

CAMPUS ANNUAL SECURITY REPORT – Clery Act

Office/Individual responsible	Registrar
Location where documentation is kept	Registrar Office
Date policy and procedure were last updated	June 2018

The Campus Security Act (Public Law 102-26) 34 C.F.R. Section 668.46 (c)(1) requires postsecondary institutions to disclose the number of instances in which certain specific types of crimes have occurred in any building or on any property owned or controlled by this institution which is used for activities related to the educational purpose of the institution and/or any building or property owned or controlled by student organizations recognized by this institution. In compliance with that law, the following reflects this institution's crime statistic for the period between **01/01/2014 and 12/31/2016**. PLEASE NOTE THAT THIS INSTITUTION DOES NOT HAVE ON CAMPUS HOUSING, AND THAT THERE NO POLICE RECORDS THAT PERTAIN DIRECTLY TO THE PROPERTY USED BY THE INSTITUTION, THEREFORE, THE STATISTICS BELOW REPORT ONLY THOSE INCIDENTS REPORTED TO THE INSTITUTIONAL ADMINISTRATION AND/OR TO THE LOCAL POLICE.

Report Distribution Date: October 1, 2017

Occurrences REPORTED within the 2014, 2015 and 2016 Calendar Years

Crimes Reported	2014	2015	2016	Location: C=Campus N=Non-campus P=Public Area	* Hate Crime? (see note)
(i) Criminal homicide:					
(A) Murder and non-negligent manslaughter	0	0	0		
(B) Negligent manslaughter	0	0	0		
(ii) Sex Offenses:					
(A) Rape	0	0	0		
(B) Fondling	0	0	0		
(C) Incest	0	0	0		
(D) Statutory Rape	0	0	0		
(iii) Robbery	0	0	0		
(iv) Aggravated assault	0	0	0		
(v) Burglary	0	0	0		
(vi) Motor Vehicle Theft	0	0	0		
(vii) Arson	0	0	0		
Arrest and referrals for disciplinary actions including:					
(A) Arrests for liquor law violations, Drug law violations, and illegal weapons possession:	0	1	0	P	
(B) Persons not included in 34 CFR 668.46(c)(1)(ii)(A) who were referred to campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession	0	0	0		
Hate crimes: As listed under 34. CFR668.46 (c)(1)(i)					
(A) Larceny-theft	0	0	0		
(B) Simple Assault	0	0	0		
(C) Intimidation	0	0	0		
(D) Destruction, Damage or Vandalism of Property	0	0	0		
(viii) Liquor law violations	0	0	0		
New reporting as of 10/01/2017					
Incidents of sexual assault		0	0		
Domestic Violence		0	0		
Dating Violence		0	0		
Stalking		0	0		

NOTE - Crimes reported under any of the category listed in this section that show evidence of prejudice based on race, religion, sexual orientation, ethnicity or disability as prescribed by the Hate Crimes Statistical Act.

1. CES College does not employ campus security personnel but encourages both its employees and students to immediately report suspected criminal activity or other emergencies to the nearest available institutional official and/or in the event of emergency to directly contact local law enforcement or other emergency response agencies by dialing 911.

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2. (i) All students and employees are required to report any crime or emergency to the school director promptly.
(ii) Preparation for the Annual Disclosure of Crime Statistics report is obtained by the registrar who contacts the correct police department for statistics and the institution's Daily Incident Log and then records those statistics.
(iii) If a student or employee wishes to report a crime on a voluntary or confidential basis, the school director will be prepared to record and report the crime, but not the name of the informant. The student or employee may, in order to maintain confidentiality, submit the information in writing to the school director without signature. If the student wishes not to maintain confidentiality, the student will contact the school director who in turn will report criminal actions or emergencies to the police department.
(iv) A victim has an option to decline to notify law enforcement authorities.
3. CES College strives to provide its students and employees with a secure and safe environment. The campus is equipped with alarm systems to prevent unauthorized entry. Alarms and locks are checked on regular basis. Only students, employees and other parties having business with CES College should be on institutional property. Those not enrolled or employed by CES College must sign in at the entrance and identify their purpose of visit, the person to be visited and register their time in and out of the building. The visitor must also wear a visitor's badge while on campus. All rear access doors leading to the campus are closed and locked during evening hours starting at 5 PM. When the school closes for the night, the school's employee will inspect the hallways and rooms to see that they are empty and then set the alarms and then lock down the campus. Other individuals present on institutional property at any time without the express permission of the appropriate institutional official(s) shall be viewed as trespassing and may as such be subject to a fine and/or arrest. In addition, students and employees present on institutional property during periods of non-operation without the express permission of the appropriate institutional official(s) shall also be viewed as trespassing and may also be subject to a fine and/or arrest.
4. Current policies concerning campus law enforcement are as follows:
 - (i) CES College officials have no powers of arrest other than the Citizens Arrest Law, and are required in the event of a crime or emergency to call the correct agency or dial (911) for the police and emergency services. The Citizens Arrest Law will be invoked only as a last resort, and after all other possibilities have been explored.
 - (ii) Employees shall contact their immediate or nearest ranking supervisor to report any criminal action or emergency to the appropriate agency by calling (911). If possible, in the interim, an institutional official shall attempt to non-violently deal with the crime or emergency with the appropriate agency on campus. Individual discretion must be used; as undue risk should not be taken.
 - (iii) CES College currently has no pastoral or professional counseling (mental health or otherwise) on campus.
5. CES College discusses campus security procedures and practices during the orientation. Regular discussions are also held in classes. Students are encouraged to exercise proper care in seeing to their personal safety and the safety of others. The following is a description of policies, rules and programs designed to inform students and employees about the prevention of crimes on campus.
 - a. Do not leave personal property in classrooms.
 - b. Report any suspicious persons to the school director.
 - c. Always try to walk in groups outside the school premises.
 - d. If you are waiting for a ride, wait within sight of other people.
 - e. Employees (staff and faculty) will close and lock all doors, windows and blinds and turn off lights when leaving a room
 - f. The Crime Awareness and Campus Security Act is available upon request to students, employees (staff and faculty) and prospective students.
 - g. Information regarding any crimes committed on the campus or leased/attached properties (parking lot) will be available and posted in a conspicuous place within two (2) business days after the reporting of the crime and be available for sixty (60) business days during normal business hours, unless the disclosure is prohibited by law, would jeopardize the confidentiality of the victim or an ongoing criminal investigation, would jeopardize the safety of an individual, would cause a suspect to flee or evade detection, or would result in the destruction of evidence. Once the reason for the lack of disclosure is no longer in force, the institution will disclose the information. If there is a request for information that is older than sixty 60 days, that information will be made available within two (2) business days of the request.
6. All incidents shall be recorded in the Daily Incident Log at the registrar's office. The log includes the date, time, location, incident reported, and disposition of incident and the name of the person who took the report. The report must be entered in the log within two (2) business days after it is reported to the school director, unless that disclosure is prohibited by law or would endanger the confidentiality of the victim.
8. CES College does not permit the sale, possession or consumption of alcoholic beverages on school property and adheres to and enforces all state underage-drinking laws.
9. CES College does not permit the possession, use or sale of illegal drugs by its employees and students and adheres to and enforces all state and Federal drug laws. The violation of these policies by students or employees may result in suspension, expulsion, termination and/or arrest
10. Information concerning drug and alcohol abuse education programs is posted at the campus and is distributed annually to students and staff. .
11. It is the policy of CES College to have any sexual assaults (criminal offenses) on campus to be reported immediately to the school director, who will report it to (911) emergency and police units. CES College during the orientation given to newly admitted students emphasizes the prevention of sexual crimes by insisting students work, study and walk outside of the

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premises accompanied by other students or in view of other persons, generally, avoiding as much as possible to be by themselves at any time. During the daily functioning of the school operations, staff and administrators focus on observing that students are not in any circumstance by themselves.

When a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off campus, the institution will provide the student or employee a written explanation of the student's or employee's rights and options.

- (i) CES College's program to prevent sexual crimes consists in maintaining a continuous lookout for each other to protect and prevent any sexual assaults. The entire staff takes part in this program to protect the students and themselves.
- (ii) A person who was victimized will be encouraged to seek counseling at a rape crisis center and to maintain all physical evidence until such a time when that person can be properly transported to a hospital or rape crisis center for proper treatment.
- (iii) A victim of a sexual crime has the option of reporting this crime to the school director or to report it directly to (911) and search for professional assistance from the emergency agencies. If requested, the school director will be prepared to request assistance calling (911).
- (iv) CES College does not have accessibility to professional counseling, mental health or otherwise, students and employees are encouraged to seek such professional assistance at the nearest hospital or health care centers.
- (v) CES College will offer the victim of a sexual crime any available options to change the academic schedule as much as possible to the benefit of the victimized person.
- (vi) CES College's disciplinary actions in reference to an alleged sex offense are as follows:
 - (A) The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceedings, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The choice of advisor or presence for either the accuser or the accused in any meeting or school's disciplinary proceeding is not limited.
 - (B) Both the accuser and the accused must be informed of the outcome of any institutional proceeding brought alleging a sex offense
- (vii) CES College has zero tolerance of violation of this policy. Once the offense is confirmed the institutional disciplinary action against students or employees may result in expulsion from school, or termination of employment and in accordance to local laws, in arrest of the offender by the authorities.

