



Campus Crime Awareness Manual
Sex Offense Policy, Procedures and Programs

Published 10/2016



Emergency Response

Arizona Culinary Institute recognizes the safety and well-being of the campus community as our highest priority. We have put in place the staff, planning and resources necessary to respond effectively to a broad range of possible emergencies.

ACI's President or designated administrative official will "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 staff" on campus. Warnings may only be withheld if they would compromise efforts to contain the emergency. In the event of such an emergency, information updates will be available on ACI's home page at www.azculinary.edu and through ACI's administration by calling 480-603-1066. After consulting with outside emergency authorities' television and radio stations may be used to communicate with surrounding communities about the situation.

ACI's emergency response plan (ERP) positions the institution to respond to any type and scope of emergency (i.e. natural disasters, pandemic flu or a building fire) and to integrate smoothly with emergency responders from off campus. The ERP has been reviewed and updated within the past year. Staff members with assigned responsibilities in the plan have participated in campus training and exercises to refine our level of preparation.



Index

Published 10/2015

Annual Reporting	Page 1
Timely Warning Policy	Page 2
Security & Access	Page 2
Crime & Accident Prevention	Page 2
Reporting a Crime or Emergency	Page 3
Alcohol and Drug-Free Campus Policy	Pages 4-6
Substance Abuse Information & Sanctions	Pages 7-11
Treatment Programs	Page 12
Sexual Assault Prevention & Response	Pages 13-17
Crime Reported Incidents	Pages 18-21
Definitions of Reported Incidents	Pages 22-23

Jeanne Clery
1966 - 1986



"Lest We Forget The Meaning of her Death, That We Must Protect One Another, So That Her Life Will Not Have Been In Vain."



**CLERY
CENTER**
FOR SECURITY ON CAMPUS



Crime Awareness & Security Act of 1990

Reporting Annual Disclosure of Crime Statistics

Arizona Culinary Institute (ACI) prepares this report to comply with the Jeanne Cleary Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be obtained in the administration office. The Director of Education at ACI prepares this report in cooperation with the local law enforcement agencies surrounding our campus.

Campus crime, arrest and referral statistics include those reported to the local law enforcement agencies and designated campus officials (including but not limited to Directors, Lead Instructors, Instructors, and designated Administrative Personnel).

A letter will be enclosed in all newly enrolled students' registration packets providing instructions on where to locate this report on our web site. Faculty and staff will receive a similar letter with their paychecks. Copies of the report may also be obtained at the front receptionist area located at 10585 N. 114th Street Suite 401 or by calling the Financial Aid Department at (480) 603-1066. All prospective employees may obtain a copy from the Controller or by calling (480) 603-1066, and the web site address will be attached to the ACI employment applications. School applications will provide the web site information needed to access the report for potential applicants.

Timely Warning Policy

In the event that an on-campus or off-campus situation arises that the President of ACI believes is an on-going or continuing threat, a campus-wide “timely warning” will be issued. The decision to issue a crime alert will be decided on a case-by-case basis and all warnings will be issued directly to our students and patrons by faculty and/or administrative staff members. Copies of the notice will be posted on each of the student information boards in the “hub” area, library and, when deemed necessary, on the school website.

Anyone with information warranting a timely warning should report the circumstances to the President of ACI by phone at (480) 603-1066 or in person at 10585 N. 114th Street, Suite 401 Scottsdale, AZ 85259.

Security and Access

ACI is open to students, faculty, employees and guests Monday through Friday from 6:30 a.m. to 5:00 p.m. ACI’s loading dock/receiving area and student entrance are both located at the rear of the building and supervised by our Purchasing Manager. The side entrance which leads to du Jour Restaurant is locked at all times and the front entrance to the building is supervised by Administrative Personnel during business hours. During non-business hours access to the campus is only permitted to select employees who have been issued a key and security code.

ACI does not have a Campus Security Department however all of ACI’s staff members and faculty have the authority to ask visitors for identification. If visitors do not have business with ACI they will be asked to leave and the local police will be contacted. ACI does not have on-campus residences.

Crime and Accident Prevention

ACI does not provide programs to inform students and employees about the prevention of crimes. We do, however, encourage all students and employees to be aware of their responsibility for their own security and the security of others. Being conscious of personal safety and aware of environmental safety hazards may aid in crime prevention and decrease the incidence of accidents.

