

# Hot Rod Institute

Issue #1 25c

Consumer

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# Hot Rod Institute Consumer and Safety Information Booklet

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# Hot Rod Institute Annual Campus Safety / Security / Fire Safety Report



**Reporting date 1 October 2023**  
**For the Calendar dated 1 January thru 31 December 2022**

**Sources used to compile statistics and complete this report Includes:**

**ACE American Council on Education A presidents Guide to the Clery Act: 2023 Edition**

**The Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics**

**City-Data for south Dakota** [Registered sex offenders in Rapid City, South Dakota - crimes listed, registry-based, living in this city \(city-data.com\)](https://city-data.com/south-dakota/crimes-listed-registry-based-living-in-this-city.html)

**Police reports** [Stats, Reports, and Forms | Rapid City South Dakota \(rcgov.org\)](https://rcgov.org/stats-reports-and-forms)

Hot Rod Institute Campus Safety and Security Report includes campus safety policies, procedures, and statistics concerning campus crime. It is for Students, Staff, Employees, and Prospective Students, and it describes steps to prevent and respond to crime, and how Students, Faculty, Staff and Employees can work together to maintain a safe campus and community. This report complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

## **Policy Statement**

The safety and security of Students, Staff and Employees, and Visitors at Hot Rod Institute is imperative. This document has been prepared to provide knowledge and awareness of safety policies and procedures as well as timely warnings and emergency notifications arising under the Clery Act.

The primary Campus Security Authority (CSA) at Hot Rod Institute (HRI) is the Director of Education. The secondary CSA is the Rod Shop Manager at Hot Rod Institute. The Students, Staff and Employee population and Visitors, including vendors, will be referred to as the Campus Community.

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

Hot Rod Institute publishes an Annual Security Report (ASR) in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (The “Clery Act”). The information included in the ASR includes the reported number of instances of criminal homicide, sexual assaults, robbery, aggravated assault, burglary, motor vehicle theft, arson, domestic violence, dating violence, stalking, hate crimes, arrests, and student code of conduct violations relating to weapons, drugs, and alcohol. Some of these statistics are grouped together because of the way they are reported. This report is prepared in cooperation with the local Law Enforcement Agency (LEA) surrounding the campus and other local campus locations.

## **Campus Security Procedures and Practices and Reporting of Crimes**

Campus security procedures are reviewed quarterly in classroom orientations and staff meetings as well as being posted year-round in the campus Learning Resource Center, located on the second floor next to the Director of Education’s office. Students, Staff and Employees are encouraged to take responsibility for their own security and the security of others.

In the event of an emergency, the person reporting the crime should call 911 for an immediate response from the local Law Enforcement Agency. Once the situation has been deemed safe by the responding Law Enforcement Agency, the reporter should immediately notify the emergency to Hot Rod Institute Campus Security Authority at 605.593.7115 in the event the Campus Security Authority is not available, the Alternate Campus Security Authority should be contacted at 605.786.7931

In non-emergency situations, the crime should be reported as soon as possible to the Campus Security Authority, the local Law Enforcement Agency. All Students, Staff and Employees, and campus visitors are encouraged to accurately report all crimes and public safety related incidents to the Campus Security Authority and the appropriate Law Enforcement Agency in a timely manner. The Campus Security Authority shall document each incident reported. All incident reports shall be reviewed by Hot Rod Institute President who will determine an appropriate response based on the nature of the incident.

Bystanders and witnesses are encouraged to **not** remain silent, and to take an active role in promoting a positive and safe school environment. Bystanders can help in several different ways, particularly in situations involving dating violence, domestic violence, sexual assault, or stalking; including direct intervention, seeking assistance from an authority figure, notifying campus security, or calling state or local Law Enforcement Agency.



All victims of crimes that occur on campus property have the right to report the incident to the local Law Enforcement Agency. Hot Rod Institute reserves the right to treat an offense as a disciplinary matter whether or not it is reported to the local Law Enforcement Agency. Hot Rod Institute cannot take disciplinary action unless a full report and investigation has been performed and a determination by Hot Rod Institute President that disciplinary action is warranted. In the event that Hot Rod Institute has officially recognized a Student Organization, or sponsored a Student event and criminal activity by Students, Staff or Employees has taken place at a non-campus location, the incident should be reported to local Law Enforcement Agency and would be monitored by Hot Rod Institute Campus Security Authority for possible disciplinary action.

Victims of or witnesses to crimes may report crimes on a voluntary and confidential basis for inclusion in this annual disclosure of crime statistics by reporting the crime to the Campus Security Authority and requesting confidentiality in writing. Victim requests for confidentiality in instances of sexual violence will be subject to the following sections, “Options for Reporting and Confidentially Disclosing Sexual Violence,” and “Requesting Confidentiality From” Hot Rod Institute.

The following are how Hot Rod Institute will view the Request and Respond:

### **Options for Reporting and Confidentially Disclosing Sexual Violence**

In this notice, the terms “sexual offenses” and “sexual violence” are deemed to include sexual assault, domestic and dating violence, and stalking.

Hot Rod Institute encourages victims of sexual violence to talk to somebody, of their choosing, about what happened. Hot Rod Institute encourages victims to get the support they need, but also need to report the incident so Hot Rod Institute can respond appropriately. Different employees have different abilities to maintain a victim’s confidentiality.

- Some may be required to maintain near complete confidentiality; talking to them is sometimes called a “privileged communication.” These people would include any Professional or Pastoral Counselors, as described below.
- Some employees are required to report all the details of an incident (including the identities of both the victim and alleged perpetrator) to the Title IX Coordinator. A report to these employees (called “responsible employees”) constitutes a report to the School – and generally obligates the School to investigate the incident and take appropriate steps to address the situation. These employees include the President and Campus Security Authority.

This policy is intended to make students aware of the various reporting and confidential disclosure options available to them – so they can make informed choices about where to turn should they become a victim of sexual violence. The School encourages victims to talk to someone identified in one or more of these groups.

When a student or employee reports being the victim of dating violence, domestic violence, sexual assault, or stalking, whether on or off campus, Hot Rod Institute will provide the student or employee a written explanation of the student or employee’s rights and options as described below.

## **Privileged and Confidential Communications**

Professional and Pastoral Counselors - Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the school community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX Coordinator without a victim's permission. A victim who speaks to a professional counselor or advocate must understand that, if the victim wants to maintain confidentiality, the School will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator.

Even so, these counselors and advocates will still assist the victim in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working or course schedules. A victim who at first requests confidentiality may later decide to file a complaint with the Hot Rod Institute or report the incident to local Law Enforcement Agency, and thus have the incident fully investigated. These counselors and advocates will provide the victim with assistance if the victim wishes to do so.

**NOTE:** While these professional counselors and advocates may maintain a victim's confidentiality, Hot Rod Institute may have reporting or other obligations under state law, such as mandatory reporting to law enforcement in case of minors; imminent harm to self or others; or the requirement to testify if subpoenaed in a criminal case. **ALSO NOTE:** If the School determines that the alleged perpetrator(s) pose a serious and immediate threat to the Hot Rod Institute community, the Campus Security Authority may be called upon to issue a timely warning to the Hot Rod Institute community. Any such warning should not include any information that identifies the victim.

## **Reporting to Responsible Employees**

A "responsible employee" is a Hot Rod Institute employee who has the authority to address sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty.

When a victim tells a responsible employee about an incident of sexual violence, the victim has the right to expect Hot Rod Institute to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

A responsible employee must report to the Title IX Coordinator all relevant details about the alleged sexual violence shared by the victim and that the School will need to determine what happened – including the names of

the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

To the extent possible, information reported to the responsible employee will be shared only with employees responsible for handling Hot Rod Institute response to the report. A responsible employee should not share information with law enforcement without the victim's consent or unless the victim has also reported the incident to law enforcement.

The following employees are Hot Rod Institutes responsible employees:

- President
- Director of Education
- Rod Shop Manager

Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee's reporting obligations – and, if the victim wants to maintain confidentiality, direct the victim to confidential resources.

If the victim wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the victim that Hot Rod Institute will consider the request, but cannot guarantee that the School will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employee will also inform the Coordinator of the victim's request for confidentiality.

Responsible employees will not pressure a victim to request confidentiality, but will honor and support the victim's wishes, including for the Hot Rod Institute to fully investigate an incident. Also, responsible employees will not pressure a victim to make a full report if the victim is not ready to.

### **Requesting Confidentiality from Hot Rod Institute: How the School Will Consider the Request and Respond**

If a victim discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, Hot Rod Institute must consider that request against Hot Rod Institutes obligation to provide a safe, non-discriminatory environment for all students, including the victim.

If Hot Rod Institute honors the request for confidentiality, a victim must understand that Hot Rod Institutes ability to investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited. Although rare, there are times when Hot Rod Institute may not be able to honor a victim's request in order to provide a safe, non-discriminatory environment for all students.

The Hot Rod Institute designated the Title IX Coordinator to evaluate requests for confidentiality once a responsible employee is on notice of alleged sexual violence. This person receives annual training on issues related to dating violence, domestic violence, sexual assault, and stalking and on conducting investigations and hearings related to these matters. When considering a victim's request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator will consider a range of factors, including but not limited to the following:

- The increased risk that the alleged perpetrator will commit additional acts of sexual or other violence
- Whether there have been other sexual violence complaints about the same alleged perpetrator
- Whether the alleged perpetrator has a history of arrests or records from a prior school or community indicating a history of violence

- Whether the alleged perpetrator threatened further sexual violence or other violence against the victim or others
- Whether the sexual violence was committed by multiple perpetrators
- Whether the sexual violence was perpetrated with a weapon
- Whether the victim is a minor
- Whether Hot Rod Institute possesses other means to obtain relevant evidence of the sexual violence (e.g., security cameras or personnel, physical evidence)
- Whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead Hot Rod Institute to investigate and if appropriate, pursue disciplinary action. If none of these factors are present, Hot Rod Institute will more than likely respect the victim's request for confidentiality.

If Hot Rod Institute determines that it cannot maintain a victim's confidentiality, Hot Rod Institute will inform the victim prior, to starting an investigation and will to the extent possible, only share information with people responsible for handling Hot Rod Institutes response.

Hot Rod Institute will place the victim's well-being first and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students, staff or employees, will not be tolerated. The Hot Rod Institute will also:

- Assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health and mental health services, immigration services, financial aid information, and legal assistance both on and off campus.
- Provide other security and support, which could include issuing orders of protection, "no-contact" orders, restraining orders, or similar orders issued by a criminal, civil, or tribal court.
- Help arrange a change of living or working arrangements or course schedules (including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests. Inform the victim of the right to report a crime to campus or local Law Enforcement Agency and provide the victim with assistance if the victim wishes to do so.

Hot Rod Institute may not require a victim to participate in any investigation or disciplinary proceedings because Hot Rod Institute is obligated to address the issue of sexual violence on campus. Reports of sexual violence (including non-identifying reports) will also prompt Hot Rod Institute to consider broader remedial action such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including but not limited to targeted population groups, conducting climate assessments/victimization surveys, and/or revisiting its policies and practices. If Hot Rod Institute determines that it can respect a victim's request for confidentiality, the Hot Rod Institute will also take immediate action as necessary to protect and assist the victim.



**Off-campus Counselors and Advocates.**

Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with Hot Rod Institute unless the victim requests the disclosure and signs a consent or waiver form. While these off-campus counselors and advocates may maintain a victim's confidentiality, Hot Rod Institute may have reporting or other obligations under state law, such as mandatory reporting to Law Enforcement Agencies in cases involving minors, imminent harm to self or others, or a requirement to testify if subpoenaed in a criminal case.

**Public awareness events**

Public awareness events such as Break the silence, Take Back the Night, the Clothesline Project, candlelight vigils, protests, survivor speak outs or other forums in which students disclose incidents of domestic and sexual violence, are not considered notice to Hot Rod Institute of sexual violence for purposes of triggering its obligation to investigate any particular incident(s). More information can be found at

**Campus Law Enforcement Responsibility and Authority**

Hot Rod Institute does not have Campus Security force or a Campus Police force therefore the Campus Security Authority has the authority to ask anyone on campus for identification and to determine whether individuals have lawful business at Hot Rod Institute. The Campus Security Authority does not have arrest power. The Campus Security Authority cooperates with Law Enforcement Agencies that have jurisdiction on the campus as necessary to ensure campus safety. There is no written memorandum of understanding between the campus and the local Law Enforcement Agencies. Hot Rod Institute maintains a daily crime log of all reported crimes. The crime log is maintained by the Campus Security Authority and is available to the public.

**Emergency Response and Evacuation Procedures**

Hot Rod Institute strives to provide a safe work and campus environment and encourages personal health to the campus community. The Emergency Evacuation and Response Plan is designed to assist in crisis management situations. It is Hot Rod Institute's policy to be timely, accountable, and honest when communicating with the campus community in times of crisis. In the case of an unforeseen event, the Campus Security Authority will quickly respond to an incident or crisis following specific steps. The Campus Security Authority will conduct a crisis assessment to determine the severity of the incident or crisis regarding: a crime on campus, campus violence, a threat made against the campus, serious security issues in the area surrounding the campus, or an IT breach of security. Upon assessment the Campus Security Authority will execute a chain of actions pertinent to the incident: initiate communication, instruct of safety measures, debrief, and document a resolution.

**Emergency Response and Evacuation Plan**

Emergency evacuation escape route plans are posted in key areas throughout the campus. The campus community has been trained concerning these plans in classroom orientations and staff meetings. Emergency response and evacuation procedures are publicized at least annually in conjunction with at least one test per year. Announced or unannounced emergency evacuation drills are conducted at least once annually. Documented records of drills and testing of communications, which detail the date, time, and length of each drill, are maintained.

**Employee and Student Procedures after Evacuation**

In the event of an emergency all occupants will promptly exit the building according to the posted evacuation routes. Once clear of the campus, all occupants are required to go to the designated meeting point and immediately report to their Designee. After evacuation, each

Designee is responsible for each member in the group assigned to them. The Designee must conduct a head count to ensure all individuals are accounted for. The head count must be recorded, documenting the names of each group member. Everyone is responsible for reporting to their respective meeting point so that an accurate head count can be completed.

### **Evacuation Re-entry Policy**

After an evacuation, no one is to re-enter the campus for any reason. When the Fire Department or other Emergency Response Team has provided communication that the campus is safe for reentry, then individuals can return to their workstations and classrooms.

### **Emergency Notification System**

Upon the confirmation of a significant emergency or dangerous situation including weather or natural disasters, involving an immediate threat to the health or safety of the campus community by campus officials or local Law Enforcement, the Campus Security Authority will immediately notify the campus community using an emergency notification process, which includes the following systems: LMS digital messaging, mobile phone, landline, and person-to-person communication.

Through these systems, alerts are delivered to all Students, Staff and Employees via one or more of: LMS digital messaging, email, SMS text message, mobile phones, and landlines. Hot Rod Institute will, without delay, and considering the safety of the campus and local community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of the responsible authorities, compromise efforts to assist victims or to contain, respond to or otherwise mitigate the emergency. When a serious incident occurs that causes an immediate threat to the campus or the local community, the first responders to the scene are usually the local Law Enforcement Agency and the local Fire and Emergency Medical Services Department, and they typically respond and work together to manage the incident. Depending on the nature of the incident, other local departments or federal agencies could also be involved in responding to the incident and notifying the local community.

### **The emergency notification process involves the following actions:**

- Determine if the entire campus or just a portion will receive the emergency notification.
- Content of the emergency notification
- Activation of the emergency response and/or evacuation
- Alert campus occupants and as needed, after assessment, local community to the emergency
- Let the campus community know what they need to do

### **The following individuals, at a minimum, carry out the emergency notification process:**

- Campus Security Authority (CSA)
- Classroom Instructors
- Rod Shop Manager

### **Access to Campus**

During normal operating hours, the campus is open to the campus community. When appropriate, the school may require visitors to be accompanied by Staff or an employee. Access to administrative offices is open during normal business hours, but appointments are encouraged. When the campus is closed, the building is locked and access is restricted to Staff and Employees.

### **Maintenance and Campus Facilities**

Campus maintenance is undergone by the Rod Shop Manager and designated Staff, and they are responsible for keeping campus facilities in good repair. This includes repairing or replacing damaged doors, windows, and locks, and maintaining adequate lighting for the classrooms, administrative offices, and common areas. Hot Rod Institute does not have on-campus housing. All members of the campus community are encouraged to report any known hazards or damage to the facility to the Campus Security Authority.

### **Timely Warnings**

In the event that a situation arises, either on or off campus, that is determined to warrant a “timely warning” for reportable Clery Crimes: criminal homicide, sexual assaults, robbery, aggravated assault, burglary, motor vehicle theft, arson, domestic violence, dating violence, stalking, hate crimes, arrests, and student code of conduct violations relating to weapons, drugs, and alcohol, the Campus Security Authority an Timely Warning. Timely warnings will be issued to the campus community through email, student and staff bulletin boards, and person-to-person communication. Timely Warnings notification will withhold as confidential the names and other identifying information of victims. Anyone with information warranting a Timely Warning should report the circumstances to the Campus Security Authority by phone or in person.

### **Disclosure of the Annual Security Report**

The current Annual Security Report is published and made available to all enrolled Students, Staff and current Employees by October 1, 2023. For all prospective Students, Staff and Employees this information may be obtained by contacting the Campus Security Authority or visiting [www.HotRodInstitute.edu](http://www.HotRodInstitute.edu) at any given time.

### **Policy on Alcohol and Other Drugs**

The unlawful use, manufacture, distribution, dispense, or possession of alcohol, controlled substances, or any drug on campus premises or while involved in campus-related activities is strictly prohibited. It is also unlawful to sell, furnish, or provide alcohol and other drugs to anyone under the minimum age limit as designated under both campus, state, and federal laws. Such laws are strictly enforced by the Campus Security Authority and local Law Enforcement Agencies. Students who violate the campuses prohibitions against alcohol, controlled substances, and drugs are subject to disciplinary action up to and including dismissal from the campus. Information on the disciplinary process may be found in the school catalog. When circumstances warrant, a violation of this policy may also be referred to the appropriate Law Enforcement Authorities for investigation and prosecution. Employees who violate the campuses prohibitions against alcohol, controlled substances, and drugs are subject to disciplinary sanctions up to and including immediate termination pursuant to the **Drug-Free Schools Annual Disclosure** located at [www.HotRodInstitute.edu/disclosures](http://www.HotRodInstitute.edu/disclosures). As with student violations of this policy, a violation involving a member of the campus Staff or Employee may be referred to the appropriate Law Enforcement Authorities for investigation and prosecution.

### **Substance Abuse Education and Prevention Programs**

Students, Staff or employees requiring or requesting information about substance abuse treatment should contact the Director of Education or other designated campus officials for contact information of local substance abuse agencies and prevention programs. Additional substance abuse health risks can be found in the Drug-Free Schools/Drug-Free Workplace Annual Disclosure. Additional helpful information and resources may be found by contacting the following organizations:

### **Substance Abuse and Mental Health Services Administration**

**National Helpline 1-800-662-HELP (1-800-662-4357)**

<http://www.samhsa.gov/>

### **Suicide Prevention Lifeline**

**1-800-273-TALK (1-800-273-8255)**

<http://www.suicidepreventionlifeline.org/>

### **Disaster Distress**

**Helpline 1-800-985-5990**

<http://www.disasterdistress.samhsa.gov/>

### **Veteran's Crisis Line**

**1-800-273-8255**

<http://www.veteranscrisisline.net/>

**National Council on Alcoholism and Drug Dependence, Inc. 1-800-NCA-CALL (1-800-622-2255)**

<http://www.ncadd.org>

### **National Sexual Assault Hotline**

**1-800-656-HOPE (1-800-656-4679)**

<https://www.rainn.org/get-help/national-sexual-assault-hotline>

### **Sexual Offenses Reporting and Disciplinary Procedures**

Sexual offenses and any acts of sexual violence are a violation of the Code of Student Conduct and the Sexual Harassment Policy as stated in the school catalog. The crimes of dating violence, domestic violence, sexual assault, and stalking are prohibited for Students, Staff and Employees. Victim(s) of any sexual offenses and any acts of dating violence or sexual violence are strongly encouraged, but not required to immediately seek assistance from and report sexual offenses to local Law Enforcement Authorities, the local rape crisis center, and/or the Campus Security Authority. School personnel shall be available to assist the student in notifying these authorities if the victim chooses, as well as counsel the victim of the importance of preserving evidence for the proof of a criminal offense. Victims are similarly advised of the importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order. In such situations, victims shall also have the option, at their choosing, to decline to notify such authorities. Bystanders and witnesses are encouraged to not remain silent, and to take an active role in promoting a positive school environment. Bystanders can help in several different ways, including direct intervention, seeking assistance from an

authority figure, notifying Campus Security Authority, or calling state or local Law Enforcement. All allegations of any sexual offenses and any acts of sexual violence incidents shall be investigated by the Campus Security Authority. Allegations against students shall be investigated pursuant to the Code of Student Conduct, and disciplinary complaints may be filed, in writing, with the Campus Security Authority.

Disciplinary procedures in cases of alleged sexual offenses and any acts of sexual violence incidents shall:

- 1) provide prompt, fair, and impartial investigation and resolution
- 2) be conducted by officials who are trained on how to investigate and conduct hearings on domestic violence, sexual assault, and stalking
- 3) give the accused and the accuser the same opportunities to have an advisor or others, witness(es) or advocate present during the proceeding and related meetings.
- 4) be conducted under a “preponderance of the evidence” standard, and (5) simultaneously and in writing notify the accused and accuser of the outcome, appeal procedures, changes to the results, and results.