12. The institution provides the following website to obtain information concerning the registration of sex offenders.

[Http://www.city-data.com/so/so-Burbank-California.html](http://www.city-data.com/so/so-Burbank-California.html)

13. Revised **Crime Classification: Burglary vs. Larceny**: An incident must meet three conditions to be classified as a Burglary.
- There must be evidence of unlawful entry (trespass). Both forcible entry and unlawful entry – no force are counted.
 - The unlawful entry must occur within a structure, which is defined as having four walls, a roof, and a door.
 - The unlawful entry into a structure must show evidence that the entry was made in order to commit a felony or theft. If the intent was not to commit a felony or theft, or if the intent cannot be determined, the proper classification is Larceny.
14. **Definition of On-Campus Student Housing Facility**: For the purposes of the Clery Act regulations, as well as the HEA fire safety and missing student notifications regulations, any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility. This definition clarifies that any building located on campus on land owned or controlled by the institution that is used for student housing must be counted as an on-campus student housing facility, even if the building itself is owned or controlled by a third party.

CES College does not maintain any special relationship with State and local police and does not have an agreement with those police agencies (such as written memoranda of understanding) to investigate alleged crimes.

CES College encourages students to complete a timely reporting of all crimes to the campus administrators, police and appropriate law enforcement agencies

CES College encourages students to immediately report an incident where an emergency evacuation will be needed. All students should be familiar with the evacuation procedures posted in several key places around the campus.

Campus Timely Warning Notice (Campus Alerts)

What Constitutes Issuance of a Campus Timely Warning Notice:

A "Campus Timely Warning Notice" is specifically related to compliance with the federal Clery Act, which requires colleges and universities to notify students and employees whenever there is a threat that a serious crime is ongoing, or may be repeated so that campus community members can protect themselves from harm. The Clery Act defines certain specific crimes that require a timely warning notice to be issued when crimes are reported to officials with significant responsibility for student and campus activities or the local police AND the reported crime(s) are believed to have occurred on campus, in or on non-campus buildings or property, or on public property contiguous to the campus.

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Types of incidents or situations that constitute a campus timely warning being sent are:

- All Clery Act Crimes that represent a serious or continuing threat to the person and/or property of students and employees. Examples include but are not limited to:
 - Criminal Homicide
 - Sex Offenses
 - Robbery
 - Aggravated Assault
 - Burglary
 - Motor Vehicle Theft
 - Arson
 - Hate Crimes
- Emergency situations that are life threatening. Examples include, but are not limited to:
 - Persons with weapons with intent to use
 - Threat of violent crime
 - Situations where suspect is not known
 - Assault (physical or sexual)
- Any act or immediate threat of interpersonal violence. Examples include, but are not limited to:
 - Consistent pattern of violent behavior
 - Hate crimes
 - Domestic or relationship situations
- Serious acts or threats to campus-owned or personal property

Timing, Content, and Decision Criteria for a Campus Timely Warning Notice:

- The warning shall be issued as soon as the pertinent information is available because the intent of a campus timely warning is to alert the campus community of continuing threats, especially concerning safety, thereby enabling community members to protect themselves.
- Because the intent of the warning is to enable members of the campus community to protect themselves, the warning shall include all information that would promote safety.
- The issuing of a timely warning notice will be decided on a case-by-case basis in light of all of the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts.
- Generally, the warning will specify the type of reported crime, the time and location at which the reported crime occurred, and specific advice to the campus community regarding steps to take to avoid becoming a victim. Unless doing so would make a material, immediate difference for public safety, the timely warning will avoid descriptions of alleged suspects based on perceptions of ethnicity or race and it will avoid wording that could lead members of our community to feel stereotyped, marginalized, or profiled on campus.

Decision to Issue Campus Timely Warning Notice – Responsibility:

- The decision to issue a Campus Timely Warning Notice is made by school director.

How Campus Timely Warning Notices are issued:

- Campus Timely Warning notices will be issued to students, faculty and staff upon the confirmation of a significant emergency, dangerous situation, incident or crime, affecting the campus community and/or the surrounding area.
- CES College will use one or all of the following means of disseminating the information to campus community members depending on the nature of the incident:
 - electronic mail messages
 - announcement in classrooms
 - posting on the school website
 - posting on bulletin boards on campus
 - posting on CES College social media sites

CES College complies with the Campus Crime and Security Act of 1990 and issues the required campus crime and security report annually. As required by Public Law 101-542, as amended by Public Law 102-325, Title II, Crime Awareness and Campus Security Act of 1990, Section 294, Policy and Statistical Disclosures, CES College has established policies regarding campus security. CES College is required to report crimes such as murder, aggravated assault, rape, burglary, robbery, and motor vehicle theft to local authorities. CES College is responsible for reporting the number of arrests for the following crimes on campus: liquor law violations, drug abuse violations, and weapons possessions. A copy of this report is available to students, employees, and prospective students and employees upon request.

