

# TULSA WELDING SCHOOL

# STUDENT HANDBOOK

## 2025



A WAY OF LIFE. A BADGE OF HONOR.



**TULSA**  
**WELDING**  
**SCHOOL**  
DALLAS





## Table of Contents

Table of Contents.....	2	Sexual Assault and Other Crimes .....	26
Welcome Letter from the Campus President .....	4	Reducing Risk .....	26
Campus Directory .....	5	What to Do If Victimized .....	26
Admissions .....	5	Campus Sex Crimes Prevention Act .....	27
Dial-by-Name Directory .....	5	Texas Sex Offender Registry .....	27
Career Services .....	5	Responding to Dating Violence, Domestic Violence, Sexual Assault, and Stalking .....	27
Student Financial Services .....	5	Disciplinary Procedures for Dating Violence, Domestic Violence, Sexual Assault, and Stalking .....	28
Accounting .....	5	Definitions Applicable to Federal Law .....	29
Default Prevention .....	5	Definitions Applicable to Texas State Law .....	29
Student Services .....	5	How To Be An Active Bystander .....	31
Registrar .....	5	Prevention Efforts .....	31
Maintenance .....	5	Risk Reduction Tips .....	31
Other Queries .....	5	Ongoing Care .....	32
The Jeanne Clery Act.....	6	Title IX Policies .....	33
Introduction.....	6	Title IX Non-Discrimination Policy .....	33
Campus Security Authorities .....	6	Title IX Definitions.....	33
Crime Statistics .....	6	Title IX Transgender Protection .....	34
Definitions of Criminal Offenses.....	6	Title IX Pregnancy and Related Conditions .....	34
Definitions of Hate Crimes .....	7	Title IX Procedures for Reporting Sex Discrimination or Sexual Harassment .....	34
Violence Against Women Act (VAWA) Offenses .....	7	Title IX Initial Contact with Complainant .....	34
Arrest and Disciplinary Referrals for Violations of Weapons, Drug Abuse, and Liquor Laws .....	7	Title IX Supportive Measures .....	34
Campus Security .....	10	Title IX Emergency Removal .....	35
Statement on Campus Police .....	10	Title IX Grievance Process for Reports of Sex Discrimination.....	35
Campus Security Procedures for Reporting Incidents .....	10	Title IX Grievance Process for Formal Complaints of Sexual Harassment .....	35
Daily Crime Logs.....	11	Title IX Formal Complaints of Sexual Harassment.....	35
Statement Regarding Fire Logs .....	11	Title IX Dismissal of a Formal Complaint .....	36
Statement Regarding Missing Student Notifications .....	11	Title IX Notice of Allegations .....	36
Campus Facilities and Security Access .....	11	Title IX Informal Resolution Process .....	36
Timely Warning.....	11	Title IX Formal Resolution Process.....	37
Personal Safety and Crime Prevention .....	11	Title IX Investigation .....	37
Safety Escorts.....	12	Title IX Hearing .....	37
Emergency Procedures.....	13	Title IX Determination of Responsibility .....	38
Emergency Notification and Evacuation Procedures .....	13	Title IX Appeals.....	39
General Site Evacuation Instructions.....	14	Title IX Confidentiality.....	39
Designated Evacuation Assembly Area by Location.....	14	Title IX Retaliation; False Complaints .....	40
Dallas Metro Campus - 700 E. Airport Fwy.....	14	Title IX Dissemination.....	40
Safety Instructions for Specific Adverse Events .....	14	Title IX Publication.....	40
Hazardous Materials Accident .....	14	Title IX Training .....	40
Tornado.....	15	Title IX Record Retention.....	41
Hurricane .....	15	Title IX Role Identification.....	41
Flooding .....	15	Information for Students with Disabilities.....	42
Other Adverse Weather Conditions .....	15	Statement of Purpose .....	42
Power Outage .....	16	Accommodations and Support Services .....	42
Fire.....	16	Eligibility .....	43
Explosion.....	16	Student Code of Conduct .....	44
Bomb Threat.....	16	Jurisdiction & Application.....	44
Active Shooter .....	17	Guiding Principles & Institutional Goals.....	44
Drugs, Alcohol, & Weapons Policies .....	18	Responsibilities of Dual Membership.....	44
Weapons Policy .....	18	Disciplinary Offenses.....	44
Alcohol & Drug-Free Campus Policy.....	18	Sanctions .....	45
Federal Drug Legal Sanctions.....	19	Interim Suspension.....	46
Marijuana .....	19	Hearing & Appeals .....	46
Other Drug Offenses .....	19	Appearance Code .....	46
Alcohol/Drug Use and Substance Abuse .....	19	Delegation of Authority .....	46
Drug Testing/Background Checks .....	20	Welding Lab and General Safety Rules .....	47
Drug and Alcohol Abuse Prevention Program .....	21	Student Accident Reporting .....	47
Statement of Purpose .....	21	Privacy, Data, & Technology Policies .....	48
Policy for Providing a Drug-free Workplace.....	21	Global Privacy Policy .....	48
Substance Screening .....	22	Login Banners.....	48
Consent .....	22	Acceptable Usage of Information Technologies Resources Policy .....	48
Policy Exclusions.....	22	Harassment.....	49
Disciplinary Action .....	22	Copyright Infringement / Peer-to-Peer File Sharing Policy .....	50
Drug & Alcohol Prevention & Treatment Facilities .....	22	Background .....	50
Legal Sanctions .....	22		
Dangers of Drug Abuse .....	24		
Sexual Offence Policies .....	26		



**Tulsa Welding School – Dallas Metro Campus**  
Student Handbook

ID: STEG-MNL-60401	v. 01.00
CL: Public	Page: 3 of 64
Effective: 01-01-2025	

Definitions.....	50	Code of Conduct for Student Loans.....	54
Items Protected by Copyright .....	50	Prevention of Financial Aid / Scholarship Fraud.....	55
Our Position on Copyright Violations and P2P .....	50	Consumer Disclosures and Student Right-to-Know Act .....	56
Basic Financial Aid Information.....	51	Student Disclosure .....	56
Eligibility Requirements .....	51	Textbook Information .....	56
Rights and Responsibilities of Students Receiving Federal Student Aid ..	51	Voter Registration Information.....	56
Types of Federal Student Aid Available for Application – Grants .....	51	Constitution and Citizenship Day – September 17th .....	56
Types of Federal Student Aid Available for Application – Loans .....	51	Notification of Rights Under FERPA .....	57
Applying for Federal Student Aid.....	52	Student Grievance Procedure.....	59
Disbursing Federal Student Aid.....	52	Arbitration Agreement .....	60
Credit Balances .....	52	Appendix A: Drug-Free Workplace Policy Consent Form.....	62
Returning Federal Student Aid .....	52	Appendix B: Policy Acknowledgement and Certification Statements .....	63
Drug Conviction Effects on Federal Student Aid Eligibility .....	53	Revision History .....	64
Federal Student Loan Management .....	53		
National Student Loan Data.....	53		
Federal Student Aid Ombudsman Notification.....	53		



## Welcome Letter from the Campus President

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Dear TWS Student,

It is my privilege to welcome you to Tulsa Welding School. Thank you for choosing TWS as your avenue to achieve your educational and career training goals. We are excited about the opportunity to be a part of your journey and we are committed to supporting you in achieving this milestone in your life.

Tulsa Welding School has a rich history spanning more than sixty years. TWS continues to be committed to instructing and training welders in the techniques of structural and pipe welding, as well as for entry-level position as Plumbers, Pipefitter, and Steamfitters. Our instructors have industry experience, extensive knowledge, and demonstrated skill in the art of welding. They have chosen to dedicate themselves to passing on their knowledge and skills to others who desire to learn and work in this industry. Welding is a vital trade for modern society and essential to the infrastructure of our economy.

Our support staff members are here to provide additional support for you in the areas of Financial Aid, Student Advising, Grades, Attendance, and Career Services. Please reach out to our staff any time you need direction or assistance.

I want to encourage you to stay focused on the goal you have set. In a very short time, you will be graduating from a specialized and challenging program joining the ranks of many who have gone before you. Remember, you can accomplish your goal.

Again, thank you for choosing TWS. I look forward to meeting you personally and celebrating your achievement.

Tamekia Morris  
Campus President



## Campus Directory

Main Number: (214) 227-9911

### Admissions

For assistance with: enrollment, admissions requirements, start date, orientation, special accommodations for disabilities, and consumer information, **press 1**.

### Dial-by-Name Directory

For the dial-by-name directory, **press 2**.

### Career Services

For assistance with: part-time employment while in school, resume preparation, access to electronic books on welding, internet and printer services, graduate welding jobs, help with resume, letter to future employers about your attendance here at TWS, internet/computer use, current postings from companies who are hiring, **press 3**.

### Student Financial Services

For assistance with: FAFSA, grants, student loans scholarships, reinstatement, deferments, forbearances, and Veterans Affairs, **press 4**.

### Accounting

For assistance with: payments, account balance, financial difficulty, agency billing, refunds, and stipends, **press 5**.

### Default Prevention

For assistance with: collections and loan repayment, **press 6**.

### Student Services

For assistance with: attendance issues, checking your grades or attendance, issues/concerns with school, staff, or other students, wanting to return after withdrawing, parking stickers, shift transfer requests, advising, tutoring, class schedules, makeup tests, lab equipment, difficulty in lab or classroom, Learning Resource Center, curriculum, syllabi, lab equipment, and difficulty in lab or classroom, **press 7**.

### Registrar

For assistance with: transcripts, grades, attendance, graduation dates, change of address, phone number or email, enrollment verification letters, and Authorization for Release of Information, **press 8**.

### Maintenance

For assistance with: issues relating to campus security and safety, **press 9**.

### Other Queries

Not sure who to ask, **press 0**



## The Jeanne Clery Act

### Introduction

*The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (Clery Act), formerly the Campus Security Act of 1990, requires Tulsa Welding School Dallas Metro (TWS) to disclose to the public specific crime-related information on an annual basis. In compliance with this legislation, the school must report campus crime statistics, campus offenses, and security measures to all students and employees by October 1 of each calendar year.

Prospective students and employees shall receive a notice of its availability and a brief summary of its contents. The school may publish the report electronically, but the school must give students, employees, and potential students or employees a paper copy upon request and individually inform them of the availability of the report in electronic format. The school sends official annual notifications with the new report to all currently enrolled students via their email address that is on file with the school and to all faculty and staff via their official school email address. Contact the Campus President at (918) 587-6789 or the Compliance Department at (602) 490-3458 for clarification or additional information.

### Campus Security Authorities

While TWS lies within the jurisdiction of the Irving Police Department, and is where campus community members should report crimes, we understand that victims and witnesses sometimes tell someone other than the police. The Clery Act designates those individuals with significant responsibility for student and campus activities as Campus Security Authorities (CSAs). CSAs have a reporting responsibility that includes completing and submitting an incident report form when they become aware of an incident.

Below are the primary CSAs to whom students, employees, and campus visitors should report Clery Act crimes.

Campus President	(214) 227-9911
Director of Facilities	(214) 227-9967
Director of Career Services	(214) 227-9982
Director of Education	(214) 227-9929
Human Resources Department	(918) 960-5303
Compliance Department	(602) 490-3458
Student Data Privacy Requests	(602) 336-7118

TWS does not employ professional or pastoral counselors, who would be exempted from CSA reporting requirements when functioning within the scope of their license or certification even though they may have significant responsibility for student and campus activities. TWS will assist victims with accessing external counseling services, who may have professional or ethical reporting requirements beyond the scope of the Clery Act. Victims are encouraged, when they deem appropriate, to inform a CSA to report crimes on a voluntary, confidential basis for inclusion in the annual crime statistics.

Reports filed using any of these methods are collected for inclusion in TWS's Daily Crime Log, possible inclusion in the Annual Security Report (ASR), and for possible issuing of a Timely Warning to the Campus Community when necessary

### Crime Statistics

The following statistics are reported in accordance with the Uniform Crime Reporting procedures and the Clery Act, which requires all colleges and universities receiving federal funds to publish the occurrence of certain criminal offenses reported to school safety departments, to other appropriate school officials, or to local police. Statistics are reported for the three (3) most recently completed calendar years. Individuals who wish to make a report of a criminal incident for purposes of making timely warnings to our students and staff or for inclusion in this annual report are urged to provide the relevant information to a CSA.

The statistics for campus incidents are compiled from the Compliance Department, who review records on disciplinary referrals, actions reported, and law enforcement records. The Compliance Department makes all determinations for the disposition and classification of each incident.

### Definitions of Criminal Offenses

- **Criminal Homicide** - Murder and non-negligent manslaughter, and manslaughter by negligence.
  - Murder and Non-negligent Manslaughter is defined as the willful (non-negligent) killing of one human being by another.
  - Manslaughter by Negligence is defined as the killing of another person through gross negligence.
- **Rape** - is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
- **Fondling** - is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
- **Incest** - is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** - is sexual intercourse with a person who is under the statutory age of consent.
- **Robbery** - is 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** - Aggravated Assault is 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.

- **Burglary** - Burglary is the unlawful entry of a structure to commit a felony or a theft.
- **Motor Vehicle Theft** - Motor Vehicle Theft is the theft or attempted theft of a motor vehicle.
- **Arson** - is 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.

### Definitions of Hate Crimes

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Although there are many possible categories of bias, under the Clery Act, only the following eight categories are reported: Race, Religion, Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin, and Disability.

For Clery Act purposes, Hate Crimes include any of the following offenses that are motivated by bias.

- **Murder and Non-negligent Manslaughter** - is defined as the willful (non-negligent) killing of one human being by another.
- **Sexual Assault** - Any nonconsensual sexual act proscribed by federal, tribal, or state law, including when the victim lacks the capacity to consent.
- **Robbery** - is 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** - Aggravated Assault is 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.
- **Burglary** - Burglary is the unlawful entry of a structure to commit a felony or a theft.
- **Motor Vehicle Theft** - Motor Vehicle Theft is the theft or attempted theft of a motor vehicle.
- **Arson** - is 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.
- **Larceny-Theft** - is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
- **Intimidation** - is 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** - is 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.

### Violence Against Women Act (VAWA) Offenses

VAWA Offenses are Dating Violence, Domestic Violence, Sexual Assault, and Stalking. Sexual assault is included by the FBI as a Criminal Offense. Domestic Violence, Dating Violence, and Stalking are considered crimes for the purposes of Clery Act reporting.

- **Dating Violence** - is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. 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.
- **Domestic Violence** - is defined as a felony or misdemeanor crime of violence committed-
  - By a current or former spouse or intimate partner of the victim;
  - By a person with whom the victim shares a child in common;
  - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
  - 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.
- **Stalking** - is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  - Fear for the person's safety or the safety of others; or
  - Suffer substantial emotional distress.

### Arrest and Disciplinary Referrals for Violations of Weapons, Drug Abuse, and Liquor Laws

- **Arrest** - is defined as persons processed by arrest, citation, or summons.
- **Referred for disciplinary action** - is defined as the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.
- **Weapons: Carrying, Possessing, Etc.,** - is defined as 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. This classification encompasses weapons offenses that are regulatory in nature.

- **Drug Abuse Violations** - are defined as 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 the making of narcotic drugs.
- **Liquor Law Violations** - are defined as 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.

The number of crimes determined to be unfounded and removed from crime statistics must also be reported.

Furthermore, TWS must provide the following geographic breakdown of the crime statistics:

- On-campus;
- On public property within or immediately adjacent to the campus;
- In or on non-campus buildings or property that our institutions owns or controls.

The number of crimes determined to be unfounded and removed from crime statistics must also be reported.

For offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(9) of the *Violence Against Woman Act of 1994 (42 U.S.C. 13925(a))*. Such statistics shall not identify victims of crimes or persons accused of crimes.

No crimes have been determined unfounded and removed during this reporting period.





### TWS Dallas Metro - 3 Year Historical Crime Data

Criminal Offenses - On Campus			Criminal Offenses - Public Property		
Criminal offense	Total Occurrences on campus		Criminal offense	Total Occurrences on Public Property	
		2023			2023
a. Murder/Non-negligent manslaughter		0	a. Murder/Non-negligent manslaughter		0
b. Manslaughter by Negligence		0	b. Manslaughter by Negligence		0
c. Rape		0	c. Rape		0
d. Fondling		0	d. Fondling		0
e. Incest		0	e. Incest		0
f. Statutory rape		0	f. Statutory rape		0
g. Robbery		0	g. Robbery		0
h. Aggravated assault		0	h. Aggravated assault		0
i. Burglary		0	i. Burglary		0
j. Motor vehicle theft		0	j. Motor vehicle theft		0
k. Arson		0	k. Arson		0
Hate Crimes - On Campus			Hate Crimes - Public Property		
Criminal offense	Total Occurrences on campus		Criminal offense	Total Occurrences on Public Property	
		2023			2023
a. Murder/ Non-negligent manslaughter		0	a. Murder/ Non-negligent manslaughter		0
b. Manslaughter		0	b. Manslaughter		0
c. Rape		0	c. Rape		0
d. Fondling		0	d. Fondling		0
e. Incest		0	e. Incest		0
f. Statutory rape		0	f. Statutory rape		0
g. Robbery		0	g. Robbery		0
h. Aggravated assault		0	h. Aggravated assault		0
i. Burglary		0	i. Burglary		0
j. Motor vehicle theft		0	j. Motor vehicle theft		0
k. Arson		0	k. Arson		0
l. Simple assault		0	l. Simple assault		0
m. Larceny-theft		0	m. Larceny-theft		0
n. Intimidation		0	n. Intimidation		0
o. Destruction/damage/Vandalism of property		0	o. Destruction/damage/Vandalism of property		0
VAWA Offenses - On Campus			VAWA Offenses - Public Property		
Criminal offense	Total Occurrences on campus		Criminal offense	Total Occurrences on Public Property	
		2023			2023
a. Domestic violence		0	a. Domestic violence		0
b. Dating violence		0	b. Dating violence		0
c. Stalking		0	c. Stalking		0
Arrests - On Campus			Arrests - Public Property		
Criminal offense	Total Occurrences on campus		Criminal offense	Total Occurrences on Public Property	
		2023			2023
a. Weapons: carrying, possessing, etc.		0	a. Weapons: carrying, possessing, etc.		0
b. Drug abuse violations		0	b. Drug abuse violations		0
c. Liquor law violations		0	c. Liquor law violations		0
Disciplinary Actions- On Campus			Disciplinary Actions - Public Property		
Criminal offense	Total Occurrences on campus		Criminal offense	Total Occurrences on Public Property	
		2023			2023
a. Weapons violations		0	a. Weapons violations		0
b. Drug abuse violations		0	b. Drug abuse violations		0
c. Liquor law violations		0	c. Liquor law violations		0
Unfounded Crimes - On Campus			Unfounded Crimes- Public Property		
Criminal offense	Total Occurrences on campus		Criminal offense	Total Occurrences on Public Property	
		2023			2023
a. Total unfounded crimes		0	a. Total unfounded crimes		0



## Campus Security

### Statement on Campus Police

TWS does not have a campus police department or employ campus police. TWS personnel have no authority to arrest or detain any individual. TWS has no memoranda of understanding (MOU) or any other type of written agreement with any law enforcement agencies for the investigation of alleged criminal offenses. TWS will assist in notifying appropriate law enforcement authorities if a student requests assistance in contacting police. Members of the Campus Community are encouraged to accurately and promptly report all crimes and public safety-related incidents to a CSA, Irving Police Department, or their local police department. Members of the Campus Community should contact the emergency authorities directly if an immediate emergency situation exists.

### Campus Security Procedures for Reporting Incidents

The safety of students, visitors, faculty, and staff is a top priority of TWS. Each student and staff member is responsible for reporting, as soon as possible, any of the witnessed events to the Campus Administration. Campus emergencies are to be reported to the aforementioned individuals, or a student's instructor. A staff person is to report campus emergencies to the supervisor of the department. Additionally, all crimes, arrests, and hate incidents must be reported to the Compliance Department.

TWS encourages anyone who is a victim or witness to a crime to promptly report the incident to the Irving Police Department (972) 273-1010, or their local police. Due to police reports being public records under state law, law enforcement agencies cannot hold reports of crimes in confidence. Confidential reports of a crime can be made to Irving Crime Stoppers (972) 721-8477.

The institution does not have pastoral or professional counselors. Therefore, the institution does not have confidential reporting procedures that encourage pastoral and professional counselors, if and 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 institution encourages and will provide assistance, if needed, to victims of crimes or offenses to seek out these counseling services.

TWS strongly encourages persons who are victims of a sex offense or that witness a sex offense to report the incident to a CSA voluntarily and on a confidential basis to permit the inclusion of that information in the Institution's annual crime statistics. The institution is required to, and will, keep the identity of victims of sexual violence private in any public report of Clery Act crimes, including this Report. Policies with respect to victims of sex offenses are contained in the Title IX Complaint/Grievance Policy in the school catalog.

TWS encourages students and staff to assume responsibility for their own personal safety and security by taking common-sense

precautions. Precautions might include walking to your car at night with a fellow student or asking a TWS Facilities employee to walk you out. Another is keeping your car locked and parked in a well-lit area with valuables placed out of sight.

TWS's administrative offices will be open to staff, students, prospective students and their families, guests, and invitees during business hours (Monday through Friday, 8:00 am to 8:00 pm). Students may access the administrative offices after 5:00 pm to make payments, purchase equipment, or to speak with the Student Financial Services Department until 8:00 pm. A Student Advisor is also available for students Monday through Friday until 8:00 pm. The welding lab and student classrooms will be open to staff and students during class hours (Monday through Friday, 7:00 am to 11:15 pm, and Saturday and Sunday 8:00 am to 6:00 pm for makeup time). Emergencies may necessitate changes or alterations to any posted schedule.

All reports are investigated. Campus personnel are responsible for completing crime and accident reports and for responding to emergencies. They are also responsible for enforcing other regulations such as parking, the use of controlled substances, weapons, and underage drinking.

If you are a victim of domestic violence, dating violence, sexual assault, stalking, or any other crime while on TWS's campus, you should report this to a CSA or the Irving Police Department. Reporting of the above crimes is voluntary and reported on a confidential basis when possible.

In the event of accidents or injuries, other medical emergencies, or crime-related incidents, someone witnessing the incident should notify the nearest instructor or staff member immediately. This procedure does not prohibit or impede the reporting of an emergency directly to the appropriate party (i.e., police, fire, ambulance, hospital, etc.). A school administrator will secure professional emergency care if needed.

As a nonresidential school, TWS expects students to secure normal medical services through a family physician. In the case of serious accidents or illnesses, the school will refer students to the nearest hospital for emergency care and will notify their emergency contacts. Students and/or their families are responsible for the cost of such emergency care.