Disciplinary procedures will include, at a minimum, an investigation, and a right to be heard for the accused and the accuser. The Hot Rod Institute will complete its investigation within sixty (60) calendar days, but circumstances may require that an investigation continue beyond a 60-day period. These circumstances may include the complexity and scope of the allegations and the investigation, the number of witnesses, the availability of the parties or witnesses, the effect of a current criminal investigation, and any intervening school breaks or holidays.

The Hot Rod Institute will protect the confidentiality of victims and other necessary parties by

- 1) completing publicly available record-keeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim
- 2) maintaining as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the Hot Rod Institute to provide the accommodations or protective measures.

Students who are determined to have violated the school’s prohibitions against sexual offenses and any acts of sexual violence are subject to disciplinary action up to and including dismissal from the school. Detailed information regarding the disciplinary procedure for sexual offenses and any acts of sexual violence incidents can be found in the Code of Student Conduct. As appropriate, the matter shall be referred to the appropriate Law Enforcement Authorities for investigation and prosecution.

Staff or Employees who violate the school’s prohibition against sexual offenses and any acts of sexual violence are subject to disciplinary sanctions up to and including immediate termination. As with student violations of this policy, a matter involving a member of the Hot Rod Institute Staff or Employees may be referred to the appropriate Law Enforcement Authorities for investigation and prosecution. For more information Staff should contact the President and Employees should contact the Rod Shop Manager. The Hot Rod Institute will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. The Hot Rod Institute may change a victim’s academic situation after a sexual offense and any acts of sexual



violence or alleged sexual offenses and any acts of sexual violence if those changes are requested by the victim and are reasonably available. The student may seek assistance in requesting a change from the Campus Security Authority.

Hot Rod Institute will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the campus community and the local community.

### **Sexual Offenses Prevention and Awareness Programs**

All new students will be provided with training and awareness opportunities related to the Violence Against Women Act. To promote prevention and awareness for all continuing students, the campus will conduct awareness activities throughout the year. Each activity will focus on overall awareness, prevention, risk reduction and reporting guidelines. Risk reduction activities include courses offered on campus in partnership with SAFE project designed to provide students and staff with skills to identify dangerous/abusive behavior and avoid risky situations.

### **Registered Sex Offender Information**

Students, Staff and Employees with concerns about a registered sex offender are encouraged to share those concerns with the Administration. Students are strongly encouraged to examine all statistics and resources in this disclosure and the linked sources prior to enrollment. Current information on registered sex offenders may be found at the following link:

<https://www.city-data.com/so/so-Rapid-City-South-Dakota.html>

### **Security Awareness Programs**

All new Students, Staff and Employees are provided with access to the most recent ASR. Additionally, Hot Rod Institute ensures that the campus community is aware of security related issues by:

- Offering crime awareness/crime prevention seminars in conjunction with local law enforcement agencies on at least an annual basis
- Providing information on Crime Prevention Measures to the campus community
- Issuing “Timely Warnings” and “Emergency Notifications”, as appropriate, regarding situations that could pose an immediate or ongoing threat to the safety or welfare of the campus community.

## **Definitions**

### **Crime Definitions from the Summary Reporting System (SRS) User Manual from the FBI's UCR Program**

#### ***Arson***

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

#### ***Criminal Homicide—Manslaughter by Negligence***

The killing of another person through gross negligence.

#### ***Criminal Homicide—Murder and Non-negligent Manslaughter***

The willful (non-negligent) killing of one human being by another.

#### ***Rape***

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

#### ***Robbery***

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

#### ***Aggravated Assault***

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

#### ***Burglary***

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

#### ***Motor Vehicle Theft***

The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)

#### ***Weapons: Carrying, Possessing, Etc.***

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

#### ***Drug Abuse Violations***

The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful

cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance.

Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

### ***Liquor Law Violations***

The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

## **Crime Definitions From the National Incident-Based Reporting System (NIBRS) User Manual from the FBI's UCR Program**

### ***Sex Offenses***

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

***Fondling***—The touching of the private body parts of another person for the purpose<sup>11</sup> 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.

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

***Statutory Rape***—Sexual intercourse with a person who is under the statutory age of consent.

## **Crime Definitions from the Hate Crime Data Collection Guidelines and Training Manual from the FBI's UCR Program**

### ***Larceny-Theft (Except Motor Vehicle Theft)***

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

### ***Simple Assault***

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

### ***Intimidation***

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

### ***Destruction/Damage/Vandalism of Property***

To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

## **VAWA Specific Definitions**

***Sexual Assault*** - An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program. Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent including:

***Rape***- The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

***Fondling*** – 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.

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

***Statutory Rape*** – Sexual intercourse with a person who is under the statutory age of consent. For the purposes of this definition:

***Consent*** - The affirmative, unambiguous, and voluntary agreement to engage in a specific sexual activity during a sexual encounter. Additionally:

- Someone who is incapacitated 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 can be withdrawn at any time and coercion, force, or threat of either invalidates consent.

***Domestic Violence*** - A felony or misdemeanor crime of violence committed

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

***Dating Violence*** - Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

***Stalking*** - Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

**For the purposes of this definition:**

***Course of conduct*** - Two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

***Reasonable person*** – A reasonable person under similar circumstances and with similar identities to the victim.

***Substantial emotional distress*** - A significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

**Jurisdictional Definitions**

Domestic abuse, also called "domestic violence" or "Intimate partner violence" in South Dakota, SDCL 25-10-1(1) is when a family or household member does any of the following:

- Causes physically harm or bodily injury.
- attempts to cause physical harm or bodily injury.
- Inflicts fear or imminent physical harm or bodily injury; and / or stalks you.

**6-2-302. Sexual assault in the first degree.**

Any person who inflicts sexual intrusion on a victim commits a sexual assault in the first degree if:

- 1) The actor causes submission of the victim through the actual application, reasonably calculated to cause submission of the victim, of physical force or forcible confinement.
- 2) The actor causes submission of the victim by threat of death, serious bodily injury, extreme physical pain or kidnapping to be inflicted on anyone and the victim reasonably believes that the actor has the present ability to execute these threats.



- a) The victim is physically helpless, and the actor knows or reasonably should know that the victim is physically helpless, and that the victim has not consented; or
- b) The actor knows or reasonably should know that the victim through a mental illness, mental deficiency or developmental disability is incapable of appraising the nature of the victim's conduct.

### **6-2-303. Sexual assault in the second degree.**

Any actor who inflicts sexual intrusion on a victim commits sexual assault in the second degree if, under circumstances not constituting sexual assault in the first degree:

- 1) The actor causes submission of the victim by threatening to retaliate in the future against the victim or the victim's spouse, parents, brothers, sisters or children, and the victim reasonably believes the actor will execute this threat. "To retaliate" includes threats of kidnapping, death, serious bodily injury or extreme physical pain;
- 2) The actor causes submission of the victim by any means that would prevent resistance by a victim of ordinary resolution.
- 3) The actor administers, or knows that someone else administered to the victim, without the prior knowledge or consent of the victim, any substance which substantially impairs the victim's power to appraise or control his conduct;
- 4) The actor knows or should reasonably know that the victim submits erroneously believing the actor to be the victim's spouse;

Repealed By Laws 2007, Ch. 159, § 3.

- 1) The actor is in a position of authority over the victim and uses this position of authority to cause the victim to submit.
- 2) The actor is an employee, independent contractor or volunteer of a state, county, city or town, or privately operated adult or juvenile correctional system, including but not limited to jails, penal institutions, detention centers, juvenile residential or rehabilitative facilities, adult community correctional facilities or secure treatment facilities and the victim is known or should be known by the actor to be a resident of such facility or under supervision of the correctional system;

Repealed by Laws 2018, ch. 80, § 3.

- 3) The actor is an employee or volunteer of an elementary or secondary public or private school who, by virtue of the actor's employment or volunteer relationship with the school, has interaction with the victim who is a student or participant in the activities of the school and is more than four (4) years older than the victim.

A person is guilty of sexual assault in the second degree if he subjects another person to:

- 1) Sexual contact or sexual intrusion in the person's capacity as a health care provider in the course of providing care, treatment, services or procedures to maintain, diagnose or otherwise treat a patient's physical or mental condition;
- 2) Sexual contact and causes serious bodily injury to the victim under any of the circumstances listed in W.S. 6-2-302(a)(i) through (iv) or paragraphs (a)(i) through (vii) and (ix) of this section.

Repealed By Laws 1997, ch. 135, § 2.

**6-2-304. Sexual assault in the third degree.**

(a) An actor commits sexual assault in the third degree if, under circumstances not constituting sexual assault in the first or second degree:

(i) Repealed By Laws 2007, Ch. 159, § 3.

(ii) Repealed By Laws 2007, Ch. 159, § 3.

(iii) The actor subjects a victim to sexual contact under any of the circumstances of W.S. 6-2-302(a)(i) through (iv) or 6-2-303(a)(i) through (vii) and (ix) without inflicting sexual intrusion on the victim and without causing serious bodily injury to the victim.

**6-2-506. Stalking; penalty.**

(a) As used in this section:

(i) "Course of conduct" means a pattern of conduct composed of a series of acts over any period of time evidencing a continuity of purpose;

(ii) "Harass" means to engage in a course of conduct, including but not limited to verbal threats, written threats, lewd or obscene statements or images, vandalism or nonconsensual physical contact, directed at a specific person that the defendant knew or should have known would cause:

(A) A reasonable person to suffer substantial emotional distress;

(B) A reasonable person to suffer substantial fear for their safety or the safety of another person; or

(C) A reasonable person to suffer substantial fear for the destruction of their property.

(b) Unless otherwise provided by law, a person commits the crime of stalking if, with intent to harass another person, the person engages in a course of conduct reasonably likely to harass that person, including but not limited to any combination of the following:

(i) Communicating, anonymously or otherwise, or causing a communication with another person by verbal, electronic, mechanical, telegraphic, telephonic or written means in a manner that harasses;

(ii) Following a person, other than within the residence of the defendant;

(iii) Placing a person under surveillance by remaining present outside his or her school, place of employment, vehicle, other place occupied by the person, or residence other than the residence of the defendant; or

(iv) Otherwise engaging in a course of conduct that harasses another person.

(c) This section does not apply to an otherwise lawful demonstration, assembly or picketing.

(d) Except as provided under subsection (e) of this section, stalking is a misdemeanor punishable by imprisonment for not more than one (1) year, a fine of not more than seven hundred fifty dollars (\$750.00), or both. If a person sentenced under this subsection is placed on probation, the court may, notwithstanding any other provision of law, impose a term of probation exceeding the maximum one (1) year imprisonment, provided the term of probation, including extensions, shall not exceed three (3) years.

(e) A person convicted of stalking under subsection (b) of this section is guilty of felony stalking punishable by imprisonment for not more than ten (10) years, if:

(i) The act or acts leading to the conviction occurred within five (5) years of the completion of the sentence, including all periods of incarceration, parole and probation, of a prior conviction under this subsection, or under subsection (b) of this section, or under a substantially similar law of another jurisdiction;

(ii) The defendant caused serious bodily harm to the victim or another person in conjunction with committing the offense of stalking;

(iii) The defendant committed the offense of stalking in violation of any condition of probation, parole or bail; or

(iv) The defendant committed the offense of stalking in violation of a temporary or permanent order of protection issued pursuant to W.S. 7-3-508, 7-3-509, 35-21-104 or 35-21-105 or pursuant to a substantially similar law of another jurisdiction.

(f) An offense under this section may be deemed to have been committed at the place where any:

(i) Act within the course of conduct that constitutes stalking was initiated; or

(ii) Communication within the course of conduct that constitutes stalking was received by the victim then present in South Dakota; or

(iii) Act within the course of conduct that constitutes stalking caused an effect on the victim then present in South Dakota.

(g) An act that indicates a course of conduct but occurs in more than one (1) jurisdiction may be used by any jurisdiction in which the act occurred as evidence of a continuing course of conduct.

## **Additional Definitions**

***Unfounded Crimes*** – An institution may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report for purposes of reporting under the Clery Act. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report.

## **Fire Safety Report**

Hot Rod Institute is committed to ensure the safety, comfort and well-being of all students and fire safety is part of that commitment. Hot Rod Institute does not have Campus housing facilities, however if in the event of a fire, all fire evacuation procedures should be followed in evacuating the campus. The fire alarm system is monitored 24/7 by an external monitoring company and when an alarm is triggered the fire department is notified immediately and dispatched to the Campus. If a fire occurs, the nearest fire alarm should be activated and notify the local fire department as well as site personnel.

### **Fire Drills, Evacuation and Fire Safety Education**

Fire drills are held on a quarterly basis. All students and personnel must immediately evacuate the facility when a fire alarm is triggered. Upon being notified about a fire emergency, occupants must leave the building using designated escape evacuation routes and assemble and remain in the designated staging areas until Emergency Personnel have announced that it is safe to reenter the building. Each student receives a copy of the Student Handbook which contains information concerning fire safety and prohibited items.

## **Fire Safety Inspections**

Fire protection systems are inspected and tested, at a minimum, on an annual basis. Notify the Rod Shop Manager of possible damage to or problem with any fire protection equipment including sprinkler systems, alarms, and fire extinguishers. Fire safety violations are subject to sanctions by local law enforcement. The city may also cite violations of code according to their own schedules. In addition, Hot Rod Institute may charge an individual for violations of the Fire Safety Codes and Policies.

## **Specific Fire Safety Procedures**

- Familiarize yourself with evacuation routes and meeting locations provided on the evacuation map displayed
- If a fire alarm is activated, immediately leave the building. If it is safe to do so. Instructors and employees will help clear the building of all persons until the fire department arrives
- Stairwells should be used to evacuate the upstairs classrooms and offices.
- If time allows, close all doors behind you
- Assemble and remain at designated assembly area
- Non-emergency personnel may fight the fire ONLY if the fire is small and not spreading to other areas and there is a working fire extinguisher and this personnel is trained to use it
- Provide Emergency Personnel with information you may have about the fire alarm, any

- persons who are unaccounted for or anyone who is injured
- Re-enter the building only after Emergency Personnel have announced that it is safe to do so.

### **Definitions Related to Fire Safety Report**

**Fire** - any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

**Cause of Fire** - the factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

**Fire Drill** - a supervised practice of a mandatory evacuation of a building for a fire.

**Fire-Related Injury** - any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term “person” may include students, employees, visitors, firefighters or any other individuals.

**Fire-Related Death** - any instance in which a person (1) is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or (2) dies within one year of injuries sustained as a result of the fire.

**Fire Safety System** - any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.

**Value of Property Damage** - the estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

### **Missing Student Notification Procedures**

The following procedure has been established to assist in locating Hot Rod Institute students that are a no call / no show for the school day.

- Students should notify their Instructor or school admin if they are not going to be present for the day.
- If a student fails to show up for class, the Instructor will notify the Director of Education (DOE) and the DOE will try to make contact with the student. After 24 hours of the first report of a student failing to attend class, a missing person report may be filed with a local Law Enforcement Agency.
- Hot Rod Institute will immediately refer all missing person reports to local Law Enforcement Agency and fully cooperate with law enforcement officers in the investigation of a possible missing person.
- Students are required to fill out an Emergency Point of Contact Form (EPOC) once they start their first class and are required to contact the Campus Security Authority if that form should need updated. The listed person on the EPOC may be notified in the case that the student is determined to be missing. Hot Rod Institute will notify this individual no later than 24 hours



after the student is determined to be missing. Only the Campus Security Authority and law enforcement officers in furtherance of a missing person investigation may have access to this information.

- Hot Rod Institute will notify or attempt to notify the parent or guardian of a missing student who is less than 18 years of age and not yet emancipated regardless of whether that student has registered a confidential contact person or that contact person is other than a parent or guardian.
- When a missing student report is made, Hot Rod Institute may take any of the following steps to assist in locating the missing student unless directed otherwise by local law enforcement.
- Call/email the student;
- Go to the student's residence;
- Talk to other students to see if anyone can confirm the student's
  - whereabouts and confirm the date, time, and location the student was last seen;
  - Check the locations where there is reason to believe the student might be;
  - Check the student's known social networking sites such as Facebook and Twitter;
  - ascertain the student's car make, model, and license plate number and check school parking for the presence of the student's car.

# Hot Rod Institute's Annual Crime Report



The following are Crime and Fire Statistics reported and submitted to the U.S. Department of Education in accordance with the 1998 Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) 2013 Violence Against Women Reauthorization Act (VAWA)

Criminal Offenses	January 1 - December 31, 2022				
	On Campus	Campus Housing	Non Campus HRI Students	Public Property	Local Law Enforcement Reported for Local Community
Aggravated Assault	0	N/A	UNK	UNK	468
Arson	0	N/A	UNK	UNK	3
Burglary	0	N/A	UNK	UNK	456
Motor Vehicle Theft	0	N/A	UNK	UNK	455
Homicide	0	N/A	UNK	UNK	8
Robbery	0	N/A	UNK	UNK	68
Sexual Assault	0	N/A	UNK	UNK	163
Theft (Non Motor vehicle)	0	N/A	UNK	UNK	1805
Theft from Motor Vehicle	0	N/A	UNK	UNK	713
Hate Crimes	There were no Offences committed on the HRI Campus and no known Offences off of campus. Local Law Enforcement statistics do not categorize any of the known offences as hate crimes.				
Disciplinary Actions					
	On Campus	Campus Housing	Non Campus HRI Students	Public Property	Local Law Enforcement Reported for Local Community
Liquor Law Violations	0	N/A	UNK	UNK	Not Categorized
Drug-related Violations	0	N/A	UNK	UNK	Not Categorized
Weapons Possession	0	N/A	UNK	UNK	Not Categorized
VAWA Offenses					
	On Campus	Campus Housing	Non Campus HRI Students	Public Property	Local Law Enforcement Reported for Local Community
Domestic Violence	0	N/A	UNK	UNK	Not Categorized
Dating Violence	0	N/A	UNK	UNK	Not Categorized
Stalking	0	N/A	UNK	UNK	Not Catogorized
Arrest					
	On Campus	Campus Housing	Non Campus HRI Students	Public Property	Local Law Enforcement Reported for Local Community
Liquor Law Violations	0	N/A	UNK	UNK	DUI Arrest 636
Drug-related Violations	0	N/A	UNK	UNK	Drug Arrest 1080
Weapons Possession	0	N/A	UNK	UNK	Not Categorized

\*N/A HRI does not have Campus Housing

\*\*UNK HRI has not been informed by local Law Enforcement of any HRI Student Involvement of any of the actions listed

\*\*\*Not Categorized means that Law Enforcement reports do not break down or categorized these offences per our reporting needs

# Hot Rod Institute's Annual Crime Report



Criminal Offenses	January 1 - December 31, 2013				
	On Campus	Campus Housing	Non Campus HRI Students	Public Property	Local Law Enforcement Reported for Local Community
Aggravated Assault	0	N/A	UNK	UNK	300
Arson	0	N/A	UNK	UNK	7
Burglary	0	N/A	UNK	UNK	559
Motor Vehicle Theft	0	N/A	UNK	UNK	154
Homicide	0	N/A	UNK	UNK	4
Robbery	0	N/A	UNK	UNK	51
Sexual Assault	0	N/A	UNK	UNK	120
Theft (Non Motor vehicle)	0	N/A	UNK	UNK	1641
Theft from Motor Vehicle	0	N/A	UNK	UNK	
Hate Crimes	There were no Offences committed on the HRI Campus and no known Offences off of campus. Local Law Enforcement statistics do not categorize any of the known offences as hate crimes.				
Disciplinary Actions					
	On Campus	Campus Housing	Non Campus HRI Students	Public Property	Local Law Enforcement Reported for Local Community
Liquor Law Violations	0	N/A	UNK	UNK	Not Categorized
Drug-related Violations	0	N/A	UNK	UNK	Not Categorized
Weapons Possession	0	N/A	UNK	UNK	Not Categorized
VAWA Offenses					
	On Campus	Campus Housing	Non Campus HRI Students	Public Property	Local Law Enforcement Reported for Local Community
Domestic Violence	0	N/A	UNK	UNK	Not Categorized
Dating Violence	0	N/A	UNK	UNK	Not Categorized
Stalking	0	N/A	UNK	UNK	Not Catogorized
Arrest					
	On Campus	Campus Housing	Non Campus HRI Students	Public Property	Local Law Enforcement Reported for Local Community
Liquor Law Violations	0	N/A	UNK	UNK	Not Reported
Drug-related Violations	0	N/A	UNK	UNK	Not Reported
Weapons Possession	0	N/A	UNK	UNK	Not Categorized

\*N/A HRI does not have Campus Housing

\*\*UNK HRI has not been informed by local Law Enforcement of any HRI Student Involvement of any of the actions listed

\*\*\*Not Categorized means that Law Enforcement reports do not break down or categorized these offences per our reporting needs

# Hot Rod Institute's Crime and Safety Report



## Annual Campus Safety / Security / Fire Safety Report

**Reporting date 1 October 2023  
For the Calendar dated 1 January thru  
31 December 2022**

**Sources used to compile statistics and complete this report Includes:**

**ACE American Council on Education A presidents Guide to the Clery Act: 2023 Edition**

**The Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics**

**City-Data for south Dakota** [Registered sex offenders in Rapid City, South Dakota - crimes listed, registry-based, living in this city \(city-data.com\)](#)

**Police reports** [Stats, Reports, and Forms | Rapid City South Dakota \(rcgov.org\)](#)

Hot Rod Institute Campus Safety and Security Report includes campus safety policies, procedures, and statistics concerning campus crime. It is for Students, Staff, Employees, and Prospective Students, and it describes steps to prevent and respond to crime, and how Students, Faculty, Staff and Employees can work together to maintain a safe campus and community. This report complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

## **Policy Statement**

The safety and security of Students, Staff and Employees, and Visitors at Hot Rod Institute is imperative. This document has been prepared to provide knowledge and awareness of safety policies and procedures as well as timely warnings and emergency notifications arising under the Clery Act.