Reporting a Crime or Emergency

Arizona Culinary Institute does not have a Campus Security Department. All students, faculty, staff members and visitors are encouraged to immediately report non-emergency, suspicious or criminal activity to the following individuals:

<u>ACI Department</u>	<u>Phone</u>	<u>Location</u>
Robert Wilson, Campus President*	480-237-4330	ACI Building – Ste 401
Christopher Wolf, Executive Chef	480-603-1066	ACI Building – Ste 401
Creighton Schroeder, Director of Education	480-237-4324	ACI Building – Ste 401
Susan Lane, Student Advisor/Registrar	480-237-4321	ACI Building – Ste 401

* The President of ACI is the designated Campus Security Authority and the person to whom all reports are ultimately directed.

Emergencies should be reported immediately by dialing 9-1-1 and non-emergencies may be reported to the Scottsdale Police Department at (480) 312-5000. There are phones available for student and visitor use in the student break area and in du Jour Restaurant's lobby.

ACI does not have a policy or procedure that would allow a victim or witness to report a crime on a voluntary and confidential basis. However, ACI encourages anyone who is victim or witness to any crime to promptly report the incident to the police. Those individuals who would prefer to remain anonymous may report crimes by contacting the Citizen Tip Line at (480) 312-8477.

ACI's Drug Free Campus and Alcohol Policy

Purpose and Source

Under Federal legislation, the Drug Free Workplace Act of 1988 and the Drug Free Schools Communities Act of 1989 require institutions of higher education that want to receive funds or any other form of financial assistance under any federal program to implement a program that prevents the use of illicit drugs and abuse of alcohol by students and employees. The act requires annual distribution of the following information to students and employees.

Policy

It is the goal of ACI to provide an alcohol and drug-free environment to all our students and employees. To achieve this goal and comply with federal law, ACI prohibits the unlawful sale, manufacture, distribution, dispensation, possession, and use of controlled substances on its property or as part of any on-campus activity. Every ACI student and employee must abide by the terms of this statement and by local, state, and federal laws regarding the unlawful possession or distribution of illicit drugs and alcohol.



Procedure

To comply with anti-drug legislation ACI will:

- Annually publish and distribute to all employees and students a written statement regarding this policy and descriptions of disciplinary actions that may be taken against students and employees for such violations.
- Establish a drug-free awareness program to inform employees and students about the dangers of drug abuse in the workplace. As part of this program employees and students will also be informed of available drug counseling/rehabilitation programs that are available. They will be notified of the penalties that may be imposed upon employees and students for drug violations.
- Notify the contracting or granting agency within ten (10) days of receiving notice of an employee's criminal drug statute conviction for a violation occurring in the workplace. The Director of Financial Aid will be notified of any student offense if the student is directly receiving federal aid (e.g. Pell Grants).
- Will impose sanctions against employees and students who are in violation of the above-mentioned policy. An employee who is found to have violated this prohibition may be subject to disciplinary action up to and including dismissal or be required to satisfactorily participate in a drug abuse assistance rehabilitation program as a condition of continued employment. The drug abuse assistance/rehabilitation program shall be one that has been previously approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency. A student who is in violation may be subject to suspension, expulsion and possibly required to participate in a drug abuse assistance rehabilitation program as a condition of continuing their education. The drug abuse assistance/rehabilitation program shall be one that has been previously approved for such purposes by a federal, state or local health, law enforcement or other agency.
- Will maintain a reference list of local treatment and rehabilitation centers for employees or students that need a referral to a drug or alcohol-counseling center.

- Provide a full description of health risks to all students and employees upon receipt of their Drug and Alcohol Abuse Awareness Statement and in ACI's annual publication. In order to aid ACI in verifying its compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989, all employees and students are required to sign a Drug and Alcohol Abuse Awareness Statement acknowledging they have received a copy of the Drug-Free Workplace/Drug and Alcohol Prevention Policy, which specifies that they will:
 - Abide by the terms of ACI's drug/alcohol policy
 - Notify the President of ACI (if faculty and staff) or Director of Financial Aid (if student employee or student) of any criminal drug statute conviction or violation occurring on campus no later than five (5) days after such conviction or violation.
 - Have knowledge of disciplinary actions, which may be imposed for violations of the drug/alcohol policy.

