to present witnesses, including expert witnesses, and other inculpatory and exculpatory evidence. The investigator shall have the authority to seek and interview such other witnesses as is deemed appropriate. The investigator will investigate any allegations that alcohol or drugs were involved in the incident between the parties.

When a party's participation in the investigation is invited or expected, the School or the investigator will provide written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings. The written notice will be given at least three (3) Business Days in advance of the party's expected participation. Pursuant to the limits on the role of advisors, discussed above, each party will be entitled to have an advisor of his or her choosing present at any meeting or interview to which the party is invited or expected to attend.

Neither the investigator nor the School may access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to that party, unless the School or the investigator obtains that party's voluntary, written consent to do so. If the party is under 18 years old, written consent must be given by the party's parent or guardian.

The School or the investigator may modify the list of allegations based on additional information learned during investigation. In that event, the parties will receive notice of a new allegation prior to the inclusion of a new allegation in an amended formal complaint.

Prior to the conclusion of the investigation, the School will provide the parties and their advisors the opportunity to inspect and review any evidence obtained during the investigation that is directly related to the allegations in the formal complaint. The parties will then have ten (10) Business Days to submit a written response to the Title IX Coordinator, which the investigator will consider prior to completing his or her investigative report.

At the conclusion of the investigation, the investigator will prepare an investigative report that fairly summarizes relevant evidence. The report will be simultaneously provided to all parties and their advisors at least ten (10) Business Days prior to the hearing, if a hearing is required. The parties may submit a written response to the investigative report for consideration by the hearing decision-maker. However, a response to the investigative report must be received by the Title IX Coordinator no later than five (5) Business Days before the hearing. Reponses received after that deadline will not be considered by the hearing decision-maker. The Title IX Coordinator will simultaneously provide all submitted written responses to the parties at least three (3) Business Days before the hearing.

Dismissal of a Formal Complaint - If at any time during the investigation, the School determines that any conduct alleged in the formal complaint (1) would not constitute sexual harassment, as defined in this policy, even if proved, (2) did not occur in a program or activity of the School, or (3) did not occur against a person in the United States, the School must dismiss the formal complaint with regard to that conduct. If other conduct is alleged in the formal complaint, the grievance process will continue with regard to those allegations only.

The School may also dismiss the formal complaint, or any allegations in the formal complaint, if at any time during the investigation or hearing (1) the Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations in the formal complaint; (2) the Respondent is no longer enrolled at, or employed by, the School; or (3) specific circumstances prevent the School or the investigator from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

If the School dismisses a formal complaint, or any allegations in a formal complaint, it will promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties.

Live Hearing - ***Decision-Maker****:*

Following the conclusion of the investigation and the parties' opportunity to review the investigative report, the School's grievance process provides for a live hearing. The hearing will be conducted by a decision-maker, who will have received training on the following:

1. The definition of sexual harassment, as defined in this policy;
2. The scope of the School's education programs and activities;
3. How to conduct live hearings pursuant to this policy;
4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;

5. 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; and
6. Any technology to be used at the live hearing.
7. A comprehensive training program in investigating and adjudicating sexual assault, domestic violence, dating violence, and stalking cases.

The School will be responsible for appointing the decision-maker for the hearing, who may or may not be an employee of the School. The decision-maker will be free of any conflicts of interest, pursuant to the conflict of interest requirements of this policy. The identity of the decision-maker will be provided to the parties at least ten (10) Business Days prior to the hearing. If any party believes that the decision-maker is subject to bias or a conflict of interest, he or she must submit a written objection to the Title IX Coordinator within the timelines stated in Section XI of the Title IX Policies and Procedures, stating the basis for the objection. If the Title IX Coordinator determines that the decision-maker is subject to bias or a conflict of interest that justifies removal of the decision-maker, the Title IX Coordinator will name a new decision-maker. In that event, the hearing may be rescheduled to allow for a reasonable time to ensure proper training and an opportunity for the parties to object to the new decision-maker on the grounds of bias or conflict of interest, pursuant to the requirements above.

Live Hearing - *Time and Location*:

The hearing will be conducted at a location within the county where the School is located. The Title IX Coordinator will notify the parties of the time and location of the hearing at least ten (10) Business Days prior to the hearing. Parties and their advisors are expected to adjust their schedules to attend the hearing. Hearings will not be rescheduled absent emergencies or extraordinary circumstances.