The primary Campus Security Authority (CSA) at Hot Rod Institute (HRI) is the Director of Education. The secondary CSA is the Rod Shop Manager at Hot Rod Institute. The Students, Staff and Employee population and Visitors, including vendors, will be referred to as the Campus Community.

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

Hot Rod Institute publishes an Annual Security Report (ASR) in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (The “Clery Act”). The information included in the ASR includes the reported number of instances of criminal homicide, sexual assaults, robbery, aggravated assault, burglary, motor vehicle theft, arson, domestic violence, dating violence, stalking, hate crimes, arrests, and student code of conduct violations relating to weapons, drugs, and alcohol. Some of these statistics are grouped together because of the way they are reported. This report is prepared in cooperation with the local Law Enforcement Agency (LEA) surrounding the campus and other local campus locations.

## **Campus Security Procedures and Practices and Reporting of Crimes**

Campus security procedures are reviewed quarterly in classroom orientations and staff meetings as well as being posted year-round in the campus Learning Resource Center, located on the second floor next to the Director of Education’s office. Students, Staff and Employees are encouraged to take responsibility for their own security and the security of others.

In the event of an emergency, the person reporting the crime should call 911 for an immediate response from the local Law Enforcement Agency. Once the situation has been deemed safe by the responding Law Enforcement Agency, the reporter should immediately notify the emergency to Hot Rod Institute Campus Security Authority at 605.593.7115 in the event the Campus Security Authority is not available, the Alternate Campus Security Authority should be contacted at 605.786.7931

In non-emergency situations, the crime should be reported as soon as possible to the Campus Security Authority, the local Law Enforcement Agency. All Students, Staff and Employees, and campus visitors are encouraged to accurately report all crimes and public safety related incidents to the Campus Security Authority and the appropriate Law Enforcement Agency in a timely manner. The Campus Security Authority shall document each incident reported. All incident reports shall be reviewed by Hot Rod Institute President who will determine an appropriate response based on the nature of the incident.

Bystanders and witnesses are encouraged to **not** remain silent, and to take an active role in promoting a positive and safe school environment. Bystanders can help in several different ways, particularly in situations involving dating violence, domestic violence, sexual assault, or stalking; including direct intervention, seeking assistance from an authority figure, notifying campus security, or calling state or local Law Enforcement Agency.



All victims of crimes that occur on campus property have the right to report the incident to the local Law Enforcement Agency. Hot Rod Institute reserves the right to treat an offense as a disciplinary matter whether or not it is reported to the local Law Enforcement Agency. Hot Rod Institute cannot take disciplinary action unless a full report and investigation has been performed and a determination by Hot Rod Institute President that disciplinary action is warranted. In the event that Hot Rod Institute has officially recognized a Student Organization, or sponsored a Student event and criminal activity by Students, Staff or Employees has taken place at a non-campus location, the incident should be reported to local Law Enforcement Agency and would be monitored by Hot Rod Institute Campus Security Authority for possible disciplinary action.

Victims of or witnesses to crimes may report crimes on a voluntary and confidential basis for inclusion in this annual disclosure of crime statistics by reporting the crime to the Campus Security Authority and requesting confidentiality in writing. Victim requests for confidentiality in instances of sexual violence will be subject to the following sections, “Options for Reporting and Confidentially Disclosing Sexual Violence,” and “Requesting Confidentiality From” Hot Rod Institute.

The following are how Hot Rod Institute will view the Request and Respond:

### **Options for Reporting and Confidentially Disclosing Sexual Violence**

In this notice, the terms “sexual offenses” and “sexual violence” are deemed to include sexual assault, domestic and dating violence, and stalking.

Hot Rod Institute encourages victims of sexual violence to talk to somebody, of their choosing, about what happened. Hot Rod Institute encourages victims to get the support they need, but also need to report the incident so Hot Rod Institute can respond appropriately. Different employees have different abilities to maintain a victim’s confidentiality.

- Some may be required to maintain near complete confidentiality; talking to them is sometimes called a “privileged communication.” These people would include any Professional or Pastoral Counselors, as described below.
- Some employees are required to report all the details of an incident (including the identities of both the victim and alleged perpetrator) to the Title IX Coordinator. A report to these employees (called “responsible employees”) constitutes a report to the School – and generally obligates the School to investigate the incident and take appropriate steps to address the situation. These employees include the President and Campus Security Authority.

This policy is intended to make students aware of the various reporting and confidential disclosure options available to them – so they can make informed choices about where to turn should they become a victim of sexual violence. The School encourages victims to talk to someone identified in one or more of these groups.

When a student or employee reports being the victim of dating violence, domestic violence, sexual assault, or stalking, whether on or off campus, Hot Rod Institute will provide the student or employee a written explanation of the student or employee’s rights and options as described below.

## **Privileged and Confidential Communications**

Professional and Pastoral Counselors - Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the school community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX Coordinator without a victim's permission. A victim who speaks to a professional counselor or advocate must understand that, if the victim wants to maintain confidentiality, the School will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator.

Even so, these counselors and advocates will still assist the victim in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working or course schedules. A victim who at first requests confidentiality may later decide to file a complaint with the Hot Rod Institute or report the incident to local Law Enforcement Agency, and thus have the incident fully investigated. These counselors and advocates will provide the victim with assistance if the victim wishes to do so.

**NOTE:** While these professional counselors and advocates may maintain a victim's confidentiality, Hot Rod Institute may have reporting or other obligations under state law, such as mandatory reporting to law enforcement in case of minors; imminent harm to self or others; or the requirement to testify if subpoenaed in a criminal case. **ALSO NOTE:** If the School determines that the alleged perpetrator(s) pose a serious and immediate threat to the Hot Rod Institute community, the Campus Security Authority may be called upon to issue a timely warning to the Hot Rod Institute community. Any such warning should not include any information that identifies the victim.

## **Reporting to Responsible Employees**

A "responsible employee" is a Hot Rod Institute employee who has the authority to address sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty.

When a victim tells a responsible employee about an incident of sexual violence, the victim has the right to expect Hot Rod Institute to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

A responsible employee must report to the Title IX Coordinator all relevant details about the alleged sexual violence shared by the victim and that the School will need to determine what happened – including the names of

the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

To the extent possible, information reported to the responsible employee will be shared only with employees responsible for handling Hot Rod Institute response to the report. A responsible employee should not share information with law enforcement without the victim's consent or unless the victim has also reported the incident to law enforcement.

The following employees are Hot Rod Institutes responsible employees:

- President
- Director of Education
- Rod Shop Manager

Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee's reporting obligations – and, if the victim wants to maintain confidentiality, direct the victim to confidential resources.

If the victim wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the victim that Hot Rod Institute will consider the request but cannot guarantee that the School will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employee will also inform the Coordinator of the victim's request for confidentiality.

Responsible employees will not pressure a victim to request confidentiality, but will honor and support the victim's wishes, including for the Hot Rod Institute to fully investigate an incident. Also, responsible employees will not pressure a victim to make a full report if the victim is not ready to.

### **Requesting Confidentiality from Hot Rod Institute: How the School Will Consider the Request and Respond**

If a victim discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, Hot Rod Institute must consider that request against Hot Rod Institutes obligation to provide a safe, non-discriminatory environment for all students, including the victim.

If Hot Rod Institute honors the request for confidentiality, a victim must understand that Hot Rod Institutes ability to investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited. Although rare, there are times when Hot Rod Institute may not be able to honor a victim's request in order to provide a safe, non-discriminatory environment for all students.

The Hot Rod Institute designated the Title IX Coordinator to evaluate requests for confidentiality once a responsible employee is on notice of alleged sexual violence. This person receives annual training on issues related to dating violence, domestic violence, sexual assault, and stalking and on conducting investigations and hearings related to these matters. When considering a victim's request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator will consider a range of factors, including but not limited to the following:

- The increased risk that the alleged perpetrator will commit additional acts of sexual or other violence
- Whether there have been other sexual violence complaints about the same alleged perpetrator
- Whether the alleged perpetrator has a history of arrests or records from a prior school or community indicating a history of violence

- Whether the alleged perpetrator threatened further sexual violence or other violence against the victim or others
- Whether the sexual violence was committed by multiple perpetrators
- Whether the sexual violence was perpetrated with a weapon
- Whether the victim is a minor
- Whether Hot Rod Institute possesses other means to obtain relevant evidence of the sexual violence (e.g., security cameras or personnel, physical evidence)
- Whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead Hot Rod Institute to investigate and if appropriate, pursue disciplinary action. If none of these factors are present, Hot Rod Institute will more than likely respect the victim's request for confidentiality.

If Hot Rod Institute determines that it cannot maintain a victim's confidentiality, Hot Rod Institute will inform the victim prior, to starting an investigation and will to the extent possible, only share information with people responsible for handling Hot Rod Institutes response.

Hot Rod Institute will place the victim's well-being first and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students, staff or employees, will not be tolerated. The Hot Rod Institute will also:

- Assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health and mental health services, immigration services, financial aid information, and legal assistance both on and off campus.
- Provide other security and support, which could include issuing orders of protection, "no-contact" orders, restraining orders, or similar orders issued by a criminal, civil, or tribal court.
- Help arrange a change of living or working arrangements or course schedules (including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests. Inform the victim of the right to report a crime to campus or local Law Enforcement Agency and provide the victim with assistance if the victim wishes to do so.

Hot Rod Institute may not require a victim to participate in any investigation or disciplinary proceedings because Hot Rod Institute is obligated to address the issue of sexual violence on campus. Reports of sexual violence (including non-identifying reports) will also prompt Hot Rod Institute to consider broader remedial action such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including but not limited to targeted population groups, conducting climate assessments/victimization surveys, and/or revisiting its policies and practices. If Hot Rod Institute determines that it can respect a victim's request for confidentiality, the Hot Rod Institute will also take immediate action as necessary to protect and assist the victim.

**Off-campus Counselors and Advocates.**

Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with Hot Rod Institute unless the victim requests the disclosure and signs a consent or waiver form. While these off-campus counselors and advocates may maintain a victim's confidentiality, Hot Rod Institute may have reporting or other obligations under state law, such as mandatory reporting to Law Enforcement Agencies in cases involving minors, imminent harm to self or others, or a requirement to testify if subpoenaed in a criminal case.

**Public awareness events**

Public awareness events such as Break the silence, Take Back the Night, the Clothesline Project, candlelight vigils, protests, survivor speak outs or other forums in which students disclose incidents of domestic and sexual violence, are not considered notice to Hot Rod Institute of sexual violence for purposes of triggering its obligation to investigate any particular incident(s). More information can be found at

**Campus Law Enforcement Responsibility and Authority**

Hot Rod Institute does not have Campus Security force or a Campus Police force therefore the Campus Security Authority has the authority to ask anyone on campus for identification and to determine whether individuals have lawful business at Hot Rod Institute. The Campus Security Authority does not have arrest power. The Campus Security Authority cooperates with Law Enforcement Agencies that have jurisdiction on the campus as necessary to ensure campus safety. There is no written memorandum of understanding between the campus and the local Law Enforcement Agencies. Hot Rod Institute maintains a daily crime log of all reported crimes. The crime log is maintained by the Campus Security Authority and is available to the public.

**Emergency Response and Evacuation Procedures**

Hot Rod Institute strives to provide a safe work and campus environment and encourages personal health to the campus community. The Emergency Evacuation and Response Plan is designed to assist in crisis management situations. It is Hot Rod Institute's policy to be timely, accountable, and honest when communicating with the campus community in times of crisis. In the case of an unforeseen event, the Campus Security Authority will quickly respond to an incident or crisis following specific steps. The Campus Security Authority will conduct a crisis assessment to determine the severity of the incident or crisis regarding: a crime on campus, campus violence, a threat made against the campus, serious security issues in the area surrounding the campus, or an IT breach of security. Upon assessment the Campus Security Authority will execute a chain of actions pertinent to the incident: initiate communication, instruct of safety measures, debrief, and document a resolution.

**Emergency Response and Evacuation Plan**

Emergency evacuation escape route plans are posted in key areas throughout the campus. The campus community has been trained concerning these plans in classroom orientations and staff meetings. Emergency response and evacuation procedures are publicized at least annually in conjunction with at least one test per year. Announced or unannounced emergency evacuation drills are conducted at least once annually. Documented records of drills and testing of communications, which detail the date, time, and length of each drill, are maintained.

**Employee and Student Procedures after Evacuation**

In the event of an emergency all occupants will promptly exit the building according to the posted evacuation routes. Once clear of the campus, all occupants are required to go to the designated meeting point and immediately report to their Designee. After evacuation, each

Designee is responsible for each member in the group assigned to them. The Designee must conduct a head count to ensure all individuals are accounted for. The head count must be recorded, documenting the names of each group member. Everyone is responsible for reporting to their respective meeting point so that an accurate head count can be completed.

### **Evacuation Re-entry Policy**

After an evacuation, no one is to re-enter the campus for any reason. When the Fire Department or other Emergency Response Team has provided communication that the campus is safe for reentry, then individuals can return to their workstations and classrooms.

### **Emergency Notification System**

Upon the confirmation of a significant emergency or dangerous situation including weather or natural disasters, involving an immediate threat to the health or safety of the campus community by campus officials or local Law Enforcement, the Campus Security Authority will immediately notify the campus community using an emergency notification process, which includes the following systems: LMS digital messaging, mobile phone, landline, and person-to-person communication.

Through these systems, alerts are delivered to all Students, Staff and Employees via one or more of: LMS digital messaging, email, SMS text message, mobile phones, and landlines. Hot Rod Institute will, without delay, and considering the safety of the campus and local community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of the responsible authorities, compromise efforts to assist victims or to contain, respond to or otherwise mitigate the emergency. When a serious incident occurs that causes an immediate threat to the campus or the local community, the first responders to the scene are usually the local Law Enforcement Agency and the local Fire and Emergency Medical Services Department, and they typically respond and work together to manage the incident. Depending on the nature of the incident, other local departments or federal agencies could also be involved in responding to the incident and notifying the local community.

### **The emergency notification process involves the following actions:**

- Determine if the entire campus or just a portion will receive the emergency notification.
- Content of the emergency notification
- Activation of the emergency response and/or evacuation
- Alert campus occupants and as needed, after assessment, local community to the emergency
- Let the campus community know what they need to do

### **The following individuals, at a minimum, carry out the emergency notification process:**

- Campus Security Authority (CSA)
- Classroom Instructors
- Rod Shop Manager



### **Access to Campus**

During normal operating hours, the campus is open to the campus community. When appropriate, the school may require visitors to be accompanied by Staff or an employee. Access to administrative offices is open during normal business hours, but appointments are encouraged. When the campus is closed, the building is locked and access is restricted to Staff and Employees.

### **Maintenance and Campus Facilities**

Campus maintenance is undergone by the Rod Shop Manager and designated Staff, and they are responsible for keeping campus facilities in good repair. This includes repairing or replacing damaged doors, windows, and locks, and maintaining adequate lighting for the classrooms, administrative offices, and common areas. Hot Rod Institute does not have on-campus housing. All members of the campus community are encouraged to report any known hazards or damage to the facility to the Campus Security Authority.

### **Timely Warnings**

In the event that a situation arises, either on or off campus, that is determined to warrant a “timely warning” for reportable Clery Crimes: criminal homicide, sexual assaults, robbery, aggravated assault, burglary, motor vehicle theft, arson, domestic violence, dating violence, stalking, hate crimes, arrests, and student code of conduct violations relating to weapons, drugs, and alcohol, the Campus Security Authority an Timely Warning. Timely warnings will be issued to the campus community through email, student and staff bulletin boards, and person-to-person communication. Timely Warnings notification will withhold as confidential the names and other identifying information of victims. Anyone with information warranting a Timely Warning should report the circumstances to the Campus Security Authority by phone or in person.

### **Disclosure of the Annual Security Report**

The current Annual Security Report is published and made available to all enrolled Students, Staff and current Employees by October 1, 2023. For all prospective Students, Staff and Employees this information may be obtained by contacting the Campus Security Authority or visiting [www.HotRodInstitute.edu](http://www.HotRodInstitute.edu) at any given time.

### **Policy on Alcohol and Other Drugs**

The unlawful use, manufacture, distribution, dispense, or possession of alcohol, controlled substances, or any drug on campus premises or while involved in campus-related activities is strictly prohibited. It is also unlawful to sell, furnish, or provide alcohol and other drugs to anyone under the minimum age limit as designated under both campus, state, and federal laws. Such laws are strictly enforced by the Campus Security Authority and local Law Enforcement Agencies. Students who violate the campuses prohibitions against alcohol, controlled substances, and drugs are subject to disciplinary action up to and including dismissal from the campus. Information on the disciplinary process may be found in the school catalog. When circumstances warrant, a violation of this policy may also be referred to the appropriate Law Enforcement Authorities for investigation and prosecution. Employees who violate the campuses prohibitions against alcohol, controlled substances, and drugs are subject to disciplinary sanctions up to and including immediate termination pursuant to the **Drug-Free Schools Annual Disclosure** located at [www.HotRodInstitute.edu/disclosures](http://www.HotRodInstitute.edu/disclosures). As with student violations of this policy, a violation involving a member of the campus Staff or Employee may be referred to the appropriate Law Enforcement Authorities for investigation and prosecution.

### **Substance Abuse Education and Prevention Programs**

Students, Staff or employees requiring or requesting information about substance abuse treatment should contact the Director of Education or other designated campus officials for contact information of local substance abuse agencies and prevention programs. Additional substance abuse health risks can be found in the Drug-Free Schools/Drug-Free Workplace Annual Disclosure. Additional helpful information and resources may be found by contacting the following organizations:

### **Substance Abuse and Mental Health Services Administration**

**National Helpline 1-800-662-HELP (1-800-662-4357)**

<http://www.samhsa.gov/>

### **Suicide Prevention Lifeline**

**1-800-273-TALK (1-800-273-8255)**

<http://www.suicidepreventionlifeline.org/>

### **Disaster Distress**

**Helpline 1-800-985-**

**5990**

<http://www.disasterdistress.samhsa.gov/>

### **Veteran's Crisis Line**

**1-800-273-8255**

<http://www.veteranscrisisline.net/>

### **National Council on Alcoholism and Drug**

**Dependence, Inc. 1-800-NCA-CALL (1-800-622-2255)**

<http://www.ncadd.org>

### **National Sexual Assault Hotline**

**1-800-656-HOPE (1-800-656-4679)**

<https://www.rainn.org/get-help/national-sexual-assault-hotline>

### **Sexual Offenses Reporting and Disciplinary Procedures**

Sexual offenses and any acts of sexual violence are a violation of the Code of Student Conduct and the Sexual Harassment Policy as stated in the school catalog. The crimes of dating violence, domestic violence, sexual assault, and stalking are prohibited for Students, Staff and Employees. Victim(s) of any sexual offenses and any acts of dating violence or sexual violence are strongly encouraged, but not required to immediately seek assistance from and report sexual offenses to local Law Enforcement Authorities, the local rape crisis center, and/or the Campus Security Authority. School personnel shall be available to assist the student in notifying these authorities if the victim chooses, as well as counsel the victim of the importance of preserving evidence for the proof of a criminal offense. Victims are similarly advised of the importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order. In such situations, victims shall also have the option, at their choosing, to decline to notify such authorities. Bystanders and witnesses are encouraged to not remain silent, and to take an active role in promoting a positive school environment. Bystanders can help in several different ways, including direct intervention, seeking assistance from an

authority figure, notifying Campus Security Authority, or calling state or local Law Enforcement. All allegations of any sexual offenses and any acts of sexual violence incidents shall be investigated by the Campus Security Authority. Allegations against students shall be investigated pursuant to the Code of Student Conduct, and disciplinary complaints may be filed, in writing, with the Campus Security Authority.

Disciplinary procedures in cases of alleged sexual offenses and any acts of sexual violence incidents shall:

- 1) provide prompt, fair, and impartial investigation and resolution
- 2) be conducted by officials who are trained on how to investigate and conduct hearings on domestic violence, sexual assault, and stalking
- 3) give the accused and the accuser the same opportunities to have an advisor or others, witness(s) or advocate present during the proceeding and related meetings.
- 4) be conducted under a “preponderance of the evidence” standard, and (5) simultaneously and in writing notify the accused and accuser of the outcome, appeal procedures, changes to the results, and results.

Disciplinary procedures will include, at a minimum, an investigation, and a right to be heard for the accused and the accuser. The Hot Rod Institute will complete its investigation within sixty (60) calendar days, but circumstances may require that an investigation continue beyond a 60-day period. These circumstances may include the complexity and scope of the allegations and the investigation, the number of witnesses, the availability of the parties or witnesses, the effect of a current criminal investigation, and any intervening school breaks or holidays.

The Hot Rod Institute will protect the confidentiality of victims and other necessary parties by

- 1) completing publicly available record-keeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim
- 2) maintaining as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the Hot Rod Institute to provide the accommodations or protective measures.

Students who are determined to have violated the school’s prohibitions against sexual offenses and any acts of sexual violence are subject to disciplinary action up to and including dismissal from the school. Detailed information regarding the disciplinary procedure for sexual offenses and any acts of sexual violence incidents can be found in the Code of Student Conduct. As appropriate, the matter shall be referred to the appropriate Law Enforcement Authorities for investigation and prosecution.

Staff or Employees who violate the school’s prohibition against sexual offenses and any acts of sexual violence are subject to disciplinary sanctions up to and including immediate termination. As with student violations of this policy, a matter involving a member of the Hot Rod Institute Staff or Employees may be referred to the appropriate Law Enforcement Authorities for investigation and prosecution. For more information Staff should contact the President and Employees should contact the Rod Shop Manager. The Hot Rod Institute will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. The Hot Rod Institute may change a victim’s academic situation after a sexual offense and any acts of sexual

violence or alleged sexual offenses and any acts of sexual violence if those changes are requested by the victim and are reasonably available. The student may seek assistance in requesting a change from the Campus Security Authority.

Hot Rod Institute will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the campus community and the local community.

### **Sexual Offenses Prevention and Awareness Programs**

All new students will be provided with training and awareness opportunities related to the Violence Against Women Act. To promote prevention and awareness for all continuing students, the campus will conduct awareness activities throughout the year. Each activity will focus on overall awareness, prevention, risk reduction and reporting guidelines. Risk reduction activities include courses offered on campus in partnership with SAFE project designed to provide students and staff with skills to identify dangerous/abusive behavior and avoid risky situations.

### **Registered Sex Offender Information**

Students, Staff and Employees with concerns about a registered sex offender are encouraged to share those concerns with the Administration. Students are strongly encouraged to examine all statistics and resources in this disclosure and the linked sources prior to enrollment. Current information on registered sex offenders may be found at the following link:

<https://www.city-data.com/so/so-Rapid-City-South-Dakota.html>

### **Security Awareness Programs**

All new Students, Staff and Employees are provided with access to the most recent ASR. Additionally, Hot Rod Institute ensures that the campus community is aware of security related issues by:

- Offering crime awareness/crime prevention seminars in conjunction with local law enforcement agencies on at least an annual basis
- Providing information on Crime Prevention Measures to the campus community
- Issuing “Timely Warnings” and “Emergency Notifications”, as appropriate, regarding situations that could pose an immediate or ongoing threat to the safety or welfare of the campus community.

## **Definitions**

### **Crime Definitions from the Summary Reporting System (SRS) User Manual from the FBI's UCR Program**

#### ***Arson***

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

#### ***Criminal Homicide—Manslaughter by Negligence***

The killing of another person through gross negligence.

#### ***Criminal Homicide—Murder and Non-negligent Manslaughter***

The willful (non-negligent) killing of one human being by another.

#### ***Rape***

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

#### ***Robbery***

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

#### ***Aggravated Assault***

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

#### ***Burglary***

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

#### ***Motor Vehicle Theft***

The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)

#### ***Weapons: Carrying, Possessing, Etc.***

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

#### ***Drug Abuse Violations***

The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful

cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance.

Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

### ***Liquor Law Violations***

The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

## **Crime Definitions From the National Incident-Based Reporting System (NIBRS) User Manual from the FBI's UCR Program**

### ***Sex Offenses***

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

***Fondling***—The touching of the private body parts of another person for the purpose<sup>11</sup> 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.

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

***Statutory Rape***—Sexual intercourse with a person who is under the statutory age of consent.

## **Crime Definitions from the Hate Crime Data Collection Guidelines and Training Manual from the FBI's UCR Program**

### ***Larceny-Theft (Except Motor Vehicle Theft)***

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

### ***Simple Assault***

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

### ***Intimidation***

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

### ***Destruction/Damage/Vandalism of Property***

To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.



## **VAWA Specific Definitions**

***Sexual Assault*** - An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program. Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent including:

***Rape***- The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

***Fondling*** – 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.

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

***Statutory Rape*** – Sexual intercourse with a person who is under the statutory age of consent. For the purposes of this definition:

***Consent*** - The affirmative, unambiguous, and voluntary agreement to engage in a specific sexual activity during a sexual encounter. Additionally:

- Someone who is incapacitated 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 can be withdrawn at any time and coercion, force, or threat of either invalidates consent.

***Domestic Violence*** - A felony or misdemeanor crime of violence committed

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

***Dating Violence*** - Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

***Stalking*** - Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

**For the purposes of this definition:**

***Course of conduct*** - Two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

***Reasonable person*** – A reasonable person under similar circumstances and with similar identities to the victim.

***Substantial emotional distress*** - A significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

**Jurisdictional Definitions**

Domestic abuse, also called "domestic violence" or "Intimate partner violence" in South Dakota, SDCL 25-10-1(1) is when a family or household member does any of the following:

- Causes physically harm or bodily injury.
- attempts to cause physical harm or bodily injury.
- Inflicts fear or imminent physical harm or bodily injury; and / or stalks you.

**6-2-302. Sexual assault in the first degree.**

Any person who inflicts sexual intrusion on a victim commits a sexual assault in the first degree if:

- 1) The actor causes submission of the victim through the actual application, reasonably calculated to cause submission of the victim, of physical force or forcible confinement.
- 2) The actor causes submission of the victim by threat of death, serious bodily injury, extreme physical pain or kidnapping to be inflicted on anyone and the victim reasonably believes that the actor has the present ability to execute these threats.

- a) The victim is physically helpless, and the actor knows or reasonably should know that the victim is physically helpless, and that the victim has not consented; or
- b) The actor knows or reasonably should know that the victim through a mental illness, mental deficiency or developmental disability is incapable of appraising the nature of the victim's conduct.

### **6-2-303. Sexual assault in the second degree.**

Any actor who inflicts sexual intrusion on a victim commits sexual assault in the second degree if, under circumstances not constituting sexual assault in the first degree:

- 1) The actor causes submission of the victim by threatening to retaliate in the future against the victim or the victim's spouse, parents, brothers, sisters or children, and the victim reasonably believes the actor will execute this threat. "To retaliate" includes threats of kidnapping, death, serious bodily injury or extreme physical pain;
- 2) The actor causes submission of the victim by any means that would prevent resistance by a victim of ordinary resolution.
- 3) The actor administers, or knows that someone else administered to the victim, without the prior knowledge or consent of the victim, any substance which substantially impairs the victim's power to appraise or control his conduct;
- 4) The actor knows or should reasonably know that the victim submits erroneously believing the actor to be the victim's spouse;

Repealed By Laws 2007, Ch. 159, § 3.

- 1) The actor is in a position of authority over the victim and uses this position of authority to cause the victim to submit.
- 2) The actor is an employee, independent contractor or volunteer of a state, county, city or town, or privately operated adult or juvenile correctional system, including but not limited to jails, penal institutions, detention centers, juvenile residential or rehabilitative facilities, adult community correctional facilities or secure treatment facilities and the victim is known or should be known by the actor to be a resident of such facility or under supervision of the correctional system;

Repealed by Laws 2018, ch. 80, § 3.

- 3) The actor is an employee or volunteer of an elementary or secondary public or private school who, by virtue of the actor's employment or volunteer relationship with the school, has interaction with the victim who is a student or participant in the activities of the school and is more than four (4) years older than the victim.

A person is guilty of sexual assault in the second degree if he subjects another person to:

- 1) Sexual contact or sexual intrusion in the person's capacity as a health care provider in the course of providing care, treatment, services or procedures to maintain, diagnose or otherwise treat a patient's physical or mental condition;
- 2) Sexual contact and causes serious bodily injury to the victim under any of the circumstances listed in W.S. 6-2-302(a)(i) through (iv) or paragraphs (a)(i) through (vii) and (ix) of this section.

Repealed By Laws 1997, ch. 135, § 2.

#### **6-2-304. Sexual assault in the third degree.**

(a) An actor commits sexual assault in the third degree if, under circumstances not constituting sexual assault in the first or second degree:

(i) Repealed By Laws 2007, Ch. 159, § 3.

(ii) Repealed By Laws 2007, Ch. 159, § 3.

(iii) The actor subjects a victim to sexual contact under any of the circumstances of W.S. 6-2-302(a)(i) through (iv) or 6-2-303(a)(i) through (vii) and (ix) without inflicting sexual intrusion on the victim and without causing serious bodily injury to the victim.

#### **6-2-506. Stalking; penalty.**

(a) As used in this section:

(i) "Course of conduct" means a pattern of conduct composed of a series of acts over any period of time evidencing a continuity of purpose;

(ii) "Harass" means to engage in a course of conduct, including but not limited to verbal threats, written threats, lewd or obscene statements or images, vandalism or nonconsensual physical contact, directed at a specific person that the defendant knew or should have known would cause:

(A) A reasonable person to suffer substantial emotional distress;

(B) A reasonable person to suffer substantial fear for their safety or the safety of another person; or

(C) A reasonable person to suffer substantial fear for the destruction of their property.

(b) Unless otherwise provided by law, a person commits the crime of stalking if, with intent to harass another person, the person engages in a course of conduct reasonably likely to harass that person, including but not limited to any combination of the following:

(i) Communicating, anonymously or otherwise, or causing a communication with another person by verbal, electronic, mechanical, telegraphic, telephonic or written means in a manner that harasses;

(ii) Following a person, other than within the residence of the defendant;

(iii) Placing a person under surveillance by remaining present outside his or her school, place of employment, vehicle, other place occupied by the person, or residence other than the residence of the defendant; or

(iv) Otherwise engaging in a course of conduct that harasses another person.

(c) This section does not apply to an otherwise lawful demonstration, assembly or picketing.

(d) Except as provided under subsection (e) of this section, stalking is a misdemeanor punishable by imprisonment for not more than one (1) year, a fine of not more than seven hundred fifty dollars (\$750.00), or both. If a person sentenced under this subsection is placed on probation, the court may, notwithstanding any other provision of law, impose a term of probation exceeding the maximum one (1) year imprisonment, provided the term of probation, including extensions, shall not exceed three (3) years.

(e) A person convicted of stalking under subsection (b) of this section is guilty of felony stalking punishable by imprisonment for not more than ten (10) years, if:

(i) The act or acts leading to the conviction occurred within five (5) years of the completion of the sentence, including all periods of incarceration, parole and probation, of a prior conviction under this subsection, or under subsection (b) of this section, or under a substantially similar law of another jurisdiction;

(ii) The defendant caused serious bodily harm to the victim or another person in conjunction with committing the offense of stalking;

(iii) The defendant committed the offense of stalking in violation of any condition of probation, parole or bail; or

(iv) The defendant committed the offense of stalking in violation of a temporary or permanent order of protection issued pursuant to W.S. 7-3-508, 7-3-509, 35-21-104 or 35-21-105 or pursuant to a substantially similar law of another jurisdiction.

(f) An offense under this section may be deemed to have been committed at the place where any:

(i) Act within the course of conduct that constitutes stalking was initiated; or

(ii) Communication within the course of conduct that constitutes stalking was received by the victim then present in Wyoming; or

(iii) Act within the course of conduct that constitutes stalking caused an effect on the victim then present in Wyoming.

(g) An act that indicates a course of conduct but occurs in more than one (1) jurisdiction may be used by any jurisdiction in which the act occurred as evidence of a continuing course of conduct.

## **Additional Definitions**

***Unfounded Crimes*** – An institution may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report for purposes of reporting under the Clery Act. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report.

## **Fire Safety Report**

Hot Rod Institute is committed to ensure the safety, comfort and well-being of all students and fire safety is part of that commitment. Hot Rod Institute does not have Campus housing facilities, however if in the event of a fire, all fire evacuation procedures should be followed in evacuating the campus. The fire alarm system is monitored 24/7 by an external monitoring company and when an alarm is triggered the fire department is notified immediately and dispatched to the Campus. If a fire occurs, the nearest fire alarm should be activated and notify the local fire department as well as site personnel.

### **Fire Drills, Evacuation and Fire Safety Education**

Fire drills are held on a quarterly basis. All students and personnel must immediately evacuate the facility when a fire alarm is triggered. Upon being notified about a fire emergency, occupants must leave the building using designated escape evacuation routes and assemble and remain in the designated staging areas until Emergency Personnel have announced that it is safe to reenter the building. Each student receives a copy of the Student Handbook which contains information concerning fire safety and prohibited items.

## **Fire Safety Inspections**

Fire protection systems are inspected and tested, at a minimum, on an annual basis. Notify the Rod Shop Manager of possible damage to or problem with any fire protection equipment including sprinkler systems, alarms, and fire extinguishers. Fire safety violations are subject to sanctions by local law enforcement. The city may also cite violations of code according to their own schedules. In addition, Hot Rod Institute may charge an individual for violations of the Fire Safety Codes and Policies.

## **Specific Fire Safety Procedures**

- Familiarize yourself with evacuation routes and meeting locations provided on the evacuation map displayed
- If a fire alarm is activated, immediately leave the building. If it is safe to do so. Instructors and employees will help clear the building of all persons until the fire department arrives
- Stairwells should be used to evacuate the upstairs classrooms and offices.
- If time allows, close all doors behind you
- Assemble and remain at designated assembly area
- Non-emergency personnel may fight the fire ONLY if the fire is small and not spreading to other areas and there is a working fire extinguisher and this personnel is trained to use it
- Provide Emergency Personnel with information you may have about the fire alarm, any



- persons who are unaccounted for or anyone who is injured
- Re-enter the building only after Emergency Personnel have announced that it is safe to do so.

## **Definitions Related to Fire Safety Report**

**Fire** - any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

**Cause of Fire** - the factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

**Fire Drill** - a supervised practice of a mandatory evacuation of a building for a fire.

**Fire-Related Injury** - any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term “person” may include students, employees, visitors, firefighters or any other individuals.

**Fire-Related Death** - any instance in which a person (1) is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or (2) dies within one year of injuries sustained as a result of the fire.

**Fire Safety System** - any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.

**Value of Property Damage** - the estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

## **Missing Student Notification Procedures**

The following procedure has been established to assist in locating Hot Rod Institute students that are a no call / no show for the school day.

- Students should notify their Instructor or school admin if they are not going to be present for the day.
- If a student fails to show up for class, the Instructor will notify the Director of Education (DOE) and the DOE will try to make contact with the student. After 24 hours of the first report of a student failing to attend class, a missing person report may be filed with a local Law Enforcement Agency.
- Hot Rod Institute will immediately refer all missing person reports to local Law Enforcement Agency and fully cooperate with law enforcement officers in the investigation of a possible missing person.
- Students are required to fill out an Emergency Point of Contact Form (EPOC) once they start their first class and are required to contact the Campus Security Authority if that form should need updated. The listed person on the EPOC may be notified in the case that the student is determined to be missing. Hot Rod Institute will notify this individual no later than 24 hours

after the student is determined to be missing. Only the Campus Security Authority and law enforcement officers in furtherance of a missing person investigation may have access to this information.

- Hot Rod Institute will notify or attempt to notify the parent or guardian of a missing student who is less than 18 years of age and not yet emancipated regardless of whether that student has registered a confidential contact person or that contact person is other than a parent or guardian.
- When a missing student report is made, Hot Rod Institute may take any of the following steps to assist in locating the missing student unless directed otherwise by local law enforcement.
- Call/email the student;
- Go to the student's residence;
- Talk to other students to see if anyone can confirm the student's
  - whereabouts and confirm the date, time, and location the student was last seen;
  - Check the locations where there is reason to believe the student might be;
  - Check the student's known social networking sites such as Facebook and Twitter;
  - ascertain the student's car make, model, and license plate number and check school parking for the presence of the student's car.





## Clery Act Appendix for FSA Handbook

In 1990, Congress passed the Crime Awareness and Campus Security Act (CACSA) amendments to the Higher Education Act of 1965 (HEA). Amendments to CACSA in 1998 renamed the law the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the Clery Act) in memory of a student who was murdered in her dorm room. In 2013, Congress passed the Violence Against Women Reauthorization Act (VAWA), which included additional amendments to the Clery Act.

The Clery Act requires that all postsecondary institutions participating in Title IV student financial assistance programs disclose campus crime statistics and other security information to students and the public. The VAWA amendments added requirements that institutions disclose statistics, policies and programs related to dating violence, domestic violence, sexual assault, and stalking, among other changes.

Consistent with the statutory and regulatory framework, and interpretive principles, the Department will continue to apply the plain meaning of terms contained within each Clery requirement. The Department will accept an institution's reasonable interpretation of terms as long as those terms are defined clearly to individuals who review the campus' Clery Act reports. In the event that the Department believes that more specific definitions are required, it will engage in future negotiated rulemaking to ensure that institutions and the public have an opportunity to comment on those definitions.

The Clery Act requires institutions to develop and implement specific campus safety and crime prevention policies and procedures. Previous versions of the Department's Clery guidance created additional requirements or expanded the scope beyond what is strictly required by statute or regulation. Even though guidance does not have the force of law or regulations, institutions felt pressured to satisfy requirements found in the guidance or risk serious financial and reputational consequences. This Appendix provides simple, plain-language explanations of the Clery Act requirements found in, and adherent to, relevant statutory and regulatory authority.

<b>Clery Act Requirements – The Basics</b>	
<ul style="list-style-type: none"> <li>• Collect, classify, and count crime reports and statistics</li> </ul>	
<ul style="list-style-type: none"> <li>• Issue campus alerts and warning notices</li> </ul>	<ul style="list-style-type: none"> <li>• Publish an Annual Security Report (Due date: October 1)</li> </ul>
<ul style="list-style-type: none"> <li>• Disclose missing student notification procedures, when applicable</li> </ul>	<ul style="list-style-type: none"> <li>• Submit crime and fire statistics to the Department, when applicable</li> </ul>
<ul style="list-style-type: none"> <li>• Disclose procedures for institutional disciplinary actions</li> </ul>	<ul style="list-style-type: none"> <li>• Provide educational programs and campaigns</li> </ul>
<ul style="list-style-type: none"> <li>• Keep a daily crime log, when applicable</li> </ul>	<ul style="list-style-type: none"> <li>• Disclose fire safety information, when applicable</li> </ul>



The Department is committed to ensuring institutional compliance with the Clery Act and providing guidance to institutions that will enable them to maintain a safe and secure campus environment. This Appendix is intended to assist institutions in satisfying statutory and regulatory requirements.

Other than the statutory and regulatory requirements included in this document, the contents of this guidance do not have the force and effect of law and are not meant to bind the public. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

As appropriate, this Appendix is effective for the reporting year following publication. The Appendix describes and incorporates the above basic requirements into the following sections: I) Clery Crimes and Reporting; II) Clery Geography; and III) Reporting, Procedures, Policy, and Notification Requirements.

## Part I: Clery Crimes and Reporting –

Under the Clery Act, a school must report to the Department and disclose in its Annual Security Report statistics for the three most recently completed calendar years. Institutions also must submit their crime statistics to the Department as part of the annual data collection and survey, including the number of each of the following crimes – listed in the box below – that occurred on or within its Clery Geography and that are reported to local police agencies or to another official (as determined by the institution) campus security authority (CSA). As outlined in 34 CFR 668.46(c)(2), Clery Act reporting does not require the institution to initiate an investigation or disclose personally identifiable information (PII) about the victim.

The following chart provides a list of the crimes that must be reported and resources for where definitions for each Clery Crime can be found.

Clery Crime Definitions by Source:				
<u>Summary Reporting System User Manual:</u>		<u>National Incident-Based Reporting System User Manual:</u>		
Criminal Homicide	Rape	Fondling	Incest	Statutory Rape
Robbery	Aggravated Assault	<u>Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual:</u>		
Burglary	Motor Vehicle Theft			
Arson	Drug Law Violations	All Hate Crimes		
Liquor Law Violations	Illegal Weapons Possession	<u>Violence Against Women Act of 1994:</u>		
<b>Note:</b> The FBI has announced that it will retire the SRS and transition to using only the NIBRS in January 2021.		Domestic Violence		Dating Violence
		Stalking		Sexual Assault



Note: Per 34 CFR 668.46 (c)(1)(iii)(B), institutions must disclose hate crime statistics for all Clery-reportable offenses and the crimes of larceny-theft, simple assault, intimidation, and vandalism/destruction of property that are determined to be hate crimes.

## Campus Security Authorities: 34 CFR 668.46(a) –

While not defined in statute, regulations provide that CSAs include: (i) campus police or security department personnel; (ii) individuals with security-related responsibilities; and (iii) individuals or organizations identified in institutional security policies as an individual or organization to which students and employees should report criminal offenses. The definition at § 668.46(a)(iv) states that a CSA also includes an official who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.

The Department will defer to an institution’s designation of CSAs as authoritative and provide any technical assistance necessary to work with institutions to help ensure proper identification and notification of CSAs consistent with the regulations. The regulations do not require that an employee with minimal responsibilities for student and campus activities *necessarily* be considered CSAs. On a case-by-case basis, institutions may apply the regulations to not designate CSA responsibilities for Clery Act reporting purposes to an individual. Individuals determined not to have significant responsibility for student and campus activities may, in some cases, include those individuals who, for example, have irregularly scheduled duties or duties that are not part of an employee’s primary job description. If paragraphs (i)-(iii) of the definition of CSAs are not applicable, institutions should focus on the “significant responsibilities” of an employee when determining whether that employee is a CSA for Clery purposes. Note that a CSA for Clery purposes will include employees who meet the definition of “any official...who has the authority to institute corrective measures” for Title IX purposes under 34 CFR 106.30(a).





## Part II: Clery Geography –

In the Annual Security Report, institutions are required to record crimes by location. Explained below, the three categories of locations subject to reporting are:

- 1) on- campus.
- 2) non-campus building or property.
- 3) public property.
  - 1) “Campus” is defined in 34 CFR 668.46(a) as “(i) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence halls; and (ii) any building or property that is within or reasonably contiguous to the area identified in paragraph (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).”

The Department does not apply any specific or measurable distance definition to “reasonably contiguous geographic area.” Many institutions employ an approach that any property included on a campus map or designated by signage as a campus facility is considered to be included in the definition of “reasonably contiguous geography area.” If an additional location, branch campus, school within the institution, or an administrative location is not within a reasonably contiguous area, such location would be considered a separate campus for reporting purposes.

### *The Purpose of Clery Geography –*

Clery Geography requirements are intended to inform the campus community of crimes so that members of the community are aware of safety issues and may take steps to protect their own safety. In the past, institutions have struggled with the complexities of Clery Geography has resulted in institutions taking different approaches to the reporting requirement. While it is important that institutions adhere to the statute and regulations, too much information may have a detrimental effect because information overload may prevent a student or parent from identifying the most significant or serious threats. For institutions seeking to avoid findings of underreporting, the result was an overwhelming number of statistics and information that could often cause students, employees, and their families to tune out critical campus safety information, such as timely warnings. For Clery Geography reporting purposes, remember these principles:

- 1) Consistent with the regulatory framework, institutions should determine which buildings, facilities, parking lots, and real estate are included in the definition of the “campus.”
- 2) Too much information can be just as detrimental as too little information.
- 3) When in doubt, apply the plain meaning of regulatory and statutory requirements.



- 2) “Non-campus building or property,” as defined in 34 CFR 668.46(a), means (i) any building or property owned or controlled by a student organization officially recognized by the institution, or (ii) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.”

Institutions have asked questions about what is meant by the term “officially recognized.” Regulations do not define this term; therefore, institutions should determine how they identify recognized organizations. Some institutions, for example, limit the list of officially recognized organizations to those that receive financial support from the institution.

Examples of non-campus buildings or property that satisfy the first part of the definition include, but are not limited to, officially recognized fraternity and sorority-owned chapter houses, institution-owned campus bookstores that are located off-campus, apartment buildings that are owned or controlled by the university, or campus-owned event facilities that support activities that include students who work in or utilize the facility.

To satisfy the second part of the definition, the property must: 1) be owned or controlled by the institution (e.g., leased by the institution); 2) be used in direct support of or in relation to the institution’s educational purposes; 3) be frequently used by students; and 4) not be within a reasonably contiguous geographic area of the institution. Examples of this type of property would include, but not be limited to, institution-owned, off-campus apartment units that are rented to students, ancillary research or athletic facilities utilized by students and faculty, and event facilities located off-campus and utilized for campus activities.

- 3) “Public Property” is defined in statute as “all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution’s educational purposes.” The regulatory definition of “public property” in 34 CFR 668.46(a) includes “all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.”



In order for this definition to apply, the property in question must satisfy all three conditions: 1) public (e.g., publicly owned); 2) within or immediately adjacent to campus; and 3) accessible from campus. This definition excludes any private property and may in some cases exclude areas such as property divided by a fence or wall, or property with clearly posted signs indicating that it is not part of the campus or that trespassing is prohibited. Private property where students have established regular usage – whether legal, illegal, open, or inconspicuous – that is not otherwise campus or non-campus property, is not public property for Clery reporting purposes. The Department applies no specific measurable distance definition into adjacent public property. When the campus is adjacent to a public park, that does not otherwise meet the definition of a public property, some institutions have employed the practice of clearly designating campus boundaries through posted signage, such as warnings that individuals are entering a “non-campus area” or through “no trespassing” signs, where applicable.

## *Clery Geography and Title IX –*

Under Title IX, an institution’s obligations to address sexual harassment in a recipient’s “education program or activity” is a separate inquiry from an institution of higher education’s obligations with respect to Clery Geography. While the two concepts may overlap, they are not coterminous and the two laws (Clery Act and Title IX) serve separate purposes and have separate obligations for entities covered by both laws.

When an institution has officially recognized a student organization, and sexual harassment occurs in an off-campus location *not* owned or controlled by the student organization but involving members of the officially recognized student organization, the recipient’s Title IX obligations depend upon whether the recipient exercised substantial control over the respondent and the context of the harassment, or whether the circumstances may otherwise be determined to have been part of the “operations of” the institution. Sexual harassment, under Title IX and as defined in 34 CFR 106.30(a), covers a wider range of misconduct than the sex offenses covered under the Clery Act.

At 34 CFR 106.44(a), the Title IX regulations cover incidents in an institution’s “education program or activity,” which includes “locations, events, or circumstances over which the recipient exercised substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution.” The 2020 Title IX regulations do not impose a geographical limit on an institution’s responsibilities, with the exception of the limitation of Title IX’s scope to incidents that occur “against a person in the United States.”



## Part III: Reporting, Procedures, Policy, and Notification Requirements –

Institutions must publish and disseminate an Annual Security Report by October 1<sup>st</sup> of each year. Institutions that have on-campus residential facilities must also publish, by that same date, a Fire Safety Report. The required contents of those reports, along with related notification, procedures, and policy requirements, are discussed in this section.

Each year, the Department sends a letter to presidents or chief executive officers of institutions with information on accessing the Campus Safety and Security Survey website (*See*: <https://surveys.ope.ed.gov/security>), where schools submit Clery Act crime statistics for the three most recent calendar years for which there is available data. The website explains how to tabulate these statistics. The letter explains any changes to the survey, the collection dates for the survey, the name of the person who completed the reporting at the school the previous year, and a new ID and password for completing the survey.

Schools with on-campus student housing facilities must also submit an annual Fire Safety Report to the Department. The report must include statistics on the number of fires and causes of each fire, as well as fire-related injuries, deaths, and/or fire-related property damage for each on-campus student housing facility. The Fire Safety Report is due at the same time as the Annual Security Report.

### The Annual Security Report 34 CFR 668.46(b) and Crime Statistics 34 CFR 668.46(c) –

Each institution's Annual Security Report must include a list of titles of each person or organization to whom students and employees should report Clery Act crimes for the purpose of making both timely warning reports and the annual statistical disclosure. The Annual Security Report must also include institutional policies or procedures for victims or witnesses to report Clery Act crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. Additionally, institutions must include current policies concerning the security of, and access to, campus facilities and residencies, as well as security considerations in the maintenance of campus facilities.

An institution is not required to include (or may remove) a reported crime from its statistics when sworn or commissioned law enforcement personnel have fully investigated the reported crime and have made a formal determination that the crime report is false or baseless and, therefore, "unfounded." Institutions must report to the Department and disclose in their Annual Security Report statistics that include the total number of crime reports that were "unfounded" and subsequently withheld from its crime statistics during each of the three most recently completed calendar years.



The following are required contents of the Annual Security Report. Note that this chart is not intended to be all-inclusive, and institutions must review the statute and regulations to identify all the information that must be included in their Annual Security Report.

- 1) Policies regarding alcoholic beverages and underage drinking laws
- 2) Policies regarding illegal drugs and applicable federal and state drug laws
- 3) Programs on substance abuse
- 4) Programs to prevent dating violence, domestic violence, sexual assault and stalking, and the procedures institutions will follow when such crimes are reported.
- 5) Information regarding sex offenders
- 6) Descriptions of emergency response and evacuation procedures
- 7) Policies regarding missing student notifications

- 8) Campus crime statistics
- 9) Policies regarding procedures for reporting criminal actions or other emergencies on campus
- 10) Policies on security of and access to campus facilities
- 11) Policies on enforcement authority of security personnel. working relationship of campus security personnel with State and local police agencies; accurate and prompt reporting of crimes; pastoral and professional counselors
- 12) Programs on campus security procedures and practices

## Policies Regarding Campus Law Enforcement 34 CFR 668.46(b) and Statements Regarding Disciplinary Proceedings 34 CFR 668.46(k)(2)(v) –

The HEA and the Department's regulations require that institutions include, in the Annual Security Report, several statements of policy. These policies cover a range of campus safety and crime prevention topics, including the law enforcement authority and jurisdiction of security personnel, including their working relationship with state and local law enforcement agencies. Institutions must also publish their current institutional policies that encourage accurate and prompt reporting of all crimes to the campus police or safety offices, other campus security authorities and local law enforcement officials. Schools must also provide a description of any procedures that exist that encourage pastoral and professional counselors, when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. The Annual Security Report must include a description of programs designed to inform students and employees about the prevention of crimes, the types and frequency of programs designed to inform the campus community of security procedures as well as practices to encourage students and employees to be responsible for their own security and the security of others.



Policies concerning the monitoring and recording, through local police agencies, of criminal activity by students at non-campus locations of officially recognized student organizations must also be included in the Annual Security Report.

Institutions must include policies regarding the possession, use, and sale of alcoholic beverages and illegal drugs, as well as policies regarding the enforcement of State underage drinking laws and Federal and State drug laws. Such policies must provide a description of any drug or alcohol abuse education programs required by § 120(a) – (d) of the HEA and the Department’s regulations at 34 CFR Part 86.

An institution must include a clear policy statement that addresses procedures for disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, including: 1) descriptions of types of proceedings (and how determined), the steps, timelines, decision-making processes, and how to file a complaint; 2) the standard of evidence; 3) the list of possible sanctions; 4) the range of protective measures; 5) a requirement that the proceedings – conducted by trained officials – will include a prompt, fair, and impartial process; 6) assurance that the accuser and accused will have the same opportunities to have others present, including an advisor of the individual’s choosing, in any disciplinary-related meeting; and 7) the requirement of simultaneous written notification to both parties of the result of the proceedings, process for appeal, and when such findings become final.

The institution must provide a statement that it will simultaneously provide in writing to both the accused and accuser: the results of any disciplinary proceeding conducted by such institution against a student accused of dating violence, domestic violence, sexual assault, or stalking. The institution must also provide the institution’s procedures for the accused and accuser to appeal the result of the institutional disciplinary hearing, if such procedures are available; any changes to the result; and when the results become final.

## The Daily Crime Log: 34 CFR 668.46(f) –

Any institution that has a campus police or security department must create, maintain, and make available an easily understood daily crime log. The daily crime log must include the nature, date, time, general location of each crime that occurs within the institution’s Clery Geography, and the disposition of the complaint, if known. Entries must be made within two business days of the report of the information, unless the disclosure is prohibited by law or would jeopardize the confidentiality of the victim. An institution may withhold this information if there is clear and convincing evidence that releasing it would jeopardize an ongoing criminal investigation or safety of the individual, cause the suspect to flee or evade detection, or result in the destruction of evidence. The school must disclose any withheld information once the adverse effect is no longer likely to occur. An institution is required to make the crime log for the most recent 60-day period open to public inspection during normal business hours. The school must make any portion of the log older than sixty days available within two business days of a request for public inspection.





## Statement of Policy and Procedures for Specific Offenses: 34 CFR 668.46(b)(11) –

Each institution's Annual Security Report must include a statement of policy that addresses institutional programs to prevent dating violence, domestic violence, sexual assault, and stalking, as well as the procedures the institution will follow when one of these crimes is reported.

The statement of policy must include the following components:

- 1) A description of the institution's educational programs and campaigns to promote the awareness of dating violence, domestic violence, sexual assault, and stalking. The statement must describe the institution's primary prevention and awareness programs for all incoming students and new employees. Primary prevention and awareness programs must define said crimes, state that the institution prohibits such crimes, provide a definition of "consent" in reference to sexual activity, in the applicable jurisdiction, describe safe and positive options for bystander intervention, and information on risk reduction.
- 2) The procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred, including written information about:
  - a. The importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order.
  - b. How and to whom the alleged offense should be reported.
  - c. Options about the involvement of law enforcement and campus authorities, including notification of the victim's option to:
    - i. Notify proper law enforcement authorities, including on-campus and local police.
    - ii. Be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses.
    - iii. Decline to notify such authorities.
  - d. Rights of victims and institutional responsibilities for orders of protection or similar lawful orders

The statement must also include information about how the institution will protect the confidentiality of victims and other necessary parties, including how the institution will complete publicly available recordkeeping, while maintaining as confidential any accommodations or protective measures provided to the victim. The statement must also state that the institution will provide written notification to student and employees about existing counseling, health, advocacy, and other services available for victims, both within the institution and in the community. Institutions must include that they will notify victims about options for requests for changes to academic, living, transportation, and working situations or protective measures.



## Annual Fire Safety Report: 34 CFR 668.49(b) –

As stated above, if an institution maintains an on-campus student housing facility, it must also publish an Annual Fire Safety Report. The report must contain the following:

- |   |  |
|---|--|
| 1) Fire statistics submitted to the Department.   | 5) Procedures for evacuation due to fires in student housing                                     |
| 2) Description of on-campus housing facilities fire safety systems                            | 6) Policies on fire safety education and training programs                                       |
| 3) Number of fire drills during the previous calendar year                                    | 7) List of titles of persons to report fires on campus, for purposes of inclusion in statistics. |
| 4) Policies on portable electrical appliances, smoking, and open flames in housing facilities | 8) Plans for future improvement in fire safety, if necessary                                     |

## The Fire Log: 34 CFR 668.49(d) –

Any institution that maintains on-campus housing facilities must maintain a fire log. The fire log must be a written and easily understood record of any fire that occurred in an on-campus student housing facility. The log must include the nature, date, time, and general location of each fire. Fires must be recorded in the log within two business days. Institutions must make the fire log for the most recent 60-day period open to public inspection, and any portion of the log older than 60 days available within two business days of a request for public inspection.

## Notice and Distribution of Reports –

Institutions must provide notice of the availability of the Annual Security Report and the Annual Fire Safety Report (if applicable) to all current and prospective students and employees. This notice must include: 1) a statement of the report's availability; 2) a statement that a paper copy will be provided upon request and how to obtain one; 3) a brief description of the contents; and 4) the exact electronic address of the report. The two reports may be published together or separately. If separate, each report must contain information on how to directly access the other report.

Appropriate publications and mailings of the Annual Security Report and the Annual Fire Safety Report include:

- Direct mail to each individual through the post office, campus mail, or e-mail
- Publications provided directly to individuals.
- Posting on an Internet or intranet website (subject to specifications in 34 CFR 668.41(e)(2) and (3))



## Missing Persons Policies and Procedures: 34 CFR 668.46(h) –

If an institution maintains on-campus housing, the institution must establish a missing student notification policy and include a description of the policy in its Annual Security Report.

In short, the policy must include the following:

- 1) List of titles of persons to which individuals should report that a student has been missing for 24 hours.
- 2) Require that any missing student report be referred immediately to campus security or, in the absence of an institutional police or campus security department, to the local law enforcement agency that has jurisdiction in the area.
- 3) Include an option for each student to identify a contact person, whom the institution will notify within 24 hours upon a determination that the student is missing.

Each student must be advised that: their contact information will be kept confidential (except to authorized campus officials and law enforcement); if they are under 18 years of age and not emancipated, the institution must notify, within 24 hours, a custodian, parent, or guardian that the student is missing; and the institution will notify law enforcement within 24 hours that the student is missing.

## Emergency Response, Evacuation Notifications, and Timely Warnings: 34 CFR 668.46(g) –

Each institution must develop emergency response and evacuation procedures, and include a description of its procedures in its Annual Security Report. The statement must include the procedures the institution will use to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. At a minimum, an institution must have procedures to: (1) confirm significant emergencies or dangerous situations; (2) determine the appropriate community to notify and the content of the notification, including the withholding as confidential the names and other identifying information of victims; and (3) initiate the notification system. The institution must also compile a list of persons or organizations responsible for these activities. In addition, the institution must have procedures for disseminating emergency information to the larger community and must test emergency and evacuation procedures on at least an annual basis.

In an emergency or a dangerous situation, an institution must, without delay and accounting for the safety of the community, determine the content of the notification and initiate the notification system, unless such notification will compromise efforts to assist a victim or contain, respond to, or mitigate the emergency.



An institution must develop procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

Institutions are required to provide emergency notifications or timely warnings based upon the circumstances. Emergency notifications are required to provide immediate notification to the campus community upon confirmation of a significant emergency or dangerous situation occurring on campus that involves an immediate threat to the health or safety of students or employees. Timely warnings are required for all Clery Act crimes that occur on Clery Geography that are reported to CSAs or local police agencies and are considered by the institution to represent a serious or continuing threat to students and employees.

The following chart identifies the differences between emergency notifications and timely warnings:

	<b>Emergency Notifications</b>	<b>Timely Warnings</b>
Scope	Significant emergency or dangerous situation	Clery crimes, reported to CSAs
Triggered by?	Event that is currently occurring on or imminently threatening campus	Crimes that occurred and represent an ongoing threat
Where event occurs?	Only on campus	Anywhere on Clery Geography
How soon to issue?	Immediately upon confirmation of situation	As soon as information is available

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## Gramm-Leach-Bliley Act

### Overview

This document summarizes Hot Rod Institute information security program as mandated by the Federal Trade Commission's Safeguards Rule and the Gramm - Leach - Bliley Act ("GLBA"). The information security program is coordinated by the school director in alliance with the administration, financial aid, and IT directors. While these practices mostly affect the Information Technology department they may impact other areas of the university such as administration, registrars, financial aid, placement, advising and admissions departments. The purpose of this program as required by GLBA is to provide an outline to ensure ongoing compliance with federal regulations related to the program. This program is in addition to any other University policies and procedures that may be required pursuant to other federal and state laws and regulations, including Family Educational Rights and Privacy Act ("FERPA").

### Scope of Program

#### Gramm – Leach – Bliley Act (GLBA) Requirements

GLBA mandates that the University/Institution (i) designate an employee(s) to coordinate the Program, (ii) identify reasonably foreseeable internal and external risks to the security, confidentiality and integrity of covered information, giving consideration to operations such as employee training and management, information systems, and potential system failures, attacks and intrusions, (iii) design and implement information safeguards to control the risks identified through risk assessment, (iv) oversee service providers and contracts, and (v) evaluate and adjust the Information Security Program periodically.

#### Designation of Representative(s)

Institutional administration (School Director and President) shall be responsible for coordinating and overseeing GLBA Program. The administrative team may designate other representatives of the University to oversee and coordinate particular elements of the when required. Any questions regarding the implementation of the Program or the interpretation of this document should be directed to the School Director.

Our Administrative team has assigned our director of Integrated Technology to review any security issues regarding IT related purposes. The IT director is responsible to identify reasonably foreseeable internal and external risks to the security, confidentiality, and integrity of account information; evaluate the effectiveness of the current safeguards for controlling these risks; design and implement an administrative, technical and physical safeguards program, regularly monitor and test the program and report to the School Director and/or President.

#### Risk Assessment and Safeguards

The University intends, as part of the Program, to (i) identify and assess reasonably foreseeable external and internal risks to the security, confidentiality, and integrity of nonpublic personal information that could result in the unauthorized disclosure, misuse, alteration, destruction or other compromise of such information and (ii) assess the sufficiency of any safeguards in place to control these risks. The GLBA will

# Hot Rod Institute

work with all Data Gatekeepers (Financial Aid and IT directors) to identify potential and actual risks to security and privacy of information.

Each Data Gatekeepers will conduct a data security review, with guidance from the GLBA. IT will ensure that procedures and responses are appropriately reflective of those widely practiced at other national colleges.

The University has discontinued usage of social security numbers as student identifiers and now provide students Identification numbers. Social security numbers are considered protected information under both GLBA and the FERPA. By necessity, student social security numbers remain in the University student information system (Diamond D). The GLBA administration team and data gatekeepers will conduct an assessment to determine who has access to social security numbers, in what systems the numbers are still used, and in what instances, if any, students are inappropriately being asked to provide a social security number. This assessment will cover University employees as well as subcontractors such as student loan billing and collection services.

IT will develop a plan to ensure that all electronic covered information is encrypted in transit and that the central databases are strongly protected from security risks.

IT will develop plans and procedures to detect and prevent any attempted attacks, intrusions or other failures on central systems and will develop incident response procedures for actual or attempted unauthorized access to covered data or information.

## **Designing and Implementing Safeguards**

The GLBA will, on a regular basis, assist Data Gatekeepers in implementing safeguards to control the risks identified through such assessments and to regularly test or otherwise monitor the effectiveness of such safeguards. Such testing and monitoring may be accomplished through existing network monitoring and problem escalation procedures.

This evaluation will include assessing the effectiveness of the University's current policies and procedures relating to system access, the use of the University's network, network security, documentation retention and destruction. The GLBA administrative team will also coordinate with IT to assess procedures for monitoring potential information security threats associated with software systems and for updating such systems, implementing patches or other software fixes designed to deal with known security flaws.

## **Employee and Training Management**

While the GLBA administrative team are ultimately responsible for ensuring compliance with information security practices, the GLBA administrative team will consult with relevant offices to evaluate the effectiveness of practices relating to access to and use of covered information. Employees with access to covered information typically fall into three categories: professionals in information technology who have general access to all university data, Data Gatekeepers who have access to specific systems, and those employees who use data as part of their essential job duties.