This signed and dated statement will be permanently maintained in the employee's personnel file or the student's file in the administrative office. ACI shall continue to make a good faith effort to maintain a drug free workplace by taking the necessary steps as provided in the administrative policy statement.

ACI's Policy

It is the goal of ACI to provide a drug-free environment to all our students and employees. To achieve this goal and comply with federal law, ACI prohibits the unlawful sale, manufacture, distribution, dispensation, possession, and use of controlled substances on its property or as part of any on campus activities. Every ACI student and employee must abide by the terms of this statement and by local, state, and federal laws regarding the unlawful possession or distribution of illicit drugs and alcohol.

Disciplinary Actions/Sanctions

In addition to the sanctions imposed by federal and state courts concerning controlled substance violation (s), ACI will respond administratively when the offense involves a student or employee as the offender. An employee who is found to have violated this prohibition may be subject to disciplinary action up to and including dismissal or be required to satisfactorily participate in a drug abuse assistance rehabilitation program as a condition of continued employment. The drug abuse assistance/rehabilitation program shall be one that has been previously approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency. A student who is in violation may be subject to suspension, expulsion and possibly required to participate in a drug abuse assistance rehabilitation program as a condition of continuing their education. The drug abuse assistance/rehabilitation program shall be one that has been previously approved for such purposes by a federal, state or local health, law enforcement or other agency.

Possible Effects of Substance Abuse

<u>SUBSTANCE</u>	<u>POSSIBLE EFFECTS</u>
Alcohol	Toxic Psychosis, Neurological and Liver Damage, Fetal Alcohol Syndrome
Marijuana	Bronchitis, Conjunctivitis, Possible Birth Defects
Amphetamines	Loss of Appetite, Delusions, Hallucinations, Toxic Psychosis
Nonprescription Stimulants Cocaine	Hypertension, Stroke, Heart Problems Loss of Appetite, Depression, Convulsions, Nasal Passage Injury, Heart Attack, Stroke, Seizure
Cocaine Free Base	Weight Loss, Depression, Hypertension, Hallucinations, Psychosis, Chronic Cough
Barbiturates	Severe Withdrawal Symptoms, Possible Convulsions, Toxic Psychosis
Methaqualone Heroin Analog of Synthetic Narcotics	Coma, Convulsions Addiction, Constipation, Loss of Appetite Addiction, MPTP Induced, Parkinsonism
Morphine Codeine Oxycodone Meperidine Methadone	Addiction, Constipation, Loss of Appetite Addiction, Constipation, Loss of Appetite Addiction, Constipation, Loss of Appetite Addiction, Constipation, Loss of Appetite Addiction, Constipation, Loss of Appetite
Inhalants	Impaired Perception, Coordination, Judgment, Toxicity from Solvent, Impurities
Nitrous Oxide	Kidney or Liver Damage, Peripheral Neuropathy, Spontaneous Abortion
LSD Mescaline MDA, MDE, MDMA, MMDA	May Intensify Existing Psychosis, Panic Reactions Milder than LSD Neurotoxic
Psilocybin PCP Tobacco	Milder than LSD Psychotic Behavior, Violent Acts, Psychosis Loss of Appetite, Addictive, Lung Cancer, Effects on Fetus

FEDERAL PENALTIES AND SANCTIONS FOR ILLEGAL POSSESSION OF A CONTROLLED SUBSTANCE

1st Conviction:

Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000 or both.

After one prior drug conviction:

At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.

After 2 or more prior drug convictions:

At least 90 days in prison, not to exceed three years and fined at least \$5,000 but not more than \$250,000 or both.

Special sentencing provisions for possession of crack cocaine:

Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000, or both, if:

1st conviction and the amount of crack possessed exceeds 5 grams

2nd crack conviction and the amount of crack possessed exceeds 3 grams

3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one-year imprisonment.

Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.

Ineligible to receive or purchase a firearm.

Revocation of certain Federal licenses and benefits; e.g. pilot license, public housing tenancy, etc.

SYMPTOMS AND PROGRESSION OF ALCOHOLISM

Alcoholism is a chronic, progressive disease with predictable, identifiable symptoms, which, if not treated, can be fatal. Below are some primary symptoms of alcoholism, placed in the order, which they generally occur. One need not be experiencing all of these symptoms or in the order listed to be suffering from alcoholism.

Increase in Tolerance	Being able to out-drink your peers is not something to be proud of, but to be concerned about.
Preoccupation	Looking forward to drinking after work or on the weekend. Planning your social activities around alcohol.
Blackouts	Occasional memory lapses while drinking or an alcohol-induced state of amnesia.
Sneaking Drinks, Gulping Drinks	
Loss of Control	Unplanned drinking episodes or inability to realistically predict what will happen once you take the first drink.
Alibis	Having to explain why you drank or make excuses for your drinking.
	Change in Drinking Patterns and Attempts to Control Promises and Resolutions Repeatedly Fail Family Problems, Financial Problems,
Going on the Wagon	Some people quit drinking for a period of time in an attempt to control their drinking or prove to themselves that they are not physically addicted to alcohol, failing to realize that one need not drink every day in order to have a drinking problem.
Increasing Blackouts	
Geographic Escape	Changing jobs, moving to a different city or state to get a "new start."
Impaired Thinking, Loss of Job, Decrease in Tolerance, Drinking in the Morning	
Physical Deterioration	Liver, heart, stomach, brain damage.
Indefinable Fears	
Abandonment	"I don't care."



Local, State and Federal Legal

Legal Sanctions- Laws Governing Alcohol

Arizona revised statutes make it unlawful:

- For a person under the age of twenty-one years, to buy, receive, have in possession or consume spirituous liquor. A.R.S. 4-241.
- For a person to buy for resale sell or deal in spirituous liquors in this state without first having procured a license duly issued by the Arizona State Liquor Board. A.R.S.4-244(1).
- To consume spirituous liquor in a public place, thoroughfare or gathering as set forth in A.R.S. 4-244(20)
- For any person to serve or to furnish spirituous liquor to an intoxicated or disorderly person, or for any person to allow or to permit an intoxicated or disorderly person to come into or to remain at an event where spirituous liquor is being served or consumed. A.R.S.4-244(14).
- For a person to operate a motor vehicle on any highway while consuming spirituous liquor. A.R.S.4-244(21).
- To conduct drinking contests, or to sell or provide a person an unlimited number of spirituous liquor beverages during any set period of time for a fixed prices or to provide more than two spirituous liquor beverages to one person at one time for that person's consumption as set forth in A.R.S. 4-244(23).

Consequences of an Arizona Drunk Driving Conviction

In recent years, fines and jail time have increased for people convicted of DUI / DWI. Even being charged with a driving under the influence can result in a suspension or restriction of your driving privilege. If you are arrested and have a blood alcohol concentration (BAC) of .08 or more, your driver's license must be surrendered immediately. If you refuse to take a BAC test, your license will be suspended for twelve months. All of this occurs prior to a drunk driving conviction.

If you are convicted of an Arizona DUI / DWI and your blood alcohol concentration is .08 to .149 the consequences include:

First Offense

- Up to six months in jail
- A fine up to \$2,500
- Court ordered substance abuse counseling
- Community Service
- 10 days in jail (9 are eligible to be suspended)

Second Offense

- Up to six months in jail
- Drivers license Revocation
- A fine up to \$2,500
- Court ordered substance abuse counseling
- Community Service
- Ignition Interlock Device

If you are convicted of a DUI/DWI in Arizona and your blood alcohol concentration is above .15, known as an Extreme DUI, the consequences include:

First Offense

- Up to six months in jail
- Minimum 30 days license suspension
- A fine up to \$2,500
- A \$250 assessment to the Driving Under the Influence Abatement Fund
- Court ordered substance abuse counseling
- Community Service
- Ignition Interlock Device

Second Offense

- Up to six months in jail
- Revocation of license
- A fine up to \$2,500
- \$250 assessment to the Driving Under the Influence Abatement Fund
- Court ordered substance abuse counseling
- Community Service

Drug & Alcohol Counseling, Treatment, Rehabilitation Programs

ACI does not offer on-campus counseling for employees or students for the treatment of drug or alcohol abuse however, individuals may contact one of the counseling centers listed below or a center of their choice to receive advisement and counseling on any drug/alcohol related problems they may be experiencing.

