

**BROWNSON TECHNICAL SCHOOL**

**ANNUAL COMPLIANCE REPORT**

- **Crime Awareness and Campus Security**
  - **Sexual Harassment Policy**
- **Drug and Alcohol Abuse Prevention Plan**

# Brownson Technical School

## Crime Awareness and Campus Security Act of 1990

Effective September 1, 2021

Title II of Public Law 101-542, as amended, is the Crime Awareness and Campus Security Act of 1990. This Act requires an institution to prepare, publish, and distribute certain information regarding campus security policies and procedures.

Brownson Technical School is committed to taking actions necessary to provide a safe and secure working/learning environment for all students and staff. The following information, in compliance with Federal, State, and Local statute, discloses the policies and procedures regarding campus security as well as pertinent statistics reflecting incidents occurring on campus. This information is in compliance with the Crime Awareness and Campus Security Act of 1990 (amended in 1998).

**A. Current campus policies regarding procedures and facilities for students and others to report criminal actions or other emergencies occurring on campus and policies concerning the institution's response to such reports.**

All criminal actions, accidents, injuries, or other emergency incidents occurring on campus must be reported to the proper campus authorities and to appropriate outside agencies immediately.

Students, staff, and visitors should report criminal actions, accidents, injuries or other emergency incidents to the President, School Director, Director of Admissions, or Randy Albright which are located at 1110 Technology Circle. An Incident/Injury Report must be completed by the individual(s) reporting the occurrence and signed by the campus personnel receiving the report. A copy of this report will be filed in the Business office. All Incident/Injury Reports will remain confidential.

All suspected criminal actions will be immediately reported to the Anaheim Police Department. The administration will provide the individual(s) reporting the incident with means to contact this police agency, or any other appropriate police agency.

In some cases, a representative from the Anaheim Police Department will visit the site and interview the individual(s) reporting the incident, appropriate school personnel, and any possible witness to the crime. The need for an investigation/prosecution will be determined by the Police Department or other appropriate law enforcement agency. If a student or employee is suspected of committing a criminal act, he/she may be temporarily suspended from school/work. If a student or employee is convicted of a crime, he/she may be suspended from school or terminated from work.

**B. A statement of current policies concerning security and access to campus facilities and security considerations used in maintenance of campus facilities.**

Standard campus building hours are 8:00 AM – 10:00 PM Monday through Wednesday and 8:00 AM – 5:00 PM on Thursdays and Fridays. The building is not open on weekends. Special occasions may require the building hours to be extended or shortened. The School Director's office will be notified of these changes, as well as staff and students.

Keys to the offices, labs, and classrooms, will be issued to employees only as needed and after receiving the proper authorization. Each Department Supervisor is responsible for assuring his/her area is secured and locked.

Students must adhere to the Student Conduct and Discipline policies listed in the school catalog and Student Handbook which include statements regarding theft of, or damage to school property, and any other criminal activity. Violations of these policies may lead to termination.

All individuals entering the building, who are not current students or staff, must check in with the front desk receptionist. Employee and student identification cards may be used to verify the identity of persons suspected to be in the building without permission.

Brownson Technical School does not maintain residence housing, therefore no policies regarding campus residences are stated here.

**C. Statement of current policies concerning campus law enforcement.**

Brownson Technical School encourages students and staff to promptly report any suspected criminal activity to the administration office. However, Brownson Technical School maintains an "open door" policy between all staff and students encouraging open communication between students and their instructors, advisors and other personnel. Therefore, students should never feel intimidated, embarrassed or uncomfortable about reporting a suspected crime to any member of the Brownson Technical School staff. If a suspected crime is reported to a staff or faculty member by a student, the staff or faculty member may accompany the student to the administration office to report the incidence. The administrative staff will then encourage the student to report the crime to the appropriate police agencies, and will provide the student with the means to do so.

**D. A description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students to be responsible for their own security and the security of others.**

As a part of the orientation process for all incoming students and staff, campus security procedures and practices will be reviewed. Students and staff will also learn of the administrative "open door" policy, to encourage open communication and the need to report any suspected criminal activity immediately with no personal repercussions or

judgement. Security and safety procedures are also discussed with new and continuing students and staff within each individual department of the school at the beginning of each class session, which occurs every month. This includes encouraging students to be alert to security situations and to assist the school in preventing crimes from occurring through awareness and communications. The school may also distribute memoranda and publications regarding security measures when deemed necessary and appropriate.