Drug And Alcohol Abuse Policy

CES does not tolerate any use of non-prescription drugs and/or controlled substances, and fully complies with the Drug-Free Schools and Communities Act of the United States Congress. CES also forbids the possession, distribution, sale or consumption of alcoholic beverages while on school premises. The School reserves the right to immediately dismiss any student or employee

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who uses alcohol, non-prescribed drugs and/or controlled substances while on school premises, or a student or an employee who comes to school while under the influence of any of the above. Students or employees in violation of state, federal, or other local regulations with respect to illegal drugs or alcohol may be subject to both criminal prosecution and school disciplinary action. In case of underage drinking, CES College will notify the appropriate law authorities.

Disciplinary Proceedings

CES College is committed to providing a prompt, fair, and impartial process from the initial investigation to the final result for an institutional disciplinary proceeding of reported domestic violence, dating violence, sexual assault or stalking. These proceedings will be conducted by officials who receive annual webinar training on the issues related to domestic violence, dating violence, sexual assault, and stalking, and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. CES College officials may not have a conflict of interest or bias for or against the accuser or the accused. The accuser and the accused may have the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. CES College will simultaneously notify, in writing, both the accuser and the accused of:

- The result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking
- The institution's procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding, if such procedures are available
- Any change of the result
- When such results become final
- The accuser and accused are given timely notice of meetings at which one or the other or both may be present; and
- The accuser, the accused, and appropriate officials are given timely and equal access to information that will be used during informal and formal disciplinary meetings and hearings.

Types of Disciplinary Proceedings

The institution may determine which type of proceeding to use based on the circumstances of an allegation of dating violence, domestic violence, sexual assault, or stalking. All efforts will be made to complete the proceedings in a reasonably prompt period, generally 90 days after receipt of the complaint. The disciplinary proceedings for the violations that do not pose an immediate threat to the community are as follows:

- The student will file a disciplinary complaint within 5 (five) days of the incident.
- The school director will address the situation with all parties involved, to gain a clear understanding of the total situation. Depending on the violation, additional members of faculty, staff and/or student body may be involved in the investigation and decision-making process.
- The school director or an assigned employee will contact the student to discuss the determination.
- The decision will be given to the student in writing.
- If the school director determination is not satisfactory to the student or students involved, a written request for a review shall be given to the school director and the resolution will be evaluated. If necessary, a committee will be arranged. A meeting, telephone call or written final determination letter will be given to the student within (5) five days of the submittal to the school director. The committee's decision will be final.

Any suspended, withdrawn or dismissed student has the right to appeal the decision. The appeal must be made in writing within 5 (five) business days of the notification of the withdrawal or suspension.

In case of a violation that poses an immediate threat to the community, the appropriate authorities will be contacted immediately.

Standards of Evidence

In determining whether or not a student violated the Student Conduct Policy, a committee consisting of representatives of school administration, faculty and student services makes a decision as to whether or not the information presented establishes a preponderance of evidence in support of the allegations, indicating that the information presented would lead a reasonable person to conclude that it was more likely than not (greater than 50% likelihood) that the student violated the Student Conduct Policy.

In evaluation of complaints involving sexual assault, it is not a valid excuse that the accused believed the complainant consented if: (A) the accused's belief arose from his or her own intoxication or recklessness, or (B) the accused did not take reasonable steps to ascertain whether the complainant affirmatively consented

Protective Measures

All reasonable and available protective measures may be provided if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Protective measures may include adjusting class locations/schedules and or work office locations/schedules. All efforts will be made to minimize the burden on the victim.

CES College does not provide on-campus housing. Therefore, the following disclosures do not apply to CES College:

Fire safety (668.49)

Missing students (668.46(h))

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Students and employees should refer to the following person when reporting or seeking help on a criminal incident for making timely warning reports and the annual statistical disclosure. All voluntary reports from victims and/or witnesses will be kept confidential. Please note that in case of any emergency that requires immediate attention a student/employee should not wait to report to the school's officer but rather should contact the appropriate agency by calling (911).

Name of institution's official	Alla Kogan
Title	School Director
School Name	CES College
Street address	401 S. Glenoaks Blvd. Suite 211
City, State Zip	Burbank CA 91502
Phone No.	818-563-9822