

**ALASKA VOCATIONAL TECHNICAL CENTER**

# **2025 - 2026 STUDENT HANDBOOK**



**AVTEC.EDU**



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## MESSAGE FROM THE DIRECTOR

Welcome to the Alaska Vocational Technical Center (AVTEC), where opportunity meets determination. Whether you're stepping onto our campus for the first time or returning to build on your skills, you've made a powerful choice to invest in your future. At AVTEC, our mission is simple but transformative: to empower Alaskans with the skills and training needed to launch rewarding careers - all in less than a year.

Since our founding in 1969, AVTEC has been a cornerstone of workforce development in Alaska. Created in response to the demand for skilled workers following the discovery of oil at Prudhoe Bay, we began as the Alaska Skills Center. Over the decades, we've evolved to meet the changing needs of Alaska's industries. In 2003, our integration into the Department of Labor and Workforce Development solidified our role as a dynamic, state-operated technical training center, uniquely positioned to adapt quickly to emerging labor market trends.

What makes AVTEC truly special is our ability to provide focused, hands-on training tailored to real-world careers. Whether your goal is to embark on a new career path or to enhance your skills in a current field, our programs are designed with your success in mind. Our commitment to excellence and industry relevance ensures that an AVTEC education opens doors to opportunity and empowers you to achieve your goals.

As you begin or continue your journey with us, know that you are part of a legacy of resilience, innovation, and success. AVTEC is here to support you - not just as a student, but as a future leader in Alaska's workforce.

Welcome to the AVTEC family. Your future starts here.



Cory Ortiz, PhD, Director  
AVTEC



AVTEC is accredited by the Commission of the Council on Occupational Education located at 7840 Roswell Road, Building 300, Suite 325, Atlanta, GA 30350. Telephone: (770) 396-3898 / Fax: (770) 396-3790.  
[www.council.org](http://www.council.org)



AVTEC, as an employer and service provider, complies with Alaska Human Rights Law and Federal Civil Rights Laws. Individuals with disabilities who require reasonable accommodations are welcome to contact AVTEC at [admissions@avtec.edu](mailto:admissions@avtec.edu) or (800) 478-5389 or for individuals that are deaf or hard of hearing via Alaska Relay at 711 or (800) 770-8973.

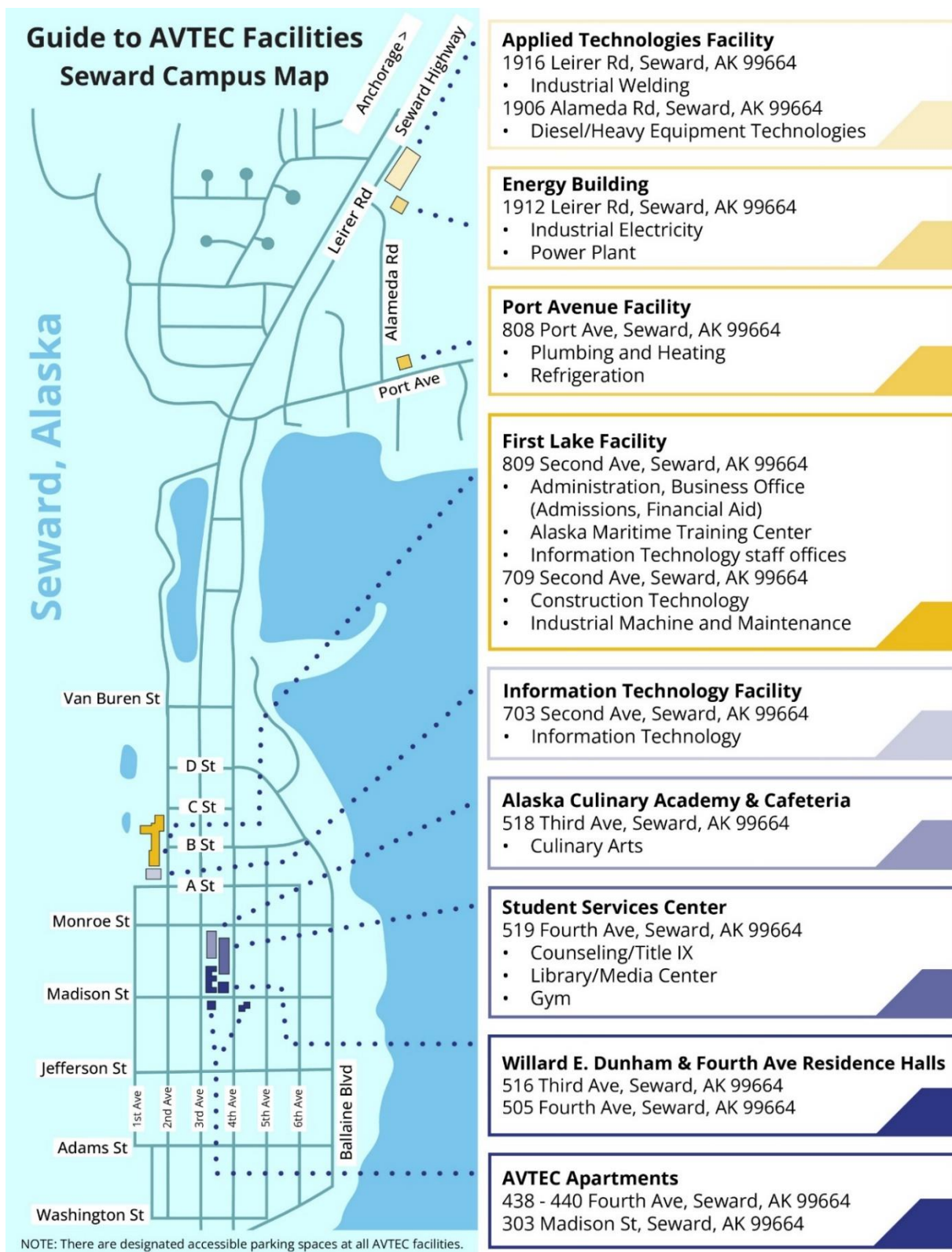
We are an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

AVTEC is a division of the State of Alaska, Department of Labor and Workforce Development.



## Campus Map – Seward, Alaska

**Please note:** the Industrial Electricity program will be held on the second floor of the First Lake Facility during Fall Term 2025.



## GENERAL INFORMATION

### Wireless Internet Access

Wireless internet is available in and around all AVTEC campus buildings. Computers with internet access are available for student use in the library.

For access, wireless devices must be registered on the network. See a Residence Life attendant for information about how to access the network.

There are limitations to student internet use of the network due to State rules for the use of its networks. Students that want unhindered access may contract with local providers for service in their residence hall room. See the Internet Use Policy or speak with Residence Life staff for more information.

### Student Email

AVTEC will issue an official school email address to each student when training begins in one of AVTEC's long term programs. This email account can be used while at training and beyond as long as it remains active. The email account will be deleted when the email account has been inactive for one year.

### Cafeteria Meals and Schedule

For students living in the Fourth Avenue or Willard E. Dunham residence halls, meals are included as part of the room and board fees. Students must bring and use their AVTEC issued ID card to secure and account for meal services.

Students living in AVTEC family housing or off-campus can purchase meal tickets at the Business Office in the First Lake building. Meal tickets cannot be purchased in the cafeteria or Residence Life Office.

#### *Meal Schedule*

Monday–Friday		Weekends	
Breakfast	7:00 am to 8:00 am	Brunch	9:30 am to 10:30 am
Lunch	11:30 am to 12:30 pm	Dinner	5:00 pm to 6:00 pm
Dinner	5:00 pm to 6:00 pm		

NOTE: When no classes are held yet students are on campus, the weekend meal schedule applies.

### Grocery Store Runs/Transportation

Transportation to the grocery store is available every day at 6:30 pm and also at noon on weekends. Please meet at the Residence Life Office five minutes before departure if you want a ride to the store. The Residence Life attendant may also provide transportation to other stores or appointments in Seward when time allows and with 24 hours' notice. Hours subject to change. Please check with the Residence Life Office for updates.

### Mail and Parcel Delivery

#### *Post Office Box*

Students who would like to have mail delivery must do so by securing a PO Box at the U.S. Postal Service Office, located at 507 Madison Street.

The documentation required to set up a PO Box for dormitory residents is two forms of ID and an AVTEC proof of residence card, available from the Residence Life Office.

For students living off-campus, the documentation required is a copy of their rental agreement or a utility bill with the physical address.

#### *Parcel Deliveries (UPS, FedEx, etc.)*

Students that reside on campus can have parcels addressed to the student delivered to the Residence Life Office at 516 3rd Avenue, Seward, AK 99664. Students should inform Residence Life when they are expecting a package, and the student will be notified when it arrives.

### Personal Vehicles and Parking

Students that bring a vehicle with them to training at AVTEC must register their vehicle with the Residence Life office prior to parking anywhere on AVTEC Campus. The vehicle must be in good operational condition. Proof of registration or insurance will be required to register a vehicle. One vehicle per student may be registered.

Students may park in any unrestricted AVTEC parking area. Vehicles that are not in compliance may receive a parking violation that could result in the loss of parking privileges or the vehicle towed at the owner's expense.

Students may not leave their vehicles on campus during the summer/winter break or between school years.

Vehicle maintenance on campus, in any parking lot or training area is strictly prohibited unless prior approval is given, in writing, from their Department Head. Failure to adhere to this requirement will be grounds for corrective action.

### **Student Transportation Services**

Shuttle services are provided to Applied Technologies and Port Avenue throughout the entire school year, and to First Lake from October to April on a weather-dependent basis. Transportation is typically provided for students between the Residence Life Campus and Applied Tech and Port Avenue training facilities on a set schedule before and after the training day and for lunch, Monday through Friday, during the school year.

Bus schedules are posted in the Residence Halls, cafeteria, and training areas. Students should be ready to board at the specific location five minutes before the scheduled departure time.

Dependents of AVTEC students can ride in State vehicles and must wear seat belts or use approved child restraint systems at all times as required by law, and follow the staff's instructions at all times.

### **Student ID**

Students enrolled at AVTEC receive a picture ID valid for the length of their training program. The student ID is used for meals and other student activities. If an ID is lost or stolen, it is reissued at the expense (replacement fee of \$20.00) of the student. If there are changes to status in a program or a housing status change, a new ID will be issued free of charge.

### **Student Employment**

Limited part-time positions at AVTEC are available to students. Please inquire about student work opportunities with AVTEC's Student Services or Residence Life staff.

### **Smoking, Smokeless Tobacco and Vaping**

Campus smoking and nicotine use rules are required by law and are enforced. Obey all signs and placards. Smoking and vaping of any sort is only permitted in designated outdoor smoking areas.

**Smokeless tobacco is allowed only in your own room and the designated outdoor smoking areas.**

### **Drugs, Alcohol and Intoxication**

AVTEC is an Alcohol and Drug-Free Campus. Alcohol and street drugs (including cannabis, alcohol containers and drug paraphernalia) are strictly prohibited on campus. Students who are visibly impaired or intoxicated are not allowed on campus. Students are expected to read and understand AVTEC's Alcohol/Drug Policy (Appendix A – Student Handbook for details).

### **Accident/Injury Reporting Procedures**

All members of the campus community should report any accident or injury that occurs on campus, regardless of location or severity. If you are involved in an accident that causes an injury, seek immediate medical attention by calling 911 for emergency services. If emergency medical care is not necessary, please contact the Residence Life Office so staff can be aware of the incident. Individuals involved in any accident on campus should complete a Student Accident Report (available from any staff member) within 72 hours of the accident. Students are encouraged to notify their medical insurance provider within 48 hours of any personal accident or injury. Staff will assist the student with completion of the report upon request. The completed report should be submitted to the Human Resource staff in the First Lake building at 809 Second Avenue.

AVTEC does not have an onsite clinic nor provide health care services. Health resources available in the Seward area:

- Seward Community Health Center, 417 First Avenue, (907) 224-2273
- Glacier Family Medicine Clinic, 11724 Seward Highway, (907) 224-8733
- Chugachmiut Regional Health Center, 2035 Seward Highway, (907) 224-3490
- Providence Emergency Services, 417 First Avenue, (907) 224-5205 (Open 24 Hours)

### **Safety and Security**

Security cameras monitor the residence halls (Willard E. Dunham Residence Hall and the Fourth Avenue

Residence Hall) and Student Services Center (SSC). The alley entrance doors of the residence halls on Third and Fourth Avenues are always unlocked. The doors to the SSC are only unlocked during business hours and only when in active use. Most other doors in resident buildings are always locked for security purposes, and some have alarms. Do not exit an alarmed door except in an emergency.

Safety is the priority at AVTEC. If students notice anything that looks or feels unsafe in or around campus facilities, please notify an AVTEC staff member immediately. In the event of a medical emergency, fire, or need for police, call 911.

### **Campus Security**

AVTEC does not maintain any campus law enforcement services or employees. The Seward Police Department (SPD) investigates any crime reports on the AVTEC campuses. Call 911 to reach police, fire, or emergency medical services in an emergency. For a non-emergency, contact the Seward Police Department at (907) 224-3338. Students are encouraged when they see something, to say something and contact the police with information about a crime or criminal activity. Members of the campus community can also contact the Residence Life Office at (907) 362-1645 which is staffed 24/7 when students are present on campus.

### **Emergency Notice, Response and Shelter**

In the event of an emergency, students will be notified with specific instructions and are expected to follow them. Emergency instructions may be provided via a public address system, telephonic or text messages.

Unless given specific direction, it is AVTEC policy to 'shelter in place' during any type of emergency.

Individuals should remain where they are until being given other specific instructions or a building-specific alarm sounds requiring evacuation.

AVTEC's Student Services Center is a designated community evacuation shelter, and in an emergency, students should go there where officials will provide further instruction.

### **First Aid and Emergency Supplies**

First aid supplies for minor injuries are available in all training and residence life areas. Students must notify the closest available staff member if they require access to a first aid kit. If an injury requires more than basic first aid treatment, please call 911 or, if safe, bring the individual to the emergency room for assistance. Emergency supplies and equipment (fire extinguishers, alarm activators and related devices) are for emergency use only and should not be tampered with unless there is an emergency situation.

### **Illness**

Students are encouraged to take appropriate action to prevent the spread of contagious illnesses (flu, cold, etc.). Students who are experiencing a potentially contagious illness should remain out of training and public areas until they are no longer contagious. Calling their instructor for an absence due to illness is the responsibility of the student and expected in all training programs.

All students are encouraged to use good hygiene, washing their hands frequently and seeking medical assistance when necessary for the treatment of illness.

Students living on campus who become ill should notify the Residence Life office of the nature of their illness. Residence Life staff will help students to access healthcare resources in the community and prevent the spread of illness by bringing meals to the student's room.



## STUDENT RESOURCES

AVTEC's Student Services Department is located upstairs in offices at the Student Services Center. It provides support for students who may need additional assistance to succeed in training. Some of the services are:

### **Employment and Career Services**

AVTEC's Career Advisor works with students to develop a résumé, strengthen job search strategies, complete job applications, prepare for interviews, and connect with potential employers.

### **Counseling Services**

AVTEC's counselor is here to support student success both in and out of the classroom. Whether students are adjusting to campus life, facing personal challenges, or experiencing barriers that may affect their training – such as homesickness, interpersonal conflict, substance misuse, financial stress, or difficulty with attendance and timeliness - the counselor provides guidance to help students stay on track toward graduation and employment. When needed, the counselor can connect students with external resources for clinical and therapeutic services. The counselor is located upstairs in the Student Services Center and can also be reached by phone at (907) 224-6171.

### **Financial Aid Contact**

The Financial Aid Office is located at the Business Office inside the First Lake building. The Financial Aid Officer can be reached at [studentaid@avtec.edu](mailto:studentaid@avtec.edu) or (907) 224-6156.

### **Drug-Free Workplace Information**

Students enrolled in long-term training (six weeks or longer) receive an orientation follow-up, which includes specific information on Drug-Free Workplaces, and employer expectations in most industries. Topics include the risks to safety and personal health resulting from substance abuse and workplace drug and alcohol testing.

### **Library/Media Center**

AVTEC's Media Center provides learning and recreational reading resources, DVD checkout and more. Days and times will vary; hours are posted on the door.

### **Tutoring**

Students in need of additional assistance with training assignments can visit the Computer Lab/Media Center for evening tutoring support.

### **Workforce Innovation and Opportunity Act (WIOA) Youth Grant**

Federal funding may be available for qualified students under age 25 for training and other assistance. Students should inquire with the WIOA Grant Coordinator or the counselor to learn more.