**E. A description of programs designed to inform students and employees about the prevention of crimes.**

In addition to the orientation procedures described above, the employees and students are informed about the prevention of crimes through periodic group meetings and also through written communication from school management. Students and staff are encouraged to communicate suspicious behavior, and to file a report immediately with the school administration if they have been a victim of, or a witness to, criminal behavior.

**F. The following are the statistics concerning the occurrence of on-campus crime during the past three years.**

Sections 485 (f) of the Crime Awareness and Campus Security Act of PUT.L. 101-542, as amended by Pub. L. 102-56 requires institutions to publish and distribute campus crime statistics in the following areas. Time period is from January 2017 through August 2019.

Total occurrences on-campus:	<u>2019</u>	<u>2020</u>	<u>2021</u>
a. Murder/Non-negligent manslaughter	0	0	0
b. Forcible sex offenses (including forcible rape)	0	0	0
c. Nonforcible sex offenses	0	0	0
d. Robbery	0	0	0
e. Aggravated assault	0	0	0
f. Burglary	0	0	0
g. Motor vehicle theft	0	0	0
h. Vandalism	0	0	0
i. Motor Vehicle Accident	0	0	0
j. Liquor Law Violation	0	0	0
k. Weapons Possession	0	0	0
l. Drug Abuse Violations	0	0	0
m. Disorderly Conduct	0	0	0
n. Harassment	0	0	0

- G. A statement of policy concerning the monitoring and recording through local police agencies of criminal activity off-campus student organizations whose participants are students of the institution. The off-campus student organizations are recognized by the institution, including student organizations with off-campus housing facilities.**

Brownson Technical School students do not participate in off-campus student organizations. However, if the criminal activity occurs while students are attending school sponsored event/training off campus, reporting procedures will remain the same as stated in section A of this policy statement.

- H. Statistics concerning the number of arrests or referrals for campus disciplinary action (if an arrest not made) for the following:**

Please refer to Section “F” above.

- I. A statement of policy regarding the possession, use, sale of alcoholic beverages and enforcement of State under age drinking laws and a statement of policy regarding the possession, use, and sale of illegal drugs and enforcement of Federal and State drug laws and a description of any drug or alcohol abuse education programs as required under section 1213 of the Higher education Act of 1965, as amended. (Section 1213 of the Higher Education Act, as amended contains the drug free campus requirements added by Section 22 of the Drug Free School and Committee Amendments of 1989 (Public Law 101-226).**

The above statement is included in Brownson Technical Schools policy regarding Drug and Alcohol Abuse which is distributed to all students and staff annually through the Annual Compliance Report. In addition Brownson Technical Schools policy on Drug and Alcohol Abuse is available through the Business Office.

- J. Sexual harassment is illegal and will not be tolerated by Brownson Technical School. The purpose of this written policy is to:**

- reinforce the importance of Brownson Technical Schools policy against sexual harassment,
- elaborate further on what types of conduct constitute sexual harassment,
- reiterate the duty of each employee and student to make every effort to prevent harassment and to report any observed improper conduct of this type, and
- describe the procedure for making a complaint under this policy.

Please be assured that any report of improper conduct of a sexual nature will be investigated and, if the facts warrant, appropriate corrective action and/or disciplinary action will be taken.