Within two (2) Business Days of the hearing, either party may request that the hearing be conducted with parties located in separate rooms with technology enabling the decision-maker and parties to simultaneously see and hear the party or the witness answering questions.

The School may also, at its discretion, allow any or all parties, witnesses, or other participants appear at the hearing virtually, with technology enabling participants simultaneously to see and hear each other.

The hearing will be closed to the public and witnesses will be present only during their testimony. For live hearings that use technology, the decision-maker shall ensure that appropriate protections are in place to maintain confidentiality.

Live Hearing - *Hearing Procedure*:

Advisor - Each party must have his or her own advisor present at the hearing. The role of the advisor is to ask relevant questions of the other party and other witnesses as described below. The hearing will be conducted in a respectful manner and with appropriate decorum. Advisors may counsel the party they represent during the hearing, however, advisors may not make opening or closing statements on behalf their represented party or raise or make objections on the record. Failure to comply with these requirements may be deemed by the decision-maker as interference with the orderly conduct of the hearing and may subject the advisor to removal and replacement. If a party does not have an advisor present at the hearing, the School will provide an advisor of the School's choosing at no cost to the party.

Cross Examination - Each party will have the opportunity to have his or her advisor cross-examine the other party and any witnesses by asking relevant questions and follow-up questions, including those challenging credibility. Only the parties' advisors may ask questions of testifying witnesses, and the questioning must be conducted orally, and in real time. The decision-maker will preside over the hearing, and he or she will determine the order of witnesses.

Relevancy of Questions/Evidence - Before a party or witness answers a question, the decision-maker must first determine whether the question is relevant and explain any decision to exclude a question as

not relevant. Advisors may not present arguments in favor or against the exclusion of any proposed question. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence 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.

Generally, the decision-maker may not consider hearsay statements to constitute evidence at the hearing. Hearsay statements are statements made by either party, which were not made during the hearing, and which the other party offered in evidence to prove the truth of the matter asserted in the statement. Hearsay statements may only be considered when the decision-maker decides that a basis exists to include the hearsay statements as evidence under Article VIII of the Federal Rules of Evidence.

If Respondent intends to introduce evidence of the Complainant's past sexual behavior, Respondent must provide notice to the Title IX Coordinator and decision-maker at least five (5) Business Days in advance of the hearing accompanied by a written motion that specifically describes the evidence and states the purpose for which it is to be offered. The Title IX Coordinator will provide a copy of the notice and motion to the Complainant. Before admitting evidence under this rule, the decision-maker must conduct an in-camera hearing on the motion and give the parties a right to attend and be heard, through their advisors. The motion, related materials, and the record of the motion hearing must be and remain confidential.

All evidence provided to the parties prior the investigator's completion of the investigative report will be available at the hearing. Each party may refer to such evidence during the hearing, including for purposes of asking questions to other parties or witnesses.

Recognized Privileges - The decision-maker will recognize all legally recognized privileges, such as the attorney-client and work-product privilege, unless the holder of the privilege has waived the privilege. It is the responsibility of a party's advisor to invoke any privileges at the hearing. Failure to timely invoke a privilege will constitute a waiver.

Effect on Non-Participation - If a party or witness does not submit to questions at the hearing, the decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the hearing or refusal to answer questions.

Record of Hearing - Hearings will be recorded with an audio recording, audiovisual recording, or by transcript. The recording or transcript will be made available to all parties for inspection and review.

Determining Responsibility*:*
Following the hearing, the decision-maker will issue a written determination deciding whether the Respondent is responsible for the allegations of sexual harassment. The decision-maker will base his or her determination on a review of the relevant and admissible evidence obtained during the investigation or hearing, the investigative report, and hearing testimony. The written determination will be sent to each party's School-provided email account. Important appeal deadlines will be based on when the written determination is sent by the School, so the parties are strongly encouraged to carefully monitor their email correspondence for the determination.

The decision-maker will apply the preponderance of the evidence standard in reaching his or her determination. The written determination will include:

1. An identification of the allegations potentially constituting sexual harassment as defined in this policy;
2. A description of the procedural steps taken, from receipt of the formal complaint by the School through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;

3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the recipient's code of conduct to the facts;
5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, and disciplinary sanctions imposed on the Respondent, and whether remedies designed to restore or preserve equal access to the School's education program or activity will be provided by the School to the Complainant; and
6. The procedures and permissible bases for the Complainant and Respondent to appeal.

The written determination will be simultaneously provided to the parties' School-provided email accounts. The parties will then have seven (7) Business Days to notify the Title IX Coordinator if they wish to appeal the determination regarding responsibility (see Appeal, below). The determination regarding responsibility becomes final either (1) seven Business Days after issuance of the written determination regarding responsibility, if no appeal is filed, or (2) if an appeal is filed, on the date the School provides a written determination on the results of an appeal.

Appeal

Both the Complainant and the Respondent may appeal the determination regarding responsibility, the dismissal of any allegation(s) of a formal complaint, and/or sanctions. All appeals will be decided by a decision-maker appointed by the School, who cannot be the same person who rendered a determination at the hearing or presided over the hearing. Once the decision-maker issues his/her written determination on the results of the appeal, all matters are considered final and no further appeals will be considered.

If a party wishes to appeal, he/she must send a notice of his/her intent to appeal, by email, to the Title IX Coordinator within seven (7) Business Days after the School sends the determination to the parties' School-provided email accounts. If a party does not submit notice of appeal within the seven-day deadline, he or she will lose any right to appeal the written determination. The notice of intent to appeal must state the specific ground(s) for the appeal.

An appeal is not intended to be a rehearing of the allegations in the formal complaint. Disagreement with the findings or sanctions is not a valid ground for an appeal. The School will only consider an appeal on the following grounds:

1. A procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time of the determination regarding responsibility or dismissal was made that could affect the outcome of the matter;
3. The Title IX Coordinator, investigator(s), or decision-maker 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.
4. Ineffective assistance of an advisor. For the purposes of an appeal, a claim of ineffective assistance of counsel must assert (1) "that representation provided by the party's personal advisor fell below an objective standard of reasonableness," … and (2) that any such deficiency was "prejudicial to the party."

If a notice of intent to appeal does not reference one or more of these four grounds for appeal, the appeal will not be considered.

A timely appeal will stay the imposition of sanctions. Any interim measures imposed before or during the grievance process will remain in effect pending the resolution of the appeal.

Once the Title IX Coordinator receives a valid notice of intent to appeal, the Title IX Coordinator will notify all parties of the appeal, the ground(s) on which the appeal is sought, and the procedures for the appeal. Once the parties receive notice of the appeal from the Title IX Coordinator, the parties will have seven (7)

Business Days to submit a written statement and any new evidence to the decision-maker on appeal in support of, or challenging, the outcome. Any party who does not timely submit his or her written statement or new evidence will be barred from doing so absent a showing of exceptional circumstances. It will be in the sole discretion of decision-maker on appeal whether to allow any extensions in the time to submit a written statement or new evidence.

The decision-maker on appeal will review the timely submitted written statements, any new evidence and the record as appropriate. Only facts or arguments concerning the above-listed grounds for an appeal will be considered in rendering his/her decision. Once a decision is made, he/she will contemporaneously send the written decision to each party's School-provided email account, describing the result of the appeal and the rationale for the result.

Once the decision-maker on appeal sends his/her decision to the parties, all matters will be final. No further appeals will be considered.

D. Disciplinary Options

Penalties: Substantiated accusations of sexual violence or sexual harassment may result in disciplinary action against the offender, up to and including termination of the employee's employment or the student's enrollment. Other potential penalties include: suspension for up to 6 months, community service, probation, no-contact order, or violence prevention training. In case of any formal proceedings against either a student or employee accused of violating this policy, the penalties shall be as proposed by the decision-maker from the live hearing. In addition, complainants who make accusations of sexual harassment in bad faith may be subject to equivalent disciplinary action.

Remedies: As determined appropriate by the decision-maker from the live hearing, substantiated accusations of sexual violence or sexual harassment may result in remedies for the Complainant in addition to or in lieu of disciplinary action for the Respondent. Remedies are intended to restore or preserve equal access to HCI's education program or activity, and include the same individualized services described as supportive measures under the Role of the Title IX Coordinator earlier in this Report, such as changes to classes, attendance times, parking arrangements, and/or externship locations where applicable, restrictions on contact, as well as extensions of time or other course related adjustments. However, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

Complaint Record and Notice of Outcome: All proceedings and records will be confidential to the extent permitted by law. However, both parties will be notified concurrently in writing about the outcome of the complaint by the decision-maker from the live hearing, who may use the Title IX Coordinator or another designee to facilitate delivery of the decision. Memoranda describing a reprimand will be placed into the files of any student or employee in the event disciplinary action is taken against one of the parties. If applicable, and at the request of the individual alleged to have caused the grievance, a memorandum recognizing a finding of non-harassment or nondiscrimination will be placed into the file of the student or employee.