### **Student Records**

AVTEC's Student Records Office maintains a permanent file for each student for 60 years. AVTEC protects students' privacy and keeps records confidential in compliance with the Family Educational Rights and Privacy Act (FERPA). Students may request to see their permanent file or obtain a copy for a \$10.00 records request fee. Only authorized AVTEC staff may review your record. Staff will not release the records to parents, sponsors or other interested parties without the student's written consent.

## **STUDENT RECREATION AND SOCIAL OPPORTUNITIES**

### **Recreational Activities**

The AVTEC Student Services Center provides students with a variety of recreation options on campus, featuring a full-size gymnasium, racquetball court, climbing wall, auditorium, fitness center, sauna, crafts room, computer lab study areas, and snack bar. AVTEC students have access to the Seward High School pool, at no cost to the student, once per week for swimming. Social events such as campfires, intramural sports, and field trips occur throughout the year.

Student lounges are located in the Willard E. Dunham Residence Hall and Student Services Center. Amenities such as pool tables, table tennis, foosball, video games, and televisions are available 24 hours a day for on-campus residents and during visiting hours (7 am – 10 pm) for off-campus students.

A variety of board games and sports equipment, musical instruments, camping gear, and outdoor recreation supplies are available for students to check out from the Recreation Specialist or Residence Life staff.

The AVTEC ceramics and crafts room is open most evenings for student use. Free supplies for a variety of crafts, including ceramics, beading, painting, knitting/crocheting and traditional arts and crafts are available for students.

The Alaska SeaLife Center offers free admission to AVTEC students with a valid AVTEC ID. Free admission passes for students' visiting families may be available from the Residence Life Office. Check with the Residence Life staff for more information.

### **Public and Dependent Use of Recreation Facilities**

The Seward Department of Parks and Recreation schedules some athletic activities at AVTEC for the public. Students and their dependents may participate, free of charge, in activities that are open to the public at the Student Services Center.

A guardian must directly supervise children under the age of 16 at all times when using the Student Services Center. Dependents and guests under the age of 18 are not permitted to use the lounges inside Willard E. Dunham Residence Hall at any time. Students who bring guests into recreation areas are responsible for their guests' behavior while using the facility.

### **Interest Groups**

Offerings change year to year based on student interest. Wellness, crafts, knitting, beading, meditation, running, hiking and a variety of other interests have had organized clubs in the past. For more information about student groups and resources, please contact a staff member of Residence Life or Student Services.

### **Athletic Teams**

AVTEC sponsors various sports teams that play in seasonal leagues and special tournaments sponsored by the City of Seward. Participating students will be responsible for some participation fees. For information about sports and leagues, students should visit the Recreation Specialist Office across from the gymnasium.

### **Bicycles**

It is recommended that students register bicycles with the Residence Life Office. Speak with a Residence Life team member for more information. Residents may store their bikes inside their Residence Hall rooms or Family Housing Apartments but are responsible for cleanup and any resulting damage.

# STUDENT RIGHTS AND RESPONSIBILITIES

## Student Rights

- Right to pursue training in a clean, organized, and safe environment; and one that is free from harassment and discrimination.
- Right to fair and impartial evaluation of training performance, and a means of recourse to challenge action contrary to this standard.
- Right to participate and contribute feedback in the formulating and evaluating of institutional policies.
- Right to a clearly defined, fair, and consistent enforcement of rules that govern AVTEC operations and student code of conduct, and due process for discipline, including appeals.
- Right of access to and protection from improper disclosure of student records as required by appropriate legal authority.
- Right to have access to accurate information regarding tuition, fees and charges, refunds, and general requirements for establishing and maintaining satisfactory progress in training and requirements for completion.
- Right to a peaceful and quiet environment in which you can study and sleep.
- Right to privacy, respect, and security of your person and personal property; one that is free from unreasonable search and/or seizure.
- Right to address others behavior that infringes on your rights and to file both formal and informal complaints about any aspect of the AVTEC experience.
- Right to expect freedom from interference regarding your recreational, social, and personal enhancement opportunities established within the campus community.

## Student Responsibilities

- Be in the assigned place with appropriate materials, ready to work at the designated time that training begins; follow instructor direction, class rules, and expectations at all times; be in attendance regularly and practice professional behavior in providing prior notification to instructors when unable to attend.
- Use appropriate language and behavior at all times while maintaining friendly and courteous behavior.
- Follow the policies, rules, code of conduct, and regulations of training and campus life to support the educational purposes of AVTEC, and to sustain a safe and comfortable living and learning environment.
- Respect the rights of others, and report unsafe or disturbing situations to appropriate staff.
- Meet expected payment schedules for tuition, room, board, and other fees.
- Respond to all AVTEC staff and faculty directives and questions honestly.

## Access-Ability Services and Accommodations

AVTEC complies with Title I of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act. AVTEC makes every effort to offer reasonable accommodation for students with a documented disability to provide equal access to training programs and activities. You do not have to inform AVTEC that you have a disability, however, if you will be seeking accommodations, you must notify AVTEC and provide documentation regarding your request with enough time for that request to be reviewed and for AVTEC to arrange approved accommodations prior to the start of your training with us.

The process for students with disabilities to request accommodations is outlined here:

- Self-identify: The student must self-identify as having a disability and request accommodation from AVTEC.
- Provide documentation: The student must provide documentation, such as a diagnosis from a qualified professional.

Once the paperwork is submitted, the student works with the AVTEC ADA Coordinator to determine appropriate accommodations based on the curriculum and potential restrictions in the student's training area. Accommodation is determined on an individual basis, based on the student's specific needs, and the curriculum requirements.

AVTEC ADA Coordinator  
Jamie Hall  
PO Box 889  
Seward, AK 99664  
Phone: (907) 224-6114  
Fax: (907) 224-4400

State ADA Coordinator  
Alaska Department of Administration  
550 W 7th Avenue, Suite 1960  
Anchorage, AK 99501  
Phone (voice): (907) 375-7716  
Phone (TTY): 711 for Alaska Relay  
Fax: (907) 375-7719

#### **Additional information regarding ADA Services:**

- AVTEC provides the following services to all students: tutoring, study skills, and possibly a peer tutor. Instructors may provide untimed tests and a quiet place to take a test, however, additional time on assignments is not guaranteed.
- Your IEP or ILP from high school may help demonstrate accommodations that worked for you in the past. Post-secondary schools provide a different level of support by making reasonable accommodation in instructional programs which do not alter the essential content or requirements of a course or program.
- Each AVTEC program has its own physical requirements for admission. Please review the admission requirements for the program of your interest to see if you meet the minimum requirements.
- Know your rights and responsibilities. The U.S. Department of Education's Office for Civil Rights (OCR) website provides more information: <https://www2.ed.gov/about/offices/list/ocr/transition.html>

#### **Service Animals:**

Students requesting accommodation for a service animal will be evaluated on a case-by-case basis. Additional documentation verifying training, or other certification of the animal may be necessary.

A service animal, defined by ADA is 'any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.' <https://adata.org/guide/service-animals-and-emotional-support-animals>

#### **Non-discrimination**

AVTEC is a division of the Department of Labor and Workforce Development (DOLWD). The DOLWD administers all programs and activities free from discrimination based on race, color, national origin, age, sex, religion, marital status, pregnancy, parenthood, or disability. The department administers all programs and activities in compliance with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age Discrimination Act of 1975, and Title IX of the Education Amendments of 1972.

AVTEC is committed to providing an environment free from unlawful discrimination and harassment. If you believe you have experienced discrimination or harassment, you may contact the AVTEC Equal Rights Compliance Office at 224-6114 or contact:

*\*Alaska Department of Administration,  
Personnel and Labor Relations  
Equal Employment Opportunity Program  
619 E Ship Creek Ave, Suite 309  
Anchorage, Alaska 99501  
Phone: (907) 375-7700  
Fax: (907) 375-7719*

*\*Alaska State Commission for Human Rights  
<https://humanrights.alaska.gov/services/complaints/>*

*\*U.S. Department of Education, Office for  
Civil Rights  
Office for Civil Rights  
U.S. Department of Education  
915 Second Avenue, Room 3310  
Seattle, WA 98174-1099  
Telephone: (206) 607-1600  
Fax: (206) 607-1601; TDD: 800-877-8339  
Email: [OCR.Seattle@ed.gov](mailto:OCR.Seattle@ed.gov)*

## **Title IX Compliance**

AVTEC is committed to providing a safe and respectful campus environment, free from gender-based violence and sexual harassment for all students and employees.

Title IX of the Education Amendments Act of 1972 (Title IX) prohibits discrimination based on gender in educational programs which receive federal financial assistance. Title IX protects students and employees from unlawful sexual harassment in school programs and activities, as well as sexual assault, which are both forms of unlawful discrimination under Title IX. This law applies to every aspect of education, including recruitment and admissions, financial aid, all course offerings and access, counseling and counseling materials, housing and residential services, and employment.

### ***Duty to Report***

For AVTEC to respond effectively and to proactively stop instances of gender-based and sexual misconduct, all employees must report information about alleged or possible sexual misconduct to AVTEC's Title IX Coordinator, to their direct supervisor, or to the AVTEC Director. Should an allegation of sexual misconduct be brought to attention and is found to be in violation of this policy, disciplinary actions and other means will be implemented to ensure the behavior is not repeated.

### ***Retaliation***

AVTEC prohibits retaliation by, for or against any participants (complainant, respondent, or witness) for making a good faith report of any conduct believed to violate Title IX policy. Retaliatory action of any kind is subject to discipline.

### ***Reporting***

Students with inquiries relating to sexual misconduct are encouraged to do so by reporting their concern to the Title IX Coordinator or to an AVTEC counselor.

#### **AVTEC Title IX Coordinator**

Jamie Hall  
519 Fourth Ave, PO Box 889  
Seward, AK 99664  
(907) 224-6114  
[titleix@avtec.edu](mailto:titleix@avtec.edu) or [jamie.hall@avtec.edu](mailto:jamie.hall@avtec.edu)

#### **AVTEC Counselor**

Kale Tippit  
519 Fourth Ave, PO Box 889  
Seward, AK 99664  
(907) 224-6171  
[kale.tippit@avtec.edu](mailto:kale.tippit@avtec.edu)

Inquiries may also be made externally to:  
Office for Civil Rights (OCR)  
U.S. Department of Education  
915 Second Avenue, Room 3310  
Seattle, WA 98174-1099  
Customer Service Hotline: (800) 421-3481  
[www.ed.gov/about/ed-Offices/ocr](http://www.ed.gov/about/ed-Offices/ocr)

For more information on Title IX Compliance, please see Appendix H of this handbook.

## STUDENT CODE OF CONDUCT

The Student Code of Conduct sets out the standards of conduct expected of students enrolled in AVTEC training. AVTEC students are held responsible for their conduct at all times. The code shall apply to conduct that occurs on AVTEC premises, during AVTEC training courses, at AVTEC sponsored activities, and to off-campus conduct that involves or adversely affects AVTEC in the pursuit of its objectives. Any student who engages in misconduct is subject to disciplinary action.

Instructors or departments may have additional codes of conduct for training areas that reflect specific safety, behavior, or other standards. These codes of conduct may be stricter but never more lenient than those outlined within this handbook. All codes of conduct within this handbook and those in your respective training areas are required to be followed at all times. For example, the Alaska Maritime Training Center requires strict attendance guidelines to comply with all U.S. Coast Guard regulations and those of other regulatory bodies/agencies.

An instructor may remove a student from class for violations of the code of conduct. Before allowing the student to return to class, the instructor, Department Head, and/or administrator will meet with the student and the counselor to establish the expectations to be met to continue training.

### **Academic Integrity**

AVTEC is committed to community and academic excellence, which thrive through honesty, trust, and mutual respect. Cheating, plagiarism, and all forms of academic dishonesty are violations of this concept and can result in dismissal from training. This includes but is not limited to:

- Cheating on tests, assignments, or other work
- Copying another student's (past or present) work on tests, assignments or other projects
- Utilizing campus resources in a way determined by AVTEC as inappropriate academically

### **Behavioral Misconduct**

Cases of behavioral misconduct usually fall into one of several general categories. The following are examples of misconduct subject to AVTEC discipline:

#### ***Actions against Persons***

Conduct that involves force, the threat of force, or intimidation directed at an individual or group of individuals may constitute an action against persons. Examples include:

- *Assault* includes, but does not necessarily require, unwanted physical contact, as well as fighting and physical altercations.
- *Sexual misconduct* – detailed definitions and examples of sexual misconduct, including sexual assault and Title IX violations can be found in *Appendix C – Campus Security Policy*.
- *Harassment, intimidation or bullying* which includes acts of intimidation, stalking, confrontation, verbal slurs, insults or taunts, physical force or threat of physical force made with the intention of causing fear, intimidation, ridicule, humiliation, disparagement, disruption to the training environment, or damage to property. Such acts committed in person, by visual materials or on clothing in training areas, residence halls and family housing apartments that can be viewed through open doors, windows, or vehicles parked on campus, by proxy, via telephone or cell phone, via text message, or any electronic means including social networking websites or platforms utilized by AVTEC for the purposes of digital learning, are subject to discipline.
- *Hazing* includes any act that endangers the mental or physical health or safety of a student, or that involves the forced consumption of alcohol, drugs, or other substances for the purpose of initiation, affiliation, or admission into any group or organization, regardless of the student's willingness to participate. Hazing is strictly prohibited, is a violation of AVTEC policy and may also be a violation of state law. Reports of hazing will be investigated in accordance with AVTEC's student conduct procedures. If a report results in a formal finding of a policy violation or a legal conviction, it will be documented and publicly disclosed as required by federal law.

Students who experience or witness hazing should report it immediately. Reports can be made to the AVTEC counselor, the Title IX Coordinator, Residence Life, an Instructor, or Department Head. In accordance with federal law, AVTEC publicly discloses any hazing incidents that result in formal disciplinary action or criminal conviction. A list of such incidents can be found on AVTEC's website.



### ***Actions against Property***

Conduct that results in damage to property. Examples include, but are not limited to:

- Theft
- Willfully, or accidentally damaging another person's or AVTEC property, without stepping forward to let someone know
- Unauthorized entrance into AVTEC facilities includes unauthorized possession, use, or duplication of AVTEC keys or cards, passwords or other means of access

### ***Dangerous or Disorderly conduct***

Conduct that creates a disturbance or disrupts the ability of AVTEC to carry on its mission, or which impacts others.

In accordance with the Federal Drug-Free Schools and Campuses Act, AVTEC is an alcohol and drug-free campus. Alcohol and illegal drugs (including containers and paraphernalia) are strictly prohibited on campus. Cannabis, in any form, is also prohibited in or on campus. Students (or their guests) who are found to be visibly impaired, intoxicated or under the influence are subject to this handbook's disciplinary process.

AVTEC code of conduct prohibits the unlawful possession, use or distribution of drugs, alcohol and cannabis by students and employees on AVTEC property or as part of any of its activities. The following is not all-inclusive, but provides examples:

- Possess, use, manufacture, grow, or distribute any scheduled drugs and narcotics, including cannabis in any of its forms.
- Alcohol policy violations: Include but is not limited to possession, consumption and/or intoxication on campus by persons in training and/or living in student housing regardless of age.
- Students aged 21 and older that knowingly provide alcohol to an underaged student will be reported to the authorities and dismissed.
- Tobacco policy: Under the laws of the State of Alaska and AVTEC policy, tobacco use is permitted in designated areas only. Students using tobacco or e-cigarettes in non-designated areas will be subject to fines and discipline up to and including dismissal from training.
- Possessing a weapon on campus: Possession of weapons of any kind on campus and at all AVTEC sponsored activities, whether on or off-campus, is prohibited. Exceptions are tools of training, such as culinary knife sets, and small personal pocket knives with a manually opened blade, not to exceed 3.5 inches in blade length.
- Disorderly conduct which is disruptive to normal operations, infringes on the safety, freedom and activities of all, or which is considered harassing, obscene, or a nuisance.

### ***Actions against the Institution***

Conduct, which involves unauthorized access or alteration of documents and records controlled by AVTEC or improper use of AVTEC electronic and physical resources, may constitute an action against the institution. Examples of actions against the institution include:

- Unauthorized use or access to AVTEC property, forgery, furnishing false information, and theft or damage to AVTEC property.
- Violating the Internet Use Policy (*See Appendix F – Internet Use Policy*), violation of any part of the Internet Use Policy will result in being denied access to the network.

### ***Class Attendance***

Attendance is a job training competency that is measured daily. Like going to work, students are expected to be in class every day, on time and ready to work.

Total absences, unexcused and excused combined, cannot exceed 10% of the available training to date.

Students must contact or coordinate absences with their instructor before the start of class time. Contact information will be provided during the instructor's orientation with the class. Your participation in class is mandatory and required for successful completion of your training.

**Students absent (unexcused) all day for three consecutive training days will be dismissed from training the morning of the fourth day.** Students currently appealing a dismissal from training for attendance violations are expected to be in training during the course of the appeal.

Types of absences are as follows:

- *Excused Absence:* Absences reported to the instructor before the class start time are excused. Excused absences of longer than three days will require verification or other documented explanation of the absence.
- *Unexcused Absence:* Failure to notify the instructor before the class start time are unexcused. Outside of injury or illness, removal from class for any reason will be considered unexcused absences. Time spent in police custody will always be considered unexcused.
- *Tardy:* Arriving at training, without prior notice to the instructor, after the scheduled start time and/or from a break is a tardy and considered an unexcused absence. The instructor will have the discretion to excuse a tardy on a case-by-case basis.
- Absences, whether excused or unexcused, will be recorded in 15-minute increments.

### **Leave of Absence**

The purpose of this policy is to confirm that AVTEC is in compliance with federal regulations, 34 CFR 668.22 (d), regarding the process for students requesting a leave of absence.

A Leave of Absence (LOA) is a period of time, formally agreed upon by the school and the student, in which the student is not in attendance due to extenuating circumstances. An LOA is an interruption in training; it is not a period of excused absences.

Students will not have the opportunity to make up clock hours missed when on an approved LOA, but may have the opportunity to make up missed assignments.

Valid reasons for an LOA may include, but are not limited to, the following examples:

- Extended illness or injury of the student or their immediate family (parent, siblings, spouse, dependents).
- Medical reasons including maternity/paternity leave or in support of a maternity/paternity issue.
- Bereavement leave due to a death in the family.
- Military service.
- Discretionary leave (as deemed appropriate and recommended by the instructor for approval by the Department Head).

Documentation will be required to be submitted when requesting an LOA, such as doctor's note or Military orders, etc.

An LOA must be 7 or more school days and cannot exceed 180 calendar days in any 12-month period to qualify. Training time missed during an LOA does not count against the student's attendance record. The training clock stops during an LOA. A student is only allowed one LOA per training program.

The student must request the LOA in writing and then have a consultation with both the student's counselor and the student's instructor. The LOA documentation will be prepared by the counselor. The instructor will provide the initial approval or denial of the LOA. The Department Head is the final approving authority for an LOA request up to 60 calendar days. An AVTEC Administrator is the final approving authority for an LOA request longer than 60 calendar days and up to 180 calendar days in a 12-month period.

A Leave of Absence Request and Approval form must be completed and signed by the student, the instructor, and the Department Head (and an administrator if required). The original form will be maintained in the student's permanent file. If the student is unavailable to sign the form at the beginning of the leave, the student must sign it the day the student returns from the LOA.

### **Withdrawals and Transfers**

#### ***Transferring Between AVTEC Programs***

Students may transfer between AVTEC programs **during the first week of training** only with approval from the instructors in both programs, and in consultation with the Financial Aid Officer, and with permission from the AVTEC director or designee. Students may obtain a Training Program Transfer Request form and assistance completing it from their counselor or instructor.

#### ***Withdrawal from training***

To officially withdraw from school, a student must submit a written, signed and dated statement of withdrawal indicating the reason and effective date of the withdrawal to the counselor or their instructor.

### **Dress Code**

Students are instructed in the appropriate attire required for the training areas and professional appearance in the workplace and are expected to be appropriately dressed each day. Students wearing attire inappropriate for the classroom will be required to change clothes immediately. The time it takes to change clothes is unexcused time away from training. Clothing that is offensive to others is prohibited.

### **Training Levels of Achievement**

Training programs at AVTEC are designed to replicate what would be experienced on-the-job and with similar expectations. Training programs at AVTEC are competency-based, meaning that technical and employability skills are taught, and student learning is measured through the demonstration of the mastery of skills in the classroom, the performance on employability behaviors, and hands-on work in the labs.

Each program lists the skills students will master during their training on a Training Summary and progress toward mastery is tracked on a Monthly Progress Report, *utilizing the Achievement Rating System found under Satisfactory Academic Progress (SAP) Requirements*.

Upon completion of the training year, a final Training Summary will be completed indicating the mastery of skills demonstrated by the student. An appropriate achievement level of an AVTEC Certificate of Completion will be awarded.

## **Satisfactory Academic Progress (SAP) Requirements**

Satisfactory Academic Progress (SAP) is defined as successful progression through an academic program, which includes the training programs at AVTEC. Every student must maintain SAP in order to remain enrolled at AVTEC, and to remain eligible to receive federal financial aid.

All students are expected to meet the minimum standards of SAP required for the program of study and are evaluated for SAP monthly. In addition, for federal financial aid eligibility purposes SAP is evaluated at the end of each payment period. Payment periods are based on successful completion of both clock hours and weeks of instruction.

### **Minimum Standards for Satisfactory Academic Progress:**

Students are evaluated for SAP using three standard measurements: quantitative, qualitative and completion of program within a maximum time frame.

#### **1. Quantitative - Rate of Progress (ROP)**

A student must maintain the minimum ROP requirements, measured through attendance, at specific points throughout the program. The rate of progress percentage is calculated by dividing the hours earned (attended) by the hours attempted (total available for the training program). Only those hours required in the student's program of study are used in the ROP calculation. The minimum ROP standard at AVTEC is 90%.

#### **2. Qualitative - Cumulative Level of Achievement (CLA)**

Student academic progress at AVTEC is measured through the demonstration of the mastery of technical skills and employability behaviors in the classroom and through hands-on workplace simulation in the labs. Program Training Summaries list the skills students will master during their training year and students are given Monthly Progress Reports indicating levels of achievement in courses completed and progress toward completion of the training program.

Progress toward mastery is measured using a level of achievement rating system. Students must maintain the cumulative level of achievement outlined for specific programs to be considered making SAP. Only courses required in the student's program of study are used in the calculation of cumulative level of achievement.

The following **Achievement Rating System** is used for both the Training Summary and Monthly Progress Reports:

- Level 4 - Skilled: Performed tasks independently; requires minimal supervision.
- Level 3 - Moderately Skilled: Performed independently in a learning situation; may require initial supervision.
- Level 2 - Limited Skills: Performed task during training program; additional training is required.
- Level 1 - Demonstration Only: No practice provided; further training required.
- Level 0 - No Exposure: Missed Instruction due to Absence or lack of prerequisite skill

- NA - Not Applicable: Topic not offered or not required for training level.

At any time during the training year, if a student is not making satisfactory progress toward mastery of the skills listed on the training summary, they could be subject to discipline up to dismissal from the training program.

Students who successfully achieve learning objectives with a cumulative level of achievement of 3 or 4 on their Training Summary AND have a rate of progress over 90% will receive an AVTEC Certificate of Completion and in select programs are eligible to earn industry certification.

### 3. Maximum Time Frame – Completion of Program

Students are expected to complete their program within 150 percent of the published length of the program (or 1.5 times the number of hours in their program). ROP calculations help assure that students will complete their programs within the maximum time frame. Students who exceed maximum time frame will be placed on Financial Aid Suspension (see below).

#### Two Term Programs: 1080-1260 Clock Hour Program Versions (38 weeks) –

- (1080 Clock Hours) Diesel/Heavy Equipment Technologies and Industrial Electricity - *Maximum Timeframe = 1620 hours and 57 weeks.*
- (1110 Clock Hours) Industrial Welding – *Maximum Timeframe = 1665 hours and 57 weeks.*
- (1260 Clock Hours) Information Technology - *Maximum Timeframe = 1890 hours and 57 weeks.*

Hours	ROP minimum	Cumulative Level of Achievement (CLA)
0-450*	90%	2.0
451-900	90%	2.5
900+	90%	3.0

\*SAP is run after a student has earned 450 clock hours and 13 weeks.

#### One Term Programs: 630 Clock Hour Program Versions (19 weeks) – Culinary Arts, Construction Technology, Industrial Machine and Maintenance, Plumbing and Heating, and Refrigeration - *Maximum Timeframe = 945 Hours and 28.5 weeks.*

Hours	ROP minimum	Cumulative Level of Achievement (CLA)
0-315*	90%	2.0
316-630	90%	3.0

\*SAP is run after a student has earned 315 clock hours and 9.5 weeks.

#### **Effect of Transfer Credit on SAP**

AVTEC does not award transfer credits.

#### **Effect of Program Change on SAP**

Students who change programs will only have clock hours and grades that are applicable to the new program calculated in SAP and Maximum Timeframe. Any clock hours that were previously taken that are not part of the student's new program of study will not be used in the calculations.

### Financial Aid Probation, Suspension and Appeals

#### **Financial Aid Probation**

Students who fail to meet the minimum attendance (ROP) and academic (CLA) requirements evaluation during a payment period will be placed on probation. For a student to maintain eligibility for financial aid in

the subsequent payment period, an appeal should be filed with the financial aid office. If the student prevails upon appeal, they will remain on probation for the next payment period and are considered to be making satisfactory academic progress during the probationary/payment period.

If at the end of the probationary/payment period and upon evaluation of SAP, should the student fail to meet the conditions of the appeal, including attendance (ROP) and academic (CLA) standards and the requirements set forth in the Academic Improvement Plan (AIP) they will be determined as NOT making satisfactory academic progress and, if applicable, students will not be deemed eligible to receive Financial Aid funds and they will be placed on Financial Aid Suspension.

### ***Financial Aid Appeals and Documentation***

A student may appeal a Financial Aid Probation determination that they are not making satisfactory academic progress at AVTEC within 10 business days of being placed on probation.

A student who is appealing a Financial Aid Probation will submit a signed and dated Satisfactory Academic Progress Appeal Form (provided by AVTEC) to the school's Financial Aid Office.

The appeal must, at minimum, include the following:

- A statement explaining extenuating circumstances contributing to the student's failure to meet the SAP standards. Acceptable reasons for appeal may be:
  - Personal injury, illness, physical disability or victim of a crime
  - Death/illness of an immediate family member
  - Separation/Divorce
  - Catastrophic events
  - Legal problems
  - Other circumstances beyond a student's control that occurred during the term for which a student lost eligibility
- Supporting documentation, as appropriate;
- A description of what has changed in the student's situation that would allow the student to meet SAP requirements at the end of the next payment period; and
- An Academic Improvement Plan (AIP) that has been developed with and is signed by the student's instructor. The AIP must include how the student expects to meet the SAP standards as well as the time frame in which the student expects to be back in compliance with such standards.

Upon receipt of the appeal, AVTEC's Financial Aid Office will issue a decision to the student within 5 business days of receipt of the student's complete appeal documents.

The decisions of AVTEC's Financial Aid Office concerning SAP appeals are final.

### ***Financial Aid Suspension***

Financial Aid suspension will happen when a student is on SAP probation and fails to meet minimum requirements for SAP (ROP and CLA) during the probationary payment period.

Once a student has reached 150% of the program hours they are not eligible for any further financial aid for the program. Students may choose to continue to complete the program on a cash basis.

### ***Reinstatement of Financial Aid Eligibility***

For reinstatement after financial aid suspension, a student must successfully meet the minimum requirements for SAP (attendance - ROP or academic - CLA) during one payment period to regain Financial Aid Eligibility. Maximum timeframe will also be considered.

### ***Re-entry upon Acceptance of a Reinstatement Petition***

Students who re-enter after dismissal based on an accepted petition are awarded financial aid for their next term of enrollment and are placed on financial aid probation for that term.

## CORRECTIVE ACTIONS

Students are provided due process in corrective actions. However, depending on the severity of the violation, a student may be dismissed by the AVTEC Director or their designee.

### **Academic Notification (Information Technology Students only)**

Academic Notifications will generally be the first step in the academic corrective action process for Information Technology students. Students are required to pass each course with a minimum overall grade of 76%. Notifications will be issued for falling below 76%, giving the students an opportunity to increase their grade. Academic Notifications will include the reason for the notification, and the terms and conditions to be met to avoid further corrective actions. Students who do not follow the terms or meet the conditions of the notification will fail the current course and will be subject to dismissal from training. Students will only receive one Academic Notification per course in the Information Technology program.

### **Warning**

Written warnings are generally the first step in the corrective action process. They can be issued by any instructor or staff member in authority at AVTEC. Warnings are issued for behavioral issues in the training areas and beyond, lack of satisfactory academic progress (rate of progress/attendance and cumulative level of achievement/grades – see Satisfactory Academic Progress Policy for more detail), violations of AVTEC policies, rules, regulations and the Student Code of Conduct.

Depending on the severity of the behavioral violation, students may be placed on probation without warning. Written warnings will include the reason for the warning, and the terms and conditions to be met to avoid further corrective actions. Students are required to meet with their program counselor and financial aid within two business days of being given a warning.

Students who do not follow the terms or meet the conditions of the warning may be subject to further corrective action steps including probation, restriction from campus facilities, and/or dismissal from training. A second warning will not be issued for the same type of violation (attendance, academic, behavioral or residence life).

Warnings will be issued when:

- Behavior in violation of policy is observed by staff; or
- Tardy three times within an eight-week period;
- Student has three hours of unexcused absences, or misses 6% of available training to date; or
- Students' academic progress falls below cumulative levels of achievement – see SAP policy for details.
- Student receives a "No" response on a monthly progress report indicating the student is not meeting Satisfactory Academic Progress standards.

*A student issued a warning for violation of the Student Code of Conduct's Academic Integrity and/or Behavioral Misconduct is no longer eligible for student employment.*

### **Probation**

Students may be placed on probation as the next step in the corrective action process, if the written warning's terms and conditions were not met or for behavioral issues in the training areas and beyond, lack of Satisfactory Academic Progress (which includes the rate of progress/attendance and cumulative level of achievement/grades. See the Satisfactory Academic Progress Policy for more detail), violations of AVTEC policies, rules, regulations and/or the Student Code of Conduct.

Any instructor or staff member in authority at AVTEC can place a student on probation for violation of the Student Code of Conduct, with or without a warning. Instructors placing a student on probation will consult with their department head before doing so.

Probation documents include the reason for the probation and the terms and conditions which must be met to regain good standing. Students are required to meet with their program counselor and financial aid within two business days of being placed on probation.

The duration of the probation period is initially 30 days but can be extended once for an additional 30 days. Students may come off probation early, if they meet the conditions of the probation before the scheduled completion date.

A student cannot be on more than two types (i.e. Attendance and SAP; or SAP and violation of Student Code



of Conduct) of probation at the same time. Should a third probation be warranted, regardless of current probation status, it is grounds for immediate dismissal.

Probations will be issued when:

- Student fails to complete or follow through with terms and conditions outlined within an issued written warning; or
- Student violates the Student Code of Conduct, or
- Unexcused absence hours equal to one full day of training, or
- Student is tardy four times within an eight-week period; or
- Student falls below the rate of progress/attendance of 90% attendance during available training to date, or
- Student receives a second "No" response on consecutive monthly progress reports; "no" indicates student is not meeting Satisfactory Academic Progress standards.

**While on probation, students are not eligible for student employment, a certificate of completion, and/or disbursement of financial aid.**

Dismissal occurs when a student fails to satisfy the conditions of the probation(s) and may occur if student violates other codes of conduct while on probationary status.

### **Dismissals**

Students may be dismissed for failure to satisfy the conditions of probation, violation of the terms and conditions of the probation while on probation, for a third probation, or for violation of other codes of conduct.

Student will be notified of dismissal in writing, by a Department Head or the AVTEC Operations Manager.

Students who have been dismissed may file an appeal. (See the section on Appeals for the process).

- Students appealing a dismissal from training for attendance or academic violations are expected to be in training during the course of the appeal.
- Students appealing a dismissal from training for behavioral violations are not to be in training but should notify their instructor prior to the start of each training day they are absent during the course of the appeal to generate excused absences. Neglecting to notify the instructor each day will result in unexcused absences during the appeal process. Please note both types of absence are time away from training and will affect overall rate of progress/attendance.

Certain programs at AVTEC have an additional obligation for student dismissal based on regulatory guidelines in place by credentialing agencies. Please see the specific requirements of your program during the orientation process.

For example, the Alaska Maritime Training Center may immediately dismiss students for violations of the code of conduct in order to comply with all U.S. Coast Guard regulations and those of other regulatory bodies/agencies without an option for appeal.

The AVTEC Director has the authority to dismiss a student, with no right to appeal.

### **Reinstatement after Dismissal**

Students dismissed from AVTEC and who were unsuccessful in the appeal process may petition the AVTEC Director or their designee to return to AVTEC. The petition should make a compelling case as to why they should be allowed to return to training at AVTEC, include information about the circumstances which affected their previous performance/behavior and how the circumstances have been resolved so as not to repeat the past. Factors that will be considered during the petition process include past academic performance, attendance, behavior, life changes, and account balance. Petitions will be considered on a case-by-case basis. Students wishing to petition for reinstatement can reach out to the admissions department to receive the proper forms at [admissions@avtec.edu](mailto:admissions@avtec.edu) or call them at (907) 224-3322.

### **Residence Life Corrective Actions**

AVTEC Student Housing residents are held responsible for their conduct at all times. Any student in violation of the Student Housing Policies or the Student Code of Conduct is subject to disciplinary action to include:

Residence Life Warning: An initial written warning will be given for violation of any of AVTEC Student Housing Policies. Only one warning will be issued before an Eviction is issued.

Residence Life Eviction: An Eviction from Student Housing will be issued when a Residence Life warning for a violation has not been resolved or improved, however, depending on the severity of the violation, an eviction may be the initial corrective action for a violation.

A student evicted from the residence halls as part of disciplinary action will forfeit room payment for the balance of the current term. The student may continue to eat in the cafeteria for the current term as long as those rights have not been terminated as part of the disciplinary action. A student evicted from family housing apartments as part of disciplinary action will forfeit rent payment for the remainder of the current and following month.

**Following an eviction the student must vacate the residence hall or family housing apartment.** The student is required to remove all personal items from their AVTEC housing and training program, return all library, recreational, and program items, and keys. They must complete all items on the “Move Out Cleaning List” and have their housing inspected by a dorm staff member prior to leaving campus. **This process typically takes 48-72 hours.**

### **Appeals**

Students have the right to appeal dismissals or evictions within two business days of receiving written notice. The appeal process begins with the AVTEC counselor who can assist the student in completing the appropriate documents and answer questions about the appeal process and their role.

Appeals will only be considered if:

- New evidence emerged after the dismissal occurred that could impact the dismissal decision.
- Student claims the policies for dismissal in the AVTEC Student Handbook were not followed.

The AVTEC Director or their designee will review appeal documents and may choose to meet with a student and any potential witnesses or advocates to review aspects of the appeal. All participants in the appeal hearing must conduct themselves in a professional manner. Students must act in accordance with the Student Code of Conduct at all times during the appeal process. Disrespectful behavior will not be tolerated and will result in immediate dismissal/eviction without continued appeal.

Decisions in regards to appeals are final. There is no further appeal within the AVTEC Appeals process.

### **Student Complaints and Grievances**

We recognize that various obstacles may occur during training that students wish to address. In these times, we ask that students utilize the Complaint and Grievance process to the best of their ability to voice any concerns they may have.

*Privacy: It is understood that committee members, faculty, staff, and administrators involved in the discussion of complaints or grievances will maintain professional standards of Privacy as situations allow. Students should be aware that every effort will be made to maintain privacy; however, AVTEC officials may be obligated to disclose information to law enforcement or other agencies as required by law.*

### **Definitions**

#### Informal Complaint:

- Communication of dissatisfaction, or action(s) that are perceived as unfair or unjust. This may be due to inappropriate or unprofessional conduct, unlawful harassment, issue(s) concerning health and safety, organizational policy or decision, interpersonal conflicts.

#### Formal Complaint:

- Written (or electronic) documentation of dissatisfaction signed by the student regarding action(s) that are perceived as unfair or unjust. This may be due to inappropriate or unprofessional conduct, unlawful harassment, issue(s) concerning health and safety, organizational policy or decision, interpersonal conflicts.

#### Grievance:

- A formal written document submitted by a student against the institution and may be filed when a student believes a process was not followed correctly.
- A grievance should outline the specific policy, procedure or standard in question and rationale for the grievance including specific documentation or examples.

## **Process**

### **Informal Complaints**

The student is encouraged to attempt a resolution with whomever the issue arose, if at all possible. The student should contact the counselor if they need assistance and/or guidance.

*Please note, this process does not apply in cases of sexual harassment, sexual misconduct or discrimination. In those cases, the student should contact the AVTEC counselor or AVTEC's Title IX Coordinator, Jamie Hall, for guidance.*

**Formal Complaints**

If the complaint is not resolved informally, the student should contact the counselor for further guidance. If it is determined a formal complaint will be filed then a Formal Complaint form must be completed and must include the following:

- Record of attempts at informal complaint resolution
- Individuals involved
- Dates of incident(s)
- Witnesses, if applicable

The formal complaint form must be dated and signed before it is submitted to the counselor for final review. All decisions will be final.

*Please note, this requirement does not apply in cases of sexual harassment, sexual misconduct or discrimination. In those cases, the student should contact the AVTEC counselor or AVTEC's Title IX Coordinator, Jamie Hall, for guidance.*

**Grievance**

Students who have a grievance about their AVTEC experience should contact the counselor for assistance in completing the Grievance form.

The completed form must include the following:

- Record of attempts at resolution
- Individuals involved
- Dates of incident(s)
- Witnesses, if applicable
- Name of individual and/or department against whom the grievance is filed
- Grievance details outlining the specific policy, procedure or standard in question
- Desired outcome

The grievance form must be dated and signed before it is submitted to the counselor for review.

*Please note, this requirement does not apply in cases of sexual harassment, sexual misconduct or discrimination. In those cases, the student should contact the AVTEC counselor or AVTEC's Title IX Coordinator, Jamie Hall, for guidance.*

## ***Human Rights Complaints/Grievances***

The Alaska Vocational Technical Center (AVTEC), as an employer and service provider, complies with Alaska Human Rights Law and federal civil rights laws. AVTEC does not discriminate due to race, color, national origin, age, sex, political affiliation, religious beliefs, disability, marital status, changes in marital status, pregnancy, parenthood, military service, family medical history, genetic information, sexual orientation, gender identity and economic status.

AVTEC provides a safe and secure learning and working environment and does not tolerate harassment of any kind. This means that all contact between students, instructors, and other employees of AVTEC must be respectful and conducive to a healthy learning and working environment. This includes language, clothing, or personal items displayed or worn in public containing obscene, profane, or offensive language, gestures, pictures, or symbols. Any such behavior should be reported to staff immediately.

If a student has a grievance or believes they have been subjected to discrimination under Section 504, Title II, Title IV of HEA, Title IX or a WIOA Title I-financially assisted program or activity, they may follow these steps toward resolution or during any time of the resolution process and within 180 days of the alleged violation, contact any one of the human rights agencies listed.

For more information, contact AVTEC's Equal Rights Compliance Officer at (907) 224-6114.

### ***Human Rights Agencies:***

#### ***State of Alaska Department of Labor and Workforce Development***

Commissioner  
PO Box 111149  
Juneau, AK 99811  
(907) 465-2700  
[commissioner.labor@alaska.gov](mailto:commissioner.labor@alaska.gov)

#### ***State of Alaska Department of Administration Division of Personnel***

EEO Program Manager  
(907) 375-7705

#### ***State of Alaska ADA Coordinator***

550 W 7th Avenue, Suite 1960  
Anchorage, AK 99501  
(907) 375-7716

#### ***Alaska State Commission for Human Rights***

1901 Bragaw Street, Suite 300  
Anchorage, AK 99508  
(907) 274-4692  
(800) 478-4692  
[hrc@alaska.gov](mailto:hrc@alaska.gov)

#### ***EO Officer, Grants and Contracts (WIOA)***

550 W 7th Avenue, Suite 1930  
Anchorage, AK 99501  
(907) 269-7487

#### ***Director, Civil Rights Center***

U.S. Department of Labor  
200 Constitution Avenue NW, Room N-4123  
Washington, DC 20210  
(202) 693-6500  
[CivilRightsCenter@dol.gov](mailto:CivilRightsCenter@dol.gov)

#### ***U.S. Department of Education***

Office for Civil Rights  
915 Second Avenue, Room 3310  
Seattle, WA 98174-1099  
Customer Service Hotline: (800) 421-3481  
[OCR.Seattle@ed.gov](mailto:OCR.Seattle@ed.gov)

#### ***Council on Occupational Education***

7840 Roswell Road, Building 300, Suite 325  
Atlanta, GA 30350  
(770) 396-3898  
(800) 917-2081  
<http://www.council.org>

## Appendix A – Alcohol and Drug Policy

AVTEC maintains a Zero Tolerance Alcohol and Drug Policy; corrective actions will be applied to all policy violations regardless of extenuating circumstances. Student safety and a safe learning environment are top priorities and essential to AVTEC's mission. Violations that pose a risk to student safety, are egregious in nature, or involve a serious offense may result in immediate action, including eviction from student housing and/or dismissal from training.

**Purpose:** AVTEC is committed to providing a safe and healthy training environment for all students, faculty, and staff. This policy outlines expectations and consequences related to the use, possession, being under the influence, distribution, or sale of alcohol and/or drugs, in support of that commitment.

**Scope:** This policy applies to all students, residents of student housing, and visitors while on AVTEC premises, in AVTEC buildings and facilities, or participating in AVTEC-sponsored activities, including off-campus events.

**Definition:** For this policy, Alcohol and Drugs refers to all mood altering substances that change the function of the nervous system and result in alterations of perception, mood, cognition, and behavior. This includes legal and illegal substances.

- *Prescribed Medications:* Any student taking a medication, as prescribed by the student's physician, which may adversely affect that student's ability to perform work in a safe or productive manner, is required to notify his/her/their instructor or department head. This includes drugs known to possibly affect judgment, coordination, any of the senses, or cause drowsiness or dizziness. *To maintain privacy, the student is not required to disclose the name of the medication or reason for taking it.*

### Prohibited Activities:

- *Use, Possession, and being Under the Influence:* The proven or suspected use, possession, or being under the influence of alcohol, legal or illegal drugs, or medications taken in a way other than as prescribed by the student's physician is strictly prohibited on AVTEC premises or at AVTEC-related activities. This includes possession of containers and paraphernalia used in conjunction with alcohol or drugs.
- *Distribution and Sale:* The proven or suspected distribution, sale, or intent to distribute or sell legal or illegal drugs, prescription medications, or alcohol is strictly prohibited on AVTEC premises and during AVTEC-related activities.

### Reporting, Corrective Actions, Consequences:

- For the safety of students and staff, any person who becomes aware of a violation of this policy should make a report with an AVTEC Supervisor/Department Head as soon as possible.
- Those in violation of this policy will be subject to disciplinary actions including, but not limited to: Written Warning, Probation, Release from student employment, Eviction from student housing, and/or Dismissal from training.
- Those in violation of state, federal, or local laws may face additional legal consequences. Legal authorities will be informed when a violation of the law has or is suspected to have occurred. This includes, but is not limited to, proven or suspected use of illegal substances, public intoxication, underage consumption, and/or furnishing to a minor.

### Support and Education:

AVTEC recognizes that substance misuse may be linked to mental and physical health challenges. Students are encouraged to reach out to an AVTEC counselor for support and guidance. They can assist with navigating AVTEC policies, understanding available resources, and making referrals to qualified professionals for clinical services or treatment. Students who violate this policy and remain enrolled may be provided with educational materials or resources designed to promote awareness and address the behaviors that lead to the policy violation. This support is offered as part of AVTEC's commitment to student development and campus safety and may accompany any disciplinary actions deemed appropriate.

### Health Risks of Alcohol and/or Drug Use:

Alcohol and/or drug use may cause a multitude of medical, mental, or social complications that may be short lived or long term. It is important to understand that using mood altering substances may lead to health risks including, but not limited to, those listed below:

Alcohol:	Unintended injury, self-harm, high blood pressure, heart disease, stroke, liver disease, cancer, mental health issues, alcohol poisoning and possible death.
Drugs:	Asthma, increased risk of HIV, anxiety, confusion, insomnia, paranoia, increased aggression, nausea, constipation, coma, brain damage, liver and/or kidney disease, heart infection, weight loss, severe dental problems, hallucinations, and possible death.

Health Resources in the Seward area:

- **Seward Community Health Center:** 417 First Avenue, Seward. Phone: (907) 224-2273
- **Providence Seward Medical Center:** 417 First Avenue, Seward. Phone: (907) 224-5205
- **North Star Clinic:** 201 Third Avenue, Room 201, Seward. Phone: (907) 224-3490
- **SeaView Seward Mental Health Center:** 1400 Chamberlain Road, Seward. Phone: (907) 224-5257

Compliance and Amendments:

- **State and Federal Laws:** This policy is in compliance with Alaska state laws and federal regulations regarding alcohol and drug use.
- **Drug-Free and Alcohol-Free Campus and Workplace Act:** This policy is in compliance with the standards, notifications/distribution, and reporting requirements of the Drug-Free and Alcohol-Free Campus and Workplace Act.
- **AVTEC reserves the right to amend or update this policy as needed, and all changes will be communicated to the AVTEC community including current students, faculty, and staff.**



Alaska State Statutes, Consequences, and Illicit Conduct:

<b>Alcohol - Statutes</b>	<b>Consequences</b>	<b>Conduct/Offense</b>
Possession, control, or consumption by persons under 21 years of age.	Offense: Fines up to \$500 and an alcohol safety action program	A person under 21 years of age who knowingly consumes, possesses, or controls an alcoholic beverage commits the offense of minor consuming or in possession or control.
Furnishing or delivery of alcohol to persons under the age of 21	Class C felony: Fines up to \$50,000 and up to 5 years in prison	A person may not furnish or deliver an alcoholic beverage to a person under the age of 21 years.
Operating a Vehicle, While Under the Influence	Minimum of 72 hours in jail and fines no less than \$1,500	A person commits driving while under the influence of an alcoholic beverage, inhalant, or controlled substance, including driving a motor vehicle or operating an aircraft or a watercraft.

<b>Cannabis - Statutes</b>	<b>Consequences</b>	<b>Conduct/Offense</b>
Public consumption	Fines up to \$100	It is unlawful to consume marijuana in public.
Personal use of Marijuana, under 21	Misdemeanor Class B: Fines up to \$1000	A person under 21 years old possessing, using, displaying, purchasing, or transporting marijuana.

<b>Controlled Substance - Statutes</b>	<b>Consequences</b>	<b>Conduct/Offense</b>
First-degree Misconduct Involving a Controlled Substance	Unclassified Felony: 5-99 Years in prison and fines up to \$500,000	Delivers schedule IA, IIA, or IIIA controlled substances to people under 19 years of age where the dealer is more than 3 years older; Engages in a continued felony drug dealing enterprise.
Second-degree Misconduct Involving a Controlled Substance	Class B Felony: Up to 10 Years in prison and fines up to \$100,000	Manufactures/delivers a schedule IA controlled substance; Manufactures/intends to manufacture methamphetamine (including possession of certain quantities of listed chemicals with intent to manufacture methamphetamine).
Third-degree Misconduct Involving a Controlled Substance	Class C Felony: Up to 5 years in prison and fines up to \$50,000	Manufacturing, delivering, or possessing with intent to manufacture or deliver any amount of a schedule IVA or VA drug; or possessing any amount of a schedule IIA, IVA, VA, or VIA drug near a school.
Fourth-degree Misconduct Involving a Controlled Substance	Misdemeanor, Class A: Up to 1 year in prison and fines up to \$25,000	Under circumstances not otherwise proscribed, possessing any amount of a schedule IA, IIA, IIIA, IVA, VA, or VIA drug.

*\*Controlled Substances: a drug or chemical whose manufacture, possession, or use is regulated by a government.*

## Appendix B – Attendance Policy

### AVTEC's mission is to train students for employment.

Attendance is a job training competency that is assessed daily. The best path to success for every student is to be on time and prepared to train during all available training time. This is the expectation for every student. It is understood that throughout the training term there may be occasional absences from training.

Types of absences are defined as follows:

- **Excused Absence:** Absences reported to the instructor before the class start time are excused. Excused absences of longer than three days will require verification or other documented explanation of the absence.
- **Unexcused Absence:** Failure to notify the instructor before the class start time are unexcused. Outside of injury or illness, removal from class for any reason will be considered unexcused absences. Time spent in police custody will always be considered unexcused.
- **Tardy:** Arriving at training, without prior notice to the instructor, after the scheduled start time and/or from a break is a tardy and considered an unexcused absence. The instructor will have the discretion to excuse a tardy on a case-by-case basis.
- Absences, whether excused or unexcused, will be recorded in 15 minute increments.

Total absences, unexcused and excused combined, cannot exceed **10% of the available training to date.**

The following outlines AVTEC's Attendance Policy and procedures:

A student will be issued a warning when:

- The student is tardy three times within an eight-week period.
- The student has three hours of unexcused absences or **missed 6% of the available training to date.**
- Additional information on warnings can be found under the Corrective Actions section of this policy.

A student will be placed on probation when:

- Student fails to complete or follow through with terms and conditions outlined within an issued written warning; or
- Unexcused absence hours equal to one full day of training, or
- Student is tardy four times within an eight-week period; or
- Student falls below the rate of progress/attendance of 90% attendance during available training to date.
- Additional information on probations can be found under the Correction Actions section of this policy.

Students must contact or coordinate absences with their instructor before the start of class time. Contact information will be provided during the instructor orientation with the class. **Student participation in class is mandatory and required for successful completion of your training.**

Students absent (unexcused) all day for three consecutive training days will be dismissed from training the morning of the fourth day. Students currently appealing a dismissal from training for attendance violations are expected to be in training during the appeal process.

### Leave of Absence

The purpose of this policy is to confirm that AVTEC is in compliance with federal regulations, 34 CFR 668.22 (d), regarding the process for students requesting a leave of absence.

A Leave of Absence (LOA) is a period of time, formally agreed upon by the school and the student, in which the student is not in attendance due to extenuating circumstances. An LOA is an interruption in training; it is not a period of excused absences.

Students will not have the opportunity to make up clock hours missed when on an approved LOA, but may have the opportunity to make up missed assignments.

Valid reasons for an LOA may include, but are not limited to, the following examples:

- Extended illness or injury of the student or their immediate family (parent, siblings, spouse, dependents).
- Medical reasons including maternity/paternity leave or in support of a maternity/paternity issue.
- Bereavement leave due to a death in the family.
- Military service.
- Discretionary leave (as deemed appropriate and recommended by the instructor for approval by the Department Head).

Documentation will be required to be submitted when requesting an LOA, such as doctor's note or Military orders, etc.

An LOA must be 7 or more school days and cannot exceed 180 calendar days in any 12-month period to qualify. Training time missed during an LOA does not count against the student's attendance record. The training clock stops during an LOA. A student is only allowed one LOA per training program.

The student must request the LOA in writing and then have a consultation with both the student's counselor and the student's instructor. The LOA documentation will be prepared by the counselor. The instructor will provide the initial approval or denial of the LOA. The Department Head is the final approving authority for an LOA request up to 60 calendar days. An AVTEC Administrator is the final approving authority for an LOA request longer than 60 calendar days and up to 180 calendar days in a 12-month period.

A Leave of Absence Request and Approval form must be completed and signed by the student, the instructor, and the Department Head (and an administrator if required). The original form will be maintained in the student's permanent file. If the student is unavailable to sign the form at the beginning of the leave, the student must sign it the day the student returns from the LOA.

### **Corrective Actions: (Attendance)**

Students are provided due process in corrective actions. However, depending on the severity of the violation, a student may be dismissed by the AVTEC Director or their designee.

### **Warning**

Written warnings are generally the first step in the corrective action process. They can be issued by any instructor or staff member in authority at AVTEC. Written warnings will include the reason for the warning, and the terms and conditions to be met to avoid further corrective actions. Students are required to meet with their program counselor and financial aid within two business days of being given a warning.

Students who do not follow the terms or meet the conditions of the warning may be subject to further corrective action steps including probation, restrictions from campus facilities, and/or dismissal from training.

Warnings will be issued when:

- Tardy three times within an eight-week period.
- The student has three hours of unexcused absences or missed 6% of the available training to date.

### **Probation**

Students may be placed on probation as the next step in the corrective action process if the written warning terms and conditions were not met or lack of Satisfactory Academic Progress, which includes the rate of attendance (See the Satisfactory Academic Progress Policy for more detail), violations of AVTEC policies, rules and regulations.

Any instructor or staff member in authority at AVTEC can place a student on probation. Instructors placing a student on probation will consult with their department head before doing so.

Probation documents include the reason for the probation and the terms and conditions which must be met to regain good standing. Students are required to meet with their program counselor and financial aid within two business days of being placed on probation.

The duration of the probation period is initially 30 days but can be extended once for an additional 30 days. Students may come off probation early, if they meet the conditions of the probation before the scheduled completion date.

A student cannot be on more than two types (i.e. Attendance and SAP; or SAP and violation of Student Code of Conduct) of probation at the same time. Should a third probation be warranted, regardless of current probation status, it is grounds for immediate dismissal.

## Dismissals

Students may be dismissed for failure to satisfy the conditions of an attendance probation, violation of the terms and conditions of the probation while on probation, for a third probation, or for violation of other codes of conduct.

Student will be notified of dismissal in writing, by a Department Head or the AVTEC Operations Manager.

## Appendix C – Campus Security Policy

AVTEC provides a safe learning environment for all students and a safe living environment for all residents and their dependents. AVTEC is subject to policies and procedures from various federal, state, and local laws, including, but not limited to, the Higher Education Act and the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Acts.

AVTEC prepares an annual report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report is on the AVTEC website at [www.avtec.edu](http://www.avtec.edu). The report is prepared in cooperation with the Seward Police Department.

The Violence Against Women Act (VAWA) requires the inclusion and dissemination of information about sexual offenses that occur on campus as well as details about what constitutes a sexual offense, and resources available for the accuser and accused in these incidents.

### Definitions

- Awareness Programs: Programs, campaigns, or initiatives that increase audience knowledge of the issues of sexual assault, domestic violence, dating violence, and stalking, and share information and resources to prevent interpersonal violence, promote safety, and reduce perpetration.
- Bystander Intervention: Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene in situations of potential harm when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the individual.
- Consent: Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.
- Domestic Violence: Under Alaska State law, it is illegal for a person to hurt you physically in any way, to force you to have sex when you don't want to, to threaten to hurt or kill you or your children or to destroy your property. Domestic violence occurs when you are physically, sexually, or emotionally abused by another person who is associated with you as:
  - A spouse or former spouse;
  - A person you have dated, or are presently dating;
  - A person with whom you have had sex;
  - A person who lives, or has previously lived with you, in the same household;
  - A parent, stepparent, grandparent, child or grandchild, aunt, uncle, cousin, second cousin or children of any of these persons. Under Alaska law, dating violence is considered to be domestic violence when it involves individuals who are in current or former dating relationships, regardless of their housing situation.
- Ongoing Prevention and Awareness Campaigns: Campaigns that are sustained over time, focusing on increasing awareness or understanding of topics relevant to SA, DV, and stalking prevention. These programs will occur at different levels throughout the institution (i.e., faculty, athletics, and incoming students) and will utilize a range of strategies.
- Primary Prevention Programs: Programming, initiatives, and strategies intended to stop domestic violence, dating violence, sexual assault or stalking before it occurs to prevent initial perpetration or victimization by promoting positive and healthy behaviors and beliefs.
- Stalking: Under Alaska law, it is illegal for another person to intentionally act in such a way that recklessly places you or someone else in fear of death or physical injury to yourself or your family member. Examples of stalking vary but stem from "nonconsensual contact" which means that any contact that is initiated or continued without that person's consent, after someone has expressed a

desire to cease contact, or is outside of the realms of the desired contact. Some examples include:

- following or appearing within sight of that person;
  - approaching or confronting that person in a public place or on private property;
  - appearing at the workplace or residence of that person;
  - entering onto or remaining on property owned, leased, or occupied by that person;
  - contacting that person by telephone;
  - sending mail or electronic communications to that person; or
  - placing an object on, or delivering an object to, property owned, leased, or occupied by that person.
- Sexual Assault: Sexual penetration or sexual contact of another person without consent is sexual assault and can occur under a variety of circumstances, including but not limited to:
    - Engaging in sexual penetration with someone without their permission and/or who has told you no;
    - Engaging in or attempting sexual penetration or contact with someone without their permission and they are seriously physically injured as a result;
    - Engaging or attempting to engage in sexual activity or contact with someone known to be mentally incapable;
    - Engaging or attempting to engage in sexual activity with someone who is incapacitated, too drunk or high to remember what happened, too drunk or high to walk, talk or clearly communicate and to give consent; or
    - Engaging in or attempting to engage in sexual activity or contact with someone who is unaware of what is happening to them.

## **Appendix D – Pregnant Student Policy**

AVTEC is committed to creating and maintaining a community where all individuals enjoy freedom from discrimination, including discrimination on the basis of sex, as mandated by Title IX of the Education Amendments of 1972 (Title IX).

AVTEC will not discriminate against any student, or exclude any student from its education program or activity, including any class or extracurricular activity, on the basis of such student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom. In accordance with Title IX, AVTEC will grant a pregnant student leave for the length of time deemed medically necessary by the student's physician and in accordance with AVTEC's Leave of Absence (LOA) Policy.

To the extent possible, AVTEC will take reasonable steps to ensure that pregnant students who take an LOA return to the same educational status the student held prior to LOA. Given the nature of our cohort-style programs, LOA's are sufficient cause to permit the student to join a subsequent cohort when returning from leave, depending on the circumstances. Nothing in this policy requires modification to the essential elements of any academic program.

Pregnant students are encouraged to discuss their circumstances with their department head by the sixth month of pregnancy or sooner to explore options for academic success, which may include make-up work, LOA or re-starting the program. The Title IX Coordinator will assist with plan development and implementation as needed.

### **Accommodations**

Students with a pregnancy-related condition, like any student with a short-term or temporary disability, are entitled to reasonable accommodations so that they will not be disadvantaged in their program of study. Students who wish to discuss their need for such accommodations should seek assistance from the Title IX Coordinator. Pregnancy related accommodations shall be based on the pregnant student's request, and shall not be initiated by AVTEC.

As with disability accommodations, information about pregnant students' requests for accommodations will be shared with faculty and staff only to the extent necessary to provide the reasonable accommodation. Faculty and staff shall regard all information associated with such requests as private and will not disclose this information unless necessary. Administrative responsibility for these accommodations lies with the Title IX Coordinator, who will maintain all appropriate documentation related to accommodations.

Reasonable accommodations may include, but are not limited to:

- Providing accommodations requested by a pregnant student to protect the health and safety of the student and/or the pregnancy
- Making modifications to the physical environment
- Extending deadlines and/or allowing the student to make up tests and assignments missed for pregnancy-related absences
- Allowing breastfeeding students reasonable time and space to pump breast milk in a location that is private, clean, and reasonably accessible

### ***Attendance and Enrollment Options***

Please refer to Appendix B-Attendance Policy in the Student Handbook for class attendance and Leave of Absence policies.

Note that longer periods of leave may interfere with your ability to maintain satisfactory academic progress.

### ***Withdrawal***

A Withdrawal occurs when a student determines that they must pause their education for medical reasons by taking a quarter or more off from their program of study. If a pregnant student wishes to withdraw for pregnancy and postpartum/parenting reasons and reenroll at a later date, AVTEC will work to help reinstate the student to the same educational status the student held prior to withdrawing. After a Withdrawal, a student seeking reenrollment will need to join the next available cohort. AVTEC reserves the right to require a student to restart a program.

### ***Make-Up Work***

Make-up work will be available to pregnant and postpartum/parenting students or they may be given the opportunity to restart the program. The specifics of the make-up work assignments and related due dates will be left to the instructor and department head to determine.

## **Appendix E – Financial Aid Policies**

### **Repayments-Title IV Federal Policy**

Students receiving any Federal Title IV aid, such as Federal Pell Grants, Federal Direct Loans and Federal Parent PLUS loans are subject to the regulations of that program as written by the Federal Government under the Higher Education Act of 1965 (as amended).

Students who withdraw from a class, are terminated by the institution or otherwise do not complete their contracted class prior to completing more than 60 percent of the payment period will have their eligibility for aid recalculated based on the percent of the term that has elapsed and that the student has completed. For example, when a student withdraws and has only completed 30 percent of their first term of training, it will be determined they have only “earned” 30 percent of the Federal Title IV aid that has been disbursed or could have been disbursed for that term. The other 70 percent of the funds must be returned by the student/school as those funds are considered “unearned” funds.

If the amount of aid that is considered “unearned” is more than the amount that the student has on their account at AVTEC, the student must repay AVTEC. The student will not be able to attend AVTEC until that debt is repaid. The funds will be returned to the appropriate Title IV programs in this order: Unsubsidized Federal Direct Loans, Subsidized Federal Direct Loans, Federal Parent PLUS Loans, Federal Pell Grants.

Once the school returns the portion of aid they are required to return, and there is still an amount considered “unearned” and due, the student is responsible for repaying that debt to the U.S. Department of Education. This information will be referred to the U.S. Department of Education by AVTEC. Failure to repay these funds may result in the inability to receive Federal Title IV aid, tax refund garnishment and other consequences.

When it is determined that a withdrawing student has more aid earned than has actually been disbursed as of the withdrawal date, AVTEC may apply “post-withdrawal disbursements” to any current year charge owed AVTEC without the specific permission of the student, providing the student would have been otherwise eligible for the aid as of the withdrawal date. Should any of the “post-withdrawal disbursement” aid remain after paying amounts owed to AVTEC, withdrawing students (or their respective PLUS borrower)

will be offered, in writing, post-withdrawal disbursements of the funds within 30 days of the withdrawal/termination date. The withdrawing student must accept the balance of the “post-withdrawal disbursement” within 14 days and AVTEC must provide the funds to the withdrawn student within 90 days of the withdrawal date. If the student (or parent for Parent PLUS loans) does not respond within the 14-day window, AVTEC is not required to make the disbursement but may do so at its discretion.

Fees, procedures, and policies above supersede those previously published and are subject to change.

### **Conviction for Possession or Sale of Illegal Drugs**

A student is ineligible to receive Title IV, HEA program funds, if the student has been convicted of an offense under any Federal or State law involving the possession or sale of illegal drugs for conduct that occurred during a period of enrollment for which the student was receiving Title IV, HEA program funds. However, the student may regain eligibility before that time period expires under the certain conditions.

A conviction means only a conviction that is on a student's record. A conviction that was reversed, set aside, or removed from the student's record is not relevant, nor is a determination or adjudication arising out of a juvenile proceeding.

An illegal drug is a controlled substance as defined by section 102(6) of the Controlled Substances Act (21 U.S.C. 801(6)), and does not include alcohol or tobacco.

If a student successfully completes certain drug rehabilitation programs after the student's most recent drug conviction, the student may regain eligibility on the date the student successfully completes the program.

Please contact Financial Aid for more information. (907) 224-6156

### **AVTEC Refund Policy**

AVTEC has a fair and equitable refund policy. Refunds may be precipitated by a student withdrawing from training or through the dismissal process for violations of policy and/or code of conduct.

Using the appropriate refund policy for the student's financing and program length, a refund is calculated when a student fails to complete the contracted training program on or after the first day of training. The school's policy provides for a refund of the larger of the calculations required for the type of financing the student is receiving.

If a class is canceled by the institution, 100% of the tuition and fees received are refunded. If a student notifies AVTEC in writing 7 days prior to the start of training that they will not be attending, tuition and fees are 100% refunded. If a student notifies AVTEC in writing less than 7 days prior to the start of training that they will not be attending, a \$100 cancellation fee will be withheld before tuition and fees are refunded.

In all cases, a refund will be processed within 30 days.

### **Refund Calculations**

Refund calculations are made from the last date of recorded attendance. Refunds are processed no later than 30 days after the student's official withdrawal date. If the student does not officially withdraw, refunds will be made no later than 30 days from the date the school terminates the student or determines the student has withdrawn.

At times students present with multiple sources of funding. When leaving AVTEC and requesting a refund, any student funds remaining on account for repayment are prioritized depending on the regulations that apply to the source of those funds.

### **Tuition Refunds**

For students leaving training prior to graduation date, tuition refunds will be calculated as follows:

- Prior to the fourth day of training = 100% Refund of Tuition
- From the fourth day up to completion of 10% of the program clock hours = 90% refund
- Completion of 10% but no more than 20% of the program clock hours = 80% refund
- Completion of 20% but no more than 25% of the program clock hours = 55% refund
- Completion of 25% but no more than 50% of the program clock hours = 30% refund
- No tuition refund after completion of 50% of the program clock hours

Refunds will be issued based on priority as mandated by Federal and State regulation:



- Unsubsidized Federal Direct Loans
- Subsidized Federal Direct Loans
- Federal Pell Grants
- Alaska Supplemental Education Loan
- Other federal, state, private or institutional sources of aid
- The student and/or student's family

### **Room and Board Refund**

Room and board/rent are refunded in accordance with the housing agreement. Any funds on account in excess of the current charges will be refunded, provided the room is cleaned and free of damage other than reasonable wear and tear.

### **Veteran's Refund**

Refunds to eligible veterans will be made on a prorated basis.

### **Returned Checks**

A returned check fee of \$25.00 is charged to the student's account on whose behalf the check was written. The fee is assessed for any checks returned to AVTEC regardless of the reason.

## **Appendix F – Internet Use Policy**

### **Definitions**

**Authorized Use:** Any scholarly activity, AVTEC business activity or personal activity by an authorized user that does not violate any federal or state law or AVTEC policy.

**Authorized Users:** Currently enrolled students, authorized guests, or other individuals approved by the AVTEC Administration or their designee.

**Computing resources:** Refers to and includes any and all forms of computer-related equipment, tools, and intellectual property. This includes computer systems, personal computers, and computer networks and all forms of software, firmware, operating software, and application software owned by AVTEC or under the school's possession, custody, or control.

**Email:** Electronic mail

**Personally Owned Computer (POC):** Any desktop or laptop, or handheld computing devices such as tablets, smartphones, gaming devices, or other electronic devices that may connect to AVTEC computing resources owned by an employee or student that is used on campus or in campus housing.

**AVTEC Owned Computer (AOC):** Any AVTEC-owned desktop computer, laptop computer or handheld computer assigned to or used by an Authorized User.

Personal use of campus computers in the computer lab, library, offices and other areas is allowed within reasonable limits. Authorized users shall be made aware that they are using AVTEC equipment and/or resources, and such use is a reflection on the institution. Authorized users shall be aware that they are subject to all AVTEC policies while personally owned computers are connected to AVTEC's network.

### **IT Rights and Remedies**

IT Services is responsible for enforcing AVTEC's Acceptable Use of Computing Resources Policy. It shall be enforced in concert with all other AVTEC policies and local, state and federal laws pertaining to the use of the network and computer resources. This policy applies to both the AVTEC wired and wireless networks. It is the user's responsibility to be aware of all relevant policy documents.

### **Network Access**

Individuals should always have a contingency plan for critical activities, assignments, and/or communications. Campus network resources are as advanced as possible. IT Services cannot control the failure of equipment and/or network and/or remote location problems beyond the boundary of AVTEC's campus.

### **Enforcement of the Acceptable Use Policy**

As a state-owned resource, the Campus Network is monitored. The network data content is not monitored, reviewed or stored. If connections to and from the user's computer look unusual, the user will receive an

email or phone call from a staff member about the activity. The staff member will attempt to ensure that the computer is configured correctly and/or not infected with a virus. In some cases, the user may be asked to modify their activity.

In extreme cases, the computer may be disconnected from the network without warning. IT Services has the authority, depending on circumstances, to block network access to/from the user's machine. Repeated violations may result in permanent loss of network connectivity privileges.

Failure to abide by AVTEC's Acceptable Use of Computing Resources Policy and the AVTEC General Acceptable Use Policy may result in actions including but not limited to:

- Immediate disconnection from the Campus Network without warning
- Disciplinary action, as outlined in AVTEC Housing and Student Affairs Policies
- Legal action under state and federal law

### **User Responsibilities**

1. If registration information changes, the user must contact AVTEC's IT Services with the updated information.
2. The user is responsible for all network traffic generated by their network-attached device. The user will be held accountable for violations of the applicable policies regardless of whether the user 1) generated the traffic, 2) is aware of the traffic, or 3) is aware of the policy violation.
3. The user is responsible for seeking clarification from IT Services about any situations that they feel may violate policy.
4. The user is responsible for installing, maintaining, and utilizing a virus prevention application.
5. The user is responsible for protecting the wireless network's security software, so it is not transferred from one machine to another. The user is also responsible for the safekeeping of their authentication, user identification, and password.

### **Unacceptable Use**

The performance of AVTEC business, education, and institutional functions require the appropriate use of network resources. Any disruption of the network can penalize hundreds of users on campus. Under no circumstances is an AVTEC student or authorized guest to engage in any activity illegal under local, state, or federal law or to violate the Alaska Administrative Code.

The actions listed below are prohibited and are the responsibility of the user, whether intentional or accidental:

1. Violating any state or federal law or regulation.
2. Any action that would impair the function of the network.
3. Any action that would deny or impair network service to another system or user.
4. Operation of any server on the network.
5. Peer to peer programs that share music, video, or other files.
6. Hosting a WEB site on a machine connected to the campus network.
7. Providing access to the AVTEC network to non-authorized users.
8. Using a computer, computer account, or system without authorization.
9. Using the campus network to gain unauthorized access to any computer (hacking).
10. Connecting to another Internet Service Provider (dial-up, DSL, cable modem) while connected to the campus network.
11. Performing an act that will interfere with, damage, or otherwise degrade the normal operation of other systems and/or network resources; including, but not limited to, running, installing, or distributing programs known as computer viruses, Trojan horses, and worms.
12. Attempting to monitor or tamper with another individual's electronic communications, including scans, "sniffers," and probes of the campus network.
13. Attempting to circumvent data protection schemes or security mechanisms.
14. Misrepresenting one's identity to avoid accountability, including, but not limited to, falsifying one's E-mail address or impersonating others in any communication form.
15. Using another individual's computer account identity.
16. Violating terms of applicable software licensing agreements or copyright protection laws, including making available materials such as music, videos, text, or software without appropriate permission.
17. Taking any action that invades the privacy of individuals or entities that are creators, authors, users,

or subjects of information resources.

18. Using the network for commercial purposes, for personal financial gain, or the exchange of services for money or any other thing of value. Advertising of the availability for sale of miscellaneous used personal property belonging to the resident is not commercial within the meaning of this paragraph.
19. Using an unauthorized IP address or statically assigned address.
20. Using electronic mail, services, or facilities to harass others, including, but not limited to, sending unsolicited mass mailings over the network (chain mail, solicitations, etc.), sending email and/or attachments to an individual who has requested that such email and/or attachments not be sent, using harassing comments or activities during Internet Chat applications.
21. Connecting a personal wireless switch, router, or access point to the campus network.
22. Extending the campus network services by modifying the wiring beyond the area of their intended use of one computer per data jack. This applies to all network hardware, computer lab equipment, and in-room data jacks.

## **Appendix G – Student Housing General Information, Policies and Corrective Actions**

Students living in campus housing, including Family Housing Apartments, have requirements in addition to those in the Student's Code of Conduct and elsewhere in this handbook.

### **General Information – Student Housing**

#### **Safety**

Safety is our priority. Residents are expected to use good judgment regarding all activities on and around campus. Unsafe behavior on AVTEC property will not be tolerated. If you see anything that looks or feels unsafe, please let a Residence Life attendant know as soon as possible.

#### **Entrances**

AVTEC does not enforce a curfew for residence hall residents. The main entrances of residence halls are open 24 hours a day. Do not use emergency exits unless there is an actual emergency. All emergency exits will sound an alarm if used.

#### **Residence Life Office**

Residence Life staff are available 24 hours a day, seven days a week. The Residence Life Office is located in the Willard E. Dunham Residence Hall lobby. The office phone is (907) 224-6100, and the cell number is (907) 362-1645, where staff can be reached if they are not in the office.

#### **Housing Assignments and Occupancy**

Housing assignments are determined before arrival at AVTEC. Any student wishing to change housing status, room/apartment assignments, or those vacating early for any reason need to inform Residence Life staff. The Residence Life staff must approve all changes.

#### **Laundry**

Laundry rooms in Dunham Hall are open 24 hours. Laundry rooms in the Fourth Avenue residence hall are locked during quiet hours (10 pm – 7 am). Laundry should be removed from machines as soon as it is finished. Student use of AVTEC laundry facilities is at student's own risk. Detergent and supplies can be purchased at local grocery stores. Residence Hall laundry room use is for Residence Hall residents only.

#### **Items to Borrow**

The Residence Life Department has many items that can be checked out for use by students living in the residence halls. TVs, fans, heaters, irons, sewing machines, coffee makers, desk lights, and various recreation items can be checked out for 24 hours at a time. Please see a Residence Life attendant to check out these items.

#### **Residence Hall Recreation Areas**

The lounges and recreation areas inside the residence halls are open at all times. The TV volume and noise in these areas must be kept at an appropriate level so as not to disturb other residents. Quiet hours are strictly enforced in these areas. Please be respectful of the furniture and other users of the facility. Furniture may not be removed from common areas.

### **Maintenance Requests**

Residents are not permitted to make repairs to AVTEC facilities. Residents must contact the Residence Life Office to report broken or inoperative items. After the request is made, maintenance will promptly attend to the issue, depending on the severity of the needed repairs.

### Student Housing Policies

#### **Student Code of Conduct**

AVTEC has a Student Code of Conduct that all students are required to follow at all times while a student at AVTEC. Any violation of this Code of Conduct will result in corrective actions against the student. Please see the Student Code of Conduct in the Student Handbook for specific details.

#### **Drugs, Alcohol and Intoxication**

AVTEC is an Alcohol and Drug-Free Campus.

Alcohol and street drugs (including cannabis, alcohol containers and drug paraphernalia) are strictly prohibited on campus. Students who are visibly impaired or intoxicated are not allowed on campus.

Students are expected to read and understand AVTEC's Alcohol/Drug Policy (Appendix A – Student Handbook for details).

#### **Smoking, Smokeless Tobacco, and Vaping**

Campus smoking and nicotine use rules are required by law and are enforced. Obey all signs and placards.

Smoking and Vaping of any sort is only permitted in designated outdoor smoking areas.

**Smokeless tobacco is allowed only in your own room and the designated outdoor smoking areas.**

#### **Quiet Hours**

Quiet hours are from 10 pm – 7 am. These hours are strictly enforced. Please be respectful of these hours.

#### **Room Cleaning**

Residents are required to keep their assigned room and bathroom clean. Vacuum cleaners, mops, brooms, trash bags, and other cleaning supplies are available in several locations on campus. All residents should arrange a schedule with their 'suite mate' to clean their shared bathroom at least once a week.

Room floors should be free of tripping hazards, clothes and other personal items should be picked up and trash must be regularly removed from room and disposed of in the shared dumpsters located outside in the alley and near the main entrance.

Regular room inspections will be conducted every 4-6 weeks to ensure sanitation, health and safety. Prior notice will be given for room inspections. A student with a failed inspection will be subject to corrective action(s).

#### **Housing Inspections**

Staff will perform regular health and safety inspections inside Residence Hall rooms and Family Housing Apartments. Public notice of inspections will be posted at least 24 hours in advance.

Students will receive a notice of violations, if discovered during the inspection. The notice will list items to be corrected/resolved with a deadline to comply. Failure to comply will result in a written warning. Subsequent violations may result in eviction.

#### **Right to Entry/Privacy**

Residents have the right to privacy in their Residence Hall room or Family Housing Apartment. Residents should lock their doors when they are not in their room and use good judgment to store valuable items. Staff may enter a room after knocking loudly and announcing themselves within these parameters:

- During unoccupied breaks for maintenance or other business purposes;
- After prior public notice to conduct regular housing health and safety inspections;
- After prior public notice to affected residents, to perform maintenance work necessary for the continued operation of the entire facility;
- After prior notification to the resident, to prepare room space for a new resident or to pack the belongings of a former resident;
- To make repairs after a resident has given notice of needed maintenance;
- To locate a missing student when their whereabouts cannot be determined from instructors or friends, and when his/her roommate is unavailable;

- To handle any emergency which threatens the health and safety of the resident or other residents; or
- To investigate activity that appears to violate AVTEC policy and regulations, when staff has probable cause.

### **Cafeteria Meals and In-Room Cooking**

Cafeteria food, plates, bowls, glasses, cups or utensils must not be taken anywhere outside of the cafeteria.

Cooking appliances are not allowed in dorm rooms (*Electric Coffee makers and hot water kettles are permitted*). Shared Microwaves are provided in several locations around the Residence Life buildings. Students are expected to clean microwaves after use.

### **Guests**

Visitors to the Residence Hall (dorms):

All non-residents are required to be out of the residence hall and off-campus by 10:00 pm.

All visitors must be over 18 and escorted at all times by the resident they are visiting. The resident will be fully responsible for the actions of the visitor(s). NO OVERNIGHT GUESTS ALLOWED.

Visitors to Family Housing Apartments:

All visitors must register with the Residence Life Office prior to overnight stays. There are restrictions on length of stay and number of visitors.

### **Personal Vehicles and Parking**

Students that bring a vehicle with them to training at AVTEC must register their vehicle with the Residence Life Office prior to parking anywhere on AVTEC Campus. The vehicle must be in good operational condition. Proof of registration or insurance will be required to register a vehicle. One vehicle per student may be registered.

Students may park in any unrestricted AVTEC parking area. Vehicles that are not in compliance may receive a parking violation that could result in the loss of parking privileges or the vehicle towed at the owner's expense.

Students may not leave their vehicles on campus during the summer/winter break or between school years.

Vehicle maintenance on campus, in any parking lot or training area is strictly prohibited unless prior approval is given, in writing, from their Department Head. Failure to adhere to this requirement will be grounds for corrective action.

### **Candles, Incense and Diffusers**

Due to risk to life and property, candles, torches, incense and other open flame devices are strictly prohibited anywhere inside or around AVTEC premises.

Electric or battery-operated candles and diffusers are acceptable.

### **Wall Hangings**

Do not use nails, tacks, screws, or tape to hang items on the walls in AVTEC housing. Only use poster putty or cork strips inside rooms to mount items to the walls. Residents will be charged for damage due to thumbtacks or other wall attachments. All items hung on residence hall room walls in plain view must be appropriate.

### **Occupancy during Holidays and Summer Breaks**

Students cannot stay in their rooms in the residence halls during the winter holiday but may leave their personal belongings in their rooms. Students must vacate, clean, and check out of their rooms for the summer break using the same process and guidelines found in the section on moving out.

Summer storage of personal belongings is available for returning students and can be coordinated with the Residence Life staff.

### **Moving Out of Student Housing**

The student is required to remove all personal items from their AVTEC housing and training program, return all library, recreational, and program items, and keys. They must complete all items on the "Move Out Cleaning List" and have their housing inspected by a dorm staff member prior to leaving campus. **This process typically takes 48-72 hours.**

A Residence Life staff member will inspect the room prior to the student's departure. The student must pass this inspection and return their room key and any borrowed equipment or items prior to being cleared. Damages to the room, furniture or items left unclean when a student departs will result in cleaning and/or damage charges.

## Student Housing Corrective Actions

The Student Housing Policies set standards of expectations of students residing in AVTEC housing.

AVTEC Student Housing residents are held responsible for their conduct at all times. Any student in violation of the Student Housing Policies is subject to disciplinary action to include:

**Residence Life Warning:** An initial written warning will be given for violation of any of AVTEC Student Housing Policies. Only one warning will be issued before an Eviction is issued.

**Residence Life Eviction:** An Eviction from Student Housing will be issued when a Residence Life warning for a violation has not been resolved or improved, however, depending on the severity of the violation, an eviction may be the initial corrective action for a violation.

A student evicted from the residence halls as part of disciplinary action will forfeit room payment for the balance of the current term. The student may continue to eat in the cafeteria and utilize recreation facilities as an off campus resident for the current term as long as those rights have not been terminated as part of the disciplinary action. A student evicted from family housing apartments as part of disciplinary action will forfeit rent payment for the remainder of the current and following month.

**Following an eviction the student must vacate the residence hall or family housing apartment.** The student is required to remove all personal items from their AVTEC housing and training program, return all library, recreational, and program items, and keys. They must complete all items on the “Move Out Cleaning List” and have their housing inspected by a dorm staff member prior to leaving campus. **This process typically takes 48-72 hours.**

## Appendix H – AVTEC Title IX Policy & Procedure

### AVTEC Title IX Policy

#### *Policy on Title IX Sexual Harassment*

##### *Introduction*

Members of the AVTEC Community have the right to be free from all forms of sex/gender harassment, discrimination and misconduct. All members of the AVTEC Community are expected to conduct themselves in a manner that does not infringe upon the rights of others. AVTEC uses the preponderance of the evidence as a standard for proof of whether a violation occurred.

##### *Applicability*

This Policy addresses Prohibited Conduct as defined below, consistent with Title IX. Prohibited Conduct must occur within AVTEC program or activity and within the United States. AVTEC program or activity includes (1) any on-campus premises of AVTEC; (2) any off-campus premises over which AVTEC has substantial control; (3) off-campus activities that are part of an AVTEC program, including field trips and sanctioned events such as performances, and athletic or academic competitions; and (4) activity occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of AVTEC's programs and activities over which AVTEC has substantial control.

Concerns and complaints that fall outside the scope of this Policy may be addressed by a separate applicable policy.

##### *Title IX Coordinator*

AVTEC's Title IX Coordinator oversees compliance with all aspects of this policy. Anyone wishing to make a report may do so by reporting the concern to the Title IX Coordinator. The Title IX Coordinator is a non-confidential resource – while personal information will be protected, a formal complaint, investigation, and hearing based on the allegations may be conducted regardless of the wishes of the complainant if the Title IX Coordinator deems necessary. During regular business hours a complainant may report to the Title IX Coordinator in person, after hours complainants may report via email, phone, or mail.

**Jamie Hall**

Title IX Coordinator

Student Services Center, 519 Fourth Ave  
PO Box 889  
Seward, AK 99664  
(907) 224-6114 or text (907) 422-7449  
Email: [jamie.hall@avtec.edu](mailto:jamie.hall@avtec.edu) or [titleix@avtec.edu](mailto:titleix@avtec.edu)

## ***Reporting***

### ***Reporting***

AVTEC employees are expected to promptly report any known or suspected incidents of discrimination, harassment, or sexual misconduct to appropriate officials. If a complainant prefers to discuss an incident in a more limited way, they may speak with an AVTEC counselor. While counselors are not confidential resources, they are considered private resources. These employees will maintain privacy to the greatest extent possible but are required to share information with the Title IX Coordinator if a report involves potential violations of Title IX or related policies. AVTEC counselors are available to help AVTEC students free of charge. Reports can also be made directly to the Title IX Coordinator.

### ***Formal Reporting Options***

All AVTEC employees have a duty to report. Complainants may want to consider carefully whether they share personal details with employees, as those details must be shared by the employee with the Title IX Coordinator.

If the complainant does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal resolution to be pursued, the complainant may make such a request to the Title IX Coordinator who will evaluate that request in light of the duty to ensure the safety of the campus and comply with federal law. In cases indicating pattern, predation, threat, weapons and/or violence, AVTEC will likely be unable to honor a request for confidentiality and may issue a warning to the community. In cases where the complainant requests confidentiality and the circumstances allow AVTEC to honor that request, AVTEC will offer interim support and remedies, but will not otherwise pursue formal action.

As required, AVTEC includes statistics about Clery Act crimes in an Annual Security Report and provides those to the United States Department of Education. The information is reported in a manner that does not include personally identifying information.

Individuals experiencing harassment or discrimination always have the right to file a formal grievance with government authorities:

Office for Civil Rights (OCR)  
U.S. Department of Education  
915 Second Avenue, Room 3310  
Seattle, WA 98174-1099  
Telephone: (206) 607-1600  
Fax: (206) 607-1601  
Email: [OCR.Seattle@ed.gov](mailto:OCR.Seattle@ed.gov)  
Web: [www.ed.gov/about/ed-Offices/ocr](http://www.ed.gov/about/ed-Offices/ocr)

Alaska State Commission for Human Rights  
1901 Bragaw Street, Suite 300  
Anchorage, AK 99508  
By telephone at (907) 274-4692 or 1-800-478-4692 (toll-free)  
Email: [hrc@alaska.gov](mailto:hrc@alaska.gov)  
By fax at (907) 278-8588

In the event that an incident involves alleged misconduct by the Title IX Coordinator, reports should be made directly to the AVTEC Director.

## ***Prohibited Conduct Defined***

Anyone experiencing sexual harassment is encouraged to report it to the Title IX Coordinator. Remedies, education and/or training will be provided in response. A student or employee determined to be in violation of AVTEC's Title IX policy is subject to disciplinary action. Additionally, sexual harassment may be disciplined when it takes the form of quid pro quo harassment, retaliatory harassment and/or creates a hostile environment (see below).



## **Definitions**

**Title IX Sexual Harassment:** Any of the following conduct on the basis of sex:

- Any instance of sexual assault, domestic violence, dating violence, or stalking (see below).
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal educational access.
- Any instance of **quid pro quo** (see below) harassment by an AVTEC employee.

### **Quid Pro Quo Harassment:**

- Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature
- By a person having power or authority over another constitutes sexual harassment when
- Submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating or evaluating an individual's educational (or employment) progress, development, or performance.
- This includes when submission to such conduct would be a condition for access to receiving the benefits of any education (or employment) program.

**Sexual Assault:** Misconduct that meets the definition of Rape, Fondling, Incest, or Statutory Rape, as defined below:

- Rape - The penetration, no matter how slight, of the vagina or anus of a person with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Fondling - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or temporary or permanent mental incapacity.
- Incest - Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape - Sexual intercourse with a person who is under the statutory age of consent.

**Domestic Violence:** Felony or misdemeanor crimes of violence of committed by: (a) a current or former spouse or intimate partner of the victim, (b) a person with whom the victim shares a child in common, (c) a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner, (d) 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, (e) any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

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

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

**Consent:** A voluntary, positive agreement between the participants to engage in specific sexual activity. Consent cannot be obtained through coercion or force, or by taking advantage of the incapacitation of another individual. Consent can be withdrawn at any time.

**Retaliation:** Retaliation is defined as any adverse action taken against a person participating in a protected activity because of their participation in that protected activity. Retaliation against an individual for an allegation, for supporting a reporting party or for assisting in providing information relevant to an allegation is a violation of AVTEC policy.

**Sanctions:** Sanctions may be imposed upon any member of AVTEC found to have violated the Sex/Gender Harassment, Discrimination and Misconduct Policy. Potential sanctions are discussed respectively in the AVTEC Student Handbook and Employee Handbook.

# AVTEC Title IX Procedure

## *Procedure for Addressing Prohibited Conduct*

This process involves a preliminary inquiry to determine if there is reasonable cause to believe this policy has been violated. If so, AVTEC will promptly implement an effective remedy designed to end the harassment, prevent its recurrence and address its effects.

AVTEC aims to bring all allegations to a resolution within a sixty (60) business day time period, which can be extended as necessary for appropriate cause by the Title IX Coordinator with notice to the parties.

AVTEC's resolution will not typically be altered or precluded on the grounds that civil or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced. However, AVTEC may undertake a short delay (several days to weeks) in its investigation or resolution process, to comply with a law enforcement request for cooperation (e.g.: to allow for criminal evidence collection) when criminal charges on the basis of the same behaviors that invoke this process are being investigated. AVTEC will resume its investigation and processes once notified by law enforcement that the initial evidence collection process is complete.

### **Interim Remedies/Actions**

Upon receiving a report of sexual harassment, the Title IX Coordinator will initiate an investigation that determines whether this policy has been violated. The Title IX Coordinator (or designee) may provide interim remedies intended to address the short-term effects of the harassment. These supportive measures may include referral to counseling and health services, implementing contact limitations between the parties, altering housing situations, transportation resources, reasonable academic accommodations, and other appropriate support services and resources. AVTEC will keep interim remedies as private as possible. These supportive measures are offered to all complainants, regardless of whether the complainant chooses to file a formal complaint.

AVTEC may interim suspend a student or employee pending the completion of the investigation and resolution, particularly in when the safety or well-being of any member(s) of the AVTEC community may be jeopardized by the presence on-campus of the respondent.

If AVTEC determines an interim suspension is necessary, the respondent will be provided notice and opportunity to challenge the decision immediately following the suspension, by notifying the Title IX Coordinator in writing. AVTEC will designate an individual, not otherwise involved in the case, to consider the challenge to the removal and determine if the suspension was reasonable.

## *Formal and Informal Resolution Procedure for Reports of Prohibited Conduct*

This procedure applies to any member of the AVTEC community (faculty, students, and staff) who engages in discrimination or harassment. Any person can report alleged harassment, including faculty, students, staff, guests, visitors, etc. All allegations of misconduct outside the scope of this policy will be addressed through the procedures in the respective student and employee handbooks.

The Title IX Coordinator will inform the complainant of the availability of the formal complaint and the formal complaint process. The Informal and Formal Resolution processes are initiated with a formal complaint.

### **How to File a Formal Complaint**

To file a formal complaint, a complainant must provide the Title IX Coordinator with a written, signed complaint describing the facts alleged.

If a Complainant does not wish to make a formal complaint, the Title IX Coordinator may determine a formal complaint is necessary. AVTEC will inform the complainant of this decision in writing, and the Complainant need not participate in the process further but will receive all notices issued under this Policy.

A complainant who files a formal complaint may elect, at any time, to address the matter through the Informal Resolution process described in this Policy.

### **Initial Review**

The Title IX Coordinator will review the formal complaint and determine which resolution processes are available given the type of Prohibited Conduct and the status of the parties. For example, Informal Resolution of a complaint of Title IX Prohibited Conduct is not available when the respondent is an employee, and the complainant is a student.

If new information requires the Title IX Coordinator to amend the determination about available resolution processes, the Title IX Coordinator will advise the parties in writing.

### ***Consolidation***

AVTEC may consolidate formal complaints as appropriate, for example, if there are multiple formal complaints where the allegations of Prohibited Conduct arise out of the same facts or circumstances.

AVTEC may consolidate complaints alleging Prohibited Conduct 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 Prohibited Conduct arise out of the same facts or circumstances.

AVTEC reserves the right to use this Policy to adjudicate other allegations and conduct charges as defined by policies outside of the scope of this Policy in instances when the conduct is associated with an alleged issue of Prohibited Conduct.

### ***Dismissal***

The Title IX Coordinator may dismiss a formal complaint brought under this Policy, or any specific allegations raised within that formal complaint, at any time during the investigation or hearing, if:

1. A complainant notifies the Title IX Coordinator in writing that they would like to withdraw the formal complaint, or any allegations raised in the formal complaint;
2. The respondent is no longer enrolled or employed by AVTEC; or
3. If specific circumstances prevent AVTEC from gathering evidence sufficient to reach a determination regarding the formal complaint or allegations within the formal complaint.

If the formal complaint is dismissed before the respondent is notified about the formal complaint, the Respondent will not be notified about the formal complaint. AVTEC will promptly send written notice of the dismissal of the formal complaint or any specific allegation within the formal complaint, and the reason for the dismissal, to the complainant. The Complainant may appeal the dismissal using the appeal process in this Policy.

If the formal complaint is dismissed after the respondent is notified about the formal complaint, either party may appeal the dismissal using the process in this Policy. AVTEC will promptly send written notice of the dismissal of the formal complaint or any specific allegation within the formal complaint, and the reason for the dismissal, simultaneously to the parties.

### ***Notice of Allegations***

The Title IX Coordinator will draft and provide the Notice of Allegations to all parties in a timely manner. AVTEC will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview.

The Notice of Allegations will include the following:

- Notice of the allegations potentially constituting Prohibited Conduct, and sufficient details known at the time the Notice is issued, such as the identities of the parties, if known; the conduct allegedly constituting Prohibited Conduct; and the date and location of the alleged incident, if known;
- Notice of the applicable policies and procedures;
- How to challenge participation by the Title IX Coordinator for bias or conflict of interest – which AVTEC's Division Operations Manager will resolve in their sole discretion.
- How to challenge participation by the Investigator for bias or conflict of interest – which the Title IX Coordinator will resolve in their sole discretion.
- 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;
- A statement that the parties may have an Advisor of their choice, who may be any person including a friend, relative, colleague, or an attorney;
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which AVTEC does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a Party or from any other source;
- A statement that AVTEC prohibits knowingly making false statements or knowingly submitting false information to the University;

- A statement that retaliation is prohibited.

AVTEC will issue an amended Notice of Allegations as needed if additional allegations are discovered during the course of the investigation. The parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional charges.

### ***Informal Resolution***

Before pursuing the Formal Resolution Process, every reasonable effort should be made to constructively resolve conflict with students, faculty, staff, or administrators. Whenever possible and safe, the problematic behavior, conflict or misconduct should first be discussed by the impacted person and the person engaged in the problematic behavior, conflict or misconduct. AVTEC does not require an impacted party to contact the person involved or that person's supervisor if doing so is impracticable, or if the impacted party believes that the conduct cannot be effectively addressed through informal means. If informal efforts are unsuccessful, the formal resolution process may be initiated or resume.

### ***Formal Resolution***

Obligations in this policy assigned to a particular title, such as the Title IX Coordinator, may be designated as appropriate by AVTEC, including to external professionals.

### ***Investigation***

In all investigations into alleged sexual harassment, AVTEC will evaluate evidence under a “preponderance of the evidence” standard. A preponderance of the evidence means that information shows it is “more likely than not” that the respondent violated this Policy. The Respondent will be found to be responsible for the alleged sexual harassment if the Investigator concludes, based upon careful review of all information presented, that it is more likely than not that such sexual harassment occurred. The Title IX Coordinator or designee will perform an investigation under a reasonably prompt timeframe of the conduct alleged to constitute covered sexual harassment after issuing the Notice of Allegations.

AVTEC and not the parties, has the burden of proof and the burden of gathering evidence, i.e. the responsibility of showing a violation of this Policy has occurred. This burden does not rest with either party, and either party may decide not to share their account of what occurred or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from AVTEC and does not indicate responsibility.

### ***Relevant Evidence and Questions***

“Relevant” evidence and questions refer to any questions and evidence that tends to make an allegation of sexual harassment more or less likely to be true.

The following are not relevant:

- Evidence and questions about the Complainant’s sexual predisposition or prior sexual behavior unless:
  - They are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
  - They concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.
- Evidence and questions that constitute, or seek disclosure of, information protected under a legally recognized privilege.
- Any party’s medical, psychological, and similar records unless the party has given voluntary, written consent.

All parties must submit any evidence they would like the investigator to consider prior to when the parties’ time to inspect and review evidence begins.

AVTEC cannot access, consider, or disclose medical records without a waiver from the party (or parent, if applicable) to whom the records belong or of whom the records include information.

### ***Inspection and Review of Preliminary Report and Evidence***

At the conclusion of all interviews and fact gathering, and when the evidence has been gathered, the Investigator will provide each party the opportunity to review all of the evidence gathered that is directly related to the allegation(s). This will include both inculpatory and exculpatory evidence and may include evidence that is not relied upon in making a determination. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation.

Given the sensitive nature of the information provided, AVTEC will facilitate this review in a secure manner.

Neither the parties nor their Advisors may copy, remove, photograph, print, image, videotape, record, or in any manner otherwise duplicate or remove the information provided. Any student or employee who fails to abide by this may be subject to discipline. Any Advisor who fails to abide by this may be subject to discipline and/or may be excluded from further participation in the process.

The parties have ten (10) business days after reviewing the preliminary report and the evidence packet to submit a response in writing to the Investigator, if they choose. Such a response may include additional comments or information, identify additional witnesses or evidence, or submit any further questions to be directed by the Investigator to other parties or witnesses. The Investigator will incorporate any response provided by the parties into the Final Investigation Report.

Upon receipt of each party's response to the evidence reviewed, the Investigator will determine if any additional investigation is needed. If new relevant evidence is provided by either party, or gathered by the Investigator, the newly gathered evidence (including answers to clarifying questions) will be made available for review by each party. Each party will have five (5) business days in which to respond to the new evidence. Each may provide a response in writing, or orally, to the Investigator. The Investigator will incorporate any oral and/or written response provided by the parties into the Investigation Report.

AVTEC will provide access to copies of the parties' written responses to the investigator to all parties and their Advisors, if any.

Any evidence subject to inspection and review will be available at any hearing, including for purposes of cross-examination.

#### **Inclusion of Evidence Not Directly Related to the Allegations**

Evidence obtained in the investigation that is determined in the reasoned judgment of the Investigator not to be directly related to the allegations in the formal complaint will be included in the appendices to the Investigation Report.

#### **Final Investigation Report**

The Investigator designated by the Title IX Coordinator will create a Final Investigation Report. The Investigation Report is not intended to catalog all evidence obtained by the investigator, but only to provide a fair summary of that evidence.

Only relevant evidence (including both inculpatory and exculpatory – i.e. tending to prove and disprove the allegations – relevant evidence) will be referenced in the Investigation Report.

#### **Live Hearing - Initiating the Hearing**

Within ten (10) calendar days prior to the date of the hearing, the Title IX Coordinator will notify the parties in writing of the specific charge, the date, time, and location of the hearing, the name of the Decision-Maker(s), and how to challenge participation by the Decision-Maker(s) for bias or conflict of interest – which the Title IX Coordinator will resolve in their sole discretion. AVTEC may, at the discretion of the Title IX Coordinator, postpone the hearing or determine that multiple hearing sessions are necessary for a continuance. Good causes for extension may include the unavailability of the parties, the timing of semester breaks or holidays designated by AVTEC, or other extenuating circumstances requiring more time. Any extension, including the reason for the extension, will be shared with the parties in writing. The complainant or the respondent may seek to postpone the hearing. Permission to postpone a hearing may be granted provided that the request to do so is based on a compelling need and communicated to the Title IX Coordinator prior to the time of the hearing.

#### **Hearing Format**

The live hearing may be conducted with all parties physically present in the same geographic location, or, at AVTEC's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually through a video conferencing option. This technology will enable participants simultaneously to see and hear each other. At its discretion, AVTEC may delay or adjourn a hearing based on technological errors not within a party's control.

A typical hearing may include brief opening remarks by the complainant and/or respondent, with follow-up questions posed by the Decision-Maker(s), information presented by the parties or witnesses deemed relevant by the Decision-Maker(s), with follow-up question for the parties or witnesses by the Adjudicator and the parties' Advisors for cross-examination, and brief concluding remarks by the Complainant and Respondent.

#### **Attendance and Participation of Parties**

All parties have a right to be present at the hearing. Parties may be accompanied in the hearing by an Advisor of

their choice and must provide the name of their Advisor to the Title IX Coordinator at least three (3) calendar days prior to the hearing.

AVTEC may still proceed with the live hearing in the absence of a party and/or witness(es) may reach a determination of responsibility in their absence. If a party does not attend the live hearing, the party's Advisor may appear and conduct cross-examination on their behalf. If neither a party nor their Advisor appear at the hearing, AVTEC will provide an Advisor to appear on behalf of the non-appearing party.

The Decision-Maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's absence from the live hearing or refusal to answer cross examination or other questions.

### **Attendance and Participation of Witnesses**

The parties may submit to the Title IX Coordinator a list of witnesses they believe have relevant information to the outcome of the hearing. The Decision-Maker(s) will review the parties' requested witnesses and consider any other witnesses. The Decision-Maker(s) has discretion to determine which witnesses are relevant and may decline to hear from witnesses where they conclude that the information is not necessary for the review. Witnesses will only be permitted to attend the hearing during their own testimony.

### **Recordings and Transcripts**

All proceedings will be audio recorded. A transcript of the recording will be made available to the parties for inspection and review. This will be the sole recording of the hearing; no Party, Advisor, or witness is permitted to record the hearing, or any portion of the hearing. Any unauthorized recording may result in disciplinary action.

### **Expectations of Decorum**

The following Expectations of Decorum are to be observed in the hearing, during cross-examination questioning, and as applicable to any meetings associated with resolution of a formal complaint; and applied equally to all parties and Advisors. The Title IX Coordinator will have the authority to remove from the meeting, process, or hearing an involved party and/or Advisors who do not comply with the Expectations of Decorum.

- Questions must be conveyed in a neutral tone.
- Parties and Advisors will refer to other parties, witnesses, Advisors, and AVTEC staff using the name and gender used by the person and shall not intentionally mis-name or mis-gender that person in communication or questioning.
- No party may act abusively or disrespectfully during the hearing toward any other party or to witnesses, Advisors, or Adjudicators.
- While an Advisor may be an attorney, no duty of zealous advocacy should be inferred or enforced within this forum.
- The Advisor may not yell, badger, or physically "lean in" to a party or witness' personal space. Advisors may not approach the other party or witnesses without obtaining permission from the Adjudicator.
- The Advisor may not use profanity or make irrelevant ad hominem attacks upon a party or witness. Questions are meant to be interrogative statements used to test knowledge or understand a fact, they may not include accusations within the text of the question.
- The parties may not ask repetitive questions. This includes questions that have already been asked by the Adjudicator, the Advisor in cross-examination, or the party or Advisor in direct testimony. When the Adjudicator determines a question has been "asked and answered" or is otherwise not relevant, the parties must move on.
- Parties and Advisors may take no action at the hearing that a reasonable person in the shows of the affected party would see as intended to intimidate that person (whether party, witness, or official) into not participating in the process or meaningfully modifying their participation in the process.

### **Newly-Discovered Evidence**

As a general rule, no new evidence or witnesses may be submitted during the live hearing.

If a party identifies new evidence or witnesses that were not reasonably available during the investigation and could affect the outcome of the matter, the party may request that such evidence or witnesses be considered at the live hearing.

The Decision-Maker(s) will consider this request and make a determination regarding:

- whether such evidence or witness testimony was unavailable by reasonable effort prior to the hearing, and



- whether such evidence or witness testimony could affect the outcome of the matter. The party offering the newly-discovered evidence or witness has the burden of establishing these questions by the preponderance of the evidence.

If the Decision-Maker(s) answers in the affirmative to both questions, then the parties will be granted a reasonable pause in the hearing to review the evidence or prepare for questioning of the witness. Alternatively, should the newly-discovered evidence require additional fact-gathering, the Decision-Maker(s) may send the case back to the investigator for any further investigation as may be required. In this case, the investigator will issue an amended Investigation Report, to which the parties shall have an opportunity to respond. Depending on the amount of new evidence, AVTEC may shorten the second review and response period, as determined by the Title IX Coordinator. The amended Investigation Report, along with any response(s), shall then be provided to the parties, their Advisor, and to the Decision-Maker(s).

### **Hearing Advisors**

As per this Policy, in the event that a party does not have an Advisor present at the live hearing, AVTEC must provide an Advisor, without fee or charge to that party, who may be, but is not required to be, an attorney to conduct cross-examination on behalf of that party. At the hearing, the Adjudicator will permit each party's Advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's Advisor of choice and never by a party personally. Advisors provided by AVTEC will be adults with an understanding of the purpose of cross-examination, and may be attorneys or have training commensurate to attorneys with respect to conducting cross-examination.

### **The Decision-Maker**

At AVTEC's discretion, the Decision-Maker(s) will be a single adjudicator or a hearing panel of three (3) individuals, with one panel member serving as chairperson. The Decision-Maker(s) will not be the case Title IX Coordinator, Title IX Investigator, or Advisor to any party in the case, nor may any Decision-Maker(s) serve on the appeals body in the case.

The Decision-Maker(s) determines responsibility regarding whether the Policy was violated and determines which sanctions will apply if any. Where a student is found responsible for a violation of this Policy, the Title IX Coordinator will designate an appropriate administrator from AVTEC to provide a record of disciplinary history to the Decision-Maker(s). The Decision-Maker(s) will then determine the appropriate sanction(s).

The Decision-Maker(s) may not have a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.

### **Cross Examination**

Before any cross-examination question is answered, the Decision-Maker(s) will determine if the question is relevant. Cross-examination questions that are duplicative of those already asked, including by the Decision-Maker(s), may be deemed irrelevant if they have been asked and answered.

Should a party or the party's Advisor choose not to cross-examine a party or witness, the party shall affirmatively waive cross-examination through a written or oral statement to the Decision-Maker(s).

The Decision-Maker(s) shall have the authority to determine whether questions shall be submitted in writing (whether by using a "chat" feature of the video-conferencing platform, email, or a similar mechanism), prior to being asked, so as to facilitate the Decision-Maker(s) ability to understand the question before making any determination of relevance.

### **Standard of Proof**

AVTEC uses the preponderance of the evidence standard for investigations and determinations regarding responsibility for formal complaints covered under this Policy. This means that the investigation and hearing determine whether it is more likely than not that a violation of this Policy occurred.

### **Notice of Outcome**

The notice of outcome is a written determination regarding responsibility that will be issued simultaneously to all parties. If there are no extenuating circumstances, the determination regarding responsibility will be issued by AVTEC within ten (10) business days of the completion of the hearing.

The notice of outcome will include:

- Identification of the allegations potentially constituting covered sexual harassment;
- 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;

- Findings of fact supporting the determination;
- Conclusions regarding which section of this Policy or other AVTEC policy, if any, the respondent has or has not violated.
- For each allegation:
  - A statement of, and rationale for, a determination regarding responsibility;
  - A statement of, and rationale for, any disciplinary sanctions the recipient imposed on the respondent; and
  - A statement of, and rationale for, whether remedies designed to restore or preserve equal access to AVTEC's education program or activity will be provided by Complainant, except that the remedies provided shall not be shared with the respondent.
- AVTEC's procedures and the permitted reasons for the complainant and respondent to appeal.
- How to challenge participation by the Appeal Panel for bias or conflict of interest – which the Title IX Coordinator will resolve in their sole discretion.

If the parties do not file an appeal, the determination is final at the expiration of the time to file an appeal. If any of the parties file an appeal, the determination regarding responsibility becomes final on the date that AVTEC provides the parties with the appeal determination.

### **Appeals**

Each party may appeal (1) the dismissal of a formal complaint or any included allegations and/or (2) a determination regarding responsibility. To appeal, a party must submit their written appeal within five (5) business days of being notified of the decision, indicating the grounds for the appeal. The notice of outcome will include instructions on how to submit the written appeal.

The limited grounds for appeal available are as follows:

- Procedural irregularity that affected the outcome of the matter (i.e. a failure to follow AVTEC's own procedures);
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- The Title IX Coordinator, Investigator(s), or Decision-Maker(s), including a hearing panel member, had an actual conflict of interest or demonstrated bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.
- The sanction is objectively unreasonable in light of the facts and circumstances.

When an appeal is submitted, any sanction is placed on hold until the appeal is resolved. Interim Measures remain in effect and Supportive Measures remain available while the appeal is pending.

If a party appeals, the other party will be notified, in writing, and will then have five (5) business days to respond to appeal or submit their own appeal, if they wish. The appeals process is documentary only, and no hearing is held.

Appeals will be decided by an appeals panel, appointed by the Title IX Coordinator, who will be free of an actual conflict of interest and/or demonstrated bias, and who have not served as investigator, Title IX Coordinator, or Decision-Maker(s) in the same matter.

The outcome of the appeal, including the rationale for the decision, will be provided in writing simultaneously to both parties ten (10) business days from the date submissions were due from the parties.

### **Additional Notes**

AVTEC students are responsible for knowing the information, policies and procedures outlined in this document.

AVTEC reserves the right to make changes to this document as necessary and once those changes are posted, they are in effect. Students are encouraged to check AVTEC's website for the most recently updated version of these policies and procedures. If government regulations change in a way that impacts this document, this document will be construed to comply with government regulations in their most recent form. Reports of misconduct made after the fact may raise issues of policy and procedure application, if policies and procedures have changed. Unless the parties accept current policies, all reports are governed by the policies that were in place at the time the alleged

misconduct occurred. Procedures applicable are those that are in place at the time of resolution.

This document does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such codes generally.

## **Title IX Frequently Asked Questions**

Answers to some of the most commonly asked questions from AVTEC students regarding AVTEC's sexual misconduct policy and procedures.

### **Does information about a report remain private?**

The privacy of all parties to a report of sexual misconduct will be respected, unless it interferes with AVTEC's obligation to fully investigate the allegations. When privacy may not strictly be kept, it will be tightly controlled on a need-to-know basis. Violations of the privacy of either party may lead to conduct action by AVTEC, though both parties are allowed to share their perspectives and experiences. All parties, including witnesses, involved in an allegation are strongly encouraged to maintain the privacy of information and/or written materials.

In all resolutions of sexual misconduct, all parties will be informed of the outcome. In some instances, administration also may choose to make a brief public announcement of the nature of the violation and the action taken, without using the name or identifiable information of the alleged victim. If there is a report of an act of alleged sexual misconduct, made to an AVTEC staff member, and there may be evidence that a felony has occurred, local police must be notified. This does not mean charges will automatically be filed or that a victim must speak with the police, but the institution is legally required to notify law enforcement authorities. AVTEC also must statistically report the occurrence on campus of major violent crimes, including certain sex offenses, in an "Annual Security Report" of campus crime statistics. This statistical report does not include personally identifiable information.

### **Will my parent/guardian be told?**

If you are 18 or older, no, not unless you tell them. If you are under 18 your parent/guardian may be informed. In the event of major medical, disciplinary, or academic jeopardy, students are strongly encouraged to inform their parent/guardian. AVTEC officials will directly inform parent/guardian when requested to do so by a student, in a life-threatening situation, or if an individual has signed a release of information which allows such communication.

### **Will the responding party know my identity?**

Yes, if AVTEC determines there is reasonable cause to believe a violation has occurred and investigates the matter. The respondent has the right to know the identity of the complainant. If there is a hearing, AVTEC does provide options for questioning without confrontation, including closed-circuit testimony, via Zoom or other method, using a room divider or using separate hearing rooms.

### **Do I have to name the responding party?**

Yes, if you want formal disciplinary action to be taken against the respondent. You can report the incident without the identity of the respondent, but doing so may limit the institution's ability to respond comprehensively.

### **What do I do if I am accused of sexual misconduct?**

DO NOT contact the complainant. You may contact an AVTEC Counselor, who can explain AVTEC's procedures for addressing sexual misconduct reports, and maintain your privacy, or you may seek other community assistance. See below regarding legal representation.

### **Will I (as a complainant) have to pay for counseling/or medical care?**

AVTEC counselors are available to help AVTEC students free of charge. If you access community services, payment for these will be subject to state/local laws and insurance requirements.

### **What about legal advice?**

Victims of criminal sexual assault need not retain a private attorney to pursue criminal prosecution because representation will be handled by the District Attorney's office. You may want to retain an attorney if you are considering filing a civil action or are the respondent. The respondent may retain counsel at their own expense if they determine that they need legal advice about criminal prosecution and/or the campus conduct proceedings. Both the respondent and the complainant may, at their own expense, use an attorney as their advisor during AVTEC's resolution process.

### **How is a report of sexual misconduct decided?**

AVTEC investigates allegations of sexual harassment, discrimination or misconduct to determine whether there is evidence to indicate a policy violation is “more likely than not.” This standard, called the preponderance of the evidence, corresponds to an amount of evidence indicating a policy violation is more than 50% likely to have occurred.

**What support services may be provided by AVTEC?**

The Title IX Coordinator or an AVTEC Counselor (or a designee) may provide interim remedies intended to address the short-term effects of harassment, discrimination and/or retaliation. These supportive measures may include referral to counseling and health services, implementing contact limitations between the parties, altering housing situations, transportation resources, reasonable academic accommodations, and other appropriate support services and resources. AVTEC will keep interim remedies as private as possible. These supportive measures are offered to all complainants, regardless of whether the complainant chooses to file a formal complaint.

**Will a complainant be sanctioned when reporting a sexual misconduct policy violation if he/she has illegally used drugs or alcohol?**

The seriousness of sexual misconduct is a major concern and AVTEC does not want any of the circumstances (e.g., drug or alcohol use) to inhibit the reporting of sexual misconduct. AVTEC provides amnesty from consequences for minor policy violations that occur during or come to light as the result of a report of sexual misconduct.

**Will the use of drugs or alcohol affect the outcome of a sexual misconduct conduct resolution?**

The use of alcohol and/or drugs by either party will not diminish the respondent’s responsibility. On the other hand, alcohol and/or drug use is likely to affect the complainant’s memory and, therefore, may affect the resolution of the reported misconduct. A complainant must either remember the alleged incident or have sufficient circumstantial evidence, physical evidence and/or witnesses to prove that policy was violated. If the complainant does not remember the circumstances of the alleged incident, it may not be possible to impose sanctions on the respondent without further corroborating information. Use of alcohol and/or other drugs will never excuse a violation by a respondent.

**What should I do if I am uncertain about what happened?**

If you believe that you have experienced sexual misconduct but are unsure of whether it was a violation of AVTEC’s sexual misconduct policy, you should contact an AVTEC Counselor or the Title IX Coordinator.



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AVTEC, as an employer and service provider, complies with Alaska Human Rights Law and Federal Civil Rights Laws. Individuals with disabilities who require reasonable accommodations are welcome to contact AVTEC at [admissions@avtec.edu](mailto:admissions@avtec.edu) or (800) 478-5389 or for individuals that are deaf or hard of hearing via Alaska Relay at 711 or (800) 770-8973.

We are an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

AVTEC is a division of the State of Alaska, Department of Labor and Workforce Development.