School officials notify TWS Campus Administration or the local police when someone commits a crime on campus or at school-sponsored events. In case of accidents or injuries, other medical emergencies, or crime-related incidents involving students, visitors, or employees, the reporting staff member must complete and return incident report forms to the Compliance Department.

School personnel of chartered campus organizations must report criminal incidents committed by students while participating in school-sponsored activities both on and off campuses and properties. These reports must be submitted in



writing to the Campus Administration. Students who violate the *Student Code of Conduct* or who commit crimes of a misdemeanor or felonious nature, as defined by the Criminal Code of Texas, while participating in school-sponsored activities will be subject to a hearing before a duly appointed committee (see *Student Code of Conduct*). When requested or required by law, the Campus Administration can assist with reporting violations of local, state, and/or federal laws to the appropriate law enforcement officials.

### Daily Crime Logs

TWS maintains a daily crime log documenting reported crime in accordance with the Clery Act. Daily crime logs can be accessed electronically on the Safety & Security page of TWS' website. This log includes the nature, date, time, and general location of each crime; and the disposition of the complaint, if known.

### Statement Regarding Fire Logs

As TWS does not have an on-campus student housing facility, it is not required to maintain a Fire Log as defined under 34 CFR 668.49(d).

### Statement Regarding Missing Student Notifications

As TWS does not have an on-campus student housing facility, it is not required to maintain a Missing Student Notification procedure as defined under 34 CFR 668.46(h).

### Campus Facilities and Security Access

The Maintenance Department maintains school buildings and grounds with a concern for safety and security. This department inspects campus facilities regularly and promptly makes repairs. Students and employees must notify the Maintenance Department at (214) 227-9967, or in-person in the Maintenance Office to report any hazard. The Maintenance Department routinely inspects school facilities to review lighting and environmental safety.

Most campus facilities are open to the public during the day and evening hours when classes are in session. Members of the maintenance staff unlock and lock buildings each day. The administrative staff is responsible for securing the facilities if maintenance personnel are not available. When officially closed, all school facilities remain locked and accessible only to authorized employees.

### Timely Warning

In the event that a situation arises either on or off-campus that constitutes an ongoing or continuing threat, a campus-wide "Timely Warning" will be issued. The timely warning will be issued by the Campus president via the Emergency Communication System (ECS) application to students, faculty, and staff or via campus intercom/paging system. The decision to issue a Timely Warning is made on a case-by-case basis, and the timing of the notification shall be based upon whether the crime is considered a serious or continuing threat and the possible risk of compromising law enforcement efforts.

Some examples of crimes for which a timely warning would be issued are:

- Arson
- Burglary
- Aggravated Assault/Battery
- Criminal Homicide
- Motor Vehicle Theft
- Robbery
- Sex offenses
- Hate Crimes

Anyone with information warranting a Timely Warning should immediately report the circumstances to a CSA. Once the report is received, they will confer with the Campus President to issue a Timely Warning, if necessary.

When a Timely Warning is issued, the warning may include, but is not limited to, the following information:

- Crime type
- Date
- Time
- Location of crime
- Available suspect information
- Possible actions that TWS members can take to avoid the incident.

### Personal Safety and Crime Prevention

TWS recognizes the importance of security for all students and staff while on campus property. Furthermore, TWS supports law enforcement agencies and works with them where appropriate to minimize crime. TWS endorses all applicable city, state, and federal laws. Security issues affect all students, visitors, and staff on campus property, which includes the parking lots. TWS does not have campus housing. The Campus Administration will make available information for staff on safety and security measures.

The Director of Facilities serves as security coordinator for the campus. As such, they do not have the authority to arrest individuals; however, they do work with local, state, and federal law enforcement agencies. The department is responsible for opening and closing the facilities on-campus. Instructors provide information on safety and security precautions for all new students on the first day of training.

Following these safety tips helps reduce the chance of becoming a victim of crime:

- Avoid dark, secluded places when alone.
- Walk with others, making sure to stay in well-lit areas.
- Lock car doors while on campus and keep valuables locked in the automobile trunks and/or out of sight.
- Tell someone where you are going and when you can be expected to return.
- Vary your route and schedule if you exercise outdoors on a regular basis.
- Do not overload yourself with books or other items. Keep your hands free.





- Carry a purse close to your body, preferably in front. If it has a shoulder strap, be prepared to let it go if snatched.
- When confronted by thieves, give them what they want. Do not pursue the thieves. Get a detailed description and call the police immediately.
- Never leave laptop computers, textbooks, cellular telephones, book bags, purses, or other valuables unattended in classrooms, the library, common study areas, or outdoor spaces.

- Head to an area with other people present if a stranger approaches you and you feel concerned or uncomfortable.

TWS will conduct semi-annual safety programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their security and the security of others.

#### **Safety Escorts**

Students who would like safety escorts from classes to their vehicles should contact TWS Facilities or Security personnel.



## Emergency Procedures

### Emergency Notification and Evacuation Procedures

TWS has emergency notification and evacuation procedures in response to adverse events such as emergencies or dangerous situations. Whenever there is an immediate threat to health or safety at a TWS location these emergency notification procedures will be used.

Emergency notifications and/or Timely Warnings are used for adverse events such as:

- Active shooters
- Bomb threat
- Explosions
- Hazardous Materials
- Hostage situation
- Hurricane
- Tornado
- Flood
- Fire

For incidents involving an immediate threat, the determination to initiate an emergency notification via the Emergency Communication System (ECS) is made by senior management. The nature of the emergency determines the content of the notification.

TWS is responsible for developing contingency plans and continuity of operations plans for the staff and areas of responsibility in the event of an emergency. TWS conducts semiannual emergency response exercises, such as field exercises and tests of its ECS at each owned or operated site. These tests are designed to assess and evaluate TWS's emergency plans and capabilities. Campus Security Authorities (CSAs) and other personnel receive training in responding to adverse events. When a serious incident occurs that causes an immediate threat to one or more sites, the first responders to the scene are usually the local police, paramedics, or fire departments and they typically respond and work together to manage the incident. Depending on the nature of the incident, other local, state, or federal agencies could also be involved in responding to the incident.

All personnel and students are notified on an annual basis that they are required to notify the CSAs of any situation or incident on a campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to health and safety. The CSAs have the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. CSAs have the responsibility to respond to such incidents to determine if the situation poses a threat to TWS such that an emergency notification and or Timely Warning or other notification must be issued.

If the CSA(s) confirm(s) that there is an emergency or dangerous situation that poses an immediate threat to the health

or safety of some or all members of the Campus Community, the CSA and other TWS personnel, as appropriate, will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the Campus Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. The CSA will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The CSA(s) will confirm the emergency or dangerous situation by witnessing the situation, communicating with another RSI official who has witnessed the situation or somehow verifies that an emergency exists. The appropriate segment of the community is defined as the entire Campus Community. The CSA will determine the content of the notification by obtaining enough information about the emergency situation so that the person receiving the notification will have enough timely information to understand the situation and what action to take and will initiate the notification system by an appropriate means determined by the severity of the significant emergency or dangerous situation.

TWS will disseminate the emergency to the larger community by notifying the local Emergency services of the dangerous situation on the campus, and the Institution will rely upon the emergency officials to use their professional judgment in regard to notifying the neighboring community outside of the institution.

In the event of a serious incident that poses an immediate threat to members of the Campus Community, the institution has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the Campus Community. These methods of communication may include activation of the fire alarm system, email to the Campus Community and a public announcement system (or megaphone).

Any bomb threat, fire alarm, or notification by emergency services automatically constitutes a threat sufficient to activate the institution's evacuation procedures. In addition, any other threat that could result in bodily harm and could affect any portion of the employees or students may constitute a threat sufficient to activate the evacuation procedures. Upon notification of the need to evacuate, all students, faculty, and staff, should exit their rooms and the building, quickly but orderly, and follow the Emergency Exit guidelines to the predetermined outside areas to wait for further information. The CSAs or their designees will inform the Campus Community when it is okay to reenter the building.



During instances of the need to lock-down the school (i.e., Tornado or Active Shooter), employees and students should take cover immediately and wait to be told everything is clear. If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to "shelter-in-place" means to make a shelter of the building that you are in until it is safe to go outside.

The institution's evacuation procedure and testing methods are designed to ensure the safety of everyone on campus. Tests will be conducted quarterly and evaluated for effectiveness; these could include drills, exercises, and follow-through activities. An evacuation drill is coordinated by the CSAs for all buildings housing classrooms. During these drills, students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for short-term building evacuation. During these drills, CSAs will staff the scene and will communicate information to students regarding the developing situation or any evacuation status changes.

TWS's procedures to test the emergency response and evacuation procedures on a quarterly basis include:

1. Drills that may be announced or unannounced;
2. Publicizing its emergency response and evacuation procedures in conjunction with at least one test per the calendar year (Example: Post in a public area the school's evacuation or lockdown procedures); and
3. Documentation , for each drill, a description of the exercise, the date, time, and whether it was announced or unannounced and how it was conducted is kept on file.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. At the institution, evacuation drills are used as a way to educate and train occupants on issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also may provide the institution an opportunity to test for the proper operation of fire alarm system components. Evacuation drills are monitored by the CSA.

Students receive information about evacuation and shelter-in-place procedures during educational sessions that they participate in throughout the year.

### General Site Evacuation Instructions

Fires, explosions, bomb threats, and hazardous material accidents are among the occurrences that may require emergency evacuation of TWS facilities. Continuous sound and flashing of fire alarm horns and strobes in any TWS owned, leased, or operated facility is the evacuation signal. Everyone

who is alerted by this alarm is required to evacuate the facility as quickly and as calmly as possible.

### Procedure

TWS requires that all facility occupants respond to the alarm signal by immediately initiating the evacuation procedures outlined below:

1. Stop all activities immediately. Complete the internal departmental or class procedures that have been determined to be essential prior to emergency evacuation.
2. Assess that all persons can evacuate the area. Supervisors and instructors are required to assure that everyone, including individuals with mobility limitations, have evacuated their area.  
*Note: Evacuation plans for persons with disabilities must be made part of each campus' documented emergency evacuation procedures.*
3. Follow EXIT signs to the nearest safe exit. Do not use elevators! Special care should be taken with some footwear, such as open-toed shoes, that could hamper rapid and safe evacuation.
4. Use the stairs. Never use the elevator. Walk briskly, but do not run. Stay on the right in order to allow emergency response personnel clear access up the stairs, along the left side.
5. Allow others to enter the stairwell. As you approach the landing of each floor, allow evacuees from that level to enter the stairwell.
6. Steer clear of hazards. If evacuation becomes difficult via a chosen route, because of smoke, flames or blockage, re-enter the facility on a safe floor. Continue evacuation via the nearest safe exit route.
7. Move away from the building. Proceed to your Evacuation Assembly Area.
8. Do not re-enter the building without an "all clear". Do not, under any circumstances, re-enter the facility unless authorized by police department personnel, fire department personnel, or until a CSA broadcasts the "all clear" message.

For the quickest way out of the building, refer to the fire maps on the walls located throughout the building(s) on campus or at the corporate offices.

### Designated Evacuation Assembly Area by Location

#### Dallas Metro Campus - 700 E. Airport Fwy

All persons on campus are to meet in the Southwest corner of the parking lot.

### Safety Instructions for Specific Adverse Events

#### Hazardous Materials Accident

A hazardous materials (HazMat) accident can occur anywhere. Hazardous materials are transported daily on our roadways, railways, waterways, and by air. A hazardous material is defined by the U.S. Department of Transportation as "a substance or material which has been determined by the Secretary of Transportation to be capable of posing an



unreasonable risk to health, safety, and property when transported for commerce, and which has been so designated."

Any substance that is capable of harming people, animals, plants, or the environment, if handled improperly is considered a hazardous material. It is difficult, if not impossible, to detect some hazardous materials. For your safety and the safety of others at an accident scene, you should consider any unknown material to be a hazardous material until it is known not to be.

If you suspect a hazardous materials situation:

- Look for signs that indicate hazardous materials may be present.
- Do not walk into, touch, or inhale any material.
- Stay uphill and upwind from the incident.
- Request assistance by calling 911.

### ***Tornado***

A tornado is a mobile, destructive vortex of violently rotating winds having the appearance of a funnel-shaped cloud and advancing beneath a large storm system. If a tornado warning is issued, students and personnel should do the following:

- In the classrooms, individuals shall take cover under classroom tables. Students and staff in the lab will also go to the classrooms.
- In the office area, students, staff, and visitors will go to the administrative services office.
- All other personnel should take cover away from any windows and under outer walls that are made of cement block and steel.
- If sufficient time exists, the Director of Facilities or designee will shut off all welding gases and electrical power to the building immediately.
- After the event, the staff will provide immediate assistance to any person who is injured.
- Stay at the designated location and check in with your instructor. Instructors will account for all students using the class rosters. Wait for further instructions. Do Not Leave.

### ***Hurricane***

A hurricane by nature is a slow-moving event with water damage being the most costly part of a hurricane. If such a magnitude disaster stops instruction, students and staff will be given phone numbers and specific TV and radio stations to receive updates on alternative instruction sites and/or repair schedules. If at a TWS site, students and personnel should:

- In the classrooms, individuals shall take cover under classroom tables. Students and staff in the lab will also go to the classrooms.
- In the office area, students, staff, and visitors will go to the administrative services office.
- All other personnel should take cover away from any windows and under outer walls that are made of cement block and steel.
- If sufficient time exists, the Director of Facilities or designee will shut off all welding gases and electrical power to the building immediately.

- After the event, the staff will provide immediate assistance to any person who is injured.
  - Stay at the designated location and check in with your instructor. Instructors will account for all students using the class rosters. Wait for further instructions. Do Not Leave.

### ***Flooding***

Flooding is a coast-to-coast threat to some part of the United States and its territories nearly every day of the year. If you know what to do before, during, and after a flood you can increase your chances of survival and better protect your property. For instance, it is vital to know what to do if you are driving and hit a flooded road.

During a flood, water levels and the rate the water is flowing can quickly change. Remain aware and monitor local radio and television outlets. Avoid flood waters at all costs and evacuate immediately when water starts to rise. Don't wait until it's too late!

- Stay Informed: Listen to radio and television, including NOAA Weather Radio if possible, check the Internet and social media for information and updates.
- Get to Higher Ground: If you live in a flood prone area or are camping in a low lying area, get to higher ground immediately.
- Obey Evacuation Orders: If told to evacuate, do so immediately. Lock your home when you leave. If you have time, disconnect utilities and appliances.
- Practice Electrical Safety: Don't go into a basement, or any room, if water covers the electrical outlets or if cords are submerged. If you see sparks or hear buzzing, crackling, snapping or popping noises--get out! Stay out of water that may have electricity in it!
- Avoid Flood Waters: Don't walk through flood waters. It only takes 6 inches of moving water to knock you off your feet. If you are trapped by moving water, move to the highest possible point and call 911 if possible. Do NOT drive into flooded roadways or around a barricade; Turn Around, Don't Drown! Water may be deeper than it appears and can hide hazards such as sharp objects, washed out road surfaces, electrical wires, chemicals, etc. A vehicle caught in swiftly moving water can be swept away in seconds 12 inches of water can float a car or small SUV, 18 inches of water can carry away large vehicles.

### ***Other Adverse Weather Conditions***

In the advent of other unforeseen adverse weather events such as extreme temperatures or storms, students and personnel should follow best practices, which can be found at the [National Weather Service official website](#).

Extremely cold air comes every winter into at least part of the country and affects millions of people across the United States. The arctic air can be dangerous. Combined with brisk winds,

dangerously cold wind chill values can result. People exposed to extreme cold are susceptible to frostbite and can succumb to hypothermia in a matter of minutes. Areas most prone to frostbite are uncovered skin and extremities, such as hands and feet. Hypothermia occurs when the body loses heat faster than it can produce it.

Heat is one of the leading weather-related killers in the United States, resulting in hundreds of fatalities each year. Heat can be very taxing on the body and heat-related illnesses can occur with even a short period of exposure. Everyone can be vulnerable to heat, but some more so than others. During extremely hot and humid weather, a person's body's ability to cool itself is challenged. When the body heats too rapidly to cool itself properly, or when too much fluid or salt is lost through dehydration or sweating, body temperature rises and a person may experience a heat-related illness. It is important to know the symptoms of excessive heat exposure and the appropriate responses.

### **Power Outage**

Power outages can occur from a variety of situations, such as overwhelmed power systems during extreme heat situations or natural disaster situations. Power outages present unique challenges when they occur in the workplace. Prepare now to ensure the safety of TWS and protect your equipment and business. In case of a power outage:

- Assess the extent of the outage in your area.
- Report the outage to campus administration.
- Help persons in darkened classrooms or work areas move to safety.
- Check elevators to determine if anyone is trapped inside. If so, immediately call for help. Do not try to force elevator doors or make any other rescue attempt. Wait for qualified personnel.
- Unplug desktop computers, equipment and appliances during the outage, especially if no surge protector is connected.
- Shutdown any equipment or process that could be hazardous if power suddenly returns.

### **Fire**

In the event of a fire, students and personnel should be familiar with the locations of nearby fire extinguishers, alarms, and safe evacuation routes. These are indicated on the building's fire safety map. Located on the school's safety & security portal and throughout each building, these maps provide the locations of all pull switches, fire extinguishers, and evacuation routes.

All buildings are inspected annually to meet Title IV requirements. Inspection reports are on file with the campuses city offices. TWS personnel and students are offered optional fire extinguisher training multiple times each year as part of each campus' safety program.

When a fire occurs, no one is expected to endanger themselves in order to control a hazard or to effect or assist with evacuation of others, but everyone has a duty to ensure that other occupants

are aware of an emergency. Trigger the nearest fire alarm then follow the evacuation procedures as described on [pg.32](#).

### **Explosion**

When working with reactive gases, the risk of an explosion occurring is present. Should such an event occur TWS personnel and personnel should:

1. Immediately take cover under tables, desks or other such objects that will give protection against flying glass and debris.
2. After the effects of the explosion have subsided, call 911.
3. Try to establish what exploded, the extent of the damage and possible life-threatening hazards to determine your next course of action.
4. Take immediate action to ensure their safety and the safety of others. Evacuate according to the procedures described on [pg.32](#) if necessary; otherwise, remain in your place of cover. If necessary, activate the building alarm system.
5. Seek and assist any disabled persons in evacuating the building. Exit via stairway. **DO NOT USE ELEVATORS.**
6. If you evacuate, go to an area upwind from the explosion site to avoid possible toxic fumes. Once outside, move at least 150 feet away from the effected building. Keep roadways and walkways clear for emergency vehicles.
7. **WAIT FOR INSTRUCTIONS** from emergency personnel. **DO NOT RE-ENTER THE BUILDING** until instructed to do so by a CSA or other properly identified emergency personnel.

### **Bomb Threat**

Bomb threats involve any communication that indicates the presence of, or intent to detonate an explosive device. While these threats can be connected to actual acts of violence in which explosives are used, they are increasingly used as a tactic to disrupt, distract, or harass locations or organizations. The operational, financial, and psychological impacts that bomb threats can have on a location, an organization, an event, a community, and personnel can be dangerous and costly, even if no explosive device is present.

The primary reason for employing bomb threats when no explosive device is present is to disrupt, distract, and harass. Perpetrators generally want to disrupt normal operations and threats of violence that generate panic can be an effective method. Once in a state of anxiety, an organization is at much higher risk for personal injury, property damage, and operational disruption. The most common targets of bomb threats include schools, government facilities, commercial businesses, healthcare facilities, and faith-based organizations. Bomb threats also have cascading impacts on communities by placing strains on first responders and emergency management activities, draining public resources. Bomb threats are mostly received via phone, but are also made in person or via: email,

social media, written note, or other means. Every bomb threat is unique and should be handled in the context of the facility or environment in which it occurs.

1. If you receive a phoned threat:
  - a. Remain calm & do not hang up, keep the caller on the line for as long as possible
  - b. If possible, signal other staff members to listen & notify Site Decision Maker(s)
  - c. If the phone has a display, copy the number and/or letters on the display
  - d. Write down the exact wording of the threat
  - e. Record the call, if possible
  - f. Fill out the Bomb Threat Checklist immediately
2. If you receive a social media or email threat:
  - a. Do not turn off or log out of the account
  - b. Leave the message open on the device
  - c. Take a screenshot, or copy the message and subject line
  - d. Note the date and time
  - e. Notify the organization Site Decision Maker(s)
3. If you receive a written threat:
  - a. Handle the document as little as possible
  - b. Note date, time, and location the document was found
  - c. Secure the document and do not alter the item in any way
  - d. Notify the organization Site Decision Maker(s)

### **Active Shooter**

An active shooter is an individual actively engaged in killing or attempting to kill people in a populated area.

- Victims are selected at random.
- Event is unpredictable and evolves quickly.
- Knowing what to do can save lives.

What is Active Shooter Attack Prevention and Preparedness (ASAPP)? Active Shooter Attack Prevention and Preparedness (ASAPP) was created by the FBI Office of Partner Engagement's Violence Reduction Unit.

The goal of ASAPP training is to empower participants with the knowledge and skills necessary to survive an active shooter incident in any environment (i.e., an office, shopping center, house of worship, school, or government building).

Personnel are shown "Run, Hide, Fight". They also learn and practice procedures to control bleeding and otherwise assist the injured until proper medical care becomes available. The techniques are:

1. **Run**
  - a. Wherever you go, be aware of alternate exits.

- b. Quickly and cautiously evacuate in a direction away from the attacker.
  - c. Don't hesitate. Seconds matter.
  - d. Remember windows and emergency exits.
  - e. Leave belongings behind. Keep empty hands raised and clearly visible.
  - f. Follow all instructions from the police.
  - g. Don't stop until you are sure you have reached a safe location.
2. **Hide**
  - a. If there is no safe escape route, find a good hiding place.
  - b. Lock and barricade the door.
  - c. Silence cell phones.
3. **Fight**
  - a. Fight only as a last resort.
  - b. Use available objects as improvised weapons.
  - c. Use teamwork and surprise. A coordinated ambush can incapacitate an attacker.
  - d. You are fighting for your life. Don't fight fair!

When safe to do so, persons should contact 911. Students and personnel should provide the following information to the 911 operator, if known:

- Location(s) of the active shooter(s)
- Number of shooters
- Physical description of the shooters
- Number and type of weapons shooter(s) have/have
- Number of potential victims at location

When law enforcement arrives:

- Remain calm and follow instructions.
- Drop items in your hands. (e.g., bags, jackets)
- Raise hands and spread fingers.
- Keep hands visible at all times.
- Avoid quick movements toward officers, such as holding on to them for safety.
- Avoid pointing, screaming or yelling.
- Do not ask questions when evacuating.

