



**Addendum to MIAT College of Technology
Canton Campus Catalog – Vol. 72
Dated 02.07.2022
Addendum Effective Dates: 04.01.2022, 05.01.2022**

The catalog addendum pertains to the following location:

MIAT College of Technology
2955 S Haggerty Road
Canton, MI 48188

Universal Technical Institute, Inc., (MIAT College of Technology's parent company) reserves the right to make changes to the Student Catalog when required by institutional policy, or federal, state, or accrediting agency regulation. As required in certain states where the school is licenses, the school will provide advance notice of changes to the information contained in the catalog.

The catalog addendum to the catalog is certified to be true and correct to the best of my knowledge.

Jerome A. Grant
Chief Executive Officer



**Addendum to MIAT College of Technology
Canton Campus Catalog – Vol. 72
Dated 02.07.2022
Addendum Effective Dates: 04.01.2022, 05.01.2022**

Effective 05.01.2022

The Canton Catalog Volume 72 dated February 7, 2022, **Catalog Tuition Supplement** has been revised on May 1, 2022, to change the Application Fee from \$25 to \$50.

Effective 04.01.2022

Replaces the language in Section titled **Notice of Non-Discrimination** (Page 4 – General Information)

Notice of Non-Discrimination

Universal Technical Institute, Inc., and its subsidiaries (collectively, “UTI”) are committed to educational and work communities that are free from prohibited discrimination and harassment. UTI prohibits discrimination and harassment on the basis of race, color, national origin, sex, religion, disability, age, veteran status, sexual orientation/ gender identity or expression, genetic information, and any other legally protected status in the provision of its courses, programs, services, or activities.

UTI has designated the Director of Program Compliance as the individual responsible for the coordination and administration of its non-discrimination and harassment policies. In addition, the Director of Program Compliance has been designated to coordinate UTI’s compliance with Section 504, the ADA and the Age Act. Questions or comments about discrimination or harassment can be directed to the Director of Program Compliance at 4225 E. Windrose Drive, Suite #200, Phoenix, AZ 85032, or by calling 800.859.7249, or sending an e-mail to jramirez@uit.edu.

The Vice President of Education serves as a deputy coordinator responsible for the duties mentioned previously at MIAT College of Technology’s Canton campus and also can assist with any questions or comments. Contact information is as follows: 2955 S. Haggerty Road, Canton, MI 48188. 800.447.1310. cpiresh@miat.edu.

For inquiries or reports related to discrimination or harassment on the basis of sex, contact the Title IX Coordinator. The Title IX Coordinator is the Director of Program Compliance and can be reached at: Universal Technical Institute, Inc., 4225 E. Windrose Drive, Suite #200, Phoenix, AZ 85032. 800.859.7249 jramirez@uti.edu.

For further information on notice of non-discrimination, you may contact the appropriate federal office by visiting the website at: <http://wdcrobcolp01.ed.gov/CFAPPS/OCR/contactus.cfm> for the address and telephone number of the office that serves your area, or by calling 800.421.3481.



Inquiries concerning Title IX also may be made to the Office for Civil Rights at:

US Department of Education
Office for Civil Rights
Lyndon Baines Johnson Dept of Education Bldg
400 Maryland Avenue, SW
Washington, DC 20202-1100
Telephone: 800.421.3481
Fax: 202.453.6012
TDD: 877.521.2172
E-Mail: OCR@ed.gov

Effective 04.01.2022

Replaces the language in Section titled **Background Self-Disclosure/Evaluation** (Page 6 – Admission Requirements)

Criminal Background Conditions for Admissions and Active Enrollments

UTI/MIAT is committed to providing a safe learning environment for all students and faculty. Applications from prospective students who have: (i) been convicted of, pleaded guilty or no contest to, any felony or other violent crime; or (ii) is required to register as a sex offender, will be subject to further review by UTI/MIAT before being accepted. This policy extends to those students who have already enrolled or are active students. Conviction of a felony while attending or while awaiting a first class start is grounds for discipline including and up to termination or denial. Certain felony convictions and charges or convictions for drug offenses will also limit an applicant's eligibility to apply for and receive federal student loans and grants. With regard to admissions decisions, UTI/MIAT, after its review, will notify students in writing of its decision to accept or deny the application for enrollment.

UTI/MIAT will not accept applicants who:

- Have been convicted or pleaded guilty or no contest to a violent crime involving a weapon.
- Have been convicted of, or pleaded guilty or no contest to sexual assault, attempted sexual assault or other sexually related crime, or any other crime or offense for which registration as a sex offender is required, including but not limited to child pornography or any non-consensual, involuntary sexual act.
- Have been convicted or pleaded guilty or no contest to any felony within one year of expected enrollment date.
- Have been convicted or pleaded guilty or no contest to a felony and released from prison/jail within one year of expected enrollment date.
- Have been convicted of, or pleaded guilty or no contest to murder, attempted murder, vehicular manslaughter, or involuntary or voluntary manslaughter.
- Have been convicted of, or pleaded guilty or no contest to selling, transporting, delivering, cultivating, and manufacturing, or intending to sell illegal drugs or controlled substances, resulting in a felony unless such conviction or plea is more than 10 years old.
- Have been convicted or pleaded guilty or no contest to human trafficking.
- Have been convicted or pleaded guilty or no contest to two or more felonies unless the most recent felony is more than 10 years old.



The above restrictions apply to convictions received as an adult, as well as those received as a juvenile if the applicant was convicted as an adult. An applicant's entire criminal background, including but not limited to misdemeanor convictions or status as a registered sex offender, is considered when reviewing his or her application for enrollment. Applicants convicted of a misdemeanor after their most recent felony conviction and within the past year are ineligible for enrollment until at least one year after their most recent conviction. Applicants who were convicted in a military court proceeding (e.g., general court-martial) fall under the same felony review process and must provide all appropriate background paperwork. Applicants from states that do not use felony and misdemeanor language have the same requirements for equivalent offenses.