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## **Oversight of Service Providers**

The GLBA administrative team shall consult with those responsible for the procurement of third party services and other affected departments to raise awareness of, and to institute methods for, selecting and retaining only those service providers that are capable of maintaining appropriate safeguards for nonpublic personal information of students and other third parties to which they will have access. In addition, the GLBA administrative team will work with any providers to develop and incorporate standard, contractual protections applicable to third party service providers, which will require such providers to implement and maintain appropriate safeguards. These standards shall apply to all existing and future contracts entered into with such third party service providers.

## **Review and Revision**

This Program is subject to review and revision by the GLBA administrative team and its Gate Keepers, based on the risk assessment results, to ensure compliance with existing and future laws and regulations. Technology security should undergo quarterly review by IT. Other processes, such as data access procedures and training should undergo regular reviews by the GLBA administrative team and its Gate Keepers.

## **General Questions**

Questions regarding the University's GLBA policy or regarding information security may be e-mailed to: [kyle@hotrod.EDU](mailto:kyle@hotrod.EDU) – (Kyle Bentz)

## Authorization Consent Form



### Hot Rod Institute FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT STUDENT RELEASE

Student Name (Last, First) \_\_\_\_\_

Student ID# or SSN# \_\_\_\_\_

#### Student's Authorization for Disclosure

I hereby waive my rights under the Family Educational Rights and Privacy Act of 1974 (FERPA) and authorize Hot Rod Institute to discuss and/or disclose the following education records to the person listed below:

- \_\_\_ Transcripts
- \_\_\_ Financial records
- \_\_\_ Financial Aid
- \_\_\_ Disciplinary Records: \_\_\_\_\_  
(specify incident or indicate "All")
- \_\_\_ Other \_\_\_\_\_  
(please specify)
- \_\_\_ All information regarding my enrollment at Hot Rod Institute without limitation

Name of Authorized Person: \_\_\_\_\_

Relationship to Student: \_\_\_\_\_

Address of Authorized Person: \_\_\_\_\_

City \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone # (\_\_\_\_) \_\_\_\_- \_\_\_\_\_

The purpose of releasing this information is \_\_\_\_\_

**I understand that this authorization will be in effect as long as I am a student at Hot Rod Institute or until I revoke this authorization in writing.**

I affirm that I have carefully read the foregoing authorization and that I fully understand the meaning and intent of this document. I affirm that I have signed this authorization voluntarily.

Student Signature \_\_\_\_\_ Date \_\_\_\_\_

This authorization form is not required when school transmits information to state and federal agencies concerning processing of Title IV aid. This authorization is not also required if student files are subject to institutional, state and federal program review and audit.

## Information Release via Telephone

No information concerning any student is released to any individual, group or organization via telephone, cellular phone or other similar devices unless that individual, group or organization is involved in the awarding and processing of student's Title IV aid.

10-2023

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## **CYBER SECURITY POLICY**

**INTRODUCTION** Hot Rod Institute's Cyber Security Policy is a formal set of rules by which those staff members who are given access to school technology and information assets must abide.

The Cyber Security Policy serves several purposes. The main purpose is to inform school users: employees, contractors and other authorized users of their obligatory requirements for protecting the technology and information assets of the school.

The Cyber Security Policy describes the technology and information assets that we must protect and identifies many of the threats to those assets. The Cyber Security Policy also describes the user's responsibilities and privileges. What is considered acceptable use? What are the rules regarding Internet

The policy answers these questions, describes user limitations and informs users there will be penalties for violation of the policy. This document also contains procedures for responding to incidents that threaten the security of the school's computer systems and network.

## **WHAT ARE WE PROTECTING**

It is the obligation of all users of the school systems to protect the technology and information assets of the school. This information must be protected from unauthorized access, theft and destruction. The technology and information assets of the school are made up of the following components:

- Computer hardware, CPU, disc, Email, web, application servers, PC systems, application software, system software, etc.
- System Software including: operating systems, database management systems, and backup and restore software, communications protocols, and so forth.
- Application Software: used by the various departments within the school. This includes custom written software applications, and commercial off the shelf software packages.
- Communications Network hardware and software including: routers, routing tables, hubs, modems, multiplexers, switches, firewalls, private lines, and associated network management software and tools.

## **Classification of Information**

User information found in computer system files and databases shall be classified as either confidential or non-confidential. The school shall classify the information controlled by them.

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# Hot Rod Institute

## DEFINITIONS

### Chief Information Officer.

The Director of the Department of Information Technology (IT) shall serve as the Chief Information Officer. Security Administrator. An authorized employee shall be designated as the Security Administrator for the school.

## THREATS TO SECURITY

Employees One of the biggest security threats is employees. They may do damage to your systems either through incompetence or on purpose. You must layer your security to compensate for that as well. You mitigate this by doing the following.

### Management:

- ✓ Only give out appropriate rights to systems. Limit access to only business hours.
- ✓ When employees are separated or disciplined, you remove or limit access to systems.
- ✓ Advanced – Keep detailed system logs on all computer activity.

### Employees:

- ✓ Don't share accounts to access systems. Never share your login information with co-workers.
- ✓ Physically secure computer assets, so that only staff with appropriate need can access.

### Amateur Hackers and Vandals.

These people are the most common type of attackers on the Internet. The probability of attack is extremely high and there is also likely to be a large number of attacks. These are usually crimes of opportunity. These amateur hackers are scanning the Internet and looking for well-known security holes that have not been plugged. Web servers and electronic mail are their favorite targets. Once they find a weakness they will exploit it to plant viruses, Trojan horses, or use the resources of your system for their own means. If they do not find an obvious weakness they are likely to move on to an easier target.

### Criminal Hackers and Saboteurs.

The probability of this type of attack is low, but not entirely unlikely given the amount of sensitive information contained in databases. The skill of these attackers is medium to high as they are likely to be trained in the use of the latest hacker tools. The attacks are well planned and are based on any weaknesses discovered that will allow a foothold into the network.

# Hot Rod Institute

## **USER RESPONSIBILITIES**

This section establishes usage policy for the computer systems, networks and information resources of the office. It pertains to all employees and contractors who use the computer systems, networks, and information resources as business partners, and individuals who are granted access to the network for the business purposes of the school.

### **Acceptable Use**

User accounts on school computer systems are to be used only for business of the school and not to be used for personal activities. Unauthorized use of the system may be in violation of the law, constitutes theft and can be punishable by law. Therefore, unauthorized use of the school computing system and facilities may constitute grounds for either civil or criminal prosecution.

Users are personally responsible for protecting all confidential information used and/or stored on their accounts. This includes their logon IDs and passwords. Furthermore they are prohibited from making unauthorized copies of such confidential information and/or distributing it to unauthorized persons outside of the school.

Users shall not purposely engage in activity with the intent to: harass other users; degrade the performance of the system; divert system resources to their own use; or gain access to school systems for which they do not have authorization. Users shall not attach unauthorized devices on their PCs or workstations, unless they have received specific authorization from the employees' manager and/or the school IT designee.

Users shall not download unauthorized software from the Internet onto their PCs or workstations.

Users are required to report any weaknesses in the school computer security, any incidents of misuse or violation of this policy to their immediate supervisor.

### **Use of the Internet**

The school will provide Internet access to employees and contractors who are connected to the internal network and who has a business need for this access. Employees and contractors must obtain permission from their supervisor and file a request with the Security Administrator.

The Internet is a business tool for the school. It is to be used for business-related purposes such as: communicating via electronic mail with suppliers and business partners, obtaining useful business information and relevant technical and business topics.

The Internet service may not be used for transmitting, retrieving or storing any communications of a discriminatory or harassing nature or which are derogatory to any individual or group, obscene or pornographic, or defamatory or threatening in nature for "chain letters" or any other purpose which is illegal or for personal gain.

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## **Monitoring Use of Computer Systems**

The school has the right and capability to monitor electronic information created and/or communicated by persons using school computer systems and networks, including e-mail messages and usage of the Internet. It is not the school's policy or intent to continuously monitor all computer usage by employees or other users of the school's computer systems and network. However, users of the systems should be aware that the school may monitor usage, including, but not limited to, patterns of usage of the Internet (e.g. site accessed, on-line length, time of day access), and employees' electronic files and messages to the extent necessary to ensure that the Internet and other electronic communications are being used in compliance with the law and with school policy.

## **ACCESS CONTROL**

A fundamental component of our Cyber Security Policy is controlling access to the critical information resources that require protection from unauthorized disclosure or modification. The fundamental meaning of access control is that permissions are assigned to individuals or systems that are authorized to access specific resources. Access controls exist at various layers of the system, including the network. Access control is implemented by logon ID and password. At the application and database level, other access control methods can be implemented to further restrict access. The application and database systems can limit the number of applications and databases available to users based on their job requirements.

### **User System and Network Access – Normal User Identification**

All users will be required to have a unique logon ID and password for access to systems. The user's password should be kept confidential and **MUST NOT** be shared with management & supervisory personnel and/or any other employee whatsoever. All users must comply with the following rules regarding the creation and maintenance of passwords:

- Password must not be found in any English or foreign dictionary. That is, do not use any common name, noun, verb, adverb, or adjective. These can be easily cracked using standard "hacker tools".
- Passwords should not be posted on or near computer terminals or otherwise be readily accessible in the area of the terminal.

Users are not allowed to access password files on any network infrastructure component. Password files on servers will be monitored for access by unauthorized users. Copying, reading, deleting or modifying a password file on any computer system is prohibited.

Users will not be allowed to logon as a System Administrator. Users who need this level of access to production systems must request a Special Access account as outlined elsewhere in this document.



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Employee Logon IDs and passwords will be deactivated as soon as possible if the employee is terminated, fired, suspended, placed on leave, or otherwise leaves the employment of the school. Supervisors / Managers shall immediately and directly contact the school's IT Manager to report change in employee status that requires terminating or modifying employee logon access privileges.

Employees who forget their password must notify the IT department to get a new password assigned to their account. Employees will be responsible for all transactions occurring during Logon sessions initiated by use of the employee's password and ID.

Employees shall not logon to a computer and then allow another individual to use the computer or otherwise share access to the computer systems.

## System Administrator Access System

Administrators, network administrators, and security administrators will have administrative access to host systems, routers, hubs, and firewalls as required to fulfill the duties of their job.

All system administrator passwords will be DELETED immediately after any employee who has access to such passwords is terminated, fired, or otherwise leaves the employment of the school.

## Connecting Devices to the Network

Only authorized devices may be connected to the school network(s). Authorized devices include PCs and workstations owned by school that comply with the configuration guidelines of the school. Other authorized devices include network infrastructure devices used for network management and monitoring.

Users shall not attach to the network: non-school computers that are not authorized, owned and/or controlled by school.

NOTE: Users are not authorized to attach any device that would alter the topology characteristics of the Network or any unauthorized storage devices, e.g. thumb drives and writable CD's.

## Remote Access

Only authorized persons may remotely access the school network. Remote access is provided to those employees, contractors and business partners of the school that have a legitimate business need to exchange information, copy files or programs, or access computer applications. Authorized connection can be remote PC to the network or a remote network to school network connection. The only acceptable method of remotely connecting into the internal network is using a secure ID

## Unauthorized Remote Access

Users may not install personal software designed to provide remote control of the PC or workstation. This type of remote access bypasses the authorized highly secure methods of remote access and poses a threat to the security of the entire network.

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## **PENALTY FOR SECURITY VIOLATION**

The school takes the issue of security seriously. Those people who use the technology and information resources of Hot Rod Institute must be aware that they can be disciplined if they violate this policy. Upon violation of this policy, an employee of Hot Rod Institute may be subject to discipline up to and including dismissal. The specific discipline imposed will be determined by a case-by-case basis, taking into consideration the nature and severity of the violation of the Cyber Security Policy, prior violations of the policy committed by the individual, state and federal laws and all other relevant information. Discipline which may be taken against an employee or student shall be administrated in accordance with any appropriate rules or policies and the School Policy Manual.

## **SECURITY INCIDENT HANDLING PROCEDURES**

This section provides some policy guidelines and procedures for handling security incidents. The term “security incident” is defined as any irregular or adverse event that threatens the security, integrity, or availability of the information resources on any part of the school’s network. Some examples of security incidents are:

- Illegal access of a school’s computer system. For example, a hacker logs onto a production server and copies the password file.
- Damage to a school computer system or network caused by illegal access. Releasing a virus or worm would be an example.
- Denial of service attack against a school web server. For example, a hacker initiates a flood of packets against a Web server designed to cause the system to crash.
- Malicious use of system resources to launch an attack against other computer outside of the school’s network. For example, the system administrator notices a connection to an unknown network and a strange process accumulating a lot of server time.

Employees, who believe their terminal or computer systems have been subjected to a security incident, or has otherwise been improperly accessed or used, should report the situation to the VP of Administration immediately. The employee or student shall not turn off the computer or delete suspicious files. Leaving the computer in the condition it was in when the security incident was discovered will assist in identifying the source of the problem and in determining the steps that should be taken to remedy the problem.

# Hot Rod Institute



## PURPOSE:

To establish institutional policies and procedures for fraud referrals to the U.S. Department of Education – Office of Inspector General (OIG).

## POLICY:

Hot Rod Institute will comply with federal and state regulations regarding fraud referrals.

Students/Applicants: Hot Rod Institute will make a referral to the OIG if the school has credible information indicating that an applicant or recipient of the Title IV funding may have engaged in fraud or other criminal misconduct related to their application.

A student will be referred to the OIG if the school believes that the student, spouse or parent applicant intentionally provided false information with the intent of establishing a student's eligibility for federal student aid. Examples include but are not limited to:

- Identity theft of any kind
- Forgery of signatures or certifications
- Significantly false statements of income.

Employees: Hot Rod Institute will refer credible information indicating that an employee, third-party servicer, or any other member of the school community acted in a way that involves the administration of the Title IV funding, or the receipt of funds under those programs, may have engaged in fraud, misrepresentation, breach of fiduciary responsibility, and/or other illegal conduct involving the Title IV programs.

## PROCEDURE:

Any staff/faculty member with information regarding any potential fraud or misuse of federal Title IV funds as defined in this policy will make a referral to the Director of Financial Aid, unless the allegations might implicate the Director of Financial Aid; in which case the referral will be made directly to the President, as appropriate.

The Director of Financial Aid or their designee will collect all documents, interview witnesses, and conduct a thorough investigation. After determining the facts of the case, the investigating official will make a recommendation to the President on the necessity of making a referral to the OIG.

The President will decide, based upon the evidence presented, whether a referral is warranted; and will instruct the Director of Financial Aid or their designee to make the appropriate referral to the OIG.

The decision to refer will be based upon the following factors:

- Probability that the individual intended to commit fraud,
- Whether the individual(s) stood to profit from the misrepresentation,
- Whether the individual provided false documentation or otherwise demonstrated a calculated effort to deceive, and Whether the individual attempted to conceal the misrepresentation.

In the event a case is referred to the OIG, Hot Rod Institute will comply with the best of its ability with all requests for additional information from the OIG to assist in the completion of the ensuing investigation.



## **VAWA - Violence Against Women Act:**

On March 7, 2013 President Obama signed the Violence Against Women Reauthorization Act of 2013 (VAWA), which amended the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) by adding a number of new reporting requirements and classifications of crimes. The law was effective March 7, 2014; however, implementation guidance was subject to NPRM and thus not available until October 2014.

On October 20, 2014, the US Department of Education published the final regulations to implement changes made to the Clery Act because of the enactment of the VAWA. These new regulations are effective July 1, 2015, however, as we have indicated in prior ECM publications, schools were required to make a "good faith effort" to comply with these regulations beginning on March 7, 2014, despite final regulations for implementation being unavailable. The new regulations are summarized below and provide guidance on how schools will complete their Annual Security Report for October 1, 2015

Institutions must have made a good-faith effort to include statistics for the crimes specified under the VAWA for calendar year 2013 in their Annual Security Report for October 2014. It is understood that institutions may not have complete statistics for 2013, though they should document their efforts to maintain such statistics and/or obtain them from local law enforcement agencies.

Schools are required to update their existing Campus Security Policy and Campus Crime Statistics to include the following items, which must be distributed as part of the school's Annual Security Report (ASR):

The school must create and execute an educational prevention program or programs that promote knowledge and understanding of rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking. All incoming students and new employees must be made aware of this program.

The educational prevention program must include:

- Written procedures for disciplinary proceedings in the cases of alleged offenses. The procedure must provide for a prompt, fair and impartial investigation and resolution to be conducted by officials who receive annual training on issues related to the offences and how to investigate and hearing that protects the safety of the victims and promotes accountability.
- A statement prohibiting the offenses listed above including sanctions and measures a school may impose once disciplinary proceedings have taken place and determination that an offense has occurred. Provide the accuser and accused with the same opportunities to have others present during the proceedings including an advisor of their choice. Ensure that the accuser and accused will be informed simultaneously in writing of the outcome of the disciplinary proceedings and the opportunity for appeal and notification of the outcome of the appeal before the results become final, and when the results will be final.

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- Definition of what the terms describing these offenses mean in the local jurisdiction. Procedures must be provided in writing to victims of the steps that should be taken after an offense to preserve evidence and to whom incidents should be reported, as well as the victim's options to report the incident to the local law enforcement authorities, be assisted by campus authorities to report the incident to law enforcement or the option to decline to notify authorities.
- Any student or employee who reports that they have been the victim of one of the above offenses, whether on or off campus, shall be provided with a written explanation of the student's or employee's rights and options. A written explanation of the victim's rights and the institution's responsibilities, where applicable, concerning restraining orders, orders for protection, no contact orders, etc., will be provided.
- A definition of "consent" as it pertains to instances of sexual activity.
- A description of safe and positive options for bystander intervention.
- A list of options for reducing the risk of such offenses occurring.
- The policy must clearly state that no officer, employee, or agent of the school shall retaliate, intimidate, threaten, coerce or otherwise discriminate against any individual for exercising their rights under any provision of VAWA.
- The policy must outline how the institution will protect the confidentiality of victims, to the extent permissible by law.
- A statement explaining that existing counseling, health, mental health, victim advocacy, legal assistance, and other services for victims on campus and in the community will be made available.
- Written notification to victims about available assistance in changing academic, living, transportation and work situations, if so requested by the victim and if such accommodations are reasonably available must be provided, regardless if the victim chooses to report the crime to campus police or local law enforcement.
- Ongoing prevention and awareness campaigns for current students and employees.

The following are the highlights of the new regulation that were outlined in the Federal Register:

- Institutions are now required to maintain statistics about the number of incidents of dating violence, domestic violence, sexual assault, and stalking.
- There are very limited circumstances in which an institution may remove reports of crimes that have been "unfounded" and institutions are required to report to the Department and disclose in the annual security report the number of "unfounded" crime reports.
- Schools should review their definition of "rape" and revise their definition of rape to reflect the FBI's updated definition in the UCR Summary Reporting System which encompasses the categories of rape, sodomy and sexual assault with an object as used in the UCR National Incident-Reporting System.
- Institutions must provide incoming students and new employees and describe in their annual security reports, primary prevention and awareness programs. These programs must include: a statement that the institution prohibits the crimes of dating, violence, domestic violence, sexual assault, and stalking, as defined in the final regulations.

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- Institutions must provide and describe in their annual security reports ongoing prevention and awareness campaigns for students and employees.
- The school's policy must include definitions of the following terms- awareness programs, bystander intervention, ongoing prevention and awareness campaigns, primary prevention programs and risk reductions.
- The policy must describe each type of disciplinary proceeding used by the institution; the steps, timelines, decision making process, how to file a complaint, how the institution determines which type of proceeding to use based on circumstances of an allegation of dating violence, domestic violence, sexual assault or stalking.
- The policy must list all the possible sanctions the institution may impose following the results of any institutional disciplinary proceedings.
- The policy must include a description of the range of protective measures that an institution may offer following an allegation.
- The school's policy must provide details to ensure a prompt, fair and impartial disciplinary proceedings in which: (1) officials are properly trained, do not be a conflict of interest or bias for or against the accuser or the accused; (2) the accuser and accused have equal opportunities to have others present, including an advisor of their choice.; (3) the accuser and the accused receive simultaneous notification, in writing of the result of the proceeding and any appeals procedures; (4) the proceeding is completed in a reasonable timeframe; (5) the accuser and accused are given timely notice of meetings at which one or the other or both may be present; and (6) The accuser, the accused, and appropriate officials are given timely and equal access to information that will be used during informal and formal disciplinary meetings and hearings.
- The following terms must be clearly defined in the policy- proceeding and result.
- The policy must clearly state the compliance with these provisions does not constitute a violation of the Family Educational Rights and Privacy Act, (FERPA).

In addition, there will be new crime categories of domestic violence, dating violence, and stalking in accordance with the Violence Against Women Act of 1994 as follows:

- A. Domestic Violence is 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
  - A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner.
  - A person similarly situated to as a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies (under VAWA)
  - 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.
- B. 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

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- Where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - a. Length of the relationship
  - b. Type of relationship and
  - c. Frequency of interaction between the people involved in the relationship.
- C. Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to
  - Fear for his or her safety or the safety of others
  - Suffer substantial emotional distress.

Institutions must make a good-faith effort to include these statistics for these crimes for calendar year 2013 in the ASR. It is understood that institutions may not have complete statistics for 2013.

If your institution is a distance education only school, you do not have to comply, providing students are never present on a physical campus. This means that the students do not go to a physical location to enroll, seek guidance, study, work, intern, etc. The exception to this rule is the annual graduation ceremony. For this event only, if students attend the ceremony at a location that your institution owns or controls, your institution is still exempt from compliance.

## **Residential Facilities:**

Hot Rod Institute does not have any school-operated residential facilities for students.

The school is required, in a manner that is timely and will aid in the prevention of similar crimes, report to the campus community on the following crimes:

- Criminal homicide
  - Murder and non-negligent manslaughter
  - Negligent manslaughter
- Sex Offenses - forcible and non-forcible
- Robbery
- Aggravated assault
- Burglary
- Motor Vehicle theft
- Arson
- Arrests for liquor law violations, drug law violations and illegal weapons possession
  - Include persons who were referred for disciplinary action.
- Hate crimes - evidence that shows the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability.



# Hot Rod Institute



- Crimes reported to campus security or local police agencies and considered by the school to represent a threat to students and employees.

School NOT required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

If there is an immediate threat to the health or safety of students or employees occurring on campus, the school must follow its emergency notification procedures.

# Hot Rod Institute's Policies for Professional Judgement



A financial aid professional may exercise professional judgment and change elements in the federal need analysis to account for circumstances that he/she feels have not been adequately considered in the original FAFSA.

## Instructions to Students/Parents:

All requests for the execution of professional judgment must:

- Be initiated by a letter from the student in which the student requests consideration of his/her particular circumstances. It must be legible, signed and dated. The student is encouraged to focus on events in the prior year that have affected or will affect his/her family's ability to pay for the current year's college expenses.
- Require documentation. Please refer to the "Documentation Requirements" when preparing your request for consideration of special circumstances.
- Require a valid and verified Student Aid Report. Please file your Free Application for Federal Student Aid according to the instructions provided by the Department of Education. Your special circumstances will be considered only after we have received your SAR. If you have been selected for verification, we must complete that process before considering your special needs.
- Require a signed copy of the 2022 tax transcript. If you have not already provided a copy of all required tax documents for verification, please include one with your request for consideration of special circumstances.

**Remember:** Any adjustments made to your SAR as a result of your request for a professional judgment decision may delay or change your financial aid package.

## All Requests Should Be Directed to:

Director of Financial Aid

- [Parent's death or divorce](#) for dependent students; death of or divorce from spouse of independent student.
- [Loss of employment](#) - Parent of dependent student, student or spouse of independent student.
- [Loss of untaxed benefit](#) - Parent of dependent student, student or spouse of independent student.
- [Extraordinary medical expenses](#) in the household to which the student belongs. These must exceed the medical allowance in the Income Protection Allowance.

# Hot Rod Institute's Policies for Professional Judgement



- Tuition for private schooling of siblings of dependent student.
- Dependent child care for children of independent students.
- Travel expenses beyond those allowed in the student expense budget.
- Extreme business or farm debt or bankruptcy payments.
- Dependency overrides
- Computer Purchase
- Parent attending college

## Documentation Requirements

### For Death or Divorce:

- A copy of the death certificate for the parent of a dependent student, spouse of an independent student.
- A copy of the divorce decree or separation agreement.
- A signed copy of the parents and/or student's prior year income tax return

### For loss of wages:

- Termination or resignation letter that includes the last date of employment.
- Completed, signed copy of prior year's income tax return, W2 forms and any relevant worksheets or schedules.

### For loss of benefits:

- Copy of court order that specifies termination date and amount of child support.
- Copy of letter from appropriate state or federal agency that specifies termination date and amount of benefits.
- Completed, signed copy of prior year's income tax return, W2 forms and any relevant worksheets or schedules.

### For extraordinary medical expenses:

- Receipts for medical expenses that show the total patient liability, that is, the amount due and not covered by insurance.
- If the receipts do not indicate whether or not the expense was covered by insurance, they must be accompanied by a letter from the medical provider or insurer stating that the expense, or a specified portion of the expense, was payable by the patient.
- Completed, signed copy of prior year's income tax return, W2 forms and any relevant worksheets or schedules.

# Hot Rod Institute's Policies for Professional Judgement



## **For private school tuition for siblings:**

- Copies of official tuition invoices. Only tuition for the prior year may be considered.
- Completed, signed copy of prior year's income tax return, W2 forms and any relevant worksheets or schedules.

## **Extraordinary travel expense:**

- If the expense involves travel via commercial conveyance to/from school, provide a copy of receipts for fare.
- If the expense relates to the use of the student's own vehicle, provide a statement of travel needs that includes the origination point, the destination point, the number of trips per week/month, the reason for the travel.
- The student's statement must include an acknowledgment that any false statements will result in the cancellation of student financial aid.
- Federal regulations prohibit including in student expense budgets the direct expenses of purchasing and maintaining an automobile.
- Completed, signed copy of prior year's income tax return, W2 forms, and any relevant worksheets or schedules.

## **Extreme business or farm debt, bankruptcy:**

- Documentation of the debt.
- Documentation of the value of the business or farm liable for the debt.
- Copy of court ordered bankruptcy payments.
- Completed, signed copy of prior year's income tax return, W2 forms and any relevant worksheets or schedules.
- aid and a dated receipt/proof of purchase attached, OR a completed form along with a dated, itemized estimate of the cost of the proposed purchase.
- A petition for this change should be submitted no later than April 1 of the academic year during which it is requested.
- 

## **Parent attending College:**

Beginning with the academic year 2000-01, a parent's participation in postsecondary education should be considered in the need analysis only if it affects

# Hot Rod Institute's Policies for Professional Judgement



the family's ability to pay for a dependent student's education. The Office of Financial Aid at Alabama A & M University has developed two options for accounting for a parent's educational expenses. If you wish for us to modify your

## **Option I – Including the parent in "Number in College"**

In order for the Office of Financial Aid to determine if you are eligible to have your parent included in the "number in college" on the FAFSA, the parent must meet the following condition and provide the necessary documentation:

- Full-time enrollment in a degree or certificate program. (Attach to the application a certified proof of enrollment from the Registrar's office at the parent's institution.)

If you wish the Office of Financial Aid to determine if you are eligible to have your parent included in the "number in college" on the FAFSA, please submit the application which may be printed out online or received from the Office of Financial Aid. Attach the above documentation and return to the Office of Financial Aid.

## **Option II – Including the parent's educational expenses in EFC**

If a parent is enrolled in college but does not meet the condition to be included in the "number in college" on the FAFSA, the Office of Financial Aid may still be able to adjust a student's eligibility for student financial aid using the documentable expenses that the parent incurs related to his/her enrollment in college.

If you wish the Office of Financial Aid to adjust the income reported on your FAFSA to account for a parent's educational expenses, please submit the application which may be printed out online or received from the Office of Financial Aid. Also, attach the following documentation:

# Hot Rod Institute's Policies for Professional Judgement



- Verification from the parent's college of admission to a degree or certificate program and at least half-time enrollment in that program.
- Invoice for tuition for a period of enrollment that is concurrent with the FAFSA and the appropriate academic year at Hot Rod Institute (i.e. July 2023 – June 2004 for academic year 2023-2024).
- Receipts for any books, supplies or equipment related to the parent's enrollment in college.
- Verification from employer that the parent receives no reimbursement for the costs of enrolling in the program.

## **Dependency overrides:**

- If a student is under the age of 24, an undergraduate, not married, has no dependents, and is not a veteran, an orphan or a ward of the court, he/she is considered to be dependent for the purposes of federal student aid.
- A dependency override may be requested in cases of complete alienation between a parent and a student. In support of a request for dependency override the student should submit statements from third-parties having first-hand knowledge of the circumstances. These should include statements on agency letterhead from social workers, school officials, church officials or others in positions of authority who are familiar with the situation.
- The Director of Financial Aid will make the final determination in requests for dependency overrides. Federal regulations do not permit a financial aid officer to perform a dependency override because of a parent's unwillingness to pay for education.

**If your parent(s) can satisfy any of the above conditions, please submit an application which can be printed out online or received from the Office of Financial Aid. Attach the required documentation and return to the Office of Financial Aid.**

# Hot Rod Institute

## **Copyright Infringement Policy:**

It is the intention of our school to strictly enforce a policy of zero tolerance for copyright violations and to comply with all applicable laws and regulations. Any student who engages in the unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, is subject to sanctions under the Code of Student Conduct. Additionally, a person found to have committed a copyright violation may be subject to civil liabilities, including up to \$150,000 for each separate act of infringement, and may be subject to criminal prosecution.



## **Default Prevention and Management: A Plan for Student and School Success**

<b>Section I</b>	<b>Overview</b>
<b>Section II</b>	<b>Early Stages of Enrollment</b>
<b>Section III</b>	<b>Late Stages of Enrollment</b>
<b>Section IV</b>	<b>After Students Leave School</b>
<b>Section V</b>	<b>Enhanced Entrance and Exit Counseling</b>
<b>Section VI</b>	<b>Tools and Activities for Schools</b>

### **Section I Overview**

This Sample Default Prevention and Management Plan provides all schools with activities, techniques, and tools to promote student and school success and reduce student loan defaults in the Federal Family Education Loan (FFEL) and William D. Ford Federal Direct Loan (Direct Loan) programs. Schools participating in the FFEL or Direct Loan programs for the first time, or schools participating in the FFEL or Direct Loan programs that have undergone a change of ownership that resulted in a change in control are required to use a default prevention and management plan to participate in the Title IV Programs (34 CFR 668.14(b)(15)). For such schools, implementation of the nine Default Prevention and Management Activities listed below will satisfy that requirement. Schools required to adopt a default prevention and management plan have the option to submit their own plans to the Department in lieu of adopting this Default Prevention and Management Plan. However, *all* schools are required to follow regulatory guidance including: entrance counseling and exit counseling for borrowers, reporting timely and accurate enrollment information to the U.S. Department of Education (the Department), and sharing satisfactory academic progress information across campus. In addition to these regulatory requirements, schools that are not required to use a default prevention and management plan should strongly consider implementing some or all of the non-regulatory measures in this plan. Additionally, many of the activities that you apply to your school's FFEL and DL borrowers may be successfully applied to your school's Perkins loan borrowers.

### **Default Prevention and Management Activities**

Entrance Counseling	Page 2
Financial Literacy for Borrowers	Page 3
Communication Across Campus	Page 3
Exit Counseling	Page 4
Timely and Accurate Enrollment Reporting	Page 4
NSLDS Date Entered Repayment (DER) Report	Page 5
Late Stage Delinquency Assistance (LSDA)	Page 5
Loan Record Detail Report (LRDR) Data Review	Page 6
Analyze Defaulted Loan Data to Identify Defaulter Characteristics	Page 6

### **Benefits of Adopting a Default Prevention and Management Plan**

The activities in this Default Prevention and Management Plan promote student and school success by increasing retention and reducing delinquency and default. Schools and students receive benefits when schools implement the activities, techniques, and tools outlined in this plan. Schools benefit by avoiding any limitations on participation in the loan programs due to excessive cohort default rates (CDRs). Students benefit by having continued access to Title IV Student Financial Assistance Programs, learning good debt management practices, and establishing a healthy credit history. Schools that are actively committed to promoting student success help their students learn, graduate, obtain employment, and demonstrate financial responsibility through repayment of the funds borrowed to finance their education.

### **Consequences of Default for Borrowers**

Borrowers who default on student loans face serious consequences. Stafford Loans are considered in default after 270 days without payment. At the time of default, outstanding interest is capitalized and collection fees may be added, resulting in a loan balance that is higher than the amount borrowed. Defaulted loans are reported to credit bureaus, causing borrowers to sustain long-term damage to their credit rating. Defaulters may also face difficulty in securing mortgages or car loans, may have their wages garnished, and their federal income tax refunds and other federal payments seized. Until the default is resolved, collection efforts continue and the defaulter will be ineligible for additional federal student aid. The Department, guarantors, and servicers undertake many activities to prevent borrowers from defaulting. With a minimal amount of time, effort, and expense, schools can play a critical role in helping borrowers avoid the damaging consequences of default.

### **Consequences of Default for Schools**

Schools may face serious consequences due to high CDRs. Consequences include the loss of participation in the FFEL, Direct Loan, and/or Pell Grant programs. Schools may also be provisionally certified. Effective, easy-to-implement tools that reduce defaults, promote student and school success, help preserve the integrity of the loan programs, and reduce costs to taxpayers are available to schools.

## **Section II Early Stages of Enrollment**

The Department recommends that every school implement a default prevention and management plan. Schools and borrowers benefit when schools incorporate default prevention and management activities into their operations. Schools can undertake these required and recommended activities that make up a default prevention and management plan as early as during student enrollment in order to reduce the incidence of default.

### **Entrance Counseling**

Regulations require that first time borrowers of FFEL and Direct Loan program loans receive entrance counseling. During entrance counseling, schools must explain how the master promissory note works, emphasize the importance of repaying the loan, describe the consequences of default, and show borrowers sample monthly repayment amounts

based on their program of study at your school. Schools may enhance entrance counseling to include financial literacy and ensure that borrowers thoroughly understand all information. In addition, schools should collect as much contact information about borrowers as possible during entrance counseling to facilitate future contact if needed. These activities will ensure more knowledgeable, responsible borrowers, and result in fewer defaulters as well. (Section V Enhanced Entrance and Exit Counseling)

### **Financial Literacy for Borrowers**

The Department recommends that schools provide borrowers with information concerning the income potential of occupations relevant to their course of study, counseling at various stages of enrollment, interactive tools to manage debt, repayment options, and school contact information. Schools can offer this information through a variety of media such as counseling, classes, publications, e-tutorials, electronic newsletters to email accounts, adding the information to award letters, or using a combination of methods. To help students manage their debt, some schools are limiting access of credit card companies to their campuses. Schools should also provide borrowers with entrance counseling material and the following resources, at minimum, at enrollment and following graduation or withdrawal:

- Estimate of required monthly payments on the borrower's loan balance,
- Calculators to help estimate and manage debt,
- Loan servicer contact information,
- Contact information for delinquency and default prevention assistance on campus,
- Introduction to NSLDS for Students,
- *Repaying Your Student Loans* publication.

### **Early Identification and Counseling for Students at-Risk**

Students at-risk generally refers to borrowers who withdraw prematurely from their educational programs, borrowers who do not meet standards of satisfactory academic progress or both. Counseling at-risk borrowers should focus on the causes of withdrawal or unsatisfactory academic progress and solutions to resolve these matters. The end result of working with at-risk students will be more borrowers completing their educational programs, equating to a higher retention rate for the school and lower numbers of defaulted borrowers.

### **Communication Across Campus**

Communication of information relevant to the prevention and management of defaults must be a school-wide effort and should not be the responsibility of only a single office. While communicating certain information across campus is mandatory, communicating additional information is highly recommended. To promote success, school officials should examine their communication procedures for effectiveness and inclusiveness. Information regarding borrowers' academic progress and enrollment status should be components of the information received by all relevant offices across campus including the offices that disburse funds and authorize payments. Accurate and timely communication among school entities and the Department not only ensures the right aid is getting to the right student, but such communication will help schools comply with regulations regarding the school's standards of administrative capabilities, accurate and timely reporting of borrowers' enrollment status, and satisfactory academic progress.

**Default Prevention and Retention Staff**

Having dedicated default prevention and management staff has proven invaluable for many schools. The Department recommends dedicated staff because they are in an excellent position to establish working relationships with borrowers from early in the students' experience through repayment. Many schools are also dedicating staff to student retention activities, a key to school and student success as well as default reduction. Where resources are limited, the Department recommends combining these two functions, as they are similar in nature. An emphasis on both will particularly benefit at-risk borrowers.

**Section III Late Stages of Enrollment**

During the later stages of enrollment and after students have left school, there are many default prevention and management activities that will help reduce defaults and help ensure borrower and school success.

**Exit Counseling**

Regulations require that schools provide exit counseling. Exit counseling is an effective way to prevent defaults and is often the last opportunity that borrowers have to work with someone at school regarding their loans. In-depth counseling that focuses on fully explaining repayment plans and choices that fit the borrowers' needs is essential. Exit counseling is the opportunity to clear up any misconceptions students may have about their loan obligations and re-emphasize the consequences of default. Schools should take full advantage of this opportunity to work with their students. A large percentage of borrowers in delinquency either did not have the benefit of receiving this information or did not receive it timely. Thorough exit counseling is a cornerstone of default prevention and is mandatory. (Section V Enhanced Entrance and Exit Counseling)

**Withdrawals**

Many borrowers who default on their loans are borrowers who withdrew from school prior to completing their academic programs. These borrowers, at the highest risk of default, can often be identified while still on campus. Early identification and timely intervention can improve student retention and reduce the number of defaulted loans. In addition to fulfilling the regulatory requirement to provide exit counseling to students, schools should attempt to work with students even after they have left school by encouraging them to complete their programs of study and helping them resolve the issue(s) that prompted their withdrawal. Consider offering job placement services for a limited timeframe to students who have withdrawn. In addition to providing a valuable service, schools can take advantage of the borrower's return to campus to provide counseling. Note that an employed borrower, even one earning less than if he/she had completed school, is better able to make loan payments than an unemployed borrower.

**Timely and Accurate Enrollment Reporting**

Timely and accurate enrollment reporting to the Secretary or the guarantor as appropriate is required by regulation and promotes school and student success. There is a direct correlation between late or inaccurate enrollment reporting and loan defaults.

This school activity ensures that borrowers receive their full grace period, and further ensures that contacts from the loan servicer such as correspondence and telephone calls occur in the appropriate timing and sequence. The servicer's contacts are designed to increase the likelihood that borrowers will satisfy loan obligations. Timely and accurate reporting of changes in enrollment status is required of all schools. Adhering to a monthly schedule of reporting changes in enrollment status will help with data accuracy and is recommended. (Section VI Tools)

#### **Section IV After Students Leave School**

There are simple and effective default prevention and management activities for schools that will help borrowers during repayment. In addition, there are activities to help schools correct data and improve prevention and management practices and initiatives.

#### **NSLDS Date Entered Repayment (DER) Report**

The DER Report is available to schools upon request from NSLDS. The Department recommends that on a bi-monthly basis schools compare their DER Report to their institutional records, and make any necessary corrections to their borrowers' status using NSLDS Enrollment Reporting. Schools should not assume that a borrower's DER is correct, as it is subject to change. Lenders can change a student's enrollment status based on data from the clearinghouse or a student's request. Likewise, a school can update enrollment information based on information it receives from the student or another reliable source. Reviewing the DER Report will result in more accurate data, assuring that borrowers enter repayment in the correct cohort year and that schools receive accurate cohort default rates (CDRs). (Section VI Tools)

#### **Early Stage Delinquency Assistance (ESDA)**

ESDA begins at the time of separation or early in the grace period. ESDA is a highly focused effort by lenders, guarantors, and schools to assist particular borrowers to prepare for entry into loan repayment. Certain borrowers, such as those who have failed to complete their academic program, or borrowers who share specific characteristics or academic or related experiences, may be more likely to encounter difficulties initiating and maintaining on-time loan repayment. ESDA activities afford lenders, guarantors, and schools an opportunity to provide focused, enhanced loan counseling, borrower education, and personal support during the grace period, and in so doing help decrease the chances of later loan default. In addition to ESDA, schools should utilize default aversion assistance offered by guarantors and similar assistance from the Direct Loan Servicer for borrowers who are at least 60 days delinquent.

#### **Late Stage Delinquency Assistance (LSDA)**

Though guarantors and the Direct Loan Servicer are extremely effective in working with borrowers throughout repayment, they lose touch with some borrowers. Schools can often help to re-establish this critical communication during the late stages of delinquency, serving as a liaison between delinquent borrowers and staff experienced in borrower assistance. LSDA techniques enable schools to rescue severely delinquent borrowers, those who are more than 240 but less than 361 days delinquent, from default. LSDA can be successfully implemented with a minimal investment of time and staff. Even for a large school, the number of borrowers in this delinquent group is generally

small. Several telephone calls a month lets the most delinquent borrowers know that they have options, and that help is available. (Section VI Tools)

### **Maintain Contact with Former Students**

Schools find that all of the practices and strategies mentioned previously are much easier to employ if they are able to reach and keep in contact with their former students after they have left campus. By collecting ample reference information including cell phone numbers, e-mail addresses, and numbers and names of a variety of family members such as grandparents and cousins, schools have the resources to maintain contact with former students. Allowing borrowers to continue to use school e-mail accounts after they have left campus is not only a convenience to borrowers, but also a quick, easy, and effective method of contacting them after they have left school. One of the best methods schools can employ to avert defaults is to work with borrowers during every stage of repayment. Work with lenders, guaranty agencies, and servicers to identify delinquent and hard to reach borrowers, or those who have not been contacted at all to assist them with their repayment options and obligations. Contacting borrowers is an essential activity upon which successful default prevention and management can be built. Contact from the school may be the only effective technique to save a borrower from the negative consequences of default.

### **Loan Record Detail Report (LRDR) Data Review**

Although an aggressive and proactive approach to default prevention and management is a must for all schools, school responsibilities do not end with prevention plans, initiatives, and strategies. Schools, borrowers, and the loan programs in general all benefit from a thorough examination of the draft and official CDR data to ensure that the rates are accurate and include the correct borrowers and loans. Upon receiving their rates, schools should examine their LRDR, the report containing all the data that comprises the CDR calculation. The Department recommends that all schools review their LRDR regardless of their CDR. It is the school's responsibility to challenge incorrect data reflected in their draft CDR, or request an adjustment, or submit an appeal of inaccurate data as reflected in their official CDR. (Section VI Tools)

### **Analyze Defaulted Loan Data to Identify Defaulter Characteristics**

No matter how effective and far-reaching a default prevention and management plan is, some borrowers default. A major part of any plan is to periodically review progress in preventing defaults. One element of this review is a comprehensive analysis of defaulters. Schools should gather information to discern who is defaulting and why. Schools can then use this information to improve their default prevention and management practices and initiatives. Internal data includes key information such as high school attended, program of study, demographics, grades, etc. Reviewing the LRDR also provides key data about borrowers that can assist in determining common characteristics among defaulters. Causes for defaults can include, but are not limited to, absent or incomplete internal procedures, practices, and communication, particular programs and course requirements or structure, and ineffective counseling. Frequent examination of defaulter characteristics coupled with an assessment of default prevention and management successes and shortcomings provide valuable information. Schools promote success by taking preventive measures to correct ineffective practices thereby

preventing current and future borrowers from experiencing the same difficulties that plagued past defaulters. One solution to preventing future defaults lies in understanding what caused past defaults.

### **Section V Enhanced Entrance and Exit Counseling**

In addition to complying with the applicable requirements in 34 CFR 682.604, 34 CFR 685.304, 34 CFR 668.165 and 34 CFR 668 Subpart D, the Department recommends that entrance and exit counseling also include the following:

#### **Requests for Borrower Information**

- During entrance and exit counseling, obtain information from borrowers regarding references and family members beyond those requested on the loan application, and ask for cell phone numbers and email addresses for borrowers and for family members;
- During exit counseling, obtain updated information from borrowers including their addresses, cell phone numbers, email addresses, and addresses of their references and various family members.

#### **Information about Repaying the Loan**

- Estimated balance of loan(s) when the borrower completes the program;
- Interest rate on the borrower's loan(s);
- Name, address and telephone number for the borrower's lender;
- During exit counseling, provide a sample loan repayment schedule based on the borrower's total loan indebtedness;
- Estimated monthly income that the borrower can reasonably expect to receive in his or her first year of employment based on the education received at your school;
- Estimated date of the borrower's first scheduled payment.

#### **Reminders about Personal Financial Management and Title IV Loans**

- Schools should provide financial literacy resources to borrowers at enrollment, throughout attendance, and following graduation or withdrawal;
- Students should borrow only what is needed and can cancel or return any funds in excess of what is needed;
- Borrowers must inform their lenders immediately of any change of name, address, telephone number, or social security number;
- If a borrower is unable to make a scheduled payment, he or she should contact the lender before the payment's due date to discuss a change in repayment plan or other repayment options;
- General information should be provided about:
  - Repayment options; and
  - The sale of loans by lenders and the use by lenders of outside contractors to service loans.



## **Section VI Tools and Activities for Schools**

These recommended tools for schools ensure data accuracy and employ effective loan counseling and default prevention and management techniques to aid students and schools.

### **Where do I begin?**

FSA Assessments for Default Prevention and Management

<http://www.ifap.ed.gov/qamodule/DefaultManagement/DefaultManagement.html>

### **Loan Counseling**

Students and Counselors

<http://www.studentaid.ed.gov>

*The Student Guide* and NSLDS for Students

<http://www.studentaid.ed.gov>

How much will it cost?

<http://nces.ed.gov/ipeds/cool/>

<http://www.dlssonline.com/tools/search.asp> (for Direct Loan Borrowers)

How will I pay for it?

[http://studentaid.ed.gov/students/publications/student\\_guide/index.html](http://studentaid.ed.gov/students/publications/student_guide/index.html)

Will I make enough money in my chosen occupation to repay student loans I receive?

<http://www.bls.gov/search/ooh.asp?ct=OOH>

<http://data.bls.gov/PDQ/outside.jsp?survey=nc>

*Repaying Your Student Loans*

[http://www.studentaid.ed.gov/students/publications/repaying\\_loans/index.html](http://www.studentaid.ed.gov/students/publications/repaying_loans/index.html)

Ombudsman Office

<http://www.ombudsman.ed.gov>

*Ensuring Student Loan Repayment Best Practices for Schools*

<http://www.ifap.ed.gov/eannouncements/0119stuhbkbestprectice.html>

SFA Assessments for Schools

<http://www.ifap.ed.gov/IFAPWebApp/qualityassurance/SFAAssessment.jsp>

Mapping Your Future

<http://www.mapping-your-future.org>

Jump Start Coalition for Personal Financial Literacy

<http://www.jumpstart.org>

### **Enrollment Reporting and Data Accuracy**

*NSLDS Enrollment Reporting Guide*, formerly SSCR User's Guide

<http://www.ifap.ed.gov/nsldsmaterials/010904NSLDSEnrollRepGuide.html>

NSLDS Date Entered Repayment Report, School Repayment Information Loan Detail Report, and Enrollment Reporting Summary Report

<https://www.nsldsifap.ed.gov>

NSLDS Reports, requesting and formatting questions

<https://www.nsldsifap.ed.gov/ReportsTab>

NSLDS User ID

CPS/WAN Technical Support 1-800-330-5947

NSLDS Customer Support 1-800-999-8219

*Cohort Default Rate Guide* for information on challenges, adjustments, and appeals

<http://ifap.ed.gov/DefaultManagement/DefaultManagement.html>

## **Default Prevention**

### FSA Assessments

<http://www.ifap.ed.gov/qamodule/DefaultManagement/DefaultManagement.html>

### *Ensuring Student Loan Repayment Best Practices*

<http://www.ifap.ed.gov/eannouncements/0119stuhbkbestprectice.html>

### NSLDS Reports and Exit Counseling

<https://www.nslsdfap.ed.gov>

### NSLDS Reports, requesting and formatting questions

<https://www.nslsdfap.ed.gov> Reports Tab

### NSLDS User ID

CPS/WAN Technical Support 1-800-330-5947

NSLDS Customer Support 1-800-999-8219

### *Late Stage Delinquency Assistance (LSDA) Guide:*

For Direct Loan Schools,

Direct Loan Servicing/Schools website, accessed via COD website

<http://www.cod.ed.gov>

For FFEL Schools,

Default Prevention Strategies

<http://www.ifap.ed.gov/qamodule/DefaultManagement/DefaultManagement.html> or contact your guaranty agency

## **General Connections/Publications**

Information for Financial aid Professionals (IFAP) Library with publications, training, tools, references, laws, etc.

<http://www.ifap.ed.gov>

### The Office of Federal Student Aid

<http://www.ed.gov/about/offices/list/fsa/index.html>

### *The Student Guide*

<http://www.studentaid.ed.gov>

### NSLDS

<https://www.nslsdfap.ed.gov> or <https://www.nslsdfap.ed.gov/secure/logon.asp>

ED Pubs, the Department of Education Online Publication Ordering System, helps you identify and order free publications from the Department. Examples of resources available at ED Pubs include the following:

- *Repaying Your Student Loans* (in English and Spanish)
- *The Student Guide*
- *Getting Ready to Pay for College*
- *Counselors and Mentors Handbook*

[www.edpubs.org](http://www.edpubs.org)

1-877-4ED-Pubs or [edpubs@inet.ed.gov](mailto:edpubs@inet.ed.gov)

## **U.S. Department of Education Default Prevention and Management Team**

If you require any assistance creating a default prevention and management plan at your school, or to discuss any part of this document, please contact:

[fsa.schools.default.management@ed.gov](mailto:fsa.schools.default.management@ed.gov) or 202 377-4259.

Student Indirect cost of living

[Economic Policy Institute | Family Budget Calculator \(epi.org\)](https://www.epi.org/family-budget-calculator)



## TITLE IV VERIFICATION POLICY

Verification is a federal process regulated by the U.S. Department of Education to confirm information provided on the FAFSA – Free Application for Federal Student Aid. Verification selection can be random or can be driven by incomplete, estimated or inconsistent data that is reported on the FAFSA.

Each year the Department of Education selects a percentage of financial aid recipients randomly to be selected for verification. If a student is selected for verification, they will be asked to complete a Verification Worksheet (provided by the Financial Aid Office) and must provide additional information before financial aid can be disbursed to the student's account. This documentation may include but is not limited to federal income tax transcript, signed 1040 tax forms and W-2 forms (student's, spouse and/or parents/guardians), proof of untaxed income, housing allowances, etc.

There are three verification groups, each with its own verification requirements:

- V1 Standard Verification group – Tracking Flag V1  
Students in this group must verify the following:  
  
Tax Filers:  
Adjusted Gross Income  
U.S. Income Tax paid  
Untaxed portions of IRA distributions  
Untaxed portions of pensions  
IRA deductions and payments  
Tax exempt Interest Income  
Education Credits  
Number of Household Members  
Number in College  
  
Non-Tax Filers  
Income earned from work  
Number of Household Members  
Number in College
- V4 Custom Verification Group – Tracking Flag V4  
Students must complete Identity/Statement of Educational Purpose.
- V5 Aggregate Verification Group – Tracking Flag V5  
Students must complete Identity/Statement of Educational Purpose in addition to the items in the Standard Verification Group, V1.

Students selected for verification are identified during the financial aid application process by reviewing the FAFSA output document called the Institutional Student Information Record (ISIR). A review of the student's financial aid application occurs after ISIR data is received and



data entry of required information is completed. The verification process will initially compare applicant data for accuracy and completeness and continue to resolve conflicting information. If after review by the Financial Aid Office there are any changes to the Estimated Family Contribution (EFC) that may possibly result in changes to the financial aid offer, the student will be notified in writing.

Students selected for verification are informed immediately by the Financial Aid Officer and conflicting information is discussed and resolved immediately after student supplies correct information.

To complete the verification process student must request an IRS Tax Return Transcript directly from the IRS at [www.irs.gov](http://www.irs.gov). A copy of a student and/or parent **signed** tax return is acceptable for federal verification.

No financial aid will be disbursed to a student's account if the verification process is not complete. If financial aid has already been disbursed and the student is subsequently selected for verification, further disbursements are placed on hold until which time the process is complete. Failure to submit the required documentation (or submit in a timely manner) may result in the loss of federal aid.

If the verification results do not justify aid already disbursed, the student is responsible for repaying all aid for which she/he is not eligible.

Verification results that reveal possible fraud or criminal misconduct in connection with the financial aid application or verification process will result in the matter being referred by Hot Rod Institute to the Office of the Inspector General of the U.S. Department of Education for investigation.

## FINANCIAL AID OFFICE POLICY STATEMENT

### SUBJECT TITLE:

Professional Judgment in Title IV Programs

### APPROVED BY:

Director of Financial Aid

### REFERENCE TO OTHER PUBLICATIONS GOVERNING THIS STATEMENT:

HEA Sec. 479A(a), Federal Regulation 34CFR 668.53(c)

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### PURPOSE:

To establish a policy regarding the use of professional judgment by financial aid staff in the calculation of student aid packages.

### BACKGROUND:

"Professional Judgment" is a decision to alter a student's federal financial aid calculation based upon a deliberate, well considered determination by a financial aid professional. By regulation, professional judgment can only be exercised under the authority of the "capable individual", which is the Director of Financial Aid and is responsible for the rationale, accuracy and level of documentation for each judgment made.

### POLICY:

The Financial Aid Administrator and/or Servicer will work with the student/family to gather and review all information as submitted for the Professional Judgement. They will review the file for completeness/reasonableness before submitting the file for review by The Director of Financial Aid. The Director of Financial is responsible for making reasonable professional judgment decisions.

All professional judgments must be made on a case-by-case basis based upon unusual, exceptional or mitigating student or family circumstances. It is not acceptable to create specific standards under which professional judgment will or will not be performed. The purpose of professional judgment is to allow for exceptions to be made in unusual cases, not to create a local set of eligibility rules. All professional judgements will be reviewed and responded to within two weeks of receiving all required documentation from the student.

A professional judgment review allows for a financial aid adjustment due to a significant change in current income compared to the required tax data reported on the FAFSA. This can be due to the recent unemployment of a direct family member (parent) of a dependent student or the recent unemployment of an independent student, or other circumstances.

In general, professional judgment should only be used if:

- the action is in the best interest of the student and the integrity of the Title IV programs,
- the student's circumstance is such that the standard program rules and operating procedures would not result in a financial aid package that accurately depicts the student/family's ability to contribute to the student's educational costs based on

- extenuating circumstances not otherwise discussed on the FAFSA.
- the student's circumstance is unusual, and is not primarily the result of voluntary or irresponsible action taken by the student or their direct family members, and
  - there is no reason to believe that the student and/or parent/spouse are being un-truthful regarding his/her circumstance.
  - Other circumstances may include:
    - Involuntary loss of income due to reduced hours or shutdowns
    - Loss of income due to disability
    - Change in financial situation due to separation or divorce
    - Death of spouse for independent undergraduate student
    - Significant medical expenses not covered by insurance

Types of Judgments: There are essentially six types of professional judgment, as follows:

- 1. Dependency Overrides – These judgments require the highest level of documentation and should be used sparingly. The mere separation of the student from the parent's residence, proof of self-support, and/or emotional estrangement are not sufficient to substantiate a dependency override without underlying exceptional circumstances.
- 2. Modifications to FAFSA data to update the SAI – Changes may be made to any of the data elements used in the calculation of the SAI. These changes must be submitted to the federal processor for re-calculation of an "official" SAI. In addition to documenting the circumstances surrounding the judgment, the Financial Aid Office must record the exact data changes that are made to the FAFSA data.
- 3. Changes to Cost of Attendance (COA) - The level of documentation required for a change to the Cost of Attendance is not as great as the standard required by the school for dependency overrides or modifications to FAFSA data. For example, the Director of Financial Aid might choose to add childcare or elder care expense to a student's COA, one time computer/technology purchase or professional licensure examination fees required for employment in the student's field of study.

There are circumstances that do not warrant a professional judgment review. These include but are not limited to: Credit card debt, vacation expenses, car payments or mortgage payments. Also, undergraduate students who already have a zero to negative 1500 Student Aid Index (SAI) do not qualify for a Professional Judgment review since they have already received the maximum amount of aid for which they are eligible.

Verification and PJ: Prior to completing a Professional Judgment in Modifications to FAFSA data to change SAI or Changes to Cost of Attendance any required verification must be completed. This applies **only** to those applications selected for verification by the federal processor, or those institutionally selected by the school and/or its servicer. However, these verifications are subject to the exclusions listed in federal regulation and the *Federal Student Aid Handbook*. Often the documents collected for verification will also be useful in the Professional Judgment process. Refer to the *Federal Student Aid Handbook* for more detailed information.



# Hot Rod Institute



Voter Registration web site

<https://www.usa.gov/voter-registration>

# Hot Rod Institute's Annual Crime Report



The following are Crime and Fire Statistics reported and submitted to the U.S. Department of Education in accordance with the 1998 Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) 2013 Violence Against Women Reauthorization Act (VAWA)

Criminal Offenses	January 1 - December 31, 2022				
	On Campus	Campus Housing	Non Campus HRI Students	Public Property	Local Law Enforcement Reported for Local Community
Aggravated Assault	0	N/A	UNK	UNK	468
Arson	0	N/A	UNK	UNK	3
Burglary	0	N/A	UNK	UNK	456
Motor Vehicle Theft	0	N/A	UNK	UNK	455
Homicide	0	N/A	UNK	UNK	8
Robbery	0	N/A	UNK	UNK	68
Sexual Assault	0	N/A	UNK	UNK	163
Theft (Non Motor vehicle)	0	N/A	UNK	UNK	1805
Theft from Motor Vehicle	0	N/A	UNK	UNK	713
Hate Crimes	There were no Offences committed on the HRI Campus and no known Offences off of campus. Local Law Enforcement statistics do not categorize any of the known offences as hate crimes.				
Disciplinary Actions					
	On Campus	Campus Housing	Non Campus HRI Students	Public Property	Local Law Enforcement Reported for Local Community
Liquor Law Violations	0	N/A	UNK	UNK	Not Categorized
Drug-related Violations	0	N/A	UNK	UNK	Not Categorized
Weapons Possession	0	N/A	UNK	UNK	Not Categorized
VAWA Offenses					
	On Campus	Campus Housing	Non Campus HRI Students	Public Property	Local Law Enforcement Reported for Local Community
Domestic Violence	0	N/A	UNK	UNK	Not Categorized
Dating Violence	0	N/A	UNK	UNK	Not Categorized
Stalking	0	N/A	UNK	UNK	Not Catogorized
Arrest					
	On Campus	Campus Housing	Non Campus HRI Students	Public Property	Local Law Enforcement Reported for Local Community
Liquor Law Violations	0	N/A	UNK	UNK	DUI Arrest 636
Drug-related Violations	0	N/A	UNK	UNK	Drug Arrest 1080
Weapons Possession	0	N/A	UNK	UNK	Not Categorized

\*N/A HRI does not have Campus Housing

\*\*UNK HRI has not been informed by local Law Enforcement of any HRI Student Involvement of any of the actions listed

\*\*\*Not Categorized means that Law Enforcement reports do not break down or categorized these offences per our reporting needs

# Hot Rod Institute's Annual Crime Report



Criminal Offenses	January 1 - December 31, 2013				
	On Campus	Campus Housing	Non Campus HRI Students	Public Property	Local Law Enforcement Reported for Local Community
Aggravated Assault	0	N/A	UNK	UNK	300
Arson	0	N/A	UNK	UNK	7
Burglary	0	N/A	UNK	UNK	559
Motor Vehicle Theft	0	N/A	UNK	UNK	154
Homicide	0	N/A	UNK	UNK	4
Robbery	0	N/A	UNK	UNK	51
Sexual Assault	0	N/A	UNK	UNK	120
Theft (Non Motor vehicle)	0	N/A	UNK	UNK	1641
Theft from Motor Vehicle	0	N/A	UNK	UNK	
Hate Crimes	There were no Offences committed on the HRI Campus and no known Offences off of campus. Local Law Enforcement statistics do not categorize any of the known offences as hate crimes.				
Disciplinary Actions					
	On Campus	Campus Housing	Non Campus HRI Students	Public Property	Local Law Enforcement Reported for Local Community
Liquor Law Violations	0	N/A	UNK	UNK	Not Categorized
Drug-related Violations	0	N/A	UNK	UNK	Not Categorized
Weapons Possession	0	N/A	UNK	UNK	Not Categorized
VAWA Offenses					
	On Campus	Campus Housing	Non Campus HRI Students	Public Property	Local Law Enforcement Reported for Local Community
Domestic Violence	0	N/A	UNK	UNK	Not Categorized
Dating Violence	0	N/A	UNK	UNK	Not Categorized
Stalking	0	N/A	UNK	UNK	Not Catogorized
Arrest					
	On Campus	Campus Housing	Non Campus HRI Students	Public Property	Local Law Enforcement Reported for Local Community
Liquor Law Violations	0	N/A	UNK	UNK	Not Reported
Drug-related Violations	0	N/A	UNK	UNK	Not Reported
Weapons Possession	0	N/A	UNK	UNK	Not Categorized

\*N/A HRI does not have Campus Housing

\*\*UNK HRI has not been informed by local Law Enforcement of any HRI Student Involvement of any of the actions listed

\*\*\*Not Categorized means that Law Enforcement reports do not break down or categorized these offences per our reporting needs

# Hot Rod Institute

## **Student Disability Services**

HRI's disability accommodation procedure is a collaborative and interactive process between the student and the director of admissions. The student will meet with the director to request and submit an accommodation request form (Family Educational Rights and Privacy Act of 1974 (FERPA) and discuss disability related needs. The director of admissions is available to the student to assist with questions and provide assistance in filling out the accommodations request. The student will provide a completed accommodations request and documentation of their medical condition to the director of admissions for review. The documentation of a medical condition may be from a licensed medical doctor, psychologist, or other appropriate health professional. This documentation should verify the medical condition and suggest appropriate accommodations for the student. Once the student has self-disclosed a disability and it has been verified and appropriate accommodation(s) suggested, the admissions director will work with the student to determine how the accommodation(s) can be provided. The accommodation(s) will depend on the needs of the particular student and the accommodation(s) suggested or recommended and can include, but are not limited to, the following examples: extended time on exams, quiet environment for testing, a reader for exams, oral exams, and note taker/faculty notes.

If the request for an accommodation is denied, the student is informed of their right to appeal the decision and should follow the appeals procedure outlined in the HRI student policy catalog.

# Hot Rod Institute

## Admissions Costs

### Diploma Programs

Hot Rod Diploma Program 4 class	(HRDP4) (1600 hours or 12 Months)	\$28,000
Hot Rod Diploma Program 5 class	(HRDP5) (2000 hours or 15 Months)	\$35,000
Hot Rod Special Achievement DP 6 class	(HRSADP) (2400 hours or 12 Months)	\$42,000

Single Classes \$7000 per quarter (400 hours each)

One time \$100 enrollment fee

<b>2023-2024 Indirect Cost of Attendance</b>		<b>Monthly Expense</b>	
Books, Course materials, supplies and equipment	ALL		0
Transportation	Off Campus	\$	1,551.00
Personal/Misc	Off Campus	\$	857.00
Living Expense - Food Allowance - With Dependents	Off Campus	\$	1,046.00
Living Expense - Food Allowance - Without Dependents	Off Campus	\$	666.00
Living Expense - Housing - With Dependents	Off Campus	\$	1,374.00
Living Expense - Housing Without Dependents	Off Campus	\$	756.00
Transportation	With Parent	\$	1,286.00
Personal/Misc	With Parent	\$	542.00
Living Expense - Food Allowance - With Dependents	With Parent	\$	535.00
Living Expense - Food Allowance - Without Dependents	With Parent	\$	363.00
Living Expense - Housing - With Dependents	With Parent	\$	995.00
Living Expense - Housing Without Dependents	With Parent	\$	665.00