- 1.) Conduct which constitutes sexual harassment:
  - a.) Any act of “quid pro quo” (“something for something”) sexual harassment, where a supervisor, or other employee with the power or authority to grant or withhold benefits or privileges, demands sexual favors in exchange for benefits or privileges.
  - b.) Unwelcome sexual advances, request for sexual favors, or other verbal or physical conduct of a sexual nature when submission to or rejection of such conduct is used as the basis for decisions or has the purpose or effect of unreasonably interfering with an individual’s performance or creating an intimidating or offensive environment.
  - c.) Examples of sexual harassment include, but are not limited to, the following conduct:
    - Explicit or implicit demands for sexual favors in return for benefits or privileges.
    - Unwelcome letters, e-mail communications, or telephone calls of a sexual nature.
    - Distribution or display of materials of a sexual nature, including posters, calendars, or pictures of men or women who are dressed in a suggestive manner. Entertainment, such as strippers or belly dancers, which tends to present men or women as sexual objects. These types of materials and entertainment are not allowed on Brownson Technical Schools property or at an event sponsored by Brownson Technical School.
    - Physical assaults of a sexual nature or coerced sexual intercourse.
    - Unwelcome and deliberate sexual touching, leaning over, brushing the body, cornering, pinching, or other untoward sexual behavior.
    - Unwelcome sexually suggestive looks or gestures.
    - Unwelcome pressure for sexual favors or dates.
    - Unwelcome sexual teasing, jokes, remarks, innuendo, insults, questions, or vulgar sexist language. Students and staff are asked to be mindful of others around them. Comments not intended as harassment, and not perceived as such by the person to whom they are directed, may be offensive and unwelcome to another employee or student who overhears them.
    - According favorable treatment to those who grant sexual favors, or unfavorable treatment to those who refuse to submit to or reject requests for sexual favors.
  - d.) Sexual harassment is not limited to conduct by a male employee or student toward a female employee or student by a supervisory employee toward a non-supervisory employee, or by an instructor toward a student.
    - A man as well as a woman may be the victim of sexual harassment and a woman as well as a man may be the harasser.
    - The victim does not have to be the opposite sex from the harasser.

- The harasser does not have to be the victim's supervisor or instructor. The harasser could be a supervisor or instructor, who does not supervise or instruct the victim, a non-supervisory employee, a co-worker, an agent of Brownson Technical School or a non-employee in the workplace.
- e.) The victim does not have to be the person toward whom the unwelcome sexual conduct is directed, but may be someone who is affected by such conduct when it is directed toward another person. For example, the sexual harassment of an employee or student may create for another employee or student an intimidating, hostile, or offensive environment.
- f.) Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. However, some behavior that is acceptable in a social setting may not be appropriate in the workplace or school setting. It refers to sexual behavior that is not welcome, that is personally offensive, that fails to respect the rights of others, that lowers morale and, therefore, interferes with work or academic effectiveness.

1. Responsibilities for reporting sexual harassment:

- a.) It is the duty and obligation of all employees or students to comply with this policy and report conduct, which they believe to be sexual harassment.
- b.) Any employee or student who believes that he or she is being harassed, is encouraged to confront the person or persons responsible for causing the offense. Often the simplest and most effective way to put an end to harassing behavior is to tell the harasser that the behavior is offensive and unwelcome and to stop. If the misconduct continues, or if the employee or student feels uncomfortable about confronting the harasser or unsure about what to do, he or she should report it to the employee's supervisor or Brownson Technical Schools Director.
- c.) If students or staff have any questions regarding this policy regarding sexual harassment in the workplace, they should contact the School Director or Administrative staff.
- d.) The law prohibits retaliation for opposing any form of employment discrimination, including sexual harassment, or for filing a complaint, testifying, assisting, or participating in any manner in an investigation, proceeding, or hearing regarding any form of employment discrimination, including sexual harassment. Brownson Technical School will take appropriate measures to ensure that no such retaliation occurs.

### 3.) Complaint Procedure

- a.) Any employee or student, who believes that he or she is being harassed should promptly report the conduct to:
  - the employee's immediate supervisor, **or**
  - Brownson Technical School' Campus Director, **or**
  - Program Supervisor, **or**
  - Director of Education
- b.) Brownson Technical School will conduct a prompt and thorough investigation of all circumstances surrounding alleged incidents of sexual harassment brought to its attention. Brownson Technical School will make every effort to treat the complaint and resulting investigation discreetly.
- c.) If the report of sexual harassment is substantiated, appropriate corrective action, which may include disciplinary action, will be taken against the violator. Based on the severity of the offense, the action may include, but is not limited to, oral or written reprimand, demotion, suspension or termination.
- d.) Retaliation against employees or students who utilize the complaint procedure, or participate in an investigation pursuant to the procedure, is prohibited. Continued compliance with these policies will assure that the work and learning environment at Brownson Technical School remains harassment free and those employees and students treat each other with mutual respect.

**K. It is the policy of Brownson Technical School to prohibit the use, sale, dispensing, possession, or manufacture of a controlled substance on school premises or while conducting school business off its premises. This prohibition applies to all employees and students, and also covers all legal or prescription drugs that impair one's ability to perform safely and properly.**

Maintaining a safe, healthy working and learning environment is of vital concern to Brownson Technical School. Brownson Technical School, therefore, is committed to taking the proper actions necessary to create an environment that fosters the health and well-being of all its members.

In recognition of Brownson Technical Schools commitment, and in conjunction with federal, state, and

local mandates, the unlawful manufacture, distribution, sale, purchase, possession, or use of controlled substances, including alcohol, illegal drugs, or legal drugs used illegally, is prohibited on School premises. Students must not report for classes or be on School premises while under the influence of, or have in their possession while on School premises, any alcoholic beverage, marijuana or any illegally obtained drug, narcotic, or other illegal substance. This policy, also, refers to all School-sponsored on-campus and off-campus work-related activities such as field trips, etc. Only prescription medications provided under signature and supervised by a licensed physician, and over-the-counter medications used as instructed by the manufacturer, are allowed on Brownson Technical School premises. However, if a student is lawfully taking medication



which can affect physical or mental abilities, the School reserves the right to obtain information about it in order to take the appropriate action regarding safety and productivity.

Although the consumption of alcoholic beverages is clearly a matter of personal choice, Brownson Technical School neither condones nor allows advertising or promotion of any alcoholic beverages on the School premises. Furthermore, no person shall be coerced, even subtly, to drink or to overindulge.

## 1. Definition of Terms

For the sake of clarity and consistency, the following definitions are provided to assist in understanding the Brownson Technical School drug/alcohol /controlled substance policy:

- **Alcohol** – Any alcoholic beverage.
- **Controlled substance** - Any federally regulated substance, including alcohol, but not including nicotine and common over-the counter medications such as aspirin.
- **Drug** – Any illegal drug or legal drug used illegally.
- **Illegal drug** – Any drug that is defined by local, state, and/or federal statutes as “illegal.”
- **Possession** - Controlled substances in any amount found on a person, or in or on property under his/her control while on School premises.
- **School premises** – School grounds, including buildings and apartments rented, leased, owned, operated or occupied by the School, open spaces, vehicles. Any off-campus School sponsored functions or any offsite locations where a student is performing work on behalf of Brownson Technical School (e.g. Admission Representatives making a presentation in a prospect’s house).

## 2. An individual’s rights under the Americans With Disabilities Act and The Civil Right Act.

In the execution of the procedures listed on the following pages, care should be taken that an individual’s rights as prescribed by the Americans With Disabilities Act of 1990 and the Civil Rights Act 1991 are not violated. Plaintiffs with discrimination complaints now have a right to jury trials and have the ability to recover mental anguish and punitive damages if intentional acts of discrimination are proven.<sup>i</sup>

It should be noted that rehabilitated alcoholics and rehabilitated drug addicts are considered disabled for the purposes of the ADA act. However, imbibing alcoholics can be held to the same qualification standards for job performance as other students. The current user of illegal drugs does not have a disability covered by the ADA.<sup>ii</sup>

Specific guidelines and legal summaries of the Americans With Disabilities Act of 1990 (ADA) and the Civil Rights Act of 1991 (CRA) are available from a Brownson Technical School Student Services representative.

**3. Procedures for dealing with individuals suspected of being under the influence and/or possession of alcohol/drugs/controlled substance.**