Al-Anon	1-800-356-9996
Alcohol Anonymous	602-264-1341 or www.aaphoenix.org
American Council on Alcoholism	1-800-527-5344
DRUGHELP	1-800-378-4435

Banner Desert Behavioral Health Center
2225 West Southern Avenue
Mesa, AZ 85202
(480) 512-4055
(602) 254-4357
(602) 254-4357
bannerhealth.com

Scottsdale Treatment Institute PLC
8100 East Indian School Road
Suite 1 East
Scottsdale, AZ 85251
(480) 429-9044

Thunderbird Treatment Center
13820 North 51st Avenue
Suite 300
Glendale, AZ 85306
(602) 938-2301

Additional treatment centers can be researched at http://alcoholism.about.com/od/tx_

Sex Offense Policy, Procedures, and Programs

The FBI's National Incident-Based Reporting System (NIBRS) edition of the Uniform Crime Reports (UCR) defines a sex offense as any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

Arizona Culinary Institute is dedicated to educate students and people about preventing sex offenses. The following information and procedures should be used when a sex offense occurs as required by Section 485(f) of HEA 34 CFR 668.46(b) (11)

Sexual violence is a significant public health problem in the United States. According to the Centers for Disease Control and Prevention's (CDC) National Intimate Partner and Sexual Violence Survey (NISVS), nearly 1 in 5 women and 1 in 71 men in the United States have been raped at some time in their lives and nearly 1 in 2 women and 1 in 5 men have experienced other forms of sexual violence victimization in their lifetime (e.g., made to penetrate someone, sexual coercion, unwanted sexual contact and non-contact unwanted sexual experiences).

Victimization often occurs for the first time before the age of 25 (e.g., 42% of female victims of rape in the U.S. report that they were first raped before the age of 18 and 37% report that they were first raped between the ages of 18-24). Victimization is also often by someone known to the victim, primarily by a current or former intimate partner or an acquaintance.

The following allegations are not taken lightly and may result in immediate suspension and/or termination from ACI as well as possible sanctions imposed regardless of whether the offense occurs on campus or off campus as well as possible prosecution from law enforcement, etc.

Dating Violence – Controlling, abusive, and aggressive behavior in a romantic relationship, including verbal, emotional, physical, sexual abuse, or a combination.

Domestic Violence – Violent or aggressive behavior within the home, typically involving the violent abuse of a spouse or a partner.
Sexual Assault – Any type of sexual conduct or behavior that occurs without the explicit consent of the recipient. This definition includes forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, and attempted rape.

Stalking – Stalking is a crime of power and control. Stalking is conservatively defined as "a course of conduct directed at a specific person that involves repeated (two or more occasions) visual or physical proximity, nonconsensual communication, or verbal, written, or implied threats, or a combination thereof, that would cause a reasonable person fear." Stalking behaviors also may include persistent patterns of leaving or sending the victim unwanted items or presents. Following or laying in wait for the victim, damaging or threatening to damage the victim's property, defaming the victim's character, or harassing the victim via the Internet by posting personal information or spreading rumors about the victim.

Rape, and other forms of sexual violence, is preventable. Recognizing this, Congress passed the Violence Against Women Act in 1994. This landmark legislation established the Rape Prevention and Education (RPE) program at CDC. The goal of the RPE program is to strengthen sexual violence prevention efforts at the local, state, and national level. It operates in all 50 states, the District of Columbia, Puerto Rico, and four U.S. Territories. (www.cdc.gov/violenceprevention/rpe/index.html)

The following education programs provide an education description to promote the awareness of rape, acquaintance rape and other forcible and non-forcible sex offenses:

1. **Centers for Disease Control & Prevention**
www.cdc.gov/violenceprevention/rpe/index.html
2. **National Sexual Violence Resource Center**
www.nsvrc.org
3. **Arizona Coalition to End Sexual and Domestic Violence**
2800 N Central Ave
Phoenix, AZ 85004
Phone: (602) 279-2900
Fax: (602) 279-2980
Information on Sexual Assault Centers: <http://azcadv.org/azcadv2014wp-content/uploads/2014/06/Shelter-andServices-Resources-List-10.2014.pdf>
4. **Survivors Take Action Against Abuse by Military Personnel**
2059 West Minnesota Ave
Phoenix, AZ 85015
Phone: (937) 879-9304
5. **Family Advocacy Center**
10225 E Via Linda,
Scottsdale, AZ 85258
Phone: 480-312-6309

What you should know:

Men and women can be victims of rape
Alcohol affects your judgment
Silence does not equal yes
Passed out does not equal yes
If convicted of sexual assault, you could face a minimum of 7 years in prison, lifetime probation & register as a sex offender
Scottsdale Police Department aggressively investigates all reports of sexual violence

What should you do?