E. Additional Information

Questions regarding this policy should be directed to the Title IX Coordinator. In addition, the U.S. Department of Education Office of Civil Rights ("OCR") investigates complaints of unlawful harassment of students in educational programs or activities. This agency may serve as a neutral fact finder and will attempt to facilitate the voluntary resolution of disputes with all parties involved. For more information, visit the OCR website at: https://www.ed.gov/about/ed-offices/ocr.

Inquiries about the application of Title IX Regulations of the Department of Education may be referred to the School's Title IX Coordinator or the Assistant Secretary of the Department of Education, or both. The Assistant Secretary of the Department of Education can be contacted at:

U.S. Department of Education
Assistant Secretary for Civil Rights
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
1-800-421-3481
OCR@ed.gov

X. Policy Statement on Hazing

HCI strictly prohibits hazing in any form. Hazing activities are inconsistent with the values of the institution and will not be tolerated. All members of the HCI community (students, faculty and staff) are encouraged to promptly and accurately report any incidents of hazing to the Campus Director, Keith Cravens, who can be reached at **(713) 568-0247, kcravens@houstoncareerinstitute.com, 9700 Bissonnet, St #1400, Houston, TX 77036**.

In alignment with the federal Clery Act/Stop Campus Hazing Act (SCHA) definitions, HCI defines hazing and student organizations as follows:

Hazing
The term 'hazing', for purposes of reporting statistics on hazing incidents…means any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that:

1. is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
2. causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including—
    - whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
    - causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
    - causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
    - causing, coercing, or otherwise inducing another person to perform sexual acts;
    - any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
    - any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
    - any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law."

Student Organizations
A student organization as an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.

Hazing is defined in the Texas Education Code § 37.151 any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others,

directed against a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in an organization if the act:

(A) is any type of physical brutality, such as whipping, beating, striking, branding, electronic shocking, placing of a harmful substance on the body, or similar activity;
(B) involves sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other similar activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
(C) involves consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance, other than as described by Paragraph (E), that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student;
(D) is any activity that induces, causes, or requires the student to perform a duty or task that involves a violation of the Penal Code; or
(E) involves coercing, as defined by Section 1.07, Penal Code, the student to consume:
    (i) a drug; or
    (ii) an alcoholic beverage or liquor in an amount that would lead a reasonable person to believe that the student is intoxicated, as defined by Section 49.01, Penal Code.

HCI does not have any recognized student organizations.

Investigations into Allegations of Hazing

Investigations into allegations of hazing that contain elements of dating violence, domestic violence, sexual assault and stalking will be investigated and the outcome will be determined according to the procedures detailed above in section IX. POLICY REGARDING SEXUAL HARASSMENT AND SEX OFFENSES of this report.

Investigations into allegations of hazing that do not contain elements of dating violence, domestic violence, sexual assault and stalking will be investigated by the Campus Director according to investigation procedures below:

1. The Campus Director will investigate the complaint, and may conduct a conference with all involved parties in an attempt to resolve the grievance. The student(s) and/or employee(s) involved will receive a written response from the Campus Director within ten (10) working days of receipt of the hazing complaint.

2. If the hazing complaint still remains unresolved to the satisfaction of the student(s) and/or employee(s) who filed the complaint, the aggrieved party may appeal the decision within five working days of that decision to the School's Chief Executive Officer, Peter Mikhail, who can be reached at **pmikhail@mikhailed.com**, **(702) 658-7900** or **5150 S. Decatur Blvd., Las Vegas, NV 89118**. The Chief Executive Officer may take whatever steps are deemed necessary to investigate, review and attempt to resolve the matter. The Chief Executive Officer or his representative will render a decision, which is final and binding upon all parties.

