

Clery Act

Heartland Welding Academy is required by Federal Law to prepare an annual security report that includes crime statistics, security policies and procedures to students and others to report criminal actions or other emergencies occurring on campus. (34 CFR 668.46) The purpose of these disclosures is to inform prospective & current students of the reported crime in the area, as well as the measures that are taken to maintain a safe learning environment.

Requirements

The Clery Act requires that schools:

1. Publish an annual report by October 1st contains three years of crime statistics and certain policy statements
2. Publish crime statistics for the campus, public property adjacent to the campus, and non campus buildings/property that the school owns or controls. These statistics must be gathered from local law enforcement.

Crime Statistics

In 1990, Congress enacted the Crime Awareness and Campus Security Act of 1990 (Title II of Public Law 101-542), which amended the Higher Education Act of 1965 (HEA). This act required all postsecondary institutions participating in HEA's Title IV student financial assistance programs to disclose campus crime statistics and security information. The act was amended in 1992, 1998, 2000 and 2008.

The Violence Against Women Reauthorization Act amended the Clery Act in 2013 to require institutions to also include statistics of incidents of domestic violence, dating violence, sexual assault, and stalking.

HWA began participating in Title IV student financial assistance programs in October of 2022; and began reporting crime statistics in 2023. The report will be made available on the HWA website annually. Students will receive notice of when and where the report is posted. A paper copy will be made available upon request.

Crime Definitions

There are four categories of crime statistics that are required to be reported annually.

Primary Crimes

- Homicide/Negligent Manslaughter - The killing of another person through gross negligence
- Murder/Non-negligent manslaughter – The willful (non negligent) killing of one human being by another
- Sex Offenses
Rape – the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without consent of the victim. This offense includes the rape of both males and females.

- Fondling – the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or his/her temporary or permanent mental capacity.
- Incest – Sexual intercourse between persons who are related to each other within the degree wherein marriage is prohibited by law.
- Statutory Rape – Sexual intercourse with a person who is under the statutory age of consent.
- Theft/Robbery – The taking or attempting to take anything of value from the care, custody, or control of a person/persons by force or threat of force or violence and/or by putting the victim in fear
- Burglary – unlawful entry in order to commit a felony or a theft
- Aggravated Assault
- Motor Vehicle Theft – The theft or attempted theft of a motor vehicle
- Arson – Any willful or malicious burning or attempting to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Hate Crimes - Where the victim is intentionally selected because of his/her actual perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability.

The crimes included from list above are larceny/theft, simple assault, intimidation, or vandalism.

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 and where the existence of such relationship shall be determined based on consideration of; the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic violence – Felony or misdemeanor crimes of violence committed by a victim’s current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

Stalking – Engaging in a course of conduct directed at a specific persona that would cause a reasonable person to fear for his or safety of others, or to suffer substantial emotional distress.

Arrests & referrals for disciplinary actions including

In case of arrests and referrals for disciplinary actions, HWA is required to publish timely warning notices where a crime has occurred on or near campus, that constitutes an ongoing or continuing threat to students/staff

Liquor Law Violations – the violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor;

Drug Law Violations – violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine, and other derivatives (morphine, heroin, codeine), marijuana, synthetic narcotics (Demerol, methadones), and dangerous nonnarcotic drugs (barbituates, benzedrine).

Illegal Weapons Possessions – The violation of laws or ordinances dealing with weapon offenses includes manufacturing, selling, or possessing deadly weapons; carrying deadly weapons concealed or openly; providing deadly weapons to minors; prohibited individuals possessing deadly weapons; and all attempts to commit any of the aforementioned acts.

Crime Log

Heartland Welding Academy does not maintain a campus police or security department, and therefore is not required to maintain a daily crime log.

Timely Warning and Emergency Notification

HWA makes every effort to keep students, staff, and visitors informed about threats to health or safety in a manner that allows them to protect themselves.

All Title IV institutions are required to include in the annual security report a policy statement that describes the institutions timely warning procedures.

Crimes that are subject to a time warning notification are those that occur within the defined Clery geography that are reported to the local police, and considered by the institution to represent a serious or continuing threat to students/staff. Timely warnings are not limited to violent crimes, but should also include crimes that represents threats to property. The policy requires that any defined Clery Act crime mandates a timely warning. Timely warnings may also be used for non-Clery Act crimes if the institution believes there could be a serious or continuing threat.

Exemption to timely warning. Institutions are not required to issue a timely warning for non - Clery Act crimes or for crimes reported to a pastoral or professional counselor.

When timely warnings are issued: Issuing timely warnings are decided on a case by case basis by looking at the nature of the crime and whether or not there is a continuing danger to students and staff

Content of a timely warning: the warning will include all necessary information needed for individuals to be able to protect themselves, as well as known (at the time) pertinent information about the crime that triggered the warning.