- Watch your drink
- Watch how much you drink
- Watch out for your friends – SPEAK UP
- Demand respect for yourself and others
- Report all sexual violence to the police

Above all: Act responsibly & treat others respectfully

PROCEDURES STUDENTS SHOULD FOLLOW IF A SEX OFFENSE OCCURS:

If you are a victim of a sexual assault at this institution, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. ACI strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to Chef Robert Wilson or Susan Lane. Arizona Culinary Institute personnel *will* assist the student in notifying these authorities, if the student requests the assistance of these personnel. Filing a police report with ACI will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim.

Collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam). The victim will have access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

Step-By Step Instructions To Be Taken After An Alleged Sex Offense:

1. Call Law Enforcement

Scottsdale Police Department
9065 E Via Linda
Scottsdale, AZ 85259
Phone: (480) 312-5000

2. Contact Sexual Assault Forensic Examiner (For students who do not want Police contact)

Phone: (480) 312-6339

3. Contact an Advocate Crisis Center

Contact Value Options Crisis Line
(800) 564-5465
b. National Sexual Violence Resource Center
(877) 739-3895
c. National Youth Crisis Line
(800) 442-HOPE (4673)

4. Get Legal Help

a. **Office for Victims of Crime Victim Assistance for Arizona**
Phone: 602-223-2480
Fax: 602-223-2943
Web Site: http://www.azdps.gov/Services/Crime_Victims/

There are resources in your immediate area that offer services to individuals who have been victimized by crime. Information about victim assistance in this state/territory can be obtained using the information listed below.

Office for Victims of Crime Victim Compensation for Arizona

Phone: 602-364-1146

Fax: 602-364-1175

Web Site: <http://www.azcjc.gov/ACJC.Web/victim/VictComp.aspx>

You may be eligible for crime victim compensation benefits, including reimbursement for medical services, mental health counseling, lost wages, and other costs incurred as a result of the crime. Information about compensation in this state/territory can be obtained using the information listed below.

For assistance in accessing domestic violence shelters or services call the Mag Regional Domestic Violence Community Information & Referral Line:

24-hour hotline at 602-263-8900

If outside Maricopa County call (800) 235-9678

Procedures for campus disciplinary action in cases of an alleged sex offense:

The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding that is brought alleging a sex offense. Compliance with this paragraph does not constitute a violation of the *Family Educational Rights and Privacy Act (FERPA)*. For the purpose of this paragraph, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused regardless of where the alleged sex offense occurred. A victim cannot be required to sign a nondisclosure agreement or to otherwise agree to a prohibition from discussing the case. Notification of the final results to both the victim and the accused should be made in the same manner and the same time frame.

The following sanctions may be imposed following a sex offense-related disciplinary proceeding:

When a sexual assault victim contacts ACI, personnel will be notified as well as the Scottsdale Police – should the student permit law enforcement be contacted. The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system. An ACI employee will guide the victim through the available options and support the victim in his or her decision in a private and confidential location. Various counseling options are available and students are encouraged to contact Student Services for a list of locations where counseling and support services outside ACI can be obtained through the City of Scottsdale Family Advocacy Center and/or the Arizona Coalition to End Sexual and Domestic Violence – **Please see Student Services for more information.**

ACI disciplinary proceedings allow that the accused and the victim will each be allowed to choose one person who has no formal legal training to accompany them throughout the hearing. Both the victim and the accused will be informed of the outcome of the hearing. A student found guilty of violating ACI's sexual misconduct policy could be criminally prosecuted in state courts and may be suspended or expelled from ACI for the first offense. Student victims have the option to change their academic and living situations after an alleged sex offense and options for those changes if those changes are requested by the victim and are reasonably available.

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed at, institutions of higher education. ACI is required to inform the campus community that a registration list of sex offenders will be available at www.city-data.com.

FERPA guidance on disclosing information about registered sex offender citation 20 U.S.C.1232g (b) (7). Sex offender registration information citation 34 CFR 668.46(b) (12)

Unlawful use of the information for purposes of intimidating or harassing another is prohibited and willful violation shall be punishable as a Class 1 misdemeanor.