Penalties: Substantiated accusations of hazing may result in disciplinary action against the offender(s), up to and including termination of the employee's employment or the student's enrollment. Depending on the severity of the offense, other potential penalties include written disciplinary action; changes to classes, attendance times, parking arrangements, and/or externship locations; suspension for up to 6 months; community service; probation; no-contact orders; or hazing prevention training. Penalties shall be determined by the Campus Director in his or her sole discretion.

XI. Education and Training

HCI urges all members of the campus community to work together to promote a safe campus environment for everyone. HCI includes primary prevention and awareness training as well as training on

bystander intervention and risk reduction and information concerning signs of domestic, intimate partner, and dating violence in all student orientation training.

A. Primary Prevention and Awareness Training

In an effort to promote a safe environment and to prevent acts of sexual misconduct, HCI engages in primary prevention and awareness training regarding sexual violence, including dating violence, intimate partner violence, domestic violence, sexual assault and stalking. This training includes relevant information regarding drug and alcohol abuse as well as hazing. The programing will cover the following subjects:

- Identifies domestic violence, dating violence, sexual assault, stalking, and hazing as prohibited conduct;
- Defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, stalking, and hazing;
- Defines what behavior and actions constitute consent to sexual activity;
- Provides a description of 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, stalking, or hazing. 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;
- 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;
- Outlines procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred, including topics such as how to report such crimes, the importance of preserving evidence, options for involving law enforcement, services and protective measures available to victims;
- Outlines procedures the campus community should follow to report incidents of hazing.
- Reviews information about how the institution will protect the confidentiality of victims and other necessary parties;
- Provides an overview of information contained in the ASR, including procedures for institutional disciplinary action in cases of sexual assault.
- The school's status as a drug and alcohol free campus.
- Health risks of drug and alcohol use.
- Consequences of drug and alcohol use on campus, including possible legal sanctions, and sources for counseling or treatment programs.

HCI educates the student community about this policy, sexual violence prevention programs and related school policies during all group orientations held for new students upon the onset of a class. The Title IX Coordinator and persons appointed by the CEO who may serve as investigators, or as decision-makers in a live hearing procedure, will receive annual training on issues related to sexual violence. The Title IX Coordinator or his or her designee is responsible for training current students and all school faculty and staff about HCI's Title IX policies and conducting the new student training.

B. Bystander Intervention and Risk Reduction

HCI urges all members of the campus community to help prevent crimes, including crimes of sexual violence and hazing, and to promote a safe campus environment for themselves and others by practicing bystander intervention and risk reduction.

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, intimate partner violence, domestic violence, sexual assault, or stalking. Bystander intervention techniques can also be effective to prevent harm or intervene in situations where hazing is occurring.

Members of the campus community can help prevent dating violence, domestic violence, sexual assault, stalking, and hazing by identifying potentially harmful situations and intervening on a potential victim's behalf when the intervention is not likely to put the bystander themselves in danger. A concept known as the three Ds of Bystander Intervention provides several useful strategies for intervention:

> **Direct:** In some situations, you may feel comfortable intervening directly by asking the potential victim if they are okay, expressing concern, or telling the potential offender(s) to stop their behavior.
>
> **Distract:** Another strategy is to interrupt the situation without direct confrontation by providing a distraction. Cut off the conversation with a diversion: you're about to leave the party, would the potential victim like a ride? Or, we're about to order pizza do you want any? Or just say that you or someone else needs to speak to the potential victim urgently.
>
> **Delegate:** If you are too wary or shy to intervene directly, notify someone who might be in a better position to intervene, for example friends of the potential victim, or someone who has the authority to intervene, such as a school official or manager.

In addition, if you witness what you believe to be a situation that may lead to the commission of a crime, HCI urges all members of the campus community to call 911 or to contact a HCI employee immediately.

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.

HCI urges members of the campus community to take steps to reduce the chances of themselves or another person becoming a victim of a crime, including but not limited to the following:

- Lock doors and secure items of value.
- Walk in pairs at night and travel to events or parties with others rather than attending by yourself; check in with one another frequently and leave together.
- Avoid impairment caused by alcohol or drugs and/or offer to call a cab for someone if you see they are intoxicated.
- Keep your cell phone charged and with you at all times in case you need to call for help, for yourself or for someone else.
- Be aware of your surroundings and avoid isolated or dimly lit places.
- Trust your own intuition and don't be afraid to call for help or let someone know if you are worried about your safety or the safety of another.