- A. The School reserves the right to conduct searches for controlled substances at any time on School property.** School property can be searched at any time. All searches and questioning will take place in front of a witness who will record the proceedings in their entirety. Any controlled substances found in such searches will be confiscated by authorized School personnel, and held for possible legal action.
- B. There will be no involuntary personal searches,** nor will School staff members touch the suspected individual to conduct a search. However, personal searches may be conducted jointly by the School and authorized law enforcement individuals if there is just cause for suspicion of use and/or possession. Such searches can include personal belongings such as bags, brief cases, desks, lockers, toolboxes, and vehicles.
- C. An individual who refuses to cooperate with the search** of School property may be subject to disciplinary action, up to and including expulsion.
- D. Any student who is employed by the School in an occupation where the safety of School personnel is a concern, and who has been required to undergo drug screening as a condition of employment, may be required to undergo testing and screening if use of a controlled substance is suspected.** Any testing and screening will be conducted under the guidelines defined by the Drug Free Workplace Act of 1988.
- E. An individual who appears on School grounds in a condition that clearly indicates use of alcohol, illegal drugs, or any other controlled substance** shall be required to vacate the premises immediately. Furthermore, the School will take all steps that are reasonable and prudent to prevent the individual from driving, including notification of the proper law enforcement officials if necessary. Such individuals will be considered absent without excuse, and will be subject to any appropriate disciplinary action related to such absences.
- F. An individual who enters the School premises clearly in possession of a controlled substance** shall be immediately subject to questioning, confiscation of the substance, and appropriate disciplinary action. Any questioning shall occur in a pre-designated area that is removed from the individual's class site. Disciplinary outcomes may include oral or written warnings, drug testing and screening (if required by the School as a condition of employment), disciplinary probation, expulsion and notification of law enforcement.
- G. All incidents that occur on the School premises of Brownson Technical School or at Brownson Technical School sponsored events/training are to be reported immediately.** Documentation of the incident will be recorded on the Brownson Technical School Incident/Injury Report, which is available through the Business Office. (A sample copy of the Incident/Injury Report is enclosed as Attachment #1). A copy of the report and any further documentation regarding infractions will be placed in the student's record file.

#### **4. Disciplinary sanctions that will be imposed for violation of Brownson Technical School Drug/ Alcohol/ Controlled Substance policy**

- A. The following actions will be regarded as violations of the Brownson Technical School Alcohol/Drug/Controlled Substance Policy:
- Use and/or possession of alcohol on School premises
  - Use and/or possession of illegal drugs
  - Being under the influence of drugs and/or alcohol
- B. In response to any violations the School will appropriately implement any or all the following courses of action:
- Documentation of the incident with a copy placed into the student's record file
  - Notification of the proper law enforcement agency
  - Oral/written warnings
  - Probation
  - Suspension
  - Expulsion

#### **5. Convictions**

Any student who is convicted of an off-campus violation of a controlled substance statute, as defined by law, whether it is local, state, or federal, is required to report each violation to the School Director or the authorized administrator within 5 days of the conviction.

A detailed copy of this policy is available through the School Director.

<sup>1</sup> *The Basics of Employment Law, Understanding the Fundamentals*, Institute for International Research, (I.I.R.) BV, 1998

<sup>1</sup> Op. cit.

**1**  
**Brownson Technical School**  
**Incident/Injury Report**

Name:	Date of Incident:	Time of Incident:			
Location of Incident:	Description of Incident:				
Name of Injured Person (s):	Department	Height	Weight	Hair	Eyes
Description of Suspect: (if applicable)	Age	Height	Weight	Hair	Eyes

Description of the Incident/Injury:

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Action Taken:

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Signature

Date

Return this form to the Directors Office within 2 days of the incident or injury

# Incident/Injury Procedures

## Overview

All incidents, accidents or injuries occurring on the campus of Brownson Technical School or at a Brownson Technical School event/training activity is to be reported immediately. This will help the school to limit costs and assure that we provide a safe and effective working and learning environment. Whenever an incident, accident or injury occurs in your area or you are the senior school employee present, you are to comply with the following.

## Procedures

1. Take control of the situation immediately
2. If there has been an EMPLOYEE injury:
  - Concern for the injured is your highest priority.
  - Secure appropriate first aid assistance.
  - If hospital transportation is required or the situation is life threatening, call 911.
  - If the situation occurs on school property and is not life threatening, use the designated Workers Compensation provided; otherwise use the nearest hospital.
  - Workers Compensation requires that employees report all incidents within 2 days or coverage may be disallowed.
3. If there has been a STUDENT injury:
  - Concern for the injured is your highest priority.
  - Secure appropriate first aid assistance.
  - Only the student may decide whether to call an ambulance. If one is requested or the situation is life threatening call 911.
  - The student must decide where he/she wishes to seek medical attention.
4. Ask who witnessed the incident and have them write down what happened.
5. Ask what happened. Listen carefully.
6. Make sure that the area is safe so that there is no possibility of a repeat occurrence.
7. Complete a Brownson Technical School incident/Injury report obtained from the HR department immediately. Be sure to provide a full description of everything that happened and attach the witnesses statements.  
Return the form to HR.

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<sup>i</sup> *The Basics of Employment Law, Understanding the Fundamentals*, Institute for International Research, (I.I.R.) BV, 1998

<sup>ii</sup> Op. cit.