The first officers to arrive on scene will not stop to help the injured. Expect rescue teams to follow initial officers. These rescue teams will treat and remove the injured.

Once you have reached a safe location, you likely will be held in that area by law enforcement until the situation is under control and all witnesses have been identified and questioned. Do not leave the area until law enforcement authorities have instructed you to do so.





## Drugs, Alcohol, & Weapons Policies

### Weapons Policy

TWS is committed to providing all employees, students, volunteers, visitors, vendors, and contractors a safe and secure workplace and academic setting by expressly prohibiting the possession of a firearm, weapon, or explosive compound or material on any campus property or within the designated school safety zone, which is defined as being in, on, or within 1,000 feet of the campus or other designated worksites. This policy extends to any school sanctioned function.

Unless otherwise provided by law, it is unlawful for individuals to carry, possess, or have under their control any firearm, weapon, or unlawful explosive compound while within a school safety zone, a school building, on school property, at a school-sanctioned function, or on a bus or other transportation furnished by the school. Such buildings include any public-owned, public-leased, or public-operated building that houses any educational function.

The following are applicable exemptions to the weapons restrictions:

- Participants in organized sport shooting events or firearm training courses.
- Persons participating in military training programs conducted by the armed forces of the United States or the Texas Department of Defense.
- Persons participating in law enforcement training conducted by a certified police academy.
- Peace officers, law enforcement officers, prosecuting attorneys, campus police or security officers, and medical examiners employed by the state when acting in the performance of their official duties or en route to or from their official duties.
- A weapon that is in a locked compartment of a motor vehicle or a locked firearms rack which is on a motor vehicle when that vehicle is being used by an adult over 21 who is not a student attending the school in order to bring or pick up a student at the school.
- Teachers and other school personnel who are otherwise authorized to possess or carry weapons provided the weapon are in a locked compartment of a motor vehicle or in a located container, or locked firearms rack which is on a motor vehicle.

Unless otherwise provided by law, it is an express violation of school policy for any individuals to use, possess, manufacture, distribute, maintain, transport, or receive any of the following on any school campus, on school property, at a school-sanctioned function, or on a bus or other transportation furnished by the school:

- Any firearm whether operable or inoperable as defined by state law, or any facsimile thereof including, but not limited to, paintball guns, BB guns, potato guns, airsoft guns, or any device that propels a projectile of any kind.

- A dangerous weapon, machine gun, sawed-off shotgun or rifle, shotgun, or silencer/suppressor as defined by state law.
- A weapon whether operable or inoperable as defined by state law, or any facsimile thereof including, but not limited to, any knife with a blade that is two or more inches in length (e.g., switchblade, ballistic knife, straight-edge razor or razor blade, any bludgeon-type instrument (e.g., blackjack, bat, or club), any flailing instrument (e.g., nunchuck or fighting chain), stun gun or Taser, or weapon designed to be thrown (e.g., throwing star or oriental dart).
- Any bacteriological weapon, biological weapon, destructive device, detonator, explosive, incendiary, over-pressure device, or poison gas as defined by state law.
- Any explosive compound or material as defined by state law.
- Any hoax device, a replica of a destructive device or configuration or explosive materials with the appearance of a destructive device including, but not limited to, fake bombs and packages containing substances with the appearance of chemical explosives or toxic materials.

Any employee or student who violates the provisions of this weapons policy shall be subject to disciplinary action up to and including dismissal. From a legal perspective, any person who violates this restriction shall be guilty of a felony and upon conviction shall be punished by a fine of up to \$10,000 and/or imprisonment for between two and ten years. Vendors or contractors who violate the provisions of this policy shall be subject to the termination of their business relationship with the school.

### Alcohol & Drug-Free Campus Policy

In accordance with the *Drug-Free Schools and Communities Act of 1989*, TWS implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees. School standards of conduct clearly prohibit the unlawful possession, use, or distribution of alcohol, marijuana, a controlled substance, or other illegal or dangerous drugs on campus or as part of any student-sponsored activities.

School policies prohibit the possession or consumption of alcoholic beverages and illicit drugs on the campuses, in school facilities, or at school-related functions. School policies also prohibit students under the influence of alcohol or nonprescription drugs from appearing on the campuses, at clinical facilities, or at student-related functions and activities. The State of Texas sets 21 as the minimum age to purchase or possess any alcoholic beverages. The Student Advisors provide information on drug and alcohol policies and procedures during new student orientation, including reviewing and signing the

school's Drug and Alcohol Policy. The staff is provided the same information prior to hiring and continued annually.

As noted in the *Student Code of Conduct*, the school will impose sanctions up to and including dismissal and referral for prosecution for the violation of these standards. TWS assists students with drug- or alcohol-related problems by referring them to appropriate community resources designed to address these problems.

### **Federal Drug Legal Sanctions**

#### ***Marijuana* (21 U.S.C. §§ 812, 841, 844)**

Marijuana is a Schedule I drug under federal law, and the punishment for manufacturing, distributing, or possessing with the intent to manufacture or distribute it varies based on the quantity of the drug. For trafficking of less than 50 kilograms of marijuana, ten kilograms of hashish, or one kilogram of hashish oil, the maximum penalties are imprisonment for up to five years and a fine of up to \$250,000. Maximum punishments increase in severity for larger quantities of substances and other factors. For the first conviction of possession of marijuana or the distribution of a small amount of marijuana without payment, the maximum sentence is up to one year of imprisonment and/or a fine of \$1,000.

#### ***Other Drug Offenses* (21 U.S.C. §§ 812, 841, 844, 844a, 860)**

Federal law prohibits the manufacture, distribution, or possession with the intent to manufacture or distribute, of controlled substances. It also prohibits the creation of counterfeit substances. Punishments for these offenses vary widely, and if an offense occurs within 1,000 feet of a public or private college or university (or other property such as schools, youth centers and public housing facilities), maximum punishments can be doubled, and at least one year of imprisonment must be imposed.

Possession of controlled substances is also illegal, and punishable with imprisonment for up to one year and/or a minimum fine of at least \$1,000. Multiple offenses carry more severe punishments. Civil penalties, with fines of up to \$10,000, can be imposed for possession offenses.

### **Texas State Drug and Alcohol Legal Sanctions**

#### ***Alcohol* (Tex. Alco. Bev. Code Ann. §§ 106.01, 106.02, 106.04, 106.05–106.071, 106.115; Tex. Penal Code Ann. §§ 49.01, 49.02, 49.04)**

Texas prohibits consumption, possession, purchase, and attempted purchase of alcohol by those under age 21. For those under age 21, it is illegal to falsely state or show documents demonstrating that they are 21 or older to someone selling or serving alcoholic beverages. These offenses are misdemeanors and could result in the requirement to attend an alcohol awareness program, community service, suspension or denial of a driver's license, and fines. Confinement may also be imposed in some circumstances.

It is illegal to provide alcohol to a minor, unless the person providing the alcohol is the minor's parent, guardian, spouse,

or has custody of the minor and is present when the minor consumes or possess the alcoholic beverage.

Operating a motor vehicle while intoxicated (with a blood alcohol level of at least .08 or otherwise intoxicated because of alcohol and drugs) is also illegal, and generally results in a minimum confinement term of 72 hours. Penalties are more severe when the person has a blood alcohol concentration of 0.15 or more, when there are other aggravating circumstances, and when the person has past convictions for driving while intoxicated. It is also illegal to be intoxicated in a public place such that other people are endangered.

#### ***Marijuana* (Tex. Penal Code Ann. § 12.22; Tex. Health & Safety Code Ann. §§ 481.120, 481.121, 487.107)**

It is unlawful to knowingly or intentionally possess or deliver marijuana in a usable quantity. The penalty imposed depends on the amount of marijuana possessed or delivered. For example, possession of two ounces or less of marijuana is a Class B misdemeanor and punishable with a fine of up to \$2,000 and/or confinement in jail for up to 180 days. Possession of four ounces or less but more than two ounces is a Class A misdemeanor and punishable with a fine of up to \$4,000 and/or confinement in jail for up to one year. Possession of an amount greater than four ounces is a felony and the degree of felony and corresponding punishment varies depending on the amount. Delivery of one-fourth ounce or less of marijuana is a Class A misdemeanor, unless there is no remuneration, in which case it is a Class B misdemeanor. Delivery of more than one-fourth ounce is a felony and the degree of felony and corresponding punishment varies depending on the amount, with a maximum fine of \$100,000 and a maximum sentence of life if the amount delivered is more than 2,000 pounds. There are exceptions for the use of low-THC cannabis by those with prescriptions that are listed in the compassionate-use registry.

#### ***Other Drug Offenses* (Tex. Penal Code Ann. § 12.33; Tex. Health & Safety Code Ann. §§ 481.101–481.141)**

Penalties for the possession, manufacture, and delivery of other controlled substances vary widely based on the type of substance, quantity, and other factors. For example, opiates and their derivatives are included in Penalty Group 1, and the possession, manufacture, or delivery of between one and four grams of drugs in that group are second degree felonies punishable with imprisonment between two and 20 years and a fine of up to \$10,000.

### **Alcohol/Drug Use and Substance Abuse**

Much has been written in recent years about the health benefits of moderate alcohol use. Unfortunately, that information has also been viewed by some as permission to continue their ongoing abuse of alcohol. Likewise, while there are valid medical reasons to take legally prescribed drugs, it is not uncommon for an individual to lose control over their use of those medications and in some instance advance to such risk-taking behavior as seeking illegal drugs as a substitute.



Once an addiction begins, it can carry a host of additional issues, including loss of self-control, judgment, motivation, memory, and the ability to learn. People who choose to abuse alcohol and/or drugs run the risk of incurring serious health problems such as high blood pressure, increased risk of cancer, heart disease, hepatitis, cirrhosis, alcoholism, drug addiction, brain damage, and in extreme cases sudden death. Additionally, individuals with substance abuse problems pose a serious risk to themselves and to others when they elect to drive under the influence.

Any student who suspects that they or a friend might have a problem with alcohol or drug use should contact the Student Services Department for assistance.

The Student Services Department schedules alcohol and substance abuse events throughout the year. Notices will be

posted on bulletin boards around campus, electronic message boards, and the school website announcing these events.

### **Drug Testing/Background Checks**

Certain employers who hire our graduates require students to complete drug testing and/or criminal background checks prior to allowing students to be hired. TWS has a program whereby students are randomly selected for drug testing. Unless otherwise noted, students are responsible for the costs associated with drug testing and/or criminal background checks. Based on the hiring company, the results of background checks and/or drug tests may prevent students from completing their programs of study and/or being hired by certain employers.



## Drug and Alcohol Abuse Prevention Program

### Statement of Purpose

The purpose of the Drug-Free Schools and Campuses Regulations is to implement section 22 of the [Drug-Free Schools and Communities Act Amendments of 1989](#), which adds section 1213 to the [Higher Education Act of 1965](#) and Section 5145 to the [Drug-Free Schools and Communities Act](#). These amendments require that, as a condition of receiving funds or any other form of financial assistance under any Federal program, an institution of higher education must certify that it has adopted and implemented a drug prevention program.

As a result, TWS has implemented the following Drug and Alcohol Abuse Prevention Program (DAAPP), which applies to all students and employees, and may apply to other TWS personnel dependent on role and jurisdiction.

### Policy for Providing a Drug-free Workplace

- 1) It is unlawful to manufacture, distribute, dispense, possess, or use a controlled substance in the workplace or any area that is on TWS property or during school-sponsored activities. This also includes possession and use of alcohol.
  - a) This act applies to TWS personnel and students.
  - b) Alcohol or tobacco products are not considered controlled substances; however mild prescriptions to the worst street drugs are included.
  - c) The school is not responsible for the conduct of their personnel or students outside the workplace/school.
- 2) TWS personnel or students who are found in violation of this policy will be given a letter of reprimand which will become a part of their records until such time as said person seeks and successfully completes drug or alcohol counseling, rehabilitation, or an assistance program.
  - a) Upon a second (2<sup>nd</sup>) and subsequent violation of this policy occurring in or affecting the school, personnel may be placed on probation or terminated dependent on the individual circumstances of the case. A student in this circumstance will be dismissed.
  - b) On the third (3<sup>rd</sup>) violation of this act, personnel will be dismissed.
- 3) TWS Education Group has established a drug-free awareness program with local and state agencies to inform personnel and students about:
  - a) The dangers of drug abuse in the workplace or on school property.
  - b) TWS's policy on maintaining a drug-free workplace.
  - c) TWS's agreement to assist any personnel or student who are in need of drug counseling, rehabilitation, and/or assistance programs by direct or indirect referrals and providing

brochures to those personnel and students seeking help from approved agencies.

- d) In addition, biannual meetings will be held lasting at least one (1) hour in duration for speakers to discuss and assess the success of TWS's program.
- 4) As a condition of employment, contract, or enrollment, personnel and students must notify TWS of any criminal drug statute conviction no later than five (5) calendar days after starting their employment/program or conviction.
  - a) TWS will give each of its personnel or students a copy of this policy statement.
  - b) Within thirty (30) calendar days of learning of such a conviction, the personnel or student will be required to enter a drug rehabilitation program, which they must complete.
  - c) TWS will communicate to its personnel and students its policy for maintaining a drug-free workplace, the dangers of workplace drug abuse, penalties it will impose for drug violations, and information about any available drug counseling, rehabilitation, or personnel or student assistance programs.
  - d) Applicants for full-time employment must pass a drug test prior to receiving an offer of employment from TWS.
  - e) Applicants will make a good faith effort to preserve a drug-free workplace by continuing to observe the preceding requirements.
  - f) All personnel and students will receive a copy of this statement and will be held liable for its contents and strict adherence to those guidelines.
- 5) TWS issues this statement to notify its personnel, because it is and wishes to remain a recipient of federal funds; it is TWS's policy to maintain a drug-free workplace. All personnel are hereby notified that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited at TWS worksites. As a condition of employment, contract, or enrollment at TWS, personnel and students must:
  - a) Abide by the terms of this statement; and
  - b) Applicants for full-time employment must pass a drug test prior to receiving an offer of employment from TWS; and
  - c) Applicants must notify TWS of any criminal drug statute conviction no later than five (5) calendar days of starting employment/program or conviction.
- 6) Upon notification of such conviction, TWS must notify the U.S. Department of Education within ten (10) calendar days and take one or more of the following actions with respect to any employee so convicted:

- a) Take appropriate personnel action, up to and including termination of employment or contract; and/or
- b) Require such personnel to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purpose by a federal, state, or local health, law enforcement, or other appropriate agency.
- 7) For the purposes of assuring compliance with the above, personnel will be subject to substance screening under the circumstances described below. “Substance Screening” means the testing of blood, urine, a drug/alcohol test, or otherwise as reasonably deemed necessary to determine possession or impairment. This screening will be done by an independent qualified laboratory, following testing methods and collection procedures designed to assure accuracy and reliance on the results.

### Substance Screening

Substance screening will be conducted under the circumstances described below:

- 1) As part of a randomized testing regimen.
- 2) Due to suspected impairment. When there is reasonable evidence to suspect that because of an individual’s actions they could cause harm to themselves or to others.
- 3) Post-accident/incident. If involved in an accident involving the apparent violation of a safety rule or standard, which did or could have resulted in serious injury or property damage, concern as to reasonable cause may require the individual to be subject to substance screening.
- 4) Privacy. The results of any program screening will be considered a medical report disseminated only in strict compliance under applicable local, state, and federal privacy regulations and TWS’s own *STEG-POL-70006 Global Privacy Policy*.
- 5) Disabilities. The program will be administered in a manner conformant with, and in compliance of, the ADA so as not to interfere with the rights of disabled persons, except to the extent any substance abuse handicap would directly interfere with performance.

### Consent

- 1) As stated above a urine drug test procedures may be conducted without prior notice at any time as deemed appropriate by TWS’s administrative personnel.
- 2) However, no student or personnel will be subjected to testing without prior written and signed consent. Current personnel, as well as prospective personnel, who refuse to sign *STEG-FRM-80004 Drug & Alcohol Screening Consent Form*, will be considered to have voluntarily resigned by choosing not to comply with TWS’s policy.
- 3) In all instances, testing will be performed by an independent third-party with concern and respect for each

person’s privacy. Results will be kept confidential, and only released on a need-to-know basis.

### Policy Exclusions

Excluded from this policy is the legitimate possession and proper use of medication prescribed for students or personnel by a medical doctor, and over-the-counter medication, provided such medications are being used in strict compliance with the prescription or manufacturer’s recommendations and do not affect the person’s performance or create a risk to the safety of the person or to others. The persons so using are responsible for knowing the possible side effects of prescription and non-prescription medication they intend to use while working and must notify their instructor or supervisor if such use could affect their performance, judgment, and/or physical reaction time. All prescriptions must be in the person’s name and must be carried in their original containers. TWS reserves the right to consult with and rely on its own medical sources as to any issues of safety or reliability of any person at a TWS worksite while taking certain medications.

### Disciplinary Action

All persons subject to testing have the right to explain, in confidence, their test results. All persons may explain to either their managers and/or the executive leadership team. All students may also explain to the Director of Education or the Student Advisor. Each person tested has the right to obtain copies of all information and records related to their testing, where permitted by law. Those individuals who are disciplined in accordance with this policy and its procedures have the right to appeal, the appeal procedures are outlined in their campus’ school catalog and in the TWS Personnel Handbook.

### Drug & Alcohol Prevention & Treatment Facilities

Prevention and treatment start with acknowledgement of an existing problem, addressing the consequences of a person’s choices, improving resistance skills, and addressing problematic use or addiction by getting help. To obtain information on drug and alcohol prevention and treatment facilities, students may contact their campus’ Student Advisor. TWS personnel may reach out to the Human Resources Department.

TWS personnel and students may also contact any of the following counseling facilities for assessment, treatment, and referrals:

#### National Hotline

*The SAMHSA’s National Helpline*  
1-800-622-HELP

### Legal Sanctions

Federal laws enforce grave penalties on persons who illegally possess, use, or distribute drugs. These sanctions include, but are not limited to, incarceration and monetary fines. The major penalties are pulled from the Drug Enforcement Administration’s (DEA) [Campus Drug Prevention](#) program and are summarized as follows:



**Tulsa Welding School – Dallas Metro Campus**  
Student Handbook

ID: STEG-MNL-60401	v. 01.00
CL: Public	Page: 23 of 64
Effective: 01-01-2025	

Drug/Schedule	Quantity	Penalties	Quantity	Penalties
Cocaine (Schedule II)	500 - 4999 grams mixture	<i>First Offense:</i> Not less than 5 years, and not more than 40 years. If death or serious injury, not less than 20 years or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual. <i>Second Offense:</i> Not less than 10 years, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	5 kgs or more mixture	<i>First Offense:</i> Not less than 10 years, and not more than life. If death or serious injury, not less than 20 years or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. <i>Second Offense:</i> Not less than 15 years, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. <i>2 or More Prior Offenses:</i> Not less than 25 years. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture		100 gm or more pure or 1 kg or more mixture	

Drug/Schedule	Amount	Penalties
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<i>First Offense:</i> Not more than 20 years. If death or serious injury, not less than 20 years, or more than life. Fine \$1 million if an individual, \$5 million if not an individual. <i>Second Offense:</i> Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual
Flunitrazepam (Schedule IV)	1 gram	
Other Schedule III drugs	Any amount	<i>First Offense:</i> Not more than 10 years. If death or serious injury, not more than 15 years. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. <i>Second Offense:</i> Not more than 20 years. If death or serious injury, not more than 30 years. Fine not more than \$1 million if an individual, \$5 million if not an individual.
Flunitrazepam (Schedule IV)	Other than 1 gram or more	<i>First Offense:</i> Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual. <i>Second Offense:</i> Not more than 10 years. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.
Other Schedule IV drugs	Any amount	
All Schedule V drugs	Any amount	<i>First Offense:</i> Not more than 1 year. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. <i>Second Offense:</i> Not more than 4 years. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.

### Federal Trafficking Penalties – Marijuana

Drug	Quantity	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 years. or more than life. If death or serious bodily injury, not less than 20 years., or more than life. Fine not more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 15 years. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 years. or more than 40 years. If death or serious bodily injury, not less than 20 years., or more than life. Fine not more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 years. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50 million if other than an individual.
	More than 10 kg hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not less than 20 years. If death or serious bodily injury, not less than 20 years, or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not less than 30 years. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
	Less than 50 kg marijuana (except 50 or more marijuana plants regardless of weight); 1 to 49 marijuana plants	Not more than 5 years. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 years. Fine \$500,000 if an individual, \$2 million if other than individual
Hashish (Schedule I)	10 kg or less	Not more than 5 years. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 years. Fine \$500,000 if an individual, \$2 million if other than individual
Hashish Oil (Schedule I)	1 kg or less	Not more than 5 years. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 years. Fine \$500,000 if an individual, \$2 million if other than individual

*\*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a not less than 25 years imprisonment and a fine up to \$20 million if an individual and \$75 million if other than an individual.*

Various states laws may also provide similar, or harsher, penalties with regard to the simple possession, distribution, or possession with the intent to distribute of a controlled substance.

TWS personnel who have been found to be in violation of any of the provisions of this policy may be subject to disciplinary action up to and including termination of employment or contract, and may not be eligible for rehire with the organization.

Students who are determined to be in violation of any of the provisions of this policy are subject to the disciplinary actions described in the memorandum and consent form signed by the student.

Furthermore, according to state laws of Texas any person under the age of 21 years old found in possession of low-point alcohol can be convicted of a misdemeanor and punished by fines not

exceeding \$300 or is expected to perform community service for the first offense. Person convicted for a second offense will be convicted of a misdemeanor and fined \$600. A person who furnishes low-point alcohol to anyone under 21 years of age will be convicted of a misdemeanor, fined up to \$500, or imprisoned in jail for one year. A person with an incurring second conviction will be fined \$2,500 and or a year in jail ([www.oscn.net](http://www.oscn.net)).

### Dangers of Drug Abuse

A person's personal expenses due to a drug habit can range from \$200.00 to \$3,000.00 or more per week, in addition, the costs of that addiction to one's future, family, lifestyle, and career as well as to their physical well-being and self-respect is. The use of illicit drugs and/or alcohol would diminish a person's ability to perform their job.



Per the White House's [Office of National Drug Control Policy](#), more than 25,000 U.S. citizens die each year from drug-related accidents or health problems. With most drugs, it is possible that users will develop psychological and physical dependency. The general categories of drugs and their effects are as follows:

- *Alcohol* produces short-term and long-term effects that include behavioral changes, impairment of judgment and coordination, and irreversible physical and mental abnormalities in newborn babies (fetal alcohol syndrome). Alcohol abuse can result in damage to the liver, heart, and brain. Long-term abuse is known to cause ulcers, gastritis, malnutrition, delirium tremens, and cancer.
- *Depressants* (e.g., barbiturates, opiates, quaaludes) slow down the central nervous system and can cause slowing heart and breathing rates, can lower blood pressure, as well as slow down one's reaction time. They also cause a person to be confused, have a sense of false of reality, convulsions, coma, and death.
- *Hallucinogens* (e.g., PCP, mushrooms, angel dust, LSD) physical effects include dilated pupils, increased heart rate and blood pressure, nausea, blurred vision, dizziness, and decreased awareness can also occur. Certain sensations may occur giving the feeling of hearing sounds and seeing objects that do not really appear to be there. Furthermore, use of hallucinogens may result in self-inflicted injuries, impaired coordination, incoherent speech, depression, anxiety, and violent behavior.

- *Marijuana* (e.g., chronic, mary jane, dope) destroys short-term memory, comprehension, concentration, coordination and motivation. It also increases heart rate and blood pressure. It may also cause paranoia and psychosis. The way in which marijuana is smoked also enhances the risk of lung cancer.
- *Nicotine* and other stimulants (e.g., cocaine, crank, caffeine, amphetamines, methamphetamines) speeds up the central nervous system and can cause increased heart, breathing rates, and blood pressure. It also causes a decrease in appetite, headaches, blurred vision, dizziness, insomnia, anxiety, hallucinations, paranoia, depression, seizures, and death due to heart attack or respiratory failure. Additionally, it can cause cancer of the lungs, larynx, esophagus, bladder, pancreas, and kidney for those who are smokers at increased rates. Stimulants are addictive, both physically and psychologically.

For more information see the sources below:

- <http://www.niaaa.nih.gov>
- <http://www.drugabuse.gov>
- <http://www.whitehousedrugpolicy.gov/drugfact/hallucinogens/index.html>
- <http://www.drugabuse.gov/ResearchReports/Marijuana/Marijuana3.html#physicalhealth>
- <http://www.whitehousedrugpolicy.gov/drugfact/index.html>

## Sexual Offence Policies

### Sexual Assault and Other Crimes

It is important for all students, faculty, and staff members to know where to turn for help and what to do if they or someone they know becomes the victim of domestic violence, dating violence, stalking, and sexual assault. Whether the assailants are strangers, acquaintances, close friends, or dates, everyone needs to know how to get necessary treatment, counseling, and other services. Domestic violence, dating violence, stalking, and sexual assault are criminal offenses subject to prosecution under the law. These acts are also violations of the *Student Code of Conduct*.

Studies show that “acquaintance rape” occurs more frequently among school-age students than among any other group. This form of rape is one of the most unrecognized and under-reported crimes because few people identify it as a crime punishable by law.

### Reducing Risk

Steps to take to reduce your risk of being a victim of sex crimes include:

- See the Personal Safety and Crime Prevention section for steps to follow for your own personal safety.
- Consider your alternatives if confronted by a rapist.
- Practice possible responses to situations so that you can recall them, even under the stress of a real encounter.
- Realizing that you could be a victim is the first step in self-protection.
- Use awareness and common sense to avoid potentially dangerous situations.
- Participate in a self-defense training class.

With regard to date rape and acquaintance rape, remember the following precautions:

- Know your own sexual values, expectations, wishes, and intentions, and communicate them clearly and openly.
- Be observant of your acquaintance’s or date’s attitudes toward you.
- Avoid using mood-altering chemicals such as drugs and alcohol. Studies have shown that being under the influence of alcohol or drugs contributes to increased incidences of date rape.
- Be assertive about your needs and rights.
- Reinforce your verbal “no” with physical resistance, unless you feel this will further endanger you.
- Tell your assailant that he or she is committing a sexual act to which you do not consent and that he or she is breaking the law.

### What to Do If Victimized

You need to remember to take the following steps if someone attacks you:

- Be aware of your capabilities and limitations. Your judgment and thinking will be your best weapons.

- Evaluate the situation for possible avenues of escape.
- Your first concern should be for your safety and survival.
- Use your judgment to do what is necessary to save your life. That may mean making a scene and drawing attention to yourself so that the assailant leaves. It may buy you enough time to escape. This action may mean fighting back. It may mean not physically resisting.
- If you choose not to physically resist the attack, it does not mean that you have asked to be raped. It means that you did what you needed to do to survive.
- Remember—there is no one “right” way to respond. The person under attack is the best judge of which options will work well in that situation.

If someone assaults or attempts to assault you or someone you know, you should take the following steps:

- Get to a safe place as soon as you can.
- Try to preserve all physical evidence. Do not bathe, douche, use the toilet, or change clothing. Preserving evidence may assist in proving that the alleged conduct occurred or may be helpful in obtaining a police protective order.
- If the attack occurred on campus, contact the Student Services Department at (281) 975-0500.
- If the attack occurred off-campus, immediately contact a local law enforcement agency by dialing 911.
- Get medical attention as soon as possible to determine the presence of physical injury, sexually transmittable diseases, or pregnancy. Medical personnel can also obtain evidence to assist in criminal prosecution.

Sex crimes can cause psychological after-effects. Counseling is a good idea, whether or not you think you need it. Remember, sex crimes are never the victim’s fault. For assistance, contact the Student Services Department.

The Student Services Department will, upon request, help address any concerns victims might have because of an assault. The school will also assist victims in changing their academic or living situations after the assault if requested and reasonably available. If the assailant is a student, the victim may file a written complaint with the Campus President. Under the *Student Code of Conduct*, the school affords both the accused and the accuser the same rights.

The Student Services Department schedules events on Domestic Violence, Dating Violence, Stalking, and Sexual Assault prevention throughout the year. Notices announcing these events will be posted on bulletin boards around campus, electronic message boards, and the school website.

The Institution strongly advocates that members of the Campus Community and any victim of sexual violence report the incident to police in a timely manner and, if requested to do so by the victim, the Institution will assist the victim in contacting



the police. Filing a police report will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. The victim has the right at all times to decline to notify police of the incident.

Where applicable, the victim has the right, and it is the institution's responsibility to honor orders of protection, "no contact" orders, restraining orders, or similar lawful orders issued by a criminal, civil or tribal court, or by the institution.

### **Campus Sex Crimes Prevention Act**

The *Campus Sex Crimes Prevention Act* amended the *Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act* to require certain convicted sex offenders to notify states of each institution of higher education at which the individual is a student or employee. The act also requires states to make such information available promptly to law enforcement agencies having jurisdiction of the location of the applicable institutions of higher education. The act also specifies that local law enforcement officials must enter this information into appropriate state records or data systems. The act also requires institutions to notify the campus community where they can obtain from law enforcement agencies' information concerning registered sex offenders.

### **Texas Sex Offender Registry**

The Texas Department of Public Safety website provides access to an Offender Registry that is maintained by the DPS. Please visit their website at [publicsite.dps.texas.gov/SexOffenderRegistry](https://publicsite.dps.texas.gov/SexOffenderRegistry).

This information may also be obtained from either the U.S. Department of Justice's Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) through the Dru Sjodin National Sex Offender Public Website at: [www.nsopw.gov](http://www.nsopw.gov) or from the Irving Police Department by visiting their website at <https://www.cityofirving.org/1406/Sex-Offender-Registry>.

### **Responding to Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

TWS will not tolerate dating violence, domestic violence, sexual assault, stalking, or other forms of sexual misconduct. Offenders may be subject to appropriate campus adjudication processes, disciplinary action, and/or criminal proceedings.

These procedures apply to all reports of sex offenses. The institution's CSA(s) and Title IX Coordinator are responsible for receiving and evaluating reports of a sexual offense. Any student, employee, or third party may file a report of a sexual offense to the CSA or Title IX Coordinator.

Once the CSA and/or Title IX Coordinator receives a report of a sexual offense such as sexual violence, including dating violence, domestic violence, and sexual assault or stalking, the following steps will be followed:

1. The CSA will immediately assess whether the information in the sex offense report warrants a timely warning and if so, will contact the institution's

Campus President immediately to execute that procedure. The CSA will immediately provide the reporting party with a copy of these procedures, including the TWS Title IX policy and Title IX grievance procedure as contained in the school catalog. The CSA will immediately contact the Title IX Coordinator to take further action pursuant to the Title IX policy. The CSA will determine if the sex offense is a Clery Act reportable crime and if so, will prepare and maintain an accurate Clery Act crime report for such offense for inclusion in the institution's annual crime statistics. TWS protects the identity of and any personally identifiable information about the victim of the sex offense in any public crime statistics report issued by the institution by requiring the CSA to maintain Clery crime statistics records, whether electronic or hard copy, that exclude or redact the name and personally identifiable information for all victims of sexual assault, dating violence, domestic violence and stalking and by prohibiting the CSA and any other employee from including such information in connection with statistics in this Report or as reported to the U.S. Department of Education.

2. Title IX Coordinator, who has primary authority for investigating sex offenses pursuant to the TWS Title IX policy and Title IX grievance procedure contained in the school catalog, will immediately inform the victim of the institution's Title IX Complaint/Grievance Procedure Policy, including Their right to "interim measures" during the pendency of an investigation including obtaining an order of protection, a no-contact order, restraining order or similar lawful order from the police or TWS; the institution's obligation to protect the identity of the victim in any Clery Act report or in other publicly available recordkeeping and to keep any interim measures provided to the victim to the extent maintaining such confidentiality would not impair the ability of the institution to provide the accommodation or protective measure. The Title IX Coordinator will inform the CSA of the sex offense report without the inclusion of any personally identifiable information for determination of any timely warning and for inclusion in the TWS crime statistics.
3. The institution will provide written notification to members of the Campus Community about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to victims, both within the institution and in the community.
4. The institution will provide written notification to victims within the Campus Community about available options and assistance, including how to request these changes and who to contact at the institution for the following: academic, living,

transportation and working situations including protective measures. These

accommodations/protective measures are provided if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement.

5. The institution will provide an explanation of the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking.
6. The institution, when a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off-campus, will provide the student or employee a written explanation of the student's or employee's right and options.

### **Disciplinary Procedures for Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

The procedures for institutional disciplinary actions in cases of an alleged sexual offense such as sexual violence, including dating violence, domestic violence, and sexual assault or stalking, the following steps will be followed and will be applied as appropriate to the institution's Campus Community.

The institution is committed to providing a prompt, fair, and impartial process from the initial investigation to the final result. The CSA and all other officials involved in the process receive, at a minimum, annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking, and how to conduct an investigation and formal or informal meetings that protects the safety of victims and promotes accountability. At all times during the process, the accuser and accused will be provided the same opportunities to have others present during the proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or during the process. However, the Institute may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.

A proceeding is a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations and meetings. The type of proceeding will be based on the facts of alleged sexual offense reported.

The institution does not provide for a formal hearing process, but both parties may be assisted by a support person of choice, including an attorney.

In all cases, the CSA will maintain regular, simultaneous communications in writing with both the accuser and accused and provide both parties with equal opportunity to provide information, witness statements, evidence, and other

information that may be necessary for the CSA to fully evaluate the alleged offense.

The accuser and accused will be provided timely notice of meetings at which the accuser or accused, or both, may be present, and will be provided with timely and equal access to the accuser, accused and appropriate officials to any information that will be used during the disciplinary process.

The CSA will, barring extenuating circumstance, complete the investigation and make a determination regarding any necessary discipline of accused and remedies to accuser within sixty (60) days of the date that the report is first received by the CSA. The Institute may allow for an extension of that time frame for a good cause with written notice to the accuser and accused of the delay and the reason for the delay.

Any student, employee, or a third party may file a report of a sexual offense to the CSA whose contact information is located within this report. There is no complaint form that needs to be completed. A complaint can be filed in person, by phone or email.

If the accused is subject to sanctions, the institution shall use the preponderance of evidence standard (meaning that the party presenting the evidence must, by the evidence presented, establish that what he or she is required to prove is more likely to be true than not true) in deciding to initiate formal conduct procedures or not and will use such standard during the disciplinary proceeding arising from an allegation of dating violence, domestic violence, sexual assault, or stalking.

If a disciplinary proceeding is held where a final determination is made regarding dating violence, domestic violence, sexual assault, and Stalking rape, acquaintance, rape, or other sexual offenses the school may impose sanctions as listed in the of Conduct section of the School Catalog, which includes up to dismissal from the program/institution.

Both parties involved have the right to appeal the determination regarding responsibility or the dismissal of a formal complaint to the Appeals Officer. Notice of intent to appeal must be submitted within fifteen (15) calendar days of the written notification of the determination or dismissal, and will be based on one or more of the following grounds:

1. Procedural irregularity that affected the outcome of the matter.
2. New evidence, which was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter.
3. The Title IX Coordinator(s), Investigator(s), or Hearing Official(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

The written notice of the intent to appeal must provide a written statement challenging the outcome. Both parties will be



provided with a copy of the notice of intent to file an appeal and the appeal procedures by the Title IX Coordinator. The non-appelling party may submit a written statement supporting the outcome and/or objecting to the grounds on which the appeal was filed within fifteen (15) calendar days of receipt of the notice of appeal. The Appeals Officer will consider the related documents (such as the investigative report, hearing transcript, determination of responsibility, and prior disciplinary records) but will not consider information that is not relevant, including information about the prior sexual history of the complainant. The Appeals Officer will issue a written decision describing the result of the appeal, the rationale for the result and the grounds on which the appeal was granted or denied. The decision of the Appeals Officer is final and will be issued simultaneously to both the complainant and the respondent, typically within fifteen (15) calendar days of the deadline by which the parties must submit their written statements, absent extenuating circumstances.

The school will provide simultaneous notification, in writing, to both the accuser and the accused outlining the initial appeals process, any changes to the results due to the appeals process, and when the results of the appellate determination are finalized.

TWS prohibits retaliation by its officers, employees, students, or agents against a person who exercises Their rights or responsibilities under any provision of federal or state law, including *Title IX* and the *Campus Sexual Violence Elimination Act*, or this policy.

#### **Definitions Applicable to Federal Law**

**Domestic Violence** – Federal law defines domestic violence as “family violence” any commission of a battery, simple battery, simple assault, assault, stalking, criminal damage to property, unlawful restraint, criminal trespass, or any felony committed between the following persons:

- current or former spouses;
- persons who are parents of the same child;
- parents and children;
- stepparents and stepchildren;
- foster parents and foster children; or
- persons currently or formerly living in the same household.

The definition of family violence expressly excludes a parent’s “reasonable discipline” of a child that takes the form of corporal punishment, restraint, or detention.

**Dating Violence** – Dating violence is defined as the physical, sexual, psychological, or emotional violence within a dating relationship.

**Sexual Assault** – A person commits the offense of sexual battery when he/she intentionally makes physical contact with the intimate parts of the body of another person without the consent of that person.

**Stalking** – A person commits the offense of stalking when he or she follows, places under surveillance, or contacts another person at or about a place or places without the consent of the other person for the purpose of harassing and intimidating the other person. For the purpose of this article, the terms “computer” and “computer network” shall have the same meaning; the term “contact” shall mean any communication including, without being limited to, communication in person, by telephone, by mail, by broadcast, by computer, by computer network, or by any other electronic device; and the place or places that contact by telephone, mail, broadcast, computer, computer network, or any other electronic device is deemed to occur shall be the place or places where such communication is received.

**Consent** – is when someone agrees, gives permission, or says yes enthusiastically to sexual activity with someone else. Central to the concept of consent is the understanding that every person has a right to control their body and to not be acted upon by someone else in a sexual manner unless he/she gives clear permission to do so. The person initiating the sexual activity is responsible for obtaining permission from the person or persons he/she wants to engage in sexual activity with. Consent is always freely given, and every person involved in a sexual situation must feel that they are able to say “yes” or “no” at any point during sexual activity. Absence of clear permission means you can’t touch someone, not that you can. In most cases, consent should be a clear verbal agreement. However, if a person is seeking consent from someone who cannot communicate verbally, he/she should obtain consent using another agreed-upon method of communication. Non-verbal communication includes sign language, writing or typing messages, gestures, nodding or shaking one’s head, and blinking, to name just a few.

#### **Definitions Applicable to Texas State Law**

**Domestic Violence** – The Texas Revised Statutes do not define Domestic Violence. See the definition of “Family Violence” below.

**Family Violence** (*Tex. Fam. Code § 71.004*) – (1) an act by a member of a family or household against another member of the family or household that is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the member in fear of imminent physical harm, bodily injury, assault, or sexual assault, but does not include defensive measures to protect oneself; (2) abuse [as defined under state law] by a member of a family or household toward a child of the family or household; or (3) dating violence (see below).

**Dating Violence** (*Tex. Fam. Code Ann. § 71.0021*) – An act, other than a defensive measure to protect oneself, by an actor that:

1. is committed against a victim or applicant for a protective order: with whom the actor has or has had a dating relationship; or because of the victim's or

applicant's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and

2. is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim or applicant in fear of imminent physical harm, bodily injury, assault, or sexual assault.

“Dating relationship” means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of the length of the relationship; the nature of the relationship; and the frequency and type of interaction between the persons involved in the relationship. A casual acquaintanceship or ordinary fraternization in a business or social context does not constitute a “dating relationship”.

**Sexual Assault** (*Tex. Penal Code Ann. § 22.011(a)*)

- the person intentionally or knowingly: causes the penetration of the anus or sexual organ of another person by any means, without that person's consent; causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or
- regardless of whether the person knows the age of the child at the time of the offense, the person intentionally or knowingly: causes the penetration of the anus or sexual organ of a child by any means; causes the penetration of the mouth of a child by the sexual organ of the actor; causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.

**Stalking** (*Tex. Penal Code § 42.072(a)*) – A person commits an offense of stalking if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:

- constitutes an offense of harassment (as defined in Tex. Penal Code § 42.07), or that the actor knows or reasonably should know the other person will regard as threatening: bodily injury or death for the other person; bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or that an offense will be committed against the other person's property;

- causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and
- would cause a reasonable person to: fear bodily injury or death for himself or herself; fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship; fear that an offense will be committed against the person's property; or feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

**Consent** (*Tex. Penal Code Ann. § 22.011(b)*) – A sexual assault is without the consent of the other person if:

- The actor compels the other person to submit or participate by the use of physical force, violence, or coercion;
- The actor compels the other person to submit or participate by threatening to use force or violence against the other person or to cause harm to the other person, and the other person believes that the actor has the present ability to execute the threat;
- The other person has not consented and the actor knows the other person is unconscious or physically unable to resist;
- The actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;
- The other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;
- The actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;
- The actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;
- The actor is a public servant who coerces the other person to submit or participate;
- The actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;
- The actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser;

- The actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2 of the Texas Family Code; or
- The actor is a health care services provider who, in the course of performing an assisted reproduction procedure on the other person, uses human reproductive material from a donor knowing that the other person has not expressly consented to the use of material from that donor.

### How To Be An Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help.

If you or someone else is in immediate danger, dial 9-1-1. This could be when a person is yelling at or being physically abusive towards another, and it is not safe for you to interrupt. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are OK. Confront and report people who seclude, hit on, try to make out with, or have sex with people who are incapacitated. Speak up when someone discusses plans to take advantage of another person. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking. Refer people to on- or off-campus resources listed in this document for support or assistance.

### Prevention Efforts

TWS attempts to foster a safe learning and working environment for all members of the campus community. To accomplish this, TWS considers the educational programming that addresses all aspects of domestic violence, dating violence, sexual assault, and stalking (safety precautions and prevention, crisis management, reporting, medical and counseling services, TWS discipline systems, academic schedules, the campus response to sexual violence, domestic violence, dating violence, and instances of stalking, and physical surroundings throughout the campus community).

TWS develops educational programs concerning domestic violence, dating violence, sexual assault, and stalking. Involved students, faculty, staff, and community members provide information and promote discussion on interpersonal abuse and violence issues. The school supports educational programs by providing input and personnel to accomplish this task. For additional information about campus educational programs concerning domestic violence, dating violence, sexual assault, and stalking, contact the Student Services Department.

TWS continually reviews and modifies its physical surroundings to enhance security and safety, such as campus lighting, locking procedures, signage, etc. For additional safety information, contact TWS at (281) 975-0500.

### Risk Reduction Tips

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one's risk of sexual assault or harassment.

- Be aware of your surroundings. Knowing where you are and who is around, you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act as you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cash money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check-in with each other throughout the evening, and leave together. Knowing where you are and who is around, you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 9-1-1 in most areas of the U.S.).
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 9-1-1 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).



If you need to get out of an uncomfortable or scary situation, here are some things that you can try:

- Remember that being in this situation is not your fault. You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
- Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
- Have a code word with your friends or family so that if you don't feel comfortable, you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
- Lie. If you don't want to hurt the person's feelings, it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a

friend or family member, not feeling well, having somewhere else that you need to be, etc.

- Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything

### **Ongoing Care**

Students may seek assistance at any time from the TWS Student Services Department at no charge. Referrals may be made upon request for relatives, partners, and friends of either the complainant or respondent to various support agencies.

Benefited staff and faculty may seek assistance at any time from any medical facility or the Employee Assistance Program (EAP).



## Title IX Policies

### Title IX Non-Discrimination Policy

[Title IX of the Education Amendments of 1972](#) (Title IX) is a federal law that prohibits discrimination on the basis of sex in federally assisted education programs or activities. Title IX protects students, employees, applicants for admission and employment, campus visitors, by-standers, parent/guardians acting on behalf of minors, and other persons from all forms of sex discrimination, including sexual harassment.

TWS and its schools do not discriminate on the basis of sex in its educational programs and activities, including admission and employment, and is prohibited by Title IX from discriminating in such a manner. TWS prohibits all forms of sex discrimination and sexual harassment as defined below, which includes sex offenses.

Questions regarding Title IX may be referred to the Campus' Title IX Coordinator or to the Assistant Secretary for Civil Rights of the U.S. Department of Education's Office for Civil Rights.

U.S. Department of Education  
Office for Civil Rights  
Lyndon Baines Johnson Department of Education  
Bldg.  
400 Maryland Avenue, SW  
Washington, DC 20202-1100

### Title IX Coordinators by Campus

[Tulsa Welding School Dallas Metro](#)  
Tamekia Morris, Campus President  
700 E. Airport Fwy., Irving, TX 75062  
(214) 227-9911  
[Tamekia.Morris@tws.edu](mailto:Tamekia.Morris@tws.edu)

### Title IX Definitions

*Sex-based harassment* is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:

- 1) *Quid pro quo harassment*: An employee of the school conditioning the provision of an aid, benefit, or service of the school on an individual's participation in unwelcome sexual conduct;
- 2) *Hostile environment harassment*: Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's educational program or activity; or
- 3) *Specific Offenses*: Sexual assault, dating violence, domestic violence, or stalking (as defined below).

*Sex offenses* include dating violence, domestic violence, sexual assault, and stalking.

*Dating violence* is 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 complainant'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. 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.

*Domestic violence* is a felony or misdemeanor crime of violence committed:

- 1) By a current or former spouse or intimate partner of the victim;
- 2) By a person with whom the victim shares a child in common;
- 3) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- 4) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- 5) 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.

*Sexual assault* is any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent that meets the definition of rape, fondling, incest, or statutory rape.

*Rape* is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

*Fondling* is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

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

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

*Stalking* means engaging in a course of conduct directed at a specific person that would cause a reasonable person to i) fear

for the person’s safety or the safety of others; or ii) suffer substantial emotional distress. Course of conduct means 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. The term “reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

*Consent* is when someone agrees, gives permission, or says yes enthusiastically to sexual activity with someone else. Central to the concept of consent is the understanding that every person has a right to control their body and to not be acted upon by someone else in a sexual manner unless they give clear permission to do so. The person initiating the sexual activity is responsible for obtaining permission from the person or persons they want to engage in sexual activity with. Consent is always freely given, and every person involved in a sexual situation must feel that they are able to say “yes” or “no” at any point during sexual activity. Absence of clear permission means you cannot touch someone. In most cases, consent should be a clear verbal agreement. However, if a person is seeking consent from someone who cannot communicate verbally, they should obtain consent using another agreed-upon method of communication. Non-verbal communication includes sign language, writing or typing messages, gestures, nodding or shaking one’s head, and blinking, to name just a few.

*Complainant* means an individual(s) who is alleged to be the victim of conduct that could constitute sexual harassment or sex discrimination.

*Respondent* means any individual(s) who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

### **Title IX Transgender Protection**

TWS or its schools may not separate or treat any person differently based on sex or prevent a person from participating consistent with their gender identity that subjects them to more than de minimus harm.

### **Title IX Pregnancy and Related Conditions**

The School is prohibited from providing differential treatment of students, employees or applicants on the basis of pregnancy or related conditions:

1. Required to provide reasonable modifications to allow those pregnant or with related conditions to have continued access to schools’ education program or activities
2. Required to provide reasonable break-time and lactation space that is clean, private, and not a bathroom

3. Prohibited from requiring documentation from students to obtain modifications unless such documentation is necessary and reasonable
4. Required to provide voluntary leave of absence & reinstatement

If a student (or parent/legal guardian) or employee discloses a pregnancy or related condition to any staff member, that staff member must promptly share the contact information for the Title IX Coordinator.

### **Title IX Procedures for Reporting Sex Discrimination or Sexual Harassment**

Any member of the Campus community may file a report of sex discrimination or sexual harassment with the Title IX Coordinator. The contact information for the Title IX Coordinator is provided at the beginning of this policy. The following officials with authority are also required to report any incidents of sex discrimination or sexual harassment to the Title IX Coordinator: All individuals at the Director level or higher.

### **Title IX Initial Contact with Complainant**

Upon receiving a report of sex discrimination or sexual harassment, the Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures (see below), consider the complainant’s wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, explain the process for filing a formal complaint of sexual harassment, and describe the grievance process for either sex discrimination or sexual harassment (as appropriate). The complainant will be provided with a copy of the Title IX policy.

If the complainant (student or employee) is reporting a sex offense, the Title IX Coordinator will also provide a written notification of the available supportive measures, a written notification of existing resources for victims at the institution and in the community (counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims), a list of rights and options for victims of sexual violence, information about options for involving local law enforcement and campus security, and options for obtaining a protective order (if relevant). The Title IX Coordinator will offer assistance contacting law enforcement if the complainant desires but will also explain that contacting law enforcement is not required.

### **Title IX Supportive Measures**

Upon receipt of a report of alleged sex discrimination or sexual harassment, the Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures with the appropriate department(s) at the institution. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are



designed to restore or preserve equal access to the institution's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the institution's educational environment, or deter sexual harassment.

Supportive measures are determined on a case-by-case basis and may include counseling, schedule accommodations, academic accommodations, mutual restrictions on contact between the parties, escorts, limitations on extracurricular activities, increased security and monitoring of certain areas of the campus, and other similar measures. When implementing supportive measures, the institution will make every effort to avoid depriving any student of his or her education.

The institution will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair its ability to provide the supportive measures. If a complainant reporting a sex offense requests a supportive measure and it is reasonably available, the institution will provide such measure, regardless of whether the complainant chooses to report the incident to campus police or local law enforcement.

#### **Title IX Emergency Removal**

In some circumstances, the institution may suspend a student-respondent from its education programs or activities on an emergency basis based on a report of sexual harassment. Before suspending the respondent, the institution will conduct an individualized safety and risk analysis to determine if there is an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment which justifies the removal of the respondent. If the institution makes the decision to temporarily remove the respondent, the Title IX Coordinator will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. The President will make all decisions regarding emergency removal of students. The institution has the discretion to place employee-respondents on an administrative leave of absence during the pendency of the grievance procedure.

#### **Title IX Grievance Process for Reports of Sex Discrimination**

When the Title IX Coordinator receives a complaint alleging that the institution or its employees have discriminated on the basis of sex in its education programs and activities, including admissions, employment, and athletics, the Title IX Coordinator will contact the complainant and investigate the complaint and report the findings of the investigation to the President for action. The complainant will be notified of the outcome of the complaint and any remedies provided by the institution to resolve any incidents of sex discrimination.

#### **Title IX Grievance Process for Formal Complaints of Sexual Harassment**

TWS Education Group is committed to providing a prompt, fair, and impartial grievance process to facilitate a prompt and

equitable resolution for formal complaints of sexual harassment. The grievance process includes a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process and the institution will not impose any disciplinary sanctions against a respondent until a determination of responsibility is made. All decision-makers involved in the grievance process are required to make an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and credibility determinations may not be based on a person's status as a complainant, respondent, or witness. Formal complaints of sexual harassment will be resolved through either the informal or formal resolution processes described below.

The Title IX Coordinator, Investigator, and any decision-makers will receive required training on this process and handling allegations of sexual harassment upon hire and annually thereafter. In addition, all employees will receive, at a minimum, training upon hire and annually thereafter on the issues related to dating violence, domestic violence, sexual assault, and stalking, and how to conduct an investigation and formal or informal meetings that protects the safety of victims and promotes accountability.

The institution will respond promptly in a manner that is not deliberately indifferent (i.e., clearly unreasonable in light of the known circumstances) to all formal complaints of sexual harassment. Any time frames listed below are subject to change for good cause. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. Written notice of any delay or extension and the corresponding reasons will be provided simultaneously to the complainant and the respondent.

#### **Title IX Formal Complaints of Sexual Harassment**

A formal complaint of sexual harassment must be filed by either the complainant or the Title IX Coordinator before the institution will initiate its grievance process for sexual harassment. If after meeting with the Title IX Coordinator, the complainant decides to proceed with a formal complaint of sexual harassment, the complainant should submit a written statement to one of the Title IX Coordinators in person, by mail, or by electronic mail. The formal complaint must include the complainant's physical or digital signature, or otherwise indicate that the complainant is the person filing the formal complaint. At the time of filing a formal complaint, the complainant must be participating in or attempting to participate in the institution's education program or activity.

In cases where the complainant does not choose to file a formal complaint but where the Title IX Coordinator after considering all of the circumstances determines that the institution must initiate the grievance process to avoid being deliberately indifferent (such as when an individual or other members of the community may be at risk), the Title IX Coordinator may sign

the formal complaint. TWS will not act with deliberate indifference in response to any formal complaint.

The institution may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

### **Title IX Dismissal of a Formal Complaint**

The institution must dismiss a formal complaint, if at any time during the investigation or hearing, the institution determines that:

- 1) The alleged misconduct does not meet the definition of sexual harassment (defined above);
- 2) The alleged misconduct did not occur within the institution's "education program or activity" (defined below); or
- 3) The alleged misconduct occurred against a complainant located outside of the United States.

An "education program or activity" for purposes of a formal complaint of sexual harassment includes locations, events, or circumstances over which the institution 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 the institution within and outside of the United States.

The institution may also dismiss a formal complaint, if at any time during the investigation or hearing:

- 1) The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- 2) The respondent is no longer enrolled at or employed by the institution;
- 3) Specific circumstances prevent the institution from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein;
- 4) The school is unable to identify respondent after taking reasonable steps to do so; or
- 5) All dismissals are discretionary.

The Title IX Coordinator will promptly send written notice of the dismissal and reason(s) therefore simultaneously to the parties (complainant and respondent) and will also notify the complainant of the right to appeal a dismissal. See below for more information on appeals. If a formal complaint is dismissed under the Title IX policy, the complainant may still be able to file a complaint under the Student Code of Conduct and Student Grievance Procedure.

### **Title IX Notice of Allegations**

After receiving a formal complaint of sexual harassment, the Title IX Coordinator will provide a written notice of allegations to the complainant and respondent in advance of an initial

interview with the Investigator to give the parties sufficient time to prepare. The notice of allegations will include:

- 1) Notification of the grievance process as well as the availability of an informal resolution;
- 2) A list of the allegations of misconduct, including sufficient details known at the time such as the identities of the parties involved in the incident, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident;
- 3) A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- 4) Notification that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney;
- 5) Notification that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an investigative report that accurately summarizes this evidence; and
- 6) The provision in the institution's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the institution decides to investigate allegations about the complainant or respondent that are not included in the original notice of allegations, the Title IX Coordinator must provide notice of the additional allegations to the parties.

### **Title IX Informal Resolution Process**

An informal resolution process may be applied to resolve a formal complaint, except when the complainant is a student, and the alleged respondent is an employee. To initiate the informal resolution process, the Title IX Coordinator will review the process with the complainant and the respondent in a timely manner and elicit their interest in engaging this process. Each party must receive written notice disclosing:

- 1) The allegations;
- 2) The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations;
- 3) That at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
- 4) Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

Both parties must give voluntary, informed written consent to participate in the informal resolution process. To reach an informal resolution, the Title IX Coordinator will initiate whatever steps they deem appropriate to affect an informal resolution of the complaint acceptable to both parties.





If a satisfactory resolution is reached through this informal process, the resolution will be documented and signed by both parties. If both parties sign the resolution, they may not then pursue the formal resolution process (i.e., the investigation, hearing, and appeal processes described below). If these efforts are unsuccessful or if the complainant or respondent do not accept the informal resolution, the formal resolution process may commence. The complainant or respondent may request to end the informal process at any time to begin the formal resolution process. The complainant may request to end the informal or formal process at any time prior to a determination.

The institution seeks to conclude the informal resolution process within thirty (30) calendar days of the parties deciding to utilize this process, however, the process may be extended for good cause.

#### **Title IX Formal Resolution Process**

The formal resolution process is used to resolve formal complaints of sexual harassment made by students or employees and includes an investigation, live hearing, determination of responsibility, and appeal.

At all times during the formal resolution process, the complainant and respondent will be provided the same opportunities to have advisors present during the investigation, including the opportunity to be accompanied to any related meeting or hearing by the advisor of their choice. The advisor can be, but is not required to be, an attorney. If a party does not have an advisor for the live hearing, the institution will appoint an advisor of its choice without fee or charge to represent the party during the hearing and this advisor may be, but is not required to be, an attorney. However, the institution may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.

In all cases, the Title IX Coordinator and Investigator will maintain regular, simultaneous communications in writing with both the complainant and respondent and provide both parties with equal opportunity to provide information, witness statements, evidence, and other information that may be necessary for the Investigator to fully investigate the alleged offense.

#### **Title IX Investigation**

The Title IX Coordinator may use internal employees, or contract with an outside investigator. In either case, the individual(s) will investigate formal complaints of sexual harassment in a thorough, impartial, and prompt fashion. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the institution and not on the parties.

The Investigator will oversee the collecting of facts related to any reported sexual harassment and will notify and interview complainants, respondents, and witnesses. Both parties will have the opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory

evidence to the Investigator. During the investigation, the complainant and respondent will be provided with copies of or allowed to inspect all evidence collected. Either party may submit responses to the evidence to the Investigator or may submit any additional evidence contradicting or corroborating the evidence collected by the Investigator. However, the Investigator cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional which are made and maintained in connection with the provision of treatment to the party, unless the Investigator obtains that party's voluntary, written consent to do so for the grievance process.

At the conclusion of the investigation, the Investigator will prepare a written Preliminary Investigative Report fairly summarizing the relevant exculpatory and inculpatory evidence. The Investigator will provide the complainant and respondent and their advisors with a copy of the preliminary investigative report allowing a 10-day response period for both parties to review and respond to the report.

Once this ten (10) day response period is concluded, the Investigator will review any responses received and finalize the report. The complainant, the respondent and their advisors will simultaneously receive a copy of the Final Investigative Report at least ten (10) days in advance of the scheduled hearing.

The Investigator will investigate the complaint independent of any external law enforcement investigations that may be ongoing. Investigators may need to postpone the investigation until law enforcement has concluded the evidence gathering portion of their investigation but will resume the investigation as quickly as possible.

#### **Title IX Hearing**

A hearing will be held for each formal complaint resolved through the formal process. The Title IX Coordinator will provide written notification of the date, time, location, participants, allegations, and purpose of the hearing, to all parties and witnesses whose participation is invited or expected within 10 days of the hearing to provide sufficient time to prepare to participate.

After the investigation is concluded, the formal complaint and Final Investigative Report will be forwarded to the Hearing Official. The institution reserves the right to appoint a decision-maker or hire an outside decision-maker to serve as the Hearing Official. The role of the Hearing Official will be to oversee the resolution of the complaint by interviewing all appropriate parties, including witnesses, determining the relevance of all questions posed under cross-examination, evaluating the relevance of all evidence submitted and rendering a decision of responsibility.

The live hearing will be conducted in a manner so that all parties can see and hear testimony at all times. During the hearing, the parties may be in the same room or in separate rooms (at the request of either party), or the hearing may be conducted

virtually (in-part or in-whole) as long as there is appropriate technology to allow for the parties, their advisors, and the Hearing Official to see and hear each other at all times. The hearing will be recorded or transcribed, and a copy of the recording/transcription will be provided to both the complainant and respondent for review.

The parties to the formal complaint will be invited to appear before the Hearing Official, present any witnesses and evidence, and confront any adverse witnesses. The Hearing Official may conduct its own inquiry, call witnesses, and gather whatever information it deems necessary to assist it in reaching a determination of responsibility. The Hearing Official will enforce the following rules for questioning parties and witnesses:

- 1) Only the advisors for the parties or the Hearing Official may question a testifying witness (including a party), but the advisors must be allowed to question each testifying witness (including a party) directly, orally, and in real time. A party may not question the other party or the witnesses;
- 2) All questioning must be conducted in a professional and polite manner;
- 3) Questioners may only ask relevant questions. Before the party or witness answers a question, the Hearing Official must first determine whether the question is relevant and explain any decision to exclude a question as not relevant;
- 4) Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove:
  - a) That someone other than the respondent committed the conduct alleged by the complainant; or
  - b) If the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent;
- 5) The Hearing Official may not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

If a party or witness does not submit to cross-examination at the live hearing, the Hearing Official must not rely on any statement of that party or witness in reaching a determination regarding responsibility (including a statement made to the investigator during the investigation). The Hearing Official cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

### **Title IX Determination of Responsibility**

The Hearing Official will make findings of fact and conclusions as to whether the facts support a finding of responsibility for violation of the institution's policies using the preponderance of evidence standard. Thus, the panel must determine whether it is "more likely than not" or more than fifty percent (50%) likely that the conduct occurred.

After the hearing, the Hearing Official will issue a written determination regarding responsibility applying the preponderance of evidence standard, which will be provided simultaneously to the complainant and respondent. The written determination will include:

- 1) A list of the allegations potentially constituting sexual harassment;
- 2) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- 3) Findings of fact supporting the determination;
- 4) Conclusions regarding the application of the institution's policies or code of conduct to the facts;
- 5) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
- 6) Any disciplinary sanctions imposed on the respondent;
- 7) Any remedies designed to restore or preserve equal access to the institution's education program or activity that will be provided to the complainant; and
- 8) The procedures and permissible bases for the complainant and respondent to appeal.

If the Hearing Official determines that it is more likely than not that the respondent is responsible for the alleged sexual harassment, they should impose sanctions against the respondent and any additional remedies for the complainant. The Title IX Coordinator should forward the determination immediately to the appropriate administrators to implement the remedies and sanctions.

The Hearing Official can recommend the following sanctions if they finds that a student has violated this policy:

- **Warning:** The issuance of an oral or written warning or reprimand.
- **Probation:** Special status with conditions imposed for a defined period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate any institutional regulation during the probationary period.
- **Required Compliance:** Satisfying institutional requirements, work assignments, community service, or other discretionary assignments.
- **Restitution:** Making compensation for loss, injury, or damage.

- **Restriction of Privileges:** The denial or restriction of specified privileges.
- **Suspension:** Separation of the student from the institution for a defined period of time, after which the student is eligible to return to the Institution. Suspension may include conditions for readmission.
- **Expulsion:** The permanent separation of the student from the Institution.
- **Withholding of Diploma or Degree:** The withholding of diploma or degree otherwise earned for a defined period of time or until the completion of assigned sanctions.

The Hearing Official can recommend the following sanctions if he/she finds that an employee has violated this policy:

- **Warning:** The issuance of an oral or written warning or reprimand.
- **Probation:** Special status with conditions imposed for a defined period of time and includes the probability of more severe disciplinary sanctions if the employee is found to violate any organizational policies or procedures during the probationary period.
- **Suspension:** Separation of the employee from the institution for a defined period of time, after which the employee is eligible to return to the institution. Suspension may include conditions for readmission.
- **Dismissal:** Terminal separation of the employee from the institution.

The Hearing Official can recommend the following remedies for the complainant: classroom adjustments or changes, academic support (tutoring, mentoring, flexible assignment due dates, allowing the student to make up coursework), allowing the student to retake a course and/or withdraw without penalty, counseling services, protective/no contact orders, or other remedies that may be appropriate given the circumstances. The purpose of remedies is to restore or preserve equal access to the institution's education programs or activities and remedies, unlike supportive measures, they need not be non-disciplinary or non-punitive and need not avoid burdening the respondent. The Title IX Coordinator will be responsible for overseeing the implementation of any remedies in conjunction with the appropriate administrator.

The determination regarding responsibility becomes final either on the date that the parties receive the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

### **Title IX Appeals**

Both parties involved have the right to appeal the determination regarding responsibility or the dismissal of a formal complaint to TWS Education Group's Chief Executive Officer and President, Mary Kelly, who will serve as the Appeals Officer. Notice of intent to appeal must be submitted within ten (10) calendar days of the written notification of the determination or dismissal, and will be based on one or more of the following grounds:

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

The written notice of the intent to appeal must provide a written statement challenging the outcome. Both parties will be provided with a copy of the notice of intent to file an appeal and the appeal procedures by the Title IX Coordinator. The non-appealing party may submit a written statement supporting the outcome and/or objecting to the grounds on which the appeal was filed within ten (10) calendar days of receipt of the notice of appeal. The Appeals Officer will consider the related documents (such as the investigative report, hearing transcript, determination of responsibility, and prior disciplinary records) but will not consider information that is not relevant, including information about the prior sexual history of the complainant. The Appeals Officer will issue a written decision describing the result of the appeal, the rationale for the result and the grounds on which the appeal was granted or denied. The decision of the Appeals Officer is final and will be issued simultaneously to both the complainant and the respondent, typically within ten (10) calendar days of the deadline by which the parties must submit their written statements, absent extenuating circumstances.

### **Title IX Confidentiality**

Except as necessary to investigate and resolve complaints of sex discrimination or formal complaints of sexual harassment, TWS will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness.

For a report of sexual harassment where the complainant wishes to be anonymous and does not intend to file a formal complaint, the Title IX Coordinator will work with the complainant to provide supportive measures and will keep such supportive measures confidential to the extent possible (as described above in the section titled "Supportive Measures"). As discussed above in the section titled "Formal Complaints of Sexual Harassment", there may be some circumstances where the Title IX Coordinator receives a report of sexual harassment and determines that they must sign a formal complaint to avoid being deliberately indifferent, even if the complainant does not wish to pursue a formal complaint. This may occur where there have been other similar accusations against the same



respondent such that the institution is concerned about the safety of its students.

Any reports of sex offense must be reported to the Campus Security Officer so they may be included in the institution's Annual Security Report. Sex offenses can be reported without disclosing either party's name or any other information that would identify the parties.

Complaints involving students are protected under the Family Education Rights and Privacy Act (FERPA) but may be disclosed for legitimate educational purposes within the institution. To disclose the information outside of the institution, any affected students would have to give explicit permission for the information to be shared, except as described below.

Under FERPA the institution does not need student consent to:

- 1) disclose to the complainant information about the sanction imposed upon a student respondent who was found to have engaged in sexual harassment when the sanction directly relates to the complainant;
- 2) disclose to the complainant the final results of a disciplinary proceeding against the student respondent, regardless of whether the institution concluded that a violation was committed, when the conduct involves a sex offense or a crime of violence including arson, burglary, robbery, criminal homicide, assault, destruction/damage/vandalism of property and kidnapping/abduction; and
- 3) disclose to anyone—not just the complainant—the final results of a disciplinary proceeding (including the name of the student respondent, the violation, and the sanction) if it determines that the student respondent is an alleged perpetrator of sexual assault or a crime of violence (see bullet above for examples), and, with respect to the allegation made, the student has committed a violation of the institution's rules or policies.

### **Title IX Retaliation; False Complaints**

TWS, the respondent, and other individuals may not intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or the implementing regulations, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured Title IX, constitutes retaliation.

TWS Education Group prohibits retaliation by its officers, employees, students, or agents against a person who exercises

his or her rights or responsibilities under any provision of federal or state law, including Title IX and the Clery Act, or this policy.

Any instances of retaliation should be reported to the Title IX Coordinator immediately and may result in disciplinary sanctions independent of other sanctions already implemented under this policy. Reports of retaliation by the institution will be investigated by the Title IX Coordinator (or an outside investigator if the report involves the Title IX Coordinator) through the grievance process for sex discrimination.

TWS Education Group will not tolerate intentional false reporting of incidents. It is a violation of the institution's Student Code of Conduct to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws.

### **Title IX Dissemination**

The Institution will notify applicants for admission and employment, students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the Institution, of:

- The contact information for the Title IX Coordinator including the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator;
- The Institution's policy of non-discrimination; and
- The Institution's grievance procedures and grievance process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the Institution will respond.

### **Title IX Publication**

The institution will display the contact information for the Title IX Coordinator and non-discrimination policy on its website and in each handbook or catalog for students and employees.

### **Title IX Training**

The Title IX Coordinator, Investigator, Decision-Maker, or any person designated to facilitate an informal resolution process is required to receive training on the following:

- The definition of sexual harassment in § 106.30;
- The scope of the Institution's educational programs or activities;
- How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable;
- How to serve impartially, including by avoiding prejudgment of the facts, conflicts of interest, and bias;
- Any technology to be used at a live hearing (Hearing Officer only);
- Issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant (Decision-Maker only);



- Issues of relevance to create an investigative report that fairly summarizes relevant evidence (Investigator only); and
- Issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Any materials used to train these individuals will not rely on sex stereotypes and will promote impartial investigations and adjudications of formal complaints of sexual harassment. The Institution will make the training materials publicly available on its website.

### **Title IX Record Retention**

The Institution will maintain for a period of seven (7) years records of:

- Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript of the hearing, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant;
- Any appeal and the result therefrom;
- Any informal resolution and the result therefrom;
- All materials used to train Title IX Coordinators, Investigators, Hearing Officers, Appeals Officers, and any person who facilitates an informal resolution process; and
- Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment.

In each instance, the Institution will document:

- 1) The basis for its conclusion;
- 2) That its response was not deliberately indifferent; and
- 3) document that it has taken measures designed to restore or preserve equal access to the Institution's educational programs or activities.

If the Institution does not provide a complainant with supportive measures, then it will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the Institution in the future from providing additional explanations or detailing additional measures taken.

### **Title IX Role Identification**

*Officials with Authority* - Required to report any incidents of sex discrimination or sexual harassment to the Title IX Coordinator.

*Title IX Coordinator* – Identified as the Campus President at each campus and is responsible for receiving Title IX complaints and ensuring the informal or formal process is adhered to.

*Investigator* – If using internal employees, the investigation will be completed by the Human Resources Department for any employees involved, or by the VP of Academics, or their designee, for any students involved.

*Hearing Official* – This role is held by the Chief Operating Officer and is responsible for obtaining all pertinent and available information prior to an applicable hearing, and listening to representatives from both sides, for those choosing to utilize the formal resolution process. This individual is responsible for determining the outcome of the hearing.

*Appeals Officer* – This role is held by the Chief Executive Officer and is responsible for reviewing all information, including the written appeal, to make a determination to uphold the original decision, or change the final decision/outcome.

*Compliance Department* – Responsible for oversight of the process and ensure timelines and policies are upheld. Additionally, the Compliance Department is responsible for training all employees within the company.

## Information for Students with Disabilities

Tulsa Welding School is committed to ensuring equal access to educational opportunities for students with disabilities. The work environment in which our graduates commonly work demands a full range of physical and mental faculties for career success. While there are exceptions, most jobs require the ability to climb, stoop, work in confined spaces, lift and carry in excess of 50 pounds, exposure to wet and/or humid conditions (including outside weather conditions), exposure to fumes or airborne particles, toxic or caustic chemicals, exposure to electrical hazard and occasionally work in noisy conditions. Further, manual dexterity and detailed finger manipulations may be required.

### Statement of Purpose

The primary objective of the Students with Disabilities Policy is to provide an integrated and cohesive set of support accommodations and services for students with disabilities. This policy exists in accordance with the *Americans with Disabilities Act* of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973, and mandates that no person with a disability, will, on the basis of that disability, be denied full and equal access for participation in programs, services, and activities.

An individual with a disability is defined as any person who:

- has a physical or mental impairment which substantially limits one or more major life activities, (including walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself, or performing manual tasks),
- has a record of such impairment, or
- is regarded as having such an impairment.

All institutions of higher education must make reasonable accommodations in order to provide students with disabilities an equal opportunity to participate in the institution's courses, programs, and activities. Schools must make certain academic adjustments to ensure that a student has an equal opportunity to participate. Academic adjustments may include extended time for test taking; tape recording of classes; and modification of test taking or performance evaluations so as not to discriminate against a person's sensory, speaking, or motor impairments, unless that is what is being tested.

An institution must also provide auxiliary aids and services, such as qualified sign language interpreters, note-takers, readers, Braille and large print materials, and adaptive equipment. A qualified interpreter is one who can communicate expressively and receptively, using any specialized vocabulary in a manner that is effective, accurate, and impartial. Institutions are not responsible for providing personal services such as attendants, hearing aids, glasses, etc. Under the applicable regulations, tutoring is a personal service and is not mandated by these regulations. Therefore, it need not be provided unless the school provides tutoring to other students,

in which case it must make that tutoring program accessible to students with disabilities. Institutions may not charge money for reasonable accommodations. Additionally, schools do not have to provide accommodations that would fundamentally alter the educational program or academic requirements that are essential to a program of study or to fulfill licensing requirements.

### Accommodations and Support Services

While self-identification is strictly voluntary, it is to the student's advantage to initiate or request services in this process as early as possible. Records and information concerning students are confidential. To become eligible for services, documentation of the disability from a qualified professional must be provided upon request.

Tulsa Welding School will provide reasonable accommodations for students with disabilities, including learning disabilities, physical impairments, and other disabling conditions. Such accommodations may include, but are not limited to, tutoring, examination schedule and/or delivery modification, and laboratory task modification. Admissions requirements for all students are the same, regardless of disability or lack thereof. It must be understood that accommodations for disabilities are meant to assure education experience and opportunity. Any accommodations deemed necessary and reasonable will be made on a case-by-case basis by taking into account institutional obligations to provide equal access to educational opportunities; may not necessarily incorporate all changes requested; and will only be made following provisions of proof of such disability.

Students seeking accommodations should notify their Admissions Representative, Academic Dean, or the Director of Student Services of any special needs, requirements, or requests before enrolling in a program of study or as soon as possible after it is determined that accommodation is desired. The school will require a written description of the extent and nature of the disability, and current medical certification stating the nature of the disability, and the type of accommodation required. Accommodations cannot be applied to circumstances of past failures or difficulties in courses and are only for future course activities. However, information regarding a disability can be provided to assist in resolution of an academic dilemma that begs resolution.

Tulsa Welding School does not offer students with disabilities the following:

- Diagnostic evaluation for disabilities;
- Special classes;
- A reduced standard for academic performance;
- Exemption to graduation requirements; or
- Credit for effort in place of demonstrated competence or skill acquisition.



### Eligibility

To determine eligibility for services, Tulsa Welding School requires current and complete documentation from a physician. The school reserves the right to request supplemental information to verify a student's current functional limitations. This documentation is required to assess whether the impairment limits a major life activity and to establish the extent of the student's disability-related limitations.

Documentation must include the following information:

- Date of most recent visit to medical provider or diagnostician;
- A clear indication of the existence of a medical or mobility impairment;
- A summary of assessment procedures and evaluation instruments used to diagnose the impairment;

- Specific functional limitations related to the condition, especially those involved in attending a post-secondary educational institution;
- A description of treatments and their estimated effectiveness in minimizing the impact of the impairment;
- Medication side effects, if any;
- Prognosis and anticipated duration of limitations and impairment; and
- The report must be signed by the student's diagnosing physician.

If the disability is hearing-related, a copy of an audiogram that was performed within the last three (3) years must accompany this documentation.

## Student Code of Conduct

This policy applies to all students attending any of our institutions (Institution). Students are expected to act in a professional and considerate manner with other students and school staff. Visitors, guests, and employers frequently spend time on our campuses and students' behavior is a reflection on the school and everyone associated with it. Additionally, students' behavior in student-referred housing also reflects upon the school's reputation in the community, thus requiring students to maintain a professional demeanor at all times.

### Jurisdiction & Application

This Conduct Code (Code) shall apply to student conduct that occurs on the institution's premises or at institution-sponsored activities. At the discretion of the Campus President or delegate, the Code also shall apply to off-campus student conduct when the conduct, as alleged, adversely affects a substantial institution interest and either:

- Constitutes a criminal offense as defined by state or federal law, regardless of the existence or outcome of any criminal proceeding; or
- Indicates that the student may present a danger or threat to the health or safety of the student or others.

### Guiding Principles & Institutional Goals

- The Institution seeks an environment that promotes academic achievement and integrity and that serves the educational mission of the Institution.
- The Institution seeks an environment that is free from violence, threats, and intimidation; that is respectful of the rights, opportunities, and welfare of students, faculty, staff, and guests of the Institution; and that does not threaten the physical or mental health or safety of members of the Institution community.
- The Institution is dedicated to responsible stewardship of its resources and to protecting its property and resources from theft, damage, destruction, or misuse.
- The Institution supports and is guided by state and federal law and other regulatory bodies while also setting its own standards of conduct for its academic community.
- The Institution is dedicated to the rational and orderly resolution of conflict.

### Responsibilities of Dual Membership

By enforcing its Code, the Institution neither substitutes for nor interferes with other civil or criminal legal processes. When a student is charged in both jurisdictions, the Institution will decide on the basis of its interests, the interests of affected students, and the interests of the community whether to proceed with its disciplinary process or to defer action. Determinations made or sanctions imposed under the Code will not be subject to change because criminal charges arising out of the same facts were dismissed, reduced, or resolved in favor of the criminal law defendant.

### Disciplinary Offenses

The Institution reserves the right to terminate a student's training for actions, in the opinion of administrative staff, that disrupts the educational environment or reflects adversely in any way upon the school.

Any student found to have committed or to have attempted to commit misconduct is subject to appropriate disciplinary action under this policy.

Examples include the following:

- **Weapons:** Students will not possess, or have in vehicles, firearms, ammunition explosives, knives or weapons of any kind on Institution controlled property.
- **Illegal or Unauthorized Possession or Use of Drugs, Controlled Substances, Paraphernalia, or Alcohol:** Students will not possess, consume, distribute, or be under the influence of illegal drugs or alcohol while on Institution controlled property or at any school sponsored event. Students may also be subject to prosecution by local law enforcement agencies and your parent/guardian may be notified. Testing may be required in cases of reasonable suspicion of drug use.
- **Theft, Property Damage, and Vandalism:** Theft, possession of stolen property, unauthorized possession, wrongful sale/gift, or vandalism of property to include institution, housing, customer, staff, resident or other students' property will not be tolerated.
- **Threatening, Harassing, or Assaultive Conduct:** Any unwelcome action whether physical, verbal, or nonverbal; this is intimidating, hostile or creates an offensive environment, the use of force or threat of force to engage a person in sexual activities without the person's willing consent, or involvement in hazing or threatening the physical safety and comfort of others or a display of violence that results in physical contact.
- **Dishonesty:** Willfully or knowingly lying, cheating academically, claiming the work of others, cooperating with another to falsify data/records of academic achievement or procedures/analysis, giving any type of false/forged information/records to the Institution, or making a false report of a bomb, fire, natural disaster or other emergency to an institution official or an emergency service agency.
- **Disorderly Conduct:** The use of any type of language or gesture that is offensive and creates an uncomfortable environment; behaving in a manner that disturbs the peace of others and/or disrupts, interferes or prevents a staff member from performing their duties. This includes the classroom which extends to any setting where a student is engaged in



work toward academic credit or satisfaction of program-based requirements or related activities.

- **Unsafe Conduct:** Students will observe all EPA/DEQ/OSHA safety regulations, eye and hearing/ear protection in designated areas, the safety of others, and adhere to the proper use of tools, equipment, and motorized vehicles.
- **Refusal to Identify and Comply (Aiding and Abetting):** Students will not assist, encourage, or incite others in any violation of regulations. This includes willfully refusing to or falsely identifying one's self or willfully failing to comply with a proper order of summons when requested by an authorized institution official.
- **Tobacco Use:** Students are allowed to use tobacco products in designated areas only.
- **Unauthorized Entry:** Students will not enter or attempt to break and enter into any locked or unauthorized room, building, storage area, vehicle, computer, or data storage device. This also includes using keys, access cards, or access codes without authorization.
- **Unauthorized Use of Institution Facilities and Services:** Wrongfully using Institution properties or facilities; misuse, alteration, or damage to fire-fighting equipment, safety devices or other emergency equipment or interfering with the performance of those specifically charged to carry out emergency services; acting to obtain fraudulently (through deceit, unauthorized procedures, bad checks, or misrepresentation) goods, quarters, services, or funds from Institution departments or student organizations or individuals acting in their behalf.
- **Student Electronic Equipment:** Non-educational electronic equipment (MP3 players, IPODs, cameras, pagers, etc.) is not allowed in institutional training areas.
- **Discrimination:** students will not use any verbal or non-verbal discrimination towards any individual or group.
- **Computer, Internet, and Network Use:** Use of school computers, internet and networks in a manner that constitutes a violation of the Institution Code or local, state, and federal law, endangers system integrity, or accesses sites containing inappropriate content.
- **Recreational Activities:** Are not allowed on the school's property, except with express permission of the Campus President, Director of Training, Academic Dean, or their designee.
- **Attempts to Injure or Fraud:** Making, forging, printing, reproducing, copying, or altering any record, document, writing, or identification used or maintained by the Institution when done with intent to injure, defraud, or misinform.
- **Hazing:** Any act taken on the institutions' property or in connection with any institution-related group or activity that endangers the mental or physical health or

safety of an individual (including, without limitation, an act intended to cause personal degradation or humiliation), or that destroys or removes public or private property, for the purpose of initiation in, admission to, affiliation with, or as a condition for continued membership in a group or organization.

- **Rioting:** Engaging in, or inciting others to engage in, harmful or destructive behavior in the context of an assembly of persons disturbing the peace on campus, in areas proximate to campus, or in any location when the riot occurs in connection with, or in response to, an Institution-sponsored event. Rioting includes, but is not limited to, such conduct as using or threatening violence to others, damaging or destroying property, impeding or impairing fire or other emergency services, or refusing the direction of an authorized person.
- **Violation of Institution Rules:** Engaging in conduct that violates Institution, collegiate, or departmental regulations that have been posted or publicized, including provisions contained in Institution contracts with students.
- **Violation of Federal or State Laws:** Engaging in conduct that violates a federal or state law, including, but not limited to, laws governing alcoholic beverages, drugs, gambling, sex offenses, indecent conduct, or arson.

### Sanctions

The following sanctions may be imposed upon students found to have violated the Code:

- **Warning:** The issuance of an oral or written warning or reprimand.
- **Probation:** Special status with conditions imposed for a defined period of time and includes the probability of more severe disciplinary sanctions if the student is found to violate any institutional regulation during the probationary period.
- **Required Compliance:** Satisfying institutional requirements, work assignments, community service, or other discretionary assignments.
- **Confiscation:** Confiscation of goods used or possessed in violation of Institution regulations or confiscation of falsified identification or identification wrongly used.
- **Restitution:** Making compensation for loss, injury, or damage.
- **Restriction of Privileges:** The denial or restriction of specified privileges.
- **Suspension:** Separation of the student from the institution for a defined period of time, after which the student is eligible to return to the Institution. Suspension may include conditions for readmission.
- **Expulsion:** The permanent separation of the student from the Institution.



- **Withholding of Diploma or Degree:** The withholding of diploma or degree otherwise earned for a defined period of time or until the completion of assigned sanctions.

### **Interim Suspension**

The Campus President or delegate may impose an immediate suspension on a pending hearing before the appropriate disciplinary committee if any of the following apply:

- To ensure the safety and well-being of members of the Institution community or to preserve the institutions' property,
- To ensure the student's own physical or emotional safety and well-being, or
- If the student poses an ongoing threat of disrupting or interfering with the operations of the institution.

During the interim suspension, the student may be denied access to all Institution activities or privileges for which the student might otherwise be eligible, including access to Institution property. The student has a right to a prompt hearing before the Campus President or delegate on the questions of identification and whether the interim suspension should remain in effect until the full hearing is completed.

### **Hearing & Appeals**

Any student charged with violation of the Code shall have the opportunity to receive a fair hearing upon submission of an appeal petitioning for reconsideration of their enrollment standing. The appeal must be in writing and must include an accurate and fair account of the actions that led up and included the violation. Upon receipt, the Appeal Review Board shall

provide both substantive and procedural fairness for the student or student organization alleged to have violated the Code. The board will determine the status of the appeal and will render a decision as soon as practical, but no longer than 30 days from the date of receipt. Once a decision is reached, the student or student organization will be notified of the decision and if approved, a plan for continuance will be provided to the student along with the decision. Otherwise, if the appeal is denied, the student will be terminated.

### **Appearance Code**

The Institution Appearance Code is established to provide an atmosphere that enhances the professional development of our students and avoids safety hazards while preventing disruption to the learning process. The following are the minimum standards while on campus:

- a) **Attire:** Long sleeves must be worn at all times in the lab area. 100% cotton material is required.
- b) **Protective Items:** Proper eyewear must be worn at all times in the lab area.
- c) **Piercings:** Earrings, posts, studs and dangling jewelry is not permitted. Facial skin, tongue or body piercing rings, studs, posts, ornaments and chain wallets/belts are also prohibited.

### **Delegation of Authority**

The Campus President or delegate shall implement this policy, including publishing and distributing the Code and the procedures governing the student disciplinary process at the Institution.

## Welding Lab and General Safety Rules

1. Safety glasses or protective side shields (will need to be installed) on prescription glasses and must be worn at all times when welding, beveling, cutting or grinding. This includes under welding hoods, grinding shields & cutting goggles. Additionally, protective eyewear must be worn when in and around the cutting areas.
2. Cutting goggles or approved shaded/safety eyewear may only be worn while using hand held cutting torches and beveling machines. Sunglasses or unapproved eyewear are not permitted in the lab or classroom areas.
3. Leathers must be worn while welding in Phases 101 through 106 or equivalent courses. After Phase 106, a long sleeve, heavy duty cotton or denim shirt may be worn. A long sleeve cotton or denim shirt must be worn when cutting or grinding at all times. Shirts must be tucked into pants at all times.
4. Only 100% leather boots that come above the ankle can be worn in the lab. No sneakers, hiking boots, loafers or other footwear are permitted in the lab.
5. Grinding shields or welding helmets with grinding shields built in must be used when grinding or using a wire wheel. This includes both in the grinding room and in student booths.
6. Booths are to be cleaned before exiting the lab at any time between sessions or at the end of a shift. All plate or pipe materials must be placed in dumpsters and unused rods or filler wires must be put up in proper rack or place.
7. Do not throw any metal into trash containers as these are used only for rods and small debris. All used metal and large scrap must be placed in the recycle bins.
8. All gas feeders and welding machines must be turned OFF when students leave the booth, when not in use during breaks, and at the end of each shift. Machines must also be turned OFF in the event of an emergency situation or fire drill.
9. Weldments will not be graded outside of your assigned shift times nor can you be graded on a Saturday attendance time will not be recorded from outside designated shift times.
10. Disturbing other students or disruption of classes may result in suspension or dismissal.
11. All visible jewelry is prohibited on the shop floor. Jewelry includes items that adorn the facial area, fingers or any visible body part. Wedding bands will be permitted, but must be protected with gloves or protective clothing at all times.
12. All pants and clothing must be in good repair. Frayed clothing, holes, and tears are a fire and/or safety hazard and are not permitted. All body parts must be covered at all times. Sleeveless shirts, bare midriffs or visible undergarments are not permitted. Shirts must be tucked in, but pants cannot be tucked into footwear.
13. Tobacco products are not permitted in classrooms, labs, or cutting and grinding areas.
14. Credit for daily attendance is only given for welding or participation in welding-related activities. Instructors must be informed when students leave their booths or the shop floor to grind or cut metal. Additional practice time is limited to booth availability, to one session, and is only allowed on Tuesdays and Thursdays. No additional time is provided for additional practice time.
15. Tacking or welding on the booth uprights, holding table collars, or on surrounding booth walls or supports is forbidden.
16. Usage of portable electronic devices are not permitted anywhere inside the building. This includes in the hallways, student break room, restrooms, classrooms, welding lab, grinding areas, on the loading dock, or in the cutting areas. Portable electronic devices include the following, but are not limited to: MP3 Players, iPods, Radios, Walkmans, CD Players, Laptop computers or other similar devices.
17. Theft of or damage to any metal, equipment or the facility will not be tolerated. Those caught will be immediately removed from the training programs with further disciplinary actions possible up to and including expulsion from the school.
18. Sleeping, lying down or lounging is not permitted anywhere on campus.
19. Entering another student's booth or being in an unassigned aisle is not permitted at any time in the lab.
20. Grinding machine guards must be on grinders at all times.

### Student Accident Reporting

Should an accident occur while on campus, students and personnel should immediately report this event to their instructor or supervisor. If necessary, call 911. If medical treatment is required, please save all documentation received and provide it to campus support personnel if needed.



## Privacy, Data, & Technology Policies

### Global Privacy Policy

In order to remain compliant with various federal, state, and local laws, TWS has implemented *STEG-POL-70006 Global Privacy Policy*. This policy describes how TWS handles protected data entrusted to it. The policy, and the policy's accompanying required documentation, may be reviewed anytime by visiting [stratatech.com/privacy-policy/](https://stratatech.com/privacy-policy/).

### Login Banners

Login banners provide a definitive warning to any possible intruders that may want to access TWS system that certain types of activity are illegal, but at the same time, it also advises the authorized and legitimate users of their obligations relating to acceptable use of the computerized or networked environment(s).

The student or guest login banner reads as follows:

"This device or system is the property of Tulsa Welding School, and its use is governed by the school's *Acceptable Usage of Information Technologies Resources Policy* found in the school's Student Handbook. By clicking "I consent", you acknowledge notice of, and agree to comply with that policy. Unauthorized or improper use of this system may result in administrative disciplinary action, civil and/or criminal penalties, and/or other sanctions as set forth in the school's policy. [Institution Name] makes no representation that any uses of this system will be private or confidential. By continuing to use this system you indicate your awareness of and consent to these terms and conditions of use.

LOG OFF IMMEDIATELY if you do not agree to the conditions stated in this warning."

The student and guest wireless Access Points splash screen reads as follows:

"This device or system is the property of Tulsa Welding School, and its use is governed by the school's *Acceptable Usage of Information Technologies Resources Policy* located in the school's Student Handbook. By clicking "Continue to the Internet", you acknowledge notice of, and agree to comply with that policy. Unauthorized or improper use of this system may result in administrative disciplinary action, civil and/or criminal penalties, and/or other sanctions as set forth in the school's policy. [Institution Name] makes no representation that any uses of this system will be private or confidential. By continuing to use this system you indicate your awareness of and consent to these terms and conditions of use.

LOG OFF IMMEDIATELY if you do not agree to the conditions stated in this warning."

### Acceptable Usage of Information Technologies Resources Policy

Violations of any guidelines listed herein may result in disciplinary action, up to and including termination of employment or contract. If necessary, TWS will advise appropriate legal officials of any violations of applicable state, federal, or international laws.

Unacceptable Use. The activities below are provided as examples of unacceptable use and are prohibited. This list is not exhaustive, but generally attempts to provide a framework for types of activities that fall into the category of unacceptable use:

- All illegal activities are prohibited. Under no circumstances is a user authorized to engage in any activity that is illegal under local, state, federal, or international law while using TWS owned or operated resources;
- Any activities that could result in a data breach or compromise of confidential or sensitive information. This includes, but is not limited to, accessing data that of which the user is not authorized to access, or logging into a server or account that the user is not authorized to access;
- Any activities intended to circumvent Information Technologies security systems and protocols which TWS has put in place, including, but not limited to the disabling of anti-virus software, or any attempt to bypass authentication or other system security controls;
- Any activity leading to the unauthorized transmittal or exfiltration of unencrypted NPI/PII data such as student, consumer, customer, employee, or other types of privileged or protected data;
- Any activities involved in the dissemination or distribution of image or text documents that may be construed as sexual harassment or harassment because of race, color, national origin, religion, sex, marital status, age, disability, or other protected bias on any TWS system or network;
- Any activities involved in obtaining, viewing, or disseminating sexually explicit materials, whether visual, auditory or textual, is strictly prohibited. Users shall not view, transmit, retrieve, save, or print any electronic images or files which may be deemed as sexually explicit; or
- Any attempts to bypass content filtering applications that prevents access to non-approved websites. These sites may include retail, gambling, pornographic, file sharing, hacking sites, etc. Attempted access to these restricted sites by users is logged and periodically reviewed.

System and Network Activities. The following activities are strictly prohibited, with no exceptions:



- Violations of the rights of any person or organization protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations including, but not limited to, downloading, installing, or distributing software products that are not appropriately licensed for use by TWS;
- Unauthorized copying of copyrighted material including, but not limited to, publications, digitization, and distribution of photographs from magazines, books or other copyrighted sources, and copyrighted music;
- Uploading or transmitting any software licensed by TWS or data owned or licensed by TWS without proper authorization by management;
- Exporting software, technical information, encryption software or technology, or protected NPI/PII data in violation of international or regional export control laws;
- Intentionally introducing malicious software into the network or computing environment (e.g., spyware, viruses, worms, Trojan horses, keyloggers, packet sniffers, etc.);
- Revealing user account passwords or allowing unauthorized third-party access to an account. This includes family and other household members when work is being done performed at a remote worksite;
- Intentionally disabling or overloading any computer system, application, or network, or circumventing any system which protects the privacy and security of TWS information, assets, or personnel;
- Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the user is not an intended recipient or logging into a server or account that the user is not expressly authorized to access. For purposes of this section, “disruption” includes, but is not limited to, network sniffing, ping floods, packet spoofing, denial of service, and forged routing information for malicious purposes;

- Port scanning or network probing is expressly prohibited unless approved by the Information Technologies Department;
- Attempting to log into another user’s account by falsifying or using fraudulent credentials; or
- Using any program/macro/script/command, or sending messages of any kind, with the intent to interfere with, or disable, another user's session, via any means, locally or remotely.

E-mail and Communications Activities. The following activities are prohibited when conducted from TWS accounts, networks, or computing resources:

- Transmitting protected data (such as financial, medical, or NPI/PII data) externally in an unencrypted format via email, FTP, or other unsecure method;
- Transmitting encrypted protected or sensitive data externally without proper approval and guidance from the Information Technologies Department;
- Sending unsolicited e-mail or text messages, including other advertising material to individuals who did not specifically request such material;
- Sending email or text messages containing language that may be construed as disparagement, slander or libel of others, harassment based on race, color, national origin, religion, sex, marital status, age, disability, or other protected category;
- Causing any form of internal or external harassment via e-mail, telephone or paging, whether through language, frequency, or size of messages; or
- Unauthorized use or forging of e-mail header information.

### **Harassment**

Harassment of any kind is prohibited. Messages with derogatory or inflammatory remarks about an individual or group’s race, color, national origin, religion, sex, marital status, age, disability, or any other status protected by federal, state, or local law will not be permitted.

## Copyright Infringement / Peer-to-Peer File Sharing Policy

### Background

The *Higher Education Opportunity Act* (HEOA) was enacted on August 14, 2008, and reauthorizes the Higher Education Act of 1965, as amended (the HEA). The HEOA requires educational institutions to implement plans of action in order to deter and combat unauthorized distribution of copyrighted materials. Institutions are to also create policies directly targeting Peer-to-Peer (P2P) file sharing which include disciplinary actions.

Institutions that are required to adhere to the PPA (Program Participation Agreement) must certify to the U.S. Department of Education that policies have been created and are in place to deter copyright violation. The PPA governs institution participation in Title IV and violations of the PPA may result in administrative actions by the Department of Education, including limitation, suspension, or termination of participation in Title IV.

### Definitions

*Copyright* is an area of law that provides creators and distributors of creative works with an incentive to share their works by granting them the right to be compensated when others use those works in certain ways. Specific rights are granted to the creators of creative works in the U.S. Copyright Act (title 17, U.S. Code). If you are not a copyright holder for a particular work, as determined by the law, you must ordinarily obtain copyright permission prior to reusing or reproducing that work.

There are some specific exceptions in the Copyright Act for certain academic uses, and permission is never required for certain other actions, such as reading or borrowing original literary works or photographs from a library collection.

*Fair Use* - A provision for fair use is found in the *Copyright Act* at Section 107. Under the fair use provision, a reproduction of someone else's copyright-protected work is likely to be considered fair if it is used for one of the following purposes: criticism, comment, news reporting, teaching, scholarship, and research. If the reproduction is for one of these purposes, a determination as to whether the reproduction is fair use must be made based upon four factors:

- The purpose and character of use (principally, whether for commercial or nonprofit educational use);
- The nature of the copyright-protected work;
- The amount and substantiality of the portion used; and
- The effect of the use being evaluated upon the potential market for or value of the copyright-protected work.

*Peer-to-Peer* (P2P) is file sharing of copyrighted materials through online networks and communities (examples: Napster, KaaZa, and Limewire). P2P file sharing in itself is not illegal; however, it is often used for unauthorized downloading and

uploading of copyright-protected material such as music, movies, video games, computer software, and photographs. Several courts have determined that substantial P2P file sharing of copyright-protected works generally does not fall within the fair use defense. Our students or staff members who engage in substantial P2P file sharing of copyright-protected materials may be subject to serious liability.

### Items Protected by Copyright

The rights granted by the Copyright Act are intended to benefit "authors" of "original works of authorship". This means that virtually any creative work that you may come across—including books, magazines, journals, newsletters, maps, charts, photographs, graphic materials, and other printed materials; unpublished materials, such as analysts' and consultants' reports; and non-print materials, including electronic content, computer programs and other software, sound recordings, motion pictures, video files, sculptures, and other artistic works—is almost certainly protected by copyright.

To avoid confusion and minimize the risk of copyright infringement, our institutions interpret the following situations as fair use:

- Quotation of short passages in a scholarly or technical work for illustration or clarification of the author's observations.
- Reproduction of material for classroom use where the reproduction is unexpected and spontaneous – for example, where an article in the morning's paper directly relevant to that day's class.
- A summary of an address or article, which may include quotations of short passages of the copyright-protected work.

If your use does not meet the above criteria and the work is protected by copyright, you probably need to obtain permission to use the work from the copyright holder or its agent.

### Our Position on Copyright Violations and P2P

Our institutions do not condone, nor accept responsibility for such behavior, even if performed on or with our schools' property. This applies to both students and staff members.

In the event of prosecution of a student or staff member for copyright violation, our institutions will assist law enforcement and will not defend or accept responsibility for such person's actions; they solely will be subject to any legal or monetary penalties imposed.

If copyright violation claims can be substantiated, our institutions may impose disciplinary action. The offending student or staff member may face reprimand, suspension that may include termination of employment or dismissal from our institution's academic programs. For more information on Copyright Laws of the United States, please visit: <http://www.copyright.gov/title17/>.

## Basic Financial Aid Information

Tulsa Welding School recognizes that in many instances individuals and their families are not able to meet the entire cost of education. TWS's Student Financial Services Office is available to assist students with developing a financial plan to pay for training. For those students needing financial assistance, federal student aid is financial help available to eligible students and assists with paying for educational expenses while attending school. There are many types of financial aid available for those qualifying applicants which include grants that don't have to be paid back, as well as low-interest, government-backed loans that must be repaid. Federal Student Aid eligibility is based on individual student information and all students may not be eligible for all types of aid that is available for application.

### Eligibility Requirements

Basic eligibility requirements for federal student aid are that applicants must:

- Be U.S. citizen or eligible non-citizen;
- Demonstrate financial need for certain programs;
- Have a HS Diploma or GED;
- Not be in default on a federal student loan or owe a repayment on a federal grant;
- Maintain Satisfactory Academic Progress;
- Be registered with Selective Service, if required;
- Have a valid Social Security Number; and
- Be working towards a degree, diploma or certificate in an eligible program.

### Rights and Responsibilities of Students Receiving Federal Student Aid

As a student, you have the right to know:

- The names and organizations which accredit and authorize the school to operate.
- About the programs, the faculty, and the physical facilities at the school.
- The cost of attending the school.
- The school's policy on refunds for students who drop prior to completion of a program.
- About the financial assistance available from federal, state, local, private, and institutional programs.
- The procedures and deadlines for submitting applications for each available financial aid program.
- The criteria used to select financial aid recipients.
- How financial need is determined.
- The amount of financial need that has been or will be met.
- The type and amount of assistance in your financial aid package.
- How and when the federal financial aid funds will be paid to your account.
- The school's Satisfactory Academic Progress policy and how it affects your eligibility for financial aid.
- The special facilities and services available to disabled students.

- The interest rate on any loans available through the school, the amount you must repay, the length of time you have to repay, when you must begin repayments, and any condition and deferment provisions that apply.

If you are applying for Federal Student Aid, as a student, it is your responsibility to:

- Complete your Free Application for Federal Student Aid (FAFSA) accurately and submit it on time. Errors can delay, and in some cases prevent you from receiving aid.
- Provide all supporting documentation, corrections, and/or new information upon the request of the Student Financial Services Office.
- Notify your school of any information that has changed since you applied.
- Accept/Decline subsequent disbursements of loan funds.
- Read and understand all forms you are asked to sign.

### Types of Federal Student Aid Available for Application – Grants

The *Federal Pell Grant* is gift assistance that does not have to be repaid. Pell is awarded only to undergraduate students who have not earned a bachelor's or first professional degree and who have a financial need as determined by the U.S. Department of Education standards. Annually, the U.S. Department of Education determines student eligibility for this grant. For the 2016-2017 award year (July 1, 2016 to June 30, 2017), the maximum Federal Pell Grant award is \$5,815.

The *Federal Supplemental Educational Opportunity Grant* (FSEOG) is also gift assistance that does not have to be repaid. FSEOG is awarded to students undergraduate students who have not earned a bachelor's or first professional degree and who have an exceptional financial need as determined by the U.S. Department of Education standards. Student with the lowest "Expected Family Contribution" (EFC), who also receive Pell Grant funds are awarded FSEOG before students with higher EFCs. The average award amount varies and is dependent upon the amount of funds the school receives from the Department of Education. For the 2016-2017 award year, the maximum FSEOG award is \$334.

### Types of Federal Student Aid Available for Application – Loans

The *Subsidized Federal Stafford Loan* program provides low interest loans through the U.S. Department of Education's Direct Loan Program. To qualify, students who have financial need as determined by the U.S. Department of Education. The maximum annual loan amount for a full academic year for first-year students is \$3,500, less origination and other fees (as applicable). Amounts may differ if your program of study is more or less than a full academic year. Please refer to your Loan Entrance Counseling package for information specific to you.



The federal government pays the interest for you while you are in school and during any periods of deferment. Interest does not accrue until the student graduates or drops below a half-time enrollment status. The minimum repayment amount is \$50 per month; however, Subsidized Federal Stafford Loans provide many flexible repayment plans as outlined in the loan counseling materials. Payments are based on the repayment plan selected by the student. Borrowers with other outstanding loans may be eligible to consolidate eligible loans into one consolidated payment. Please refer to your Loan Entrance counseling package for additional information.

**Unsubsidized Federal Stafford Loan.** If you do not qualify for a full or partial Subsidized Stafford Loan based on your financial need, you may qualify for an Unsubsidized Stafford Loan. The federal government does not pay the interest on Unsubsidized Stafford Loans while you are in school or have loans in a deferred status. Student loan borrowers are responsible for all interest that accrues on the loan while enrolled, during your grace period, and any deferment periods. You may elect to make interest payments while in school to avoid the capitalization of interest and lower the overall repayment debt. Loan repayment begins six months after leaving school or if you drop below a half-time enrollment status. Independent students can borrow up to \$9,500 (Subsidized and Unsubsidized combined) for the first academic year. Dependent students can borrow up to \$5,500 (Subsidized and Unsubsidized combined) for the first academic year. If your program of study is more or less than one academic year, these amounts will be different. For loans first disbursed between 7/1/2016 and 6/30/17, the interest rate is fixed at 3.76%. Please review your Loan Entrance Interview package for additional information regarding your loans.

The *Federal PLUS Loan* is available to parents who wish to apply for additional assistance for their dependent child's education. The amount of the PLUS Loan cannot exceed the student's cost of attendance minus other student aid awarded. For loans first disbursed between 7/1/16 and 6/30/17, the interest rate is at 6.31%. The first payment on PLUS Loans will be due within 60 days after the final loan disbursement. Payments will include both principal and the interest that accumulates.

### **Applying for Federal Student Aid**

Each student interested in receiving financial assistance must first complete and submit the *Free Application for Federal Student Aid* (FAFSA). The Student Financial Services Office will utilize the results of the FAFSA, in addition to institutional and other applications to estimate and determine the student's financial aid eligibility.

A student may be selected to participate in a verification process of the information submitted on the FAFSA by the U.S. Department of Education. The U.S. Department of Education's Central Processor (CPS) following procedures established by federal regulation may select a student for verification. If, during the application process, the file is selected for

verification, the student and their family must submit all documents required to validate the information listed on the FAFSA.

Students should refer to [www.studentaid.ed.gov](http://www.studentaid.ed.gov) for more detailed information regarding federal student aid.

### **Disbursing Federal Student Aid**

Federal student aid is awarded based on the student's program of study and academic year. The Federal Pell Grant and Federal Supplemental Educational Opportunity Grant, for those who qualify, is credited to the student's account twice during the academic year – the first disbursement occurs at the beginning and the second disbursement occurs at the mid-point of the academic year as measured in credits earned and weeks attended.

In order to receive federal loan disbursements, the student (and parent in the case of PLUS loans) must complete and sign a valid master promissory note. Student loan borrowers must also complete a loan entrance interview as well. Federal loans are disbursed twice during the academic year – the first disbursement occurs at the beginning and the second disbursement occurs at the mid-point of the academic year as measured in credits earned and weeks attended. Once all tuition and fees charged by the institution have been met, the student may receive the excess amount of federal student aid that creates a credit on the account.

### **Credit Balances**

A "Federal Student Aid Credit Balance Authorizations Form" is provided to students by the Student Financial Services Office soon after enrollment. Students and parents (of a dependent student applying for PLUS loans) review the form, select the appropriate authorization category, and provide the signed form to the Student Financial Services Office. Based on student's authorization, the institution will retain any existing credit balance on the account to be applied to allowable future charges to assist students in managing those funds or to be disbursed at their request. In the event that funds are not requested prior to leaving the institution and the student so authorizes, the institution will return the credit balance to the lender as prepayment of the student loan. The institution will retain interest earned on the credit balance while the funds remain on the account.

### **Returning Federal Student Aid**

The Return of Federal Student Aid policy and the TWS Refund Policy consist of two different calculations. All students who receive federal student aid while attending TWS will have any unearned funds returned to the federal student aid programs should they withdraw prior to completing more than 60% of the payment period from which they withdrew and this is calculated based on the student's last date of attendance. A payment period is defined as ½ of an academic year. More information regarding the return of federal student aid and refund policies can be obtained from the Student Financial Services Office.



### Drug Conviction Effects on Federal Student Aid Eligibility

Any student convicted in state or federal court of selling or possessing illegal drugs while receiving federal student aid may become ineligible for aid for all or part of the school year depending on the type and number of convictions. The chart below illustrates the period of ineligibility for Federal Student Aid Funds, depending on whether the conviction was for sale or possession and whether the student had previous offenses. (A conviction for sale of drugs includes convictions for conspiring to sell drugs.)

	Possession of Illegal Drugs	Sale of Illegal Drugs
<b>1<sup>st</sup> Offense</b>	1 year from date of conviction	2 years from date of conviction
<b>2<sup>nd</sup> Offense</b>	2 years from date of conviction	Indefinite period
<b>3+ Offenses</b>	Indefinite period	n/a

Additional information can be obtained from the Student Financial Services Office.

### Federal Student Loan Management

Each first-time student loan borrower is required to attend/complete a loan Entrance Interview conducted individually, in a group, or online. The interview will include an explanation of the use of a Master Promissory Note (MPN), the importance of the repayment obligation, a description of the consequences of default, sample repayment schedules, information in reference to borrower's rights and responsibilities, as well as other terms and conditions.

Upcoming graduates, students who officially withdraw, or students who cease to attend at least half time will be required to complete/attend the Exit Counseling session. Students who leave school without attending an exit counseling session will receive an exit counseling package mailed by the campus. Exit counseling addresses topics such as the requirement to repay the loan, repayment plans, updating contact and demographic information, the consequences of default.

Students who receive federal student loans sign a Master Promissory Agreement (MPN), which states the student is obligated to repay the student loan funds regardless of the student's graduation, withdrawal from school, or the student's inability to obtain employment.

The student loan program offers students may different repayment options. Students are responsible for selecting the appropriate payment plan to suit their needs. The school's Student Financial Services Office, loan servicer, or the Student

Loan Assistance Group are available to review the different repayment options. If at any time a student becomes delinquent on a loan, it is the student's responsibility to contact the school or the servicer to determine what options are available to the student.

### National Student Loan Data

The National Student Loan Data System (NSLDS) is the U.S. Department of Education's (ED's) central database for student aid. Student financial aid information is submitted to the NSLDS. NSLDS receives data from schools, guaranty agencies, the Direct Loan program, the Pell Grant program, and other ED programs. NSLDS Student Access provides a centralized, integrated view of Federal Student Aid Loans and Grants so that recipients of funds from these programs can access and inquire about the Federal Student Aid loans and/or Grant data. Once the data is reported to NSLDS, this site and all information contained within is accessible to Financial Aid Administrators, Student Loan Servicers, and Students. All users must sign-in and be an authorized user. Unauthorized use of this site is strictly prohibited. To access the NSLDS website, visit [www.nsls.ed.gov](http://www.nsls.ed.gov).

### Federal Student Aid Ombudsman Notification

Student should contact the Student Financial Services Office who is always ready to assist with any questions or concerns regarding Federal Subsidized or Unsubsidized Loans. If a situation exists that the Student Financial Services Office cannot resolve, students should follow the grievance procedures as outlined in both the school catalog and the student handbook. After all options are exhausted and the Federal Student Aid Loan issue cannot be resolved, the U.S. Department of Education's Office of the Ombudsman for student loan issues is available. The Ombudsman resolves disputes from a neutral and independent viewpoint. The Office of Student Financial Assistance Ombudsman will informally research a borrower issues and suggest solutions to resolve.

Student borrowers can contact the Office of the Ombudsman by:

Online: <http://studentaid.gov/repay-loans/disputes/prepare>  
Toll-Free: (877) 557-2575  
Fax: (202) 275-0549  
Mail: U.S. Department of Education  
FSA Ombudsman Group  
830 First Street N.E.  
Mail Stop 5144  
Washington, D.C. 20202



## Code of Conduct for Student Loans

### Our Campuses:

- May not solicit or accept a gift from a lending institution in exchange for any advantage or consideration related to student loans.
- May not engage in revenue-sharing arrangements with a lending institution.
- May not solicit, accept, or receive gifts from or on behalf of a lending institution, and such employees must report any instance of a lending institution attempting to give such a gift. However, food, refreshments, training or informational material furnished to an employee as part of training only are permitted.
- May not receive payment to serve on an advisory board of a lending institution, including being reimbursed for expenses.
- May not permit employees of a lending institution to staff its Student Financial Services Office or represent themselves as employees of the school.
- May accept promotional literature from a lending institution.
- Must inform borrowers of all options to borrow from the federal student loan programs, including explaining the terms and conditions that may be favorable, before it may provide that borrower a private loan.
- May not enter into an agreement or otherwise provide high-risk loans in exchange for concessions or promises to the lending institution that may prejudice other borrowers or create opportunity pools that

balance that balance credit risk among students with different credit ratings.

- Must disclose the process and criteria by which it selected the lending institutions included on a Preferred Lender List (if applicable). Any decision to include a lending institution on the Preferred Lender List must be made based in the best interest of the borrowers, the list must be updated annually, and it must state that students may select any lender they choose and will not suffer any penalty for doing so.
- Must not accept opportunity loans or funds for private loans from lenders in exchange for benefits provided to the school or its borrowers in connection with a different type of loan.
- Must make reasonable inquiry to assure that the lender does not have an agreement to sell its loans to an unaffiliated lender unless that agreement is disclosed.
- May not direct borrowers to an electronic master promissory note or other loan agreement unless it allows the borrower to enter the lender code for any lender offering that type of loan.
- Does not assign for any first time borrower a loan to a particular lender, and does not refuse to certify or delay certification of any loan based on the borrower's selection of a particular lender.

For questions regarding Financial Aid or this policy, contact the Student Financial Services Office at your school. If you have concerns about the policy, please follow the Student Complaint/Grievance Procedure listed in the school catalog.



## Prevention of Financial Aid / Scholarship Fraud

Every year, millions of high school graduates and their families seek ways to finance the costs of a college education. In the process, they sometimes are either victimized by or unwittingly participate in federal student financial aid and scholarship scams and fraud. To help students and their families, Congress passed the College Scholarship Fraud Prevention Act of 2000, Pub. L. No. 106-420, 114 Stat. 1867, and it was signed into law on Nov. 1, 2000. This act established stricter sentencing guidelines for criminal financial aid fraud and charged the U.S. Department of Education, working in conjunction with the Federal Trade Commission (FTC), with implementing national awareness activities, including a financial aid fraud awareness page on the Department of Education website.

The Department of Education and the FTC have continued their consumer education efforts. Using a variety of media, including websites, booklets, brochures, flyers, posters, and bookmarks, the Department of Education and the FTC are disseminating information to help consumers avoid financial aid scams. The Department of Education materials also provide information about the major federal student aid programs. They remind students that there is no fee to submit the Free Application for Federal Student Aid (FAFSA) and that free assistance is available from the Department of Education, high school counselors, and college financial aid administrators when applying for aid.

According to the FTC, perpetrators of financial aid or scholarship fraud often use these telltale lines:

- The scholarship is guaranteed or your money back.
- You can't get this information anywhere else.
- I just need your credit card or bank account number to hold this scholarship.
- We'll do all the work.
- The scholarship will cost some money.
- You've been selected by a 'national foundation' to receive a scholarship.
- 'You're a finalist,' in a contest you never entered.
- We've helped over xx million find a student loan, let us help you!

To file a complaint, or for free information, students or parents should contact the FTC:

- By phone +1 877-FTC-HELP (+1 877-382-4357)
- Website: [www.ftc.gov/scholarshipscams](http://www.ftc.gov/scholarshipscams)

Additional information can be obtained from the following websites:

- [www.studentaid.ed.gov](http://www.studentaid.ed.gov)
- [www.finaid.org/scholarships/fraudact.phtml](http://www.finaid.org/scholarships/fraudact.phtml)
- [www.finaid.org/scholarships/scams.phtml/](http://www.finaid.org/scholarships/scams.phtml/)



## Consumer Disclosures and Student Right-to-Know Act

### Student Disclosure

Federal regulations and the Student Right-to-Know Act require institutions participating in Federal Student Aid to provide additional disclosures to students. The disclosures are appended to this Student Handbook and include:

- Retention Rates
- Student Body Diversity
- On-Time Graduation Rates
- Disaggregated Completion / Graduation Rates
- Placement Rates
- Average Annual Starting Salaries
- Standard Occupational Classification (SOC) Codes for Occupations our Programs Prepare Students
- Average Cost for Graduates
- Median Debt Incurred by Graduates

Information related to these required disclosures will be distributed to all current and perspective students by July 1st each year via the school's website or in hard copy. Current and perspective students may request a copy of the disclosures at any time from the Campus President, Director of Admissions, or Director of Financial Aid.

The Annual Student Right-to-Know Information is attached as an addendum to this Handbook.

### Textbook Information

Students should refer to the Textbook, Course Materials, and Gear Kit Itemization Listing for information and options concerning textbooks, course materials, and gear information for their academic program.

### Voter Registration Information

registration forms to their students. Students are sent an electronic copy of the Texas Voter Registration Form and are

notified of where they may obtain copies of the form. Downloadable versions of this form are available on the Texas Elections and Voter Information website at: <http://www.sos.state.tx.us/elections/voter/reqvr.shtml>.

If you are not a resident of Texas, you can register to vote in your state by using the National Mail Voter Registration Form available on the U.S. Election Assistance Commission's website at: <https://www.eac.gov/voters/national-mail-voter-registration-form>.

Additionally, voter registration forms can be obtained from the Student Services Office.

### Constitution and Citizenship Day – September 17th

Institutions must comply with the Consolidated Appropriations Act of 2005. The law states that "each educational institution that receives Federal funds for a fiscal year shall hold an educational program on the United States Constitution on September 17<sup>th</sup> of such year for the students served by the educational institution." The law requires that Constitution Day be held on September 17<sup>th</sup> of each year, commemorating the September 17, 1787 signing of the Constitution. However, when September 17<sup>th</sup> falls on a Saturday, Sunday, or holiday, Constitution Day shall be held during the preceding or following week.

The National Archives has a Web site with a scan of the U.S. Constitution available online at: <https://www.archives.gov/founding-docs>.

Please refer to the Student Bulletin Board for information on Constitution Day activities on/around September 17<sup>th</sup> of each calendar year.



## Notification of Rights Under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records within 45 days of the day the school receives a request for access.
  - a. The student, or in the case of the student being a minor, the parent, should submit to the registrar or other appropriate official, a written request that identifies the record(s) the student wishes to inspect.
  - b. The school official will make arrangements for access and will notify the student of the time and place where the records may be inspected.
  - c. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student's education records that the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.
  - a. A student who wishes to ask the school to amend a record should write the school official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed.
  - b. If the school decides not to amend the record as requested, the school will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment.
  - c. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. The right to provide consent before the school discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent. Exceptions to consent of disclosure include the following:
  - a. The school discloses education records without the student or parent's prior written consent to school officials with legitimate educational interests. A school official is a person employed by the school in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the school has contracted as its agent to provide a service instead of using school employees or officials (such as an accrediting agency, attorney, auditor, or collection agent); a person serving on the Board of Directors; or a student serving on an official committee (such as a disciplinary or grievance committee), or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for the school.
  - b. The school discloses personally identifiable information from the student's education records without the student or parent's prior written consent to the Attorney General of the United States or to the Attorney General's designee in response to an ex parte order in connection with the investigation or prosecution of terrorism crimes specified in Sections 2332b(g)(5)(B) and 2331 of title 18, U.S. Code. The institution is not required to record the disclosure of such information in the student's file. Further, if the institution has provided this information in good faith in compliance with an ex parte order issued under the amendment, it is not liable to any person for the disclosure of information.
  - c. The school discloses information from a student's education records without the written consent or knowledge of the student or parent in order to comply with a lawfully issued subpoena or court order in the following three contexts:
    - i. Grand Jury Subpoena: The institution may disclose education records to the entity or persons designated in a federal grand jury subpoena. In addition, the court may order the institution not to disclose to anyone the existence or context of the subpoena or the institution's response.
    - ii. Law Enforcement Subpoena: The institution may disclose education records to the entity or persons designated in any other subpoena issued for a law enforcement purpose. As with federal grand jury subpoenas, the issuing court or agency may, for good cause shown, order the institution not to disclose to anyone the existence or contents of the subpoena or the institution's response. Notification requirements and recordation requirements do not apply.
    - iii. All Other Subpoenas: The institution may disclose information pursuant to any other court order or lawfully issued subpoena only if the school makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance, so that the parent or student may seek protective action. The



institution will record all requests for information from a standard court order or subpoena.

- d. The school discloses information from a student's education records without the written consent or knowledge of the student or parent in order to "appropriate parties in connection with an emergency, if knowledge of the information is necessary to protect the health and safety of the student or other individuals." Imminent danger to student or others must be present.
- e. The school discloses information from a student's education records without the written consent of the student or parent "directory" information, such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell eligible students and parents about directory information and

allow eligible students and parents a reasonable amount of time to request that the school not disclose directory information about them. Schools may not, however include certain "directory" information, such as social security numbers, citizenship status, gender, ethnicity, religious preference, grades, GPA, and daily class schedule.

- f. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5901

## Student Grievance Procedure

### Statement of Purpose

The primary objectives of this Student Grievance Procedure are to ensure that students have the opportunity to present grievances to the Institution regarding a certain action or inaction by a member of the Institution. The Institution has a consistent way of resolving those grievances in a fair and just manner.

A student may pursue a grievance if he or she believes that a member of the Institution has violated his or her rights. This Student Grievance Procedure applies to all formal grievances. The definition of a grievance is a violation of written campus policies, procedures, arbitrary, capricious, or unequal application of written campus policies or procedures.

### Informal Resolution

Prior to invoking the procedures described below, the student is strongly encouraged, but is not required, to discuss his or her grievance with the person alleged to have caused the grievance. The discussion should be held as soon as the student first becomes aware of the act or condition that is the basis of the grievance. Additionally or in the alternative, the student may wish to present his or her grievance in writing to the person alleged to have caused the grievance. In either case, the person alleged to have caused the grievance must respond to the student promptly, either orally or in writing.

### Initial Review

If a student decides not to present his or her grievance to the person alleged to have caused the grievance or if the student is not satisfied with the response, he or she may present the grievance in writing to the director or their designee of the

department or area where the person alleged to have caused the grievance is employed. Any such written grievance must be received by the director no later than 30 calendar days after the student first became aware of the facts that gave rise to the grievance. If the grievance is against the director of a department or area, the student should address his or her grievance to the next level director, Campus President, or appropriate authority. The director should conduct an informal investigation as warranted to resolve any factual disputes. Based upon the results of director's investigation, the director shall make a determination and submit his or her decision in writing to the student and to the person alleged to have caused the grievance within ten calendar days of conclusion of their investigation. The written determination shall include the reasons for the decision, shall indicate the remedial action to be taken if any, and shall inform the student of the right to seek review by the Campus President or designee.

### Appeals Procedures

Within ten (10) calendar days of receipt of the director's decision, a student who is not satisfied with the response of the director after the initial review may seek further review by submitting the written grievance, together with the director's written decision, to the Campus President or designee. Within fifteen (15) calendar days of receipt of the request for review, the Campus President shall submit his or her decision in writing to the student and to the person alleged to have caused the grievance. The written disposition shall include the reasons for the decision, and it shall direct a remedy for the aggrieved student if any.



## Arbitration Agreement

### AGREEMENT TO BINDING INDIVIDUAL ARBITRATION AND WAIVER OF JURY TRIAL

("Arbitration Agreement")

Please read this carefully. It affects your rights.

Any disputes, claims, or controversies between me and Tulsa Welding School no matter how described, pleaded or styled, arising out of or relating to the Enrollment Agreement between me and Tulsa Welding School, my recruitment, enrollment, or attendance at Tulsa Welding School, the education provided by Tulsa Welding School, Tulsa Welding School's billing, financial aid, disbursement of funds, career service assistance, or any other claim relating in any manner to my relationship with Tulsa Welding School that is not resolved in accordance with the Student Complaint/Grievance Procedure set forth in the School Catalog, shall be resolved by binding arbitration under the Federal Arbitration Act. In addition, any dispute as to the ability to arbitrate of a particular issue or claim or the validity of the Enrollment Agreement, including this Arbitration Agreement shall be resolved through arbitration. For purposes of this Arbitration Agreement, the terms "Tulsa Welding School," "you", "yours" or "School" mean Tulsa Welding School, its predecessors in interest, successors, assigns, parents, subsidiaries, divisions, and affiliates (the "TWS Entities"), and each of the TWS Entities' owners, shareholders, partners, members, officers, directors, employees, agents, representatives, heirs, executors, administrators, attorneys, insurers, and all persons acting by, through, under, or in concert with them, as well as any subsequent holders of the Enrollment Agreement. I understand that Tulsa Welding School is a trade name owned by TWS Education Group, and that the definitions of the terms "you", "yours" and "School" as used in this Arbitration Agreement encompasses TWS Education Group. The terms "I", "me", and "my" as used in this Arbitration Agreement mean the Student/Buyer and any Co-signer.

I agree that by entering into this Arbitration Agreement, School and I are each waiving the right to a trial by jury, to participate in a class action, or to have claims brought by or against either of us joined or consolidated with claims brought by or against another person.

**Exclusion for Small Claims Court Actions** - Notwithstanding the preceding paragraph, either party may file an action in small claims court.

**Complaints to Regulatory Agencies** - Nothing in this Arbitration Agreement prohibits me from filing a complaint with the state regulatory agency or accrediting agencies listed in School's catalog.

**RIGHT TO REJECT:** I may reject this Arbitration Agreement by mailing a signed rejection notice to 2545 East 11th Street, Tulsa, OK 74104 within 20 days of the date that I sign the

Enrollment Agreement. Any rejection notice must include my name, address, e-mail address and telephone number.

**Choice of Arbitration Provider and Arbitration Rules** - Unless you and I both agree to an alternative, the arbitration shall be administered by the American Arbitration Association ("AAA") before a single arbitrator and under the AAA's Consumer Arbitration Rules in effect at the time the arbitration is brought (collectively the "AAA Rules"). Information about the arbitration process can be obtained from AAA at [www.adr.org](http://www.adr.org) or 1-800-778-7879.

**Location of Arbitration** - All in-person hearings and conferences in the arbitration shall take place in a locale within 50 miles of the campus I attend or attended, unless the School and I agree otherwise. If the county in which I reside at the time I file my claim is more than 50 miles from the campus I attend or attended, then I may choose that the hearings and conferences take place in my county. If my claim is for \$10,000 or less, I may choose whether the arbitration will be conducted solely on the basis of documents submitted to the arbitrator, through a telephonic hearing or by an in-person hearing as established by the AAA Rules. If my claim exceeds \$10,000, the right to a hearing will be determined by the AAA Rules.

**Choice of Law** - You and I agree that the Enrollment Agreement, including the Arbitration Agreement evidences a transaction involving interstate commerce, that the arbitrator shall apply federal law to the fullest extent possible, and that the Federal Arbitration Act (9 U.S.C. §§1-16) (including the applicable substantive and procedural provisions thereof) ("FAA"), and not any state law, shall govern the applicability, interpretation and enforcement of this Arbitration Agreement.

**Costs, Fees, and Expenses of Arbitration** - Each party shall bear the expense of its own counsel, experts, witnesses, and preparation and presentation of proofs. The amount AAA charges to the consumer for filing a claim under the Consumer Arbitration Rules is currently \$200, and all remaining amounts are paid by the business (including administrative fees, arbitrator compensation, and expenses). However, this amount is subject to change by the arbitration provider. I understand that if I grossly overstate my claimed damages and the business is required to pay significant fees to the AAA, then the business may seek to recover those costs regardless of who succeeds in the arbitration.

**Relief and Remedies** - The arbitrator shall have the authority to award in favor of the individual party seeking relief all remedies permitted by applicable substantive law, including, without limitation, compensatory, statutory and punitive damages (subject to limits that would apply in court), and attorneys' fees and costs. In addition, the arbitrator may award declaratory or injunctive relief only in favor of the individual party seeking relief and only to the extent necessary to provide relief warranted in that party's individual claim. Upon the timely





request of either party, the arbitrator shall render a written decision setting forth his or her essential findings and the basis of his or her award. If the arbitrator determines that any claim or defense is frivolous or wrongfully intended to oppress the other party, the arbitrator may award sanctions against the applicable party in the form of fees and expenses reasonably incurred by the other party (including arbitration administration fees, arbitrator's fees, and attorney, expert and witness fees), to the extent such fees and expenses could be imposed on a party or a party's counsel under Rule 11 of the Federal Rules of Civil Procedure. The arbitrator may also award fees and expenses in accordance with any applicable AAA rule.

**Effect of Arbitration Award** - Any state or federal court with jurisdiction and venue may enter an order enforcing this Arbitration Agreement, enter judgment upon the arbitrator's award and/or take any action authorized under the FAA. For any arbitration-related proceedings in which courts are authorized to take action under the FAA, each party expressly consents to the non-exclusive jurisdiction of any state court of general jurisdiction or any state court of equity that is reasonably convenient to me, provided that the parties to any such judicial proceeding shall have the right to initiate such proceeding in a federal court or remove the proceeding to federal court if authorized to do so under applicable federal law.

**Survival, Severability:** This Arbitration Agreement shall survive the termination of my relationship with you or any change in my enrollment status. If any part or parts of this Arbitration Agreement are found to be invalid or unenforceable by a decision of a tribunal of competent jurisdiction, then such specific part or parts shall be of no force and effect and shall be severed, but the remainder of this Arbitration Agreement shall continue in full force and effect. Any or all of the limitations set forth in this Arbitration Agreement may be specifically waived by the party against whom the claim is asserted. Such waiver shall not waive or affect any other portion of this Arbitration Agreement.

**IMPORTANT WAIVERS: NEITHER PARTY WILL HAVE THE RIGHT TO A JURY TRIAL, TO ENGAGE IN DISCOVERY, EXCEPT AS PROVIDED IN THE**

**APPLICABLE ARBITRATION RULES, OR OTHERWISE TO LITIGATE THE DISPUTE OR CLAIM IN ANY COURT (OTHER THAN IN AN ACTION TO ENFORCE THE ARBITRATOR'S AWARD). FURTHER, I WILL NOT HAVE THE RIGHT TO PARTICIPATE AS A REPRESENTATIVE OR MEMBER OF ANY CLASS OF CLAIMANTS PERTAINING TO ANY CLAIM SUBJECT TO ARBITRATION. THE ARBITRATOR'S DECISION WILL BE FINAL AND BINDING. OTHER RIGHTS THAT YOU OR I WOULD HAVE IN COURT ALSO MAY NOT BE AVAILABLE IN ARBITRATION.**

**Notice to Federal Student Loan Borrowers regarding Arbitration**

Enrollment agreements between Tulsa Welding School and its students include a pre-dispute arbitration agreement, which includes a class action waiver that requires arbitration for claims arising out of students' recruitment, enrollment and attendance at the institution, among others. Tulsa Welding School requires students receiving Title IV federal student aid to agree to these terms as a condition of enrollment. As required by federal regulations, Tulsa Welding School provides the following disclosures:

- Tulsa Welding School cannot require a federal student loan borrower to participate in arbitration or any internal dispute resolution process offered by the institution prior to filing a borrower defense to repayment application with the U.S. Department of Education under 34 C.F.R. § 685.206(e).
- Tulsa Welding School cannot, in any way, require students to limit, relinquish, or waive their ability to pursue filing a borrower defense claim with the U.S. Department of Education, pursuant to 34 C.F.R. § 685.206(e), at any time.
- Any arbitration required by the arbitration agreement tolls (pauses) the limitations period for filing a borrower defense to repayment application pursuant to 34 C.F.R. § 685.206(e)(6)(ii), for the length of time that the arbitration proceeding is under way.



## Appendix A: Drug-Free Workplace Policy Consent Form

The Drug and Alcohol Abuse Prevention Program and Policy have been revised in conformance with the current laws of the State of Texas. In accordance with the School's policy of maintaining a drug free workplace, Tulsa Welding School will continue a random drug testing program. Testing may be conducted either on site or at an approved collection site. Mandatory participation if you are selected is required, and your refusal will result in a suspension for no less than three (3) days from attending classes. Continued refusal shall be considered a deliberate attempt to disrupt Tulsa Welding School and could be grounds for termination.

The person who is found in possession of a controlled substance or tests positive for a first time violation will receive a reprimand to be placed in their file and will be required to enroll in an approved Chemical Dependency treatment program. Upon documented proof of completion of this treatment, the reprimand will be removed from the file. However, if a person does not complete the treatment program, the person will be terminated from school and the reprimand will remain in the file. A person found in possession of a controlled substance will be escorted from the School's premises immediately and be listed as absent for the day's shift.

Regardless of previous test activity, a person may be subject to another drug test at any time.

The person testing positive a second time will be given a reprimand that becomes a permanent part of their record, and will be terminated from the school.

Any person arriving at the School in a condition considered by the School staff as being impaired will be suspended immediately for that day and required to leave the premises. If an employee or student suspects that someone is impaired, please notify the Director of Training, Academic Dean, Director of Student Services, the supervisor on duty, and/or the Campus President of this situation. This person will be subject to testing at any time as a result of such behavior.

Any verifiable evidence of a student attempting to or engaged in, the manufacture, sale, or distribution of any known controlled substance will be deemed grounds for immediate termination, and may also include the information being forwarded to the appropriate authorities.

Refusal to sign this Memo of Agreement will result in not starting the program.

I, (Please Print) \_\_\_\_\_, SSN (\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_) have read the above memo and understand that I may at any time be asked to participate in a random drug test, and fully understand the consequences of my refusal to do so. Any evidence of my impairment observed by TWS staff may be deemed grounds for testing, and I agree to such testing.

\_\_\_\_\_  
STUDENT'S SIGNATURE

\_\_\_\_\_  
DATE



## Appendix B: Policy Acknowledgement and Certification Statements

NAME \_\_\_\_\_

STUDENT ID # \_\_\_\_\_

### STUDENT RIGHT-TO-KNOW DISCLOSURES

☐ I acknowledge receipt of the Institution's most recent Student Right-to-Know Information that includes completion/graduation rates, graduate employment rates, general school and financial aid information, as well as various consumer-related policies including the most recent Campus Security Report. I am also aware of where I can obtain additional paper copies of this information.

### DRUG AND ALCOHOL ABUSE PREVENTION PROGRAM CONSENT

☐ I have read and received the Drug-Free Workplace Policy and understand that I may at any time be asked to participate in a random drug test, and fully understand the consequences of my refusal to do so. Any evidence of my impairment observed by staff may be deemed grounds for testing, and I agree to such testing. I also understand that any verifiable evidence of attempting to or engaging in the manufacture, sale, or distribution of any known controlled substance will be deemed grounds for immediate termination, and may also include the information being forwarded to the appropriate authorities.

### NOTIFICATION OF RIGHTS UNDER FERPA

☐ I have received the Notification of Rights under FERPA and understand that I have the right to inspect and review my education record and the right to request amendments of my education records if I believe they contain inaccurate, misleading, or otherwise violate my privacy rights. I also understand that I have the right to provide written consent before TWS discloses personally identifiable information from my education records, except to the extent that FERPA authorized disclosure without consent. I understand that I have the right to file a complaint with the US Department of Education if I feel the institution failed to comply with the requirements under FERPA.

### GRIEVANCE PROCEDURE

☐ I have received a copy of the institution's Grievance Procedure as outlined in the school catalog. In the event I need to present a grievance regarding a certain action or inaction by a member of the institution, I will follow the procedural steps outlined in the policy.

### ARBITRATION AGREEMENT

☐ I have received and read the Agreement to Binding Individual Arbitration and Waiver of Jury Trial and have agreed to it as stated in my Enrollment Agreement. I understand that under the Arbitration Agreement, I will be required to submit covered claims and disputes between me and the school that are resolved in accordance with the Student Complaint / Grievance Procedure to binding individual arbitration.

### COPYRIGHT AND PEER-TO-PEER FILE SHARING

☐ I have read, received, and will abide by the institution's Copyright and Peer-to-Peer Sharing Policy regarding the unauthorized distribution of copyrighted materials and/or the sharing of copyrighted materials through online networks and communities. I understand that copyright violations can result in disciplinary action taken to include reprimand, suspension, and/or possible expulsion from school depending on the seriousness of the violation.

### STUDENT CONDUCT CODE

☐ I have read and received a copy of the institution's code of conduct. I understand that while attending the institution, I am expected to display the highest degree of ethical and professional conduct at all times. I also understand that all school employees are allowed to enforce the Conduct Code. I agree to abide by its terms and understand that violations may result in penalties including reprimand, suspension, and/or dismissal, depending on the seriousness of the violation.

\_\_\_\_\_  
STUDENT'S SIGNATURE

\_\_\_\_\_  
DATE

Revision History

Current version supersedes all previous versions.

Ver.	Effective Date	Author	Reason for Change	Training Requirements
Current Version				
01.00	01-01-2025	Cameron Bell, Data Protection Analyst	Initial document creation.	Public document, no training required.
Previous Versions				
n/a	n/a	n/a	n/a	n/a