HWA's timely warning procedure is as follows

Once an event is deemed necessary for a warning the below actions will take place:

- The Managing Director will notify instructors and other staff
- Instructors will stop class and make an announcement to students currently in class
- A text message and email notification will be sent out to all students (those on campus, as well as those who aren't currently on campus)

Crime Reporting Policy

Students, staff and visitors are strongly encouraged to report any criminal activity, potential criminal action, or an emergency situation by calling 911. Any non-emergency calls can be made to the Andover Police Department at 316-733-5177.

Heartland Welding Academy does NOT employ any security personnel. If a student is a victim of, or witnesses a crime, they should get to safety and notify the police immediately, as well as report it to their instructor or someone in the main office. The instructor will then notify the Managing Director. If a staff member is the victim of, or witnesses a crime they will report it to the police, as well as notify the Managing Director. The Managing Director will fill out a crime incident report.

If a student wishes to remain anonymous when reporting a crime to the local police they can report the crime to the Managing Director, who then, with permission, will notify the local authorities of the crime and the details. A confidential report of a crime will be included in the annual crime statistics report.

Heartland Welding Academy's standard office hours are Monday-Friday from 9a-5p. The office will only be accessible to students and visitors during these times. After office hours, or during scheduled office closures the main office will be locked and only accessible to staff and instructors. During night class (M-F 4p-10p) after the main office has closed students will not have any access to the main office. The building will remain locked from 5p-10p. The night shift instructors will unlock the building for students at the beginning of their scheduled break.

All visitors to HWA will come in through the main office entrance at the front of the building. Visitors are only allowed in the building during office hours (M-F 9a-5p).

Fire Safety Report

Institutions that offer on campus housing are also required to provide an annual fire safety report. As HWA does not provide student housing there is no fire safety requirement.

Emergency Response & Evacuation Procedures

On site accident or injury/Medical emergency:

1. Students are to report to instructor immediately.
2. Instructor is to quickly assess the injury to determine if basic first aid is needed, if the student needs to be taken to the emergency room, or if necessary, call 911.
3. All activity will be stopped and all students will need to vacate the immediate area until the situation is resolved.
4. After the injury has been assessed and what action to be taken is determined, the instructor will notify the student's emergency contact on file.

Evacuation

Any of the following events will require evacuation; fire, smoke, gas leak, explosion, structural damage/collapse, hazardous material spills, odors or fumes.

1. Notify instructor immediately.
2. Calmly move to the nearest/safest exit and proceed out of the parking lot towards the front of the building, muster point will be on the NW side of the building on the city sidewalk (nearest the large green utility boxes)
3. The instructor will ensure that all students have evacuated and will call appropriate emergency personnel.
4. Students and staff should remain together until told they can re-enter the building.

Fire/Explosion

All fires should be reported to the Andover Fire Department immediately by dialing **911** at the time of the event, even those that can be extinguished.

1. Evacuate the facility immediately utilizing the evacuation procedure posed at the exits and proceeding to the muster point through the safest and quickest means of egress.
2. The lead instructor will sweep the area for any personnel or students left in the building and confine the fire by closing all doors accessible.
3. If it is safely achievable the lead instructor will attempt to extinguish the fire with the nearest fire extinguisher prior to exiting the building.

Threats of violence/Bomb threats/Suspicious packages

Whoever intercepts the threat should make every effort to collect as much information as possible. This includes taking notes if threat is received via phone, screenshots if received via social media or email.

1. If the threat is a suspicious package do not touch or move it.
2. If any threats of violence or suspicious packages are received HWA staff will notify law enforcement immediately.
3. All staff and students will evacuate the HWA premises quickly and calmly if necessary.
4. Proceed to evacuation point located on the NW side of the building on the city sidewalk (nearest the large green utility boxes).

Neighborhood disturbances/Civil unrest

If an incident of civil unrest/civil disturbance/rioting is occurring in the immediate area near HWA, faculty will communicate with law enforcement.

1. 1. Students will be instructed to avoid the area of disturbance and to avoid provoking the demonstrators.
2. Everyone will remain inside and all entrances to the facility will be locked.
3. If notified by law enforcement that it is safe, students and staff will leave the HWA premises through the safest route possible.

Severe Weather

Winter weather - HWA will make decisions on closures in a timely manner to ensure the safety of all faculty and students.