Reported incidents

A reported incident does not necessarily mean that charges were filed, an arrest was made or that anyone was found in violation of campus policies or state/federal laws. A reported arrest means that a law enforcement officer detained an individual with the intention of seeking charges against the person for a specific offense(s) and a record was made of the detention. Also, for reporting purposes, statistics are limited to on-campus or college-owned property occurrences and those adjacent to the ACI Campus. The following are definitions for occurrences that must be reported to the campus community.

Arizona Culinary Institute does not offer any on-campus housing. ACI does not have any non-campus buildings or properties.

Campus Crime Statistics

	2011	2012	2013	2014	2015
Criminal Homicide					
<i>Murder and Non-Negligent Manslaughter</i>					
• On Campus	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0
<i>Negligent Manslaughter</i>					
• On Campus	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0
Sex Offenses					
<i>Forcible</i>					
• On Campus	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0
<i>Non-Forcible</i>					
• On Campus	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0

(Campus Crime Statistics Continued)

	2011	2012	2013	2014	2015
Robbery					
• On Campus	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0
Aggravated Assault					
• On Campus	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0
Burglary					
• On Campus	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0
Arson					
• On Campus	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0
Motor Vehicle Theft					
• On Campus	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0
Arrest For					
Liquor Law Violations					
• On Campus	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0

(Campus Crime Statistics Continued)

	2011	2012	2013	2014	2015
Drug Related Violations					
• On Campus	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0
Weapons Possession					
• On Campus	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0
Disciplinary Referrals					
Liquor Law Violations					
• On Campus	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0
Drug Related Violations					
• On Campus	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0
Weapons Possession					
• On Campus	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0
Hate Crimes					
Based on:					
• Race	0	0	0	0	0
• Gender	0	0	0	0	0
• Religion	0	0	0	0	0
• Sexual Orientation	0	0	0	0	0
• Ethnicity	0	0	0	0	0
• Disability	0	0	0	0	0

(Campus Crime Statistics Continued)

	2011	2012	2013	2014	2015
Larceny-Theft					
• On Campus N/A	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0
Simple Assault					
• On Campus	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0
Intimidation					
• On Campus	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0
Property Damage					
• On Campus	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0
Domestic Violence					
• On Campus	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0
Dating Violence					
• On Campus	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0
Stalking					
• On Campus	0	0	0	0	0
• In dormitories or other Residential facilities	0	0	0	0	0
• In or on a non campus Building or property	0	0	0	0	0
• On Public Property	0	0	0	0	0

Definitions of Reported Incidents

Murder and Non-Negligent Manslaughter

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

Negligent Manslaughter

The killing of another person through gross negligence

Sex Offenses Forcible

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

A. Forcible Rape. The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or his/her temporary or permanent mental or physical incapacity.

B. Forcible Sodomy. Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

C. Sexual Assault with an Object. The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

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

Sex Offenses-Non-forcible

Unlawful, Non-forcible sexual intercourse.

A. Incest. Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

B. Statutory Rape. Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Robbery

The taking or attempting to take anything of value from the care, custody, 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 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)

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 or another, etc.

Definitions of reported arrests and referrals

Arrests for Weapon law Violations

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

(Definitions of reported incidents continued)

Arrests for Drug Abuse Violations

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

Arrests for Liquor Law Violations

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

Hate Crimes

An institution must report, by category of prejudice, any crime listed above and any other crime involving bodily injury reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity or disability.

Location definitions

Each of these terms is defined by the Clery Act:

- The term 'campus' means: any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and property within the same reasonably contiguous geographic area of the institution that is owned by institution purposes (such as food or other retail vendor).
- The term 'noncampus building or property' means: any building or property owned or controlled by a student organization recognized by the institution; and any building or property (other than a branch campus) owned or controlled by an institution of higher education 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.
- The term 'public property' means: all public property that is within the same reasonably contiguous 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.

Each of these definitions applies to separate categories in the annual security report as follows:

“...an institution of higher education shall distinguish, by means of separate categories, any criminal offenses that occur-

- On campus;
- In or on a non-campus building or property;
- On public property; and
- In dormitories or other residential facilities for Students on campus.



Notes



10585 North 114th Street
Suite #401
Scottsdale, Arizona 85259
Phone 480.603.1066
Fax 480.603.1067
info@azculinary.edu

www.azculinary.edu