C. Warning Signs of Domestic, Intimate Partner, and Dating Violence

In order to help protect members of our campus community, HCI provides the following information concerning domestic, intimate partner, and dating violence, courtesy of the Mayo Clinic. The full Mayo Clinic article is available at: https://www.mayoclinic.org/healthy-lifestyle/adult-health/in-depth/domestic-violence/art-20048397.

You might be experiencing domestic violence if your partner:

- Calls you names, insults you or puts you down.
- Often acts jealous or possessive.
- Tries to control how you spend money or your access to money.

- Tracks where you go, what you do online or who you talk to on the phone.
- Prevents you from going to work or School.
- Stops you from seeing family members or friends.
- Threatens to keep you from seeing your children.
- Gets angry or abusive when drinking alcohol or using drugs.
- Tries to control whether you can see a healthcare professional.
- Threatens you, your children or your pets with violence or a weapon.
- Hits, kicks, shoves, slaps, chokes or otherwise hurts you, your children or your pets.
- Forces you to have sex or engage in sexual acts against your will.
- Controls your birth control or demands that you get pregnant.
- Blames you for problems in the relationship or violent behavior, or tells you that you deserve it.

If you're gay, bisexual, transgender or gender diverse, you also may be experiencing domestic violence if your partner:

- Threatens to tell friends, family, colleagues or community members about your sexual orientation or gender identity without your consent.
- Tells you that leaving the relationship means you're admitting that gay, bisexual or transgender relationships are wrong.
- Justifies abuse by telling you that your gender identity or sexual orientation isn't "real."
- Tells you that law enforcement won't help a gay, bisexual, transgender or gender-diverse person.

XII. POLICY STATEMENT ADDRESSING SEX OFFENDER REGISTRATION INFORMATION.

The local Police Department provides a link to the Texas Sex Offender Registry. HCI is required to inform students and employees about where law enforcement information provided by a State concerning registered sex offenders may be obtained. The law also requires sex offenders already required to register in a State to provide notice to each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In Texas, information about convicted sex offenders is available at https://publicsite.dps.texas.gov/SexOffenderRegistry.

XIII. CLERY ACT CRIME REPORT STATISTICS

Houston Career Institute – Houston, TX Campus:

(Note: Statistics below include information on incidents, arrests and referrals obtained from reports by local law enforcement which, consequently, may not have involved any student and/or employee associated with the campus.)

OFFENSE	PROPERTY	2023	2024	2025
Murder and Non-Negligent Manslaughter	On-Campus Property	0	0	0
	Public Property	0	0	0
Negligent Manslaughter	On-Campus Property	0	0	0
	Public Property	0	0	0
Rape	On-Campus Property	0	0	0
	Public Property	0	0	0

Fondling	On-Campus Property	0	0	0
	Public Property	0	0	0
Incest	On-Campus Property	0	0	0
	Public Property	0	0	0
Statutory Rape	On-Campus Property	0	0	0
	Public Property	0	0	0
Robbery	On-Campus Property	0	0	0
	Public Property	0	0	0
Aggravated Assault	On-Campus Property	1	0	0
	Public Property	0	0	0
Burglary	On-Campus Property	0	0	0
	Public Property	0	0	0
Motor Vehicle Theft	On-Campus Property	1	0	0
	Public Property	0	0	0
Arson	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offense: Domestic Violence	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offense: Dating Violence	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offense: Stalking	On-Campus Property	0	0	0
	Public Property	0	0	0
Hate Crimes: Related to any of the above listed crimes, and/or involving simple assault, larceny-theft, intimidation or destruction/damage/vandalism of property, within one/more of the following bias categories: race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability	On-Campus Property	0	0	0
	Public Property	0	0	0

Hazing (Note: The Stop Campus Hazing Act became effective in 2025)	On-Campus Property	N/A	N/A	0
	Public Property	N/A	N/A	0
Arrests: Weapons: Carrying, Possessing, etc.	On-Campus Property	0	0	0
	Public Property	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	On-Campus Property	0	0	0
	Public Property	0	0	0
Arrests: Drug Abuse Violations	On-Campus Property	1	0	0
	Public Property	0	0	1
Disciplinary Referrals: Drug Abuse Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Arrests: Liquor Law Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Disciplinary Referrals: Liquor Law Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Unfounded Crimes	On-Campus Property + Public Property	0	0	0
Houston Career Institute does not have any noncampus buildings controlled by a student organization officially recognized by the School.				