Thunderstorms - Kansas is prone to severe thunderstorms

- Staff and instructors will monitor weather alerts and warnings.
- If severe weather is expected HWA will cancel or dismiss class if it can be determined that traveling is not safe for staff and students.
- If thunder and lightning are occurring near the facility students will be instructed to remain inside.
- Tornadoes
- If a tornado watch is issued for Butler County or East Sedgwick County instructor will halt all activity and notify students that a watch is in effect.
- If the focused area of the risk is within a 20 mile radius of HWA, students will halt weld related activities and gather in the classroom area until weather threat has subsided.
- If a tornado warning is issued for Butler County, and Andover specifically, is expected to be impacted, students and staff will seek immediate shelter in the central most part of the building which is the Student Break Room.
- HWA has the right to conduct random drug testing.

Active Shooter/Sudden Violence Situations

Defined as a person/persons who are actively engaged in or seeking to kill and/or injure people. Possible weapons can include firearms, knives, vehicles, etc.

These situations are dynamic and evolve rapidly.

Everyone must be prepared to react quickly.

The best option is to RUN.

- Know escape routes in advance, warn others as you are fleeing and do not waste time gathering your belongings.
- If you encounter police officers while fleeing keep your hands visible, follow their instructions, and move in their direction unless instructed to do otherwise.
- Evacuate to a safe area and take cover until emergency responders arrive.
- If you are unable to escape HIDE.
- Close and lock all doors if possible, turn off lights, silence cell phones, and any other devices that might make noise. Stay out of sight.
- Designate ONE person in the room to quietly call 911.
- Relay the following information to the 911 dispatcher; your name and location, number of people with you, any known injuries, known location of the suspect, physical description of suspect, and types of weapons suspect has.
- Remain in place until police arrive.
- Do not open the door unless you are certain it is the police.
- If confronted by the suspect your only option is to FIGHT FOR YOUR LIFE.
- This means to act aggressively, using physical force to render the suspect unable to continue.
- If possible, work together with others.

Safety Orientation

HWA does not have a formal crime awareness or prevention program. Students receive some basic safety information and guidelines during new student orientation including;

Firearms are strictly prohibited on HWA property

Students should keep vehicles locked at all times; and anything left in a vehicle should be locked in the trunk, or kept out of site.

Illegal drugs and alcohol are not allowed on HWA property and any student found with drugs or alcohol will be written up and face possible termination.

HWA has a zero tolerance policy for sexual harassment. For crimes related to sexual assault or harassment please see the Title IX policy.

Registered Sex Offenders

The Campus Crime Prevention Act of 2000 is a Federal law that provides for the tracking of convicted sex offenders enrolled at ,or employed by institutions of higher education. To view a list of registered sex offenders in Butler county visit <https://www.icrimewatch.net/index.php?AgencyID=55097>

Crime Statistics

Provided by Andover Police Department

Crimes Reported	2021	2022	2023
Location codes which should proceed the incident number(s) C=On Campus N=Non-campus P=Public Area			
Criminal Offenses Notes: #1Also referred to as Primary Crimes #2 also referred to as sex offenses			
Criminal Homicide #1 (these offenses are serrated into two categories)			
• murder	0	0	0
• non- negligent manslaughter	0	0	0
• manslaughter by negligence	0	0	0
• Robbery	0	0	0
• Aggravated Assault	0	0	0
• Burglary	0	0	0
• Motor Vehicle Theft	0	0	0

• Arson	0	0	0
Sexual Assault			
• Rape	0	0	0
• Foundling	0	0	0
• Incest	0	0	0
• Statutory Rape	0	0	0
Hate Crimes Reporting			
	2021	2022	2023
Larceny-Theft	0	0	0
Simple Assault	0	0	0
Intimidation	0	0	0
Destruction, Damage or Vandalism of Property [which were motivated by bias]	0	0	0
Violence Against Women Act			
Note: that sexual assault is also a VAWA offense but is included in the criminal offense's category for Cleary Act reporting purposes]			
	2021	2022	2023
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking (including cyber-stalking)	0	0	0
Rape & Forcible Foundling	0	0	0
Sex offenses - forcible	0	0	0
Sex offenses - non-forcible	0	0	0
Arrests and Disciplinary Referrals			
Note: this information also includes those individuals that were referred for campus disciplinary action for liquor law violations, drug law violations and illegal weapons possession.			
Arrest:	2021	2022	2023
• Weapons- Carrying	0	0	0

• Weapons Possession	0	0	0
Disciplinary Referrals:	0	0	0
• Weapons- Carrying	0	0	0
• Weapons Possession	0	0	0
Arrest:	0	0	0
• Drug Abuse Violations	0	0	0
Disciplinary Referrals:	0	0	0
• Drug Abuse Violations	0	0	0
Arrest:	0	0	0
• Liquor Law Violations	0	0	0
Disciplinary Referrals:	0	0	0
• Liquor Laws Violations	0	0	0