Applicants who have a pending felony charge must resolve the situation to final disposition before consideration by the Appeals Committee. Also, applicants who have a disposition of adjudication withheld and have not completed the requirements of their disposition will be required to complete all aspects of their adjudication and receive final disposition before being reviewed by the Appeals Committee. Finally, applicants who have a disposition of adjudication withheld and have proof of final disposition will be required to go through the criminal background process and be reviewed by the Appeals Committee. For the safety and security of the campus and depending upon the circumstances, it may be advisable to deny application based on the applicant's past criminal background even if the applicant does not fall into the above categories. Applicants with a criminal background will be reviewed on a case-by-case basis. Actively enrolled students are expected to notify Financial Aid and Student Services representatives if they are charged or convicted, or there are changes in charge/conviction status related to a violent crime, felony or drug offense while attending UTI/MIAT. Students who incur a qualifying offense will be subject to the same process and evaluation as new applicants, which may lead to termination of enrollment.

The Operations Shared Services Manager has the responsibility of reviewing and approving enrollment agreements to ensure proper qualifications in accordance with admissions standards. Applicants who are denied admission will be notified promptly in writing. In support of a drug-free environment, UTI/MIAT students agree, as a condition of acceptance, to UTI/MIAT's Substance Abuse Prevention policy. Specific details are published in the catalog and are available upon request from the Student Services Department.

UTI, based on information obtained during the interview process, may request a criminal background check on any applicant. Adverse reports will be taken into consideration regarding acceptance.

Effective 04.01.2022

Replaces the language in Section titled **Admission of Disabled Students** (Page 7 – Admission Requirements)

Students with Disabilities

Except where excused as a matter of law, UTI/ MIAT is responsible for:

- Providing or arranging through the Vice President of Education or designee reasonable accommodations; reasonable modifications of policies, practices, and procedures; and/or appropriate auxiliary aids and services for potential applicants, applicants, and students with disabilities in connection with its courses, programs, services, or activities, including examinations. These accommodations will be provided at no additional cost to the student.

- Ensuring the school will not make a pre-admission inquiry as to whether an applicant is a person with a disability.
- Ensuring social organizations do not discriminate against persons on the basis of disability.
- Ensuring the school will respond appropriately to incidents of misconduct or harassment (e.g., bullying, hazing, teasing) due to disability.
- Requesting an accommodation, modification, or auxiliary aid or service when needed and seeking information advice and assistance regarding a reasonable and appropriate accommodation, modification, or auxiliary aid or service in a timely fashion.

UTI/MIAT, potential or active applicants, and students with disabilities may have rights or responsibilities that are not listed above.

Procedure for Obtaining Modifications/ Accommodations

UTI/MIAT welcomes students with disabilities. We are committed to making reasonable, appropriate, and effective modifications (commonly called “accommodations”) in policies, practices, and procedures for qualified individuals with disabilities in accordance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Amendments Act, and applicable state and local laws. A qualified student with a disability must have a physical or mental impairment that substantially limits one or more major life activities; have a record of such an impairment; or be regarded as having such an impairment. Qualified students with disabilities also must meet the academic and technical standards for admission or participation in UTI/MIAT’s educational programs and services

Qualified individuals with disabilities who comply with the process outlined below may receive reasonable modifications tailored to their individual needs to ensure equal access to the school’s programs and services, provided such modification does not require an adjustment that would alter or waiver essential academic requirements or constitute a fundamental alteration of a program, service, or activity. Some examples of modifications may include extended time, use of assistive technology, and assistance liaising with external agencies such as rehabilitative services, if applicable. To receive services, students must:

1. Identify the need for modifications through the Vice President of Education.
 - a. Submit the Accommodation Request and Consent Form to the Vice President of Education
 - b. Provide all requested documentation to the Vice President of Education
2. If found eligible for services, meet with the Vice President of Education or designee to discuss modifications. The Vice President of Education or designee will schedule a mutually convenient time for an in-person or telephone conference to review the Accommodation Plan.
3. Provide the Vice President of Education with a signed consent form
4. It is the student’s responsibility to provide the Accommodation Form to each instructor. Students must comply with this requirement to receive approved accommodations. Classroom accommodations are not retroactive but effective only upon the student sharing the approved accommodations with the instructor. Students who wish to receive classroom accommodations are

encouraged to complete the process promptly. They should not wait until after completing a course or activity or receiving a poor grade to request services.

If a request for accommodations is denied, students may contact the Vice President of Education to discuss or utilize the ADA/Section 504 Grievance Procedure.

Students are encouraged to submit all requested documentation promptly; ideally, requests for accommodations should be submitted approximately six (6) weeks prior to the start date of the class for which accommodations are requested. This will allow the Vice President of Education time to ensure that approved accommodations are provided in a timely manner.

Documentation Requirements

To assist UTI/MIAT in evaluating requests for accommodations, students with disabilities who seek modifications must provide documentation of the reported disability to the Vice President or designee. Students should provide the following:

1. Copies of any IEP and Section 504 or other individualized plans. The Vice President of Education or designee will evaluate these documents on a case-by-case basis; however, additional, and more current documentation may be required; or
2. Signed and dated certification that is on letterhead from an appropriately licensed health care provider, which:
 - a. Describes any physical or mental impairment that substantially limits a major life activity
 - b. Identifies the major life activity(ies) impacted
 - c. Describes how the impairment affects the student's ability to participate in UTI/MIAT's courses, programs, services, and/or activities; and
 - d. Specifically describes any accommodation or modification recommended and the relationship between the requested modification and the impairment.

If UTI/MIAT requires additional documentation, the Vice President of Education will notify the student. Upon request, students may be required to provide the Vice President of Education or designee with the following from an appropriately licensed or credentialed professional that is on letterhead, dated and signed:

- An evaluation by an appropriately licensed or credentialed professional stating the nature of the impairment and the current impact of the impairment on the student's ability to participate in postsecondary educational programs and services (also known as "functional limitations").
- A list of recommended accommodations for the student and an explanation of the relationship between the requested accommodations and the impairment.

Students bear the cost of obtaining this documentation. Some students may not need documentation if the disability is permanent, observable, and stable. Documentation provided must be current, generally less than three years old. For conditions that are more permanent, documentation may be less recent. However, more current documentation may be required for chronic or changing conditions. Please consult with the Vice President of Education about the need for, and appropriateness of, documentation.

Requests for certain accommodations such as note takers, sign language interpreters, and course materials in alternative format may take several weeks to fulfill. Students should obtain necessary documentation 6-8 weeks in advance of the applicable start date to avoid delays in participating in UTI/MIAT programs and activities.

UTI/MIAT will give primary consideration to the auxiliary aid or service that a student requests but may decide to provide alternative aids or services if they are equally effective. In addition, an effective alternative may be provided if the requested auxiliary aid or service would fundamentally alter the nature of a program, service, or activity.

Students Who Are Deaf or Hard-of-Hearing and Are Requesting Accommodations

An IEP or Section 504 plan generally will be sufficient to establish the need for accommodations. However, additional information may be required to determine the appropriate accommodations to be provided. The Vice President of Education will make this determination on a case-by-case basis. Upon request, students should provide documentation to support a request for accommodations from appropriate professionals qualified to diagnose and treat hearing impairments, such as audiologists, otolaryngologists, and other speech/hearing specialist. Documentation should be on letter head and include:

- The credential of the professional providing the evaluation
- A diagnosis of deafness or hearing loss and a statement regarding whether the student's hearing is static or changing
- A discussion of the student's condition and current level of functioning, and how it may impact the student in a postsecondary educational environment
- Specific recommendations for accommodations in the academic setting that explain how the recommendations are related to the student's current functional limitations; and
- A summary of assessment procedures and evaluation instruments used to diagnose the student and a narrative summarizing the evaluation results (for students with permanent, lifelong impairments such as deafness, documentation may not need to be recent).

Section 504/ADA Grievance Procedure

This procedure applies to complaints of discrimination and/or harassment based on disability, including complaints regarding student requests for accommodations or modifications.

1. Filing a complaint: Any individual who believes he or she has been discriminated against based on disability in UTI/MIAT's programs or activities is encouraged to immediately contact the Vice President of Education. Complaints generally should be filed within 180 days of the date of the alleged discrimination. Complaints filed after this date may be eligible for a discretionary waiver. Requests for a waiver should be made to the Vice President of Education. If there is a conflict of interest with the Vice President of Education, the Campus President will assume all duties assigned to the Vice President of Education under this procedure.

2. Optional informal resolution of complaints: A complainant may choose to resolve a complaint informally by participating in a facilitated meeting with the respondent and the Vice President of Education within two weeks of the filing of the complaint. A complainant may end the informal process at any time and request formal resolution of the complaint.
3. Formal resolution of complaints: Unless a complainant elects to participate in the optional informal resolution process, complaints will be addressed through the formal resolution process.
 - a. Within 45 business days of the filing of the complaint or the conclusion of the optional informal resolution process, the Vice President of Education will investigate the complaint. The investigation generally will consist of an assessment of the complaint, the gathering and review of relevant documentation, and, if necessary, interview of the complainant, respondent, and other relevant witnesses. UTI/MIAT uses the preponderance of the evidence or “more likely than not” standard of review during its investigation and resolution of complaints.
 - b. If the investigative phase will take longer than 45 days, the Vice President of Education will provide the parties with an explanation for the delay.
 - c. Within one week of the conclusion of the investigation, the Vice President of Education will provide the parties with written notice of the outcome of the investigation
4. This procedure provides for the prompt, adequate, reliable, and impartial resolution of the complaints, including an equal opportunity for the parties to access, review, and present witnesses and other evidence.
5. UTI/MIAT will provide to the complainant interim measures as appropriate (e.g., arranging for changes in class schedules) and will strive to keep the complaint and investigation confidential to the extent possible. UTI/MIAT will take steps to prevent the recurrence of any discrimination or harassment and to correct discriminatory effects on the complainant and others, as necessary.
6. UTI/MIAT does not tolerate retaliation against complainants, witnesses, or any person who participates in the investigatory process or otherwise exercises rights under Section 504 or the ADA. Any retaliatory conduct should be promptly reported to the Vice President of Education.
7. The complainant and respondent have an equal right to appeal outcome decisions made by the Vice President of Education or designee. Appeals may be made on the following basis: (1) a party obtains new relevant evidence that was unavailable at the time of the investigation and could change the outcome of the investigation; (2) there is evidence of procedural error significant enough to call the outcome of the investigation into question; or (3) in cases where a sanction was imposed, the sanction was substantially disproportionate to the findings. Appeals must be made to Melanie Scheet, VP Student Success, Campus Operations and Services, Universal Technical Institute, at 4225 E. Windrose Drive, Suite #200, Phoenix, AZ 85032, 800.859.7249, mscheet@uti.edu. Appeals must be filed within seven (7) calendar days of the date that written notice of the outcome was provided. The VP Student Success will decide the appeal promptly but generally within 30 calendar days and provide the respondent and complainant with written notice of the final determination within seven (7) calendar days of making the final determination, including any changes to the previous determination and/or the sanctions imposed. The appeal decision is final and not subject to further appeal.

Service/Support Animal Policy

Service animals assisting persons with disabilities are welcome in areas open to the public on UTI/MIAT's campuses. A service animal is a dog that is individually trained to do work or perform tasks for a person with disabilities. In some instances, similarly trained miniature horses may qualify as service animals. Examples of work or tasks that service animals may perform include guiding people who are blind, alerting people who are deaf, pulling a wheelchair, reminding a person with a mental illness to take prescribed medications, or alerting and protecting a person who is having a seizure. If necessary to determine what service a dog provides, UTI/MIAT staff may only ask: (1) whether the dog is a service animal required because of a disability and (2) what work or task the dog has been trained to perform. UTI/MIAT staff will not ask about the individual's disability, require medical documentation or documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task. UTI/MIAT may require additional information with respect to miniature horses.

Service animals may be excluded from UTI/MIAT's premises if the animal is out of control and the handler does not take effective action to control it or the animal is not housebroken. A service animal must be kept under control by a harness, leash, or other tether unless the person is unable to hold those or if such use would interfere with the service animal's performance of work or tasks. In such instances, the service animal must be kept under control by voice, signals, or other effective means. The person with the disability may remain on campus without the animal if the animal is excluded for the aforementioned reasons. Service animals in training are welcome on UTI/MIAT's campuses in the same manner and subject to the same requirements as service animals that are fully trained.

UTI/MIAT will allow support animals on its campuses on a case-by-case basis. Support animals are used by individuals with disabilities for emotional support, well-being or comfort. Because they are not individually trained to perform work or tasks, support animals are not service animals. Students who request to have a support animal on campus must submit the request in writing to the Vice President of Education and provide appropriate supporting documentation upon request.

Support animals can be excluded from MIAT premises if the animal is out of control, or the animal is not housebroken. They can also be excluded if the animal poses a direct threat to the health or safety of others that cannot be mitigated by reasonable modifications of policies, practices or procedures, or the provision of auxiliary aids or services. A support animal generally must be kept under control by a harness, leash, or other tether unless the person is unable to hold those, or if such use would interfere with the service animal's performance of work or tasks. If such means cannot be used to control the animal, the support animal must be kept under control by voice, signals, or other effective means.

Questions regarding service animals should be directed to the Vice President of Education.

Guidelines for Applicants with Disabilities

UTI/MIAT does not discriminate against individuals with disabilities seeking to apply to its programs. The admissions application process for students with disabilities is the same as for other students. Applicants with disabilities who may need accommodations in the application process should contact the Vice President of Education. Contacts with the Vice President of Education are strictly confidential, and this information will not be shared with the Admissions Office. UTI/MIAT is aware that some prospective students with disability may choose to disclose their disabilities during the application process (for example, to help UTI/MIAT understand adverse information in their educational records). Such disclosure is entirely voluntary and optional. UTI/MIAT will not use any information provided in a discriminatory manner.

Effective 04.01.2022

Changes to **Student Complaint/Grievance Procedure** (Page 23 – Academic Policies)

Student Complaint/Grievance Procedure

Schools accredited by the Accrediting Commission of Career Schools and Colleges—must have a procedure and operational plan for handling student complaints. If a student does not feel that the school has adequately addressed a complaint or concern, the student may consider contacting the Accrediting Commission. All complaints reviewed by the Commission must be in written form and should grant permission for the Commission to forward a copy of the complaint to the school for a response. This can be accomplished by filing the ACCSC Complaint Form. The complainant(s) will be kept informed as to the status of the complaint as well as the final resolution by the Commission. Please direct all inquiries:

Accrediting Commission of Career Schools and Colleges
2101 Wilson Boulevard, Suite 302,
Arlington, VA 22201-
(703) 247-4212
www.accsc.org | complaints@accsc.org

A copy of the ACCSC Complaint Form is available at the school and may be obtained by contacting:

complaints@accsc.org or at <https://www.accsc.org/Student-Corner/Complaints.aspx>

Effective 04.01.2022

Additional Language to **Student Catalog Volume 72, dated February 7, 2022**

Sexual Misconduct Policy

The sexual misconduct policy may apply to scenarios beyond the scope of Title IX.

NOTICE OF NON-DISCRIMINATION

Universal Technical Institute (UTI) and its subsidiaries are dedicated to maintaining safe learning and working environments for students, employees, and third parties. UTI does not tolerate sexual misconduct, which includes sex discrimination and sexual harassment, or retaliation in its programs and activities. UTI's policies specifically prohibit dating violence, domestic violence, sexual assault, and stalking, consistent with the Violence Against Women Act (VAWA) amendments to the Clery Act.

UTI has designated the Director of Program Compliance to coordinate its compliance with Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex. Questions or comments about sexual misconduct, which includes sex discrimination and sexual harassment, can be directed to: Director of Program Compliance, Title IX Coordinator, 4225 East Windrose Drive, Suite 200, Phoenix, AZ 85032, 800-859-7249, or jramirez@uti.edu or National Manager – Support Services/Deputy Title IX Coordinator, 4225 East Windrose Drive, Suite 200, Phoenix, AZ 85032, 800-859-7249, 623-445-0813, or amanginelli@uti.edu.

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Inquiries concerning Title IX also may be made to the Office for Civil Rights at: U.S. Department of Education, Office for Civil Rights, Lyndon Baines Johnson Department of Education Bldg., 400 Maryland Ave., SW, Washington, DC 20202-1100, Telephone: 800-421-3481, FAX: 202-453-6012, TDD: 877-521-2172, Email: OCR@ed.gov.

ANTI-DISCRIMINATION AND ANTI-HARASSMENT STATEMENT

UTI does not tolerate sexual misconduct, which includes sex discrimination and sexual harassment, or retaliation in its programs and activities. UTI takes prompt, effective action to address sexual misconduct, including sexual harassment and sex discrimination, of which it has notice. This includes taking appropriate steps to determine what occurred, end a hostile environment if one was created, prevent the recurrence of a hostile environment, and provide any necessary remedies.

UTI utilizes fair, impartial processes to address allegations of sexual misconduct. If UTI finds that a violation of this policy has occurred, it imposes discipline, provides remedies to affected parties, and implements other corrective actions, as appropriate. UTI strongly prohibits retaliation against individuals who make a complaint of sex discrimination, sexual harassment, or sexual misconduct, participate in Title IX investigations, or otherwise assert rights protected by Title IX. UTI also does not tolerate other forms of “covered conduct,” as described below.

SCOPE AND JURISDICTION

This policy applies to students, employees, and third parties, regardless of sex, gender, gender identity, or sexual orientation. It covers sex discrimination and allegations of sexual misconduct (including dating violence, domestic violence, sexual assault, and stalking) as defined in this Sexual Misconduct Policy that are not governed by the Title IX Sexual Harassment Policy and that occurs on campus or in, or has a continuing effect on, UTI’s programs or activities.

COVERED CONDUCT - DEFINITIONS AND EXAMPLES

(Additional definitions, including state law definitions and definitions required under the Violence Against Women Act amendments to the Clery Act, are set forth in Appendix A of the policy available at www.uti.edu/campus-safety.)

Complainant: The individual who experienced the alleged sex discrimination, sexual harassment, or sexual misconduct. In certain instances, such as where there is a danger to the UTI community and the individual who experienced the alleged conduct is unable or unwilling to file a complaint, UTI reserves the right to proceed with the complaint based on the relevant details of the situation even if the reporting party does not want to continue.

Consent: Affirmative, conscious, and voluntary agreement to engage in sexual activity. Neither the lack of protest or resistance nor silence constitutes consent. Consent may be withdrawn at any time. Affirmative consent must be given by all parties to sexual activity. A person who is incapacitated cannot consent (see discussion of incapacitation below). Past consent does not imply future consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Coercion, force, or threat of either invalidates consent.

For cases involving California campuses, the following will not excuse a failure to obtain consent: a respondent’s own intoxication or recklessness and a respondent’s failure to take reasonable steps to ascertain whether the complainant affirmatively consented.

Coercion: Coercion is direct or implied threat of danger, hardship, or retribution sufficient to persuade a reasonable person to engage in sexual activity in which they otherwise would not engage or to which they otherwise would not submit. Coercion is different from seductive behavior based on the type of pressure someone uses to get another to engage in sexual activity. A person's words or conduct cannot amount to coercion unless they wrongfully impair the other's free will and ability to choose whether or not to engage in sexual activity. Coercion can include unreasonable and sustained pressure for sexual activity. When someone makes clear that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

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

Domestic Violence: (i) A felony or misdemeanor crime of violence committed— (A) By a current or former spouse or intimate partner of the complainant; (B) By a person with whom the complainant shares a child in common; (C) By a person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner; (D) By a person similarly situated to a spouse of the complainant under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (E) By any other person against an adult or youth complainant 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.

Incapacitation: A person may be unable to give consent due to incapacitation as a result of drug or alcohol use, use of medication, or disability status (for example, a person may be unable to communicate due to a mental or physical condition). A person who is passed out, asleep, or unconscious is incapacitated and cannot consent to sexual activity. In evaluating whether a complainant was incapacitated due to the consumption of alcohol, UTI will consider the totality of the circumstances, including factors such as the presence of slurred speech, an unsteady gait/stumbling, unfocused eyes, and impaired memory.

Inducing Incapacitation: To provide alcohol or drugs to an individual, with or without that individual's knowledge, for the purpose of causing impairment or intoxication or taking advantage of that individual's impairment or incapacitation. **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.

Respondent: The individual accused of the alleged sex discrimination, sexual harassment, or sexual misconduct.

Retaliation: Adverse conduct of which the institution is aware, where there is evidence of a causal connection between the conduct and a protected activity such as filing a Title IX complaint, participating in a Title IX investigation, or otherwise asserting rights under Title IX. Retaliation includes, but is not limited to, ostracizing the person, pressuring the person to drop or not support the complaint or to provide false or misleading information, engaging in conduct that may reasonably be perceived to affect adversely that person's educational, living or work environment, threatening, intimidating, coercing the person, or otherwise discriminating against any person for exercising their rights or responsibilities under this policy.

Sexual Assault: Non-consensual physical contact of a sexual nature. This includes 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. Examples: sexual intercourse with a person who is asleep or unconscious; digital penetration of a person without consent.

Non-consensual sexual contact: Any intentional sexual touching, however slight, with any object, by an individual that is without consent or by force. Sexual Contact includes intentional contact with the breasts, buttocks, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth, or other orifice.

Non-consensual sexual intercourse: Any intentional sexual touching, however slight, with any object, by an individual that is without consent or by force. Intercourse includes vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

Sex Discrimination: Sex discrimination occurs when persons are excluded from participation in, or denied the benefits of, any UTI program or activity because of their sex. Sex discrimination can include adverse treatment based on one's sex, as well as conduct that meets the definitions of sexual harassment, sexual assault, and sexual violence, as set forth below. Sex discrimination also includes discrimination on the basis of pregnancy and failure to conform to stereotypical notions of femininity and masculinity (i.e., gender stereotyping).

Sexual Exploitation: When a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples include invasion of sexual privacy, non-consensual video or audio-taping of sexual activity, voyeurism, going beyond the boundaries of consent, etc.

Sexual Harassment: Unwelcome conduct of a sexual nature that unreasonably interferes with an individual's work or educational performance; limits a student's ability to participate in or benefit from the Institute's programs, activities, or opportunities; or creates an intimidating, hostile or offensive work or educational environment. A single or isolated incident of sexual harassment may create a hostile environment if the conduct is sufficiently severe.

In determining whether a hostile environment exists, UTI will consider the totality of circumstances, including factors such as the actual impact the conduct has had on the victim's participation in UTI's programs and activities, the nature and severity of the conduct at issue, the frequency and duration of the conduct, the relationship between the parties (including accounting for any power differential), the respective ages of the parties, the context in which the conduct occurred, and the number of persons affected.

Sexual harassment may include unwelcome sexual advances, requests for sexual favors, unnecessary touching, graphic verbal or visual commentaries about an individual's body, sexually suggestive objects or pictures, sexually explicit jokes, and other verbal, visual or physical conduct of a sexual nature when it is pervasive, persistent, or severe enough to deny access to UTI's programs and activities.

Sexual Misconduct: This is an umbrella term that covers the types of conduct covered by this policy, including sex discrimination, sexual harassment, sexual assault, sexual violence, dating and domestic violence, and stalking.

Sexual Violence: Sexual violence is a particularly severe form of sexual harassment. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual may also be unable to give consent due to an intellectual or other disability. Sexual violence includes acts such as rape, sexual assault (forcible and non-forcible), sexual battery and sexual coercion.

Stalking: (i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to— (A) Fear for the person's safety or the safety of others; or (B) Suffer substantial emotional distress. (ii) For the purposes of this definition— (A) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. (B) reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. (C) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

MAKING A REPORT

Individuals with knowledge of sexual misconduct in UTI's programs or activities are encouraged to immediately make a report to the Title IX or Deputy Title IX Coordinator. Individuals identified in the "Responsible Employees" section below must report incidents of possible sexual misconduct to the Title IX or Deputy Title IX Coordinator within 24 hours of becoming aware of such conduct.

Where to file: Reports can be made in person, or by sending a written complaint to the Title IX and/or Deputy Title IX Coordinator via email or regular mail using the contact information set forth above. A complaint form is available at www.uti.edu/campus-safety. If the actions of the Title IX Coordinator are at issue or there is otherwise a conflict of interest, reports should be sent to the Director – Regional People Services, 4225 East Windrose Drive, Phoenix, AZ 85032, 800-859-7249, lpalone@uti.edu. The Title IX Coordinator and Deputy Title IX Coordinator are campus security authorities and will report applicable data about covered conduct (e.g., date, time, location) for inclusion in UTI's Annual Security Report, which is provided to the campus community and made available to the public, as required by the Clery Act. These disclosures are made without including personally identifying information, including the name of the complainant. *In cases involving California campuses, reports of certain sexual misconduct made to campus security authorities will be disclosed to local law enforcement.*

When to file: UTI encourages persons to make complaints of sexual misconduct as soon as possible because late reporting may limit UTI's ability to investigate and respond to the reported. Contacting local law enforcement: For immediate assistance following an incident, an alleged victim can dial 911 to make a report to local law enforcement, though such a report is not required. The Title IX Coordinator, Deputy Title IX Coordinator, or designee can assist in making such a report. A complainant may pursue simultaneous complaints with UTI and local law enforcement.

Confidentiality: UTI respects the privacy of students, employees, and third parties and shares reports of sexual misconduct on a limited, "need-to-know" basis, consistent with applicable state and federal laws. If a complainant requests that UTI handle a complaint on a confidential basis, UTI will honor that request where possible. UTI's Title IX Coordinator, Deputy Title IX Coordinator, or designee, reviews

requests for confidentiality and determines whether such requests can be honored in light of factors such as the safety of the campus and the number of complaints against a respondent. UTI reserves the right to initiate an investigation despite a complainant's request for confidentiality in limited circumstances involving serious or repeated conduct, where the alleged perpetrator may pose a continuing threat to the UTI community, or in other circumstances where UTI deems appropriate. UTI will promptly notify the complainant of its determination regarding a request for confidentiality.

Individuals who wish to speak with someone in confidence about an experience of sexual misconduct may contact an off-campus resource. A resource list is provided at www.uti.edu/campus-safety. UTI does not employ practicing licensed counselors or pastoral counselors, and therefore, does not have any confidential reporting resources on campus.

Written notification of resources for reports involving dating violence, domestic violence, sexual assault, and stalking: In cases of dating violence, domestic violence, sexual assault, and stalking, UTI will provide written notification to the complainant and respondent, which includes an explanation of their rights, outside resources, information on preserving evidence, as well as how to request interim measures, including requests to change academic situations or request for "no contact" directives. In addition, the notification contains information about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for complainants, both within UTI and in the community whether the offense occurred on or off campus. Information is provided regardless of whether the incident occurred on or off campus.

Amnesty: UTI encourages the reporting of incidents of sexual misconduct and recognizes that some students may be reluctant to make such reports as a result of their personal consumption of drugs or alcohol at the time of the incident. UTI generally will not discipline complainants, respondents, or witnesses for personal consumption of drugs or alcohol in violation of UTI's policies where such conduct occurred at the time of the incident and did not endanger the health or safety of others. Educational responses to the conduct may be implemented, as appropriate. Note that UTI's commitment to amnesty in these situations does not prevent action by police or legal authorities against an individual who has illegally consumed alcohol or drugs.

In California, complainants and witnesses are protected from sanctions for violations of student conduct policies that occurred around the time of the reported incidents, unless UTI finds the violations egregious.

Interim measures: Interim measures may be available to parties involved in an investigation of sexual misconduct. Interim measures may include no contact orders, changes to academic situations for students, leave for employees, housing transfer for students who are participating in Collegiate Housing Services shared housing, if available, changes in working situations, transportation, or other actions. Such measures, if reasonably available, may be provided regardless of whether the complainant chooses to report the incident to local law enforcement. Interim measures will be administered in an individualized and appropriate manner based on available information, with an intent to preserve the fundamental fairness of the process.

Requests for interim measures should be made to the Title IX Coordinator, Deputy Title IX Coordinator, or designee, using the contact information provided above. The Title IX Coordinator, Deputy Title IX Coordinator, or designee, may also, at any point during an investigation, determine that interim measures will be implemented without a request for such being made. UTI will maintain as confidential any interim measures provided, to the extent that maintaining such confidentiality would not impair UTI's ability to implement the measure.

Orders of protection: If a party has obtained an ex parte order of protection, full order of protection, or any other restraining order or no contact order against another from a criminal, civil or tribal court, the order should be provided to the Title IX Coordinator, Deputy Title IX Coordinator, or designee. UTI will take all reasonable and legal action to implement such an order. If an order is violated, local law enforcement can also be contacted for assistance.

Preservation of evidence: The preservation of evidence is crucial in sexual misconduct cases. Regardless of whether the individual chooses to report the incident, UTI encourages individuals of any form of violence to seek medical attention as soon as possible, even if they feel no injury was sustained. Medical assistance providers can treat injuries, test for and treat sexually transmitted diseases, test for pregnancy, and provide emergency contraception (if requested). If a complainant chooses to obtain a forensic examination following a sexual assault, the complainant may wish to avoid the following activities prior to the examination to preserve evidence: showering, drinking, eating, douching, brushing teeth or hair, or changing clothes. In addition, hospitals can also test for the presence of alcohol or drugs and perform a rape evidence collection procedure or coordinate these services with another provider if needed. It is also important to take steps to preserve other types of evidence such as pictures, emails, text messages, social media posts, etc., rather than evidence of physical contact and violence.

RESPONSIBLE EMPLOYEES

Responsible employees must report to the Title IX Coordinator and/or Deputy Title IX Coordinator all information about the incident of possible sexual misconduct of which they are aware. This may include the names of the parties, the date, time, and location of the incident, and available facts about what occurred. Responsible employees should not undertake any investigation of the incident unless specifically directed to do by the Title IX or Deputy Title IX Coordinator or designee.

Responsible employees include employees who have the authority to take action to redress sexual misconduct; who have been given the duty of reporting incidents of sexual misconduct or other student misconduct; or whom a student could reasonably believe has this duty. UTI has designated the following personnel as responsible employees: Student Services Directors, Student Services Supervisors, Senior Student Affairs Advisors, Student Affairs Advisors, Education Directors, Education Managers, and People Services staff.

UTI employees who have not been designated as responsible employees are strongly encouraged to report to the Title IX Coordinator incidents of sexual misconduct of which they are aware.

INFORMAL RESOLUTION

Parties may agree to participate in the informal resolution of a complaint that does not involve a full investigation and adjudication. Informal resolution, such as mediation, may only be attempted if voluntarily agreed to by both parties after receiving a full disclosure of the allegations and their options for formal resolution, and with the Title IX Coordinator, Deputy Title IX Coordinator, or designee determining that the particular complaint is appropriate for an informal process. UTI will not require that a complainant informally resolve a complaint directly with the respondent. If informal resolution is pursued, either party may terminate the process and elevate the complaint to or continue with the formal process. In addition, the Title IX Coordinator, Deputy Title IX Coordinator, or designee has the discretion to discontinue an informal process at any time if, for example, one or both parties are not adequately and timely participating. If an informal resolution is reached, it will be documented in writing and signed by both parties. An informal resolution cannot be appealed.

PROCEDURE ONCE A REPORT IS RECEIVED

Standard of review: UTI uses the preponderance of the evidence or “more likely than not” standard of review during the investigation and resolution of complaints of sexual misconduct.

Response by the Title IX/Deputy Title IX Coordinator:

Evaluation: The Title IX Coordinator, Deputy Title IX Coordinator or designee will review all reports of sexual misconduct within seven (7) calendar days of receipt and will determine the appropriate response. If there are jurisdictional considerations that preclude Title IX consideration, the complainant will be notified of such limitations. If the complaint is dismissed at this stage, the complainant will receive written notice of the outcome and has the opportunity to appeal the determination using the appeal procedure below.

Investigation: Within 10 calendar days of receiving the report, the Title IX Coordinator, Deputy Title IX Coordinator, or designee will commence an investigation of the allegation(s), if appropriate. If an investigation is commenced, a prompt written notice will be provided to the respondent of the allegations constituting a potential violation of this policy, including the identities of the parties involved, the specific section of the policy allegedly violated, the precise conduct constituting the potential violation, and the date and location of the alleged incident.

The investigation may include contacting the complainant, respondent, and relevant witnesses to obtain additional information about the allegation(s), and the parties will receive written notice in advance of such a meeting so that they have sufficient time to prepare for meaningful participation. UTI has developed trauma-informed protocols for interviewing complainants that include follow-up and support, as appropriate. Similarly, UTI ensures that respondents receive a fundamentally fair process that is sensitive to the possibility that a respondent may be facing simultaneous criminal charges.

The complainant and respondent will have an equal opportunity to provide witnesses and evidence throughout the process; the Title IX Coordinator and/or Deputy Title IX Coordinator will assist the parties in locating and identifying witnesses, as appropriate. Both parties will have meaningful access to evidence and opportunity to respond. All parties and witnesses involved in the investigation are expected to cooperate and provide complete and truthful information.

The Title IX and/or Deputy Title IX Coordinator generally will conclude the investigation within 30 calendar days. This timeframe may be extended in extenuating circumstances (e.g., school breaks). The Title IX and/or Deputy Title IX Coordinator will notify the parties of any delays and the reasons for the delays.

Investigatory report: At the conclusion of the investigation, the Title IX Coordinator, Deputy Title IX Coordinator, or designee will prepare a preliminary investigatory report that summarizes the evidence, makes factual findings, and determines whether sexual misconduct has occurred. Both parties will be provided with an opportunity to review the preliminary report and allowed to respond to it, in writing, within 3 calendar days. Upon consideration of the parties’ written comments to the preliminary report, if any, the Title IX Coordinator, Deputy Title IX Coordinator, or designee may find the respondent responsible or not responsible for the alleged violation or may find that there is insufficient evidence to make such a finding. If the Title IX Coordinator, Deputy Title IX Coordinator, or designee finds the respondent responsible, the Title IX Coordinator, Deputy Title IX Coordinator or, designee will impose an appropriate sanction and determine whether any remedies should be provided to the complainant and/or campus community.

Notice of the outcome: Within 15 calendar days of the conclusion of the investigation, the complainant and respondent will receive concurrent/simultaneous written notice of the outcome, including any sanction imposed, consistent with applicable state and federal privacy laws, as well as notification of the applicable appeal procedures.

Advisor of choice: In cases of sexual misconduct, the complainant and respondent may choose to have an advisor of their choice present during meetings or disciplinary proceedings. If a party selects an advisor who is an attorney, the party must notify the Title IX Coordinator or Deputy Title IX Coordinator at least 24 hours prior to the first meeting or disciplinary proceeding in which the advisor will be in attendance. During a meeting or proceeding, the advisor does not serve as an advocate on behalf of the complainant or respondent, may not be actively involved, and must agree to maintain the confidentiality of the process. The complainant and respondent have the same opportunity to have an advisor present during meetings and other aspects of the disciplinary proceeding. Advisors are present to support their advisees and must refrain from interrupting or disrupting interviews or other meetings with campus officials or their designees. Advisors may not speak during interviews or meetings unless invited to do so by a campus official or designee. One warning will be given if an advisor attempts to actively participate without being invited to do so or otherwise becomes disruptive. If the behavior continues, the advisor will be asked to leave the meeting or interview. Meetings or interviews generally will not be re-scheduled because an advisor is unavailable to attend.

Timeframes: The investigation and resolution of the complaint will be done in a timely manner. The Title IX Coordinator, Deputy Title IX Coordinator, or designee will provide regular status updates to the parties. All timeframes identified in this policy may be extended for good cause or if UTI determines in its discretion that a deadline should be extended, in which case UTI will notify the parties in writing of the extension and the rationale for it.

Training: The Title IX Coordinator and others with responsibilities under this policy receive training, including trauma-informed training, on at least an annual basis.

Recordkeeping: UTI maintains records related to complaints of sexual misconduct consistent with its record retention policy and federal and state laws.

SANCTIONS AND REMEDIES

Sanctions for students may include sexual assault or other related training, no contact directives, bans from specific areas of campus, professionalism infractions, removal from a course, requirement to change sessions, suspension, or termination from school. For employees, sanctions may include a final warning with sexual assault training or termination. As to third parties, UTI will implement available sanctions, such as bans from campus, as appropriate. UTI will also abide by and support any sanctions imposed by law enforcement. UTI will also provide remedies or other corrective actions to the complainant and campus community, as appropriate, such as educational programming, policy review and revision, and counseling.

APPEAL PROCEDURE

The complainant and respondent have an equal right to appeal outcome decisions made by the Title IX Coordinator, Deputy Title IX Coordinator, or designee. Appeals may be made on the following bases: (1) a party obtains new relevant evidence that was unavailable at the time of the investigation and could change the outcome of the investigation; (2) there is evidence of procedural error significant enough to call the outcome of the investigation into question; or (3) the sanction was substantially disproportionate to the findings. Appeals must be made to Sonia Mason, Chief Human Resources Officer SVP, 4225 East Windrose Drive, Suite 200, Phoenix, AZ 85032, 800-859-7249, or smason@uti.edu. Appeals must be filed within 7 calendar days of the date that written notice of the outcome was provided. The EVP Campus



Operations and Services will decide the appeal promptly but generally within 30 calendar days and provide the respondent and complainant with concurrent/simultaneous written notice of the final determination within 7 calendar days of making the final determination, including any changes to the previous determination and/or the sanctions imposed. The appeal decision is final and not subject to further appeal.

RESOURCES

In addition to the resources provided above, additional on- and off-campus resources are listed on UTI's webpage at www.uti.edu/campus-safety. Written information about resources and services also may be obtained by contacting the Title IX Coordinator, Deputy Title IX Coordinator, or in the Student Services Department.

PREVENTION AND AWARENESS PROGRAMS

UTI is committed to having in place sexual misconduct, including dating violence, domestic violence and stalking, prevention and awareness programs for students and employees. UTI implements prevention and awareness programming during new student and new employee orientation. Informational prevention and awareness materials also are available on an on-going basis.

NON-FRATERNIZATION

UTI has a Non-Fraternization Policy set forth in its Course Catalog and Employee Handbook. UTI employees may not engage in conduct of a sexual nature with any students or with employees where there is supervisory or evaluative relationship, regardless of whether such conduct is consensual. Conduct in violation of the Non-Fraternization Policy also may be addressed under the Title IX Policy if the conduct meets one of the definitions above (e.g., sexual harassment, dating or domestic violence, stalking).

PROHIBITION AGAINST RETALIATION

Retaliation in any form (including acts of intimidation or harassment) against any person who makes a Title IX report, witnesses, or experiences harassment, or asserts rights under Title IX will also not be tolerated. Reports of retaliatory conduct should be made to the Title IX Coordinator and/or Deputy Title IX Coordinator using the contact information set forth above.

FALSE REPORTING

Allegations of discrimination and harassment are extremely serious and must be made honestly and in good faith. Knowingly providing false information to a school official may result in disciplinary action up to and including termination for employees, and suspension or termination for students.

Statement of Non-Discrimination on the Basis of Gender Identity or Expression

Universal Technical Institute is committed to maintaining safe learning and working environments for students, employees and third parties. UTI prohibits discrimination and harassment on the basis of race, color, national origin, sex, religion, disability, age, veteran status, sexual orientation, gender identity or expression, genetic information, and any other legally protected status in the provision of its courses, programs, services, or activities.

UTI welcomes students who are transgender and does not discriminate based on gender identity or expression. UTI provides the following information to help ensure an inclusive experience for students, regardless of their gender identity or expression:

NAMES AND PRONOUNS

Students who wish to use names and pronouns that reflect their gender identity or expression rather than their birth names may contact Student Services to discuss their needs. The Student Services Director reviews requests and works with students and UTI administrators to address students' requests. For example, if a student wishes to use the name "Jane Doe" rather than the birth name "John Doe," the Student Services Director works with the student to complete a Preferred Name Change Request document.

RESTROOMS

Transgender students may use the restroom of their choice, including the restroom that corresponds to the students' gender identity or expression. For example, a student who is transitioning from male to female may use the women's restroom. On some UTI campuses, a limited number of gender-neutral restrooms may be available.

DRESS CODE

UTI has in place certain dress code standards to ensure the safety of students in the laboratory environment. Transgender students may follow the dress code that corresponds to their gender identity or expression.

ON-CAMPUS SUPPORT

Transgender students who have questions about this notice may contact the Student Services Department on campus.

HOW TO RAISE CONCERNS

Students who have concerns about possible discrimination or harassment based on gender identity or expression in UTI's programs or activities are encouraged to contact UTI's Title IX Coordinator. UTI takes prompt and appropriate action to address discrimination or harassment in its programs and activities, including taking steps to end discrimination or harassment, eliminating a hostile environment if one has been created, and preventing the recurrence of future discrimination or harassment. UTI's Title IX Coordinator may be reached at: Director of Program Compliance Title IX Coordinator; 4225 E. Windrose Dr., Suite 200, Phoenix, Arizona 85032, 800-859-7249, jramirez@uti.edu

UTI's Title IX Policy—which sets forth UTI's prohibition against discrimination, harassment and retaliation based on sex, including gender identity or expression—is available at www.uti.edu or in the Student Services Department. The Policy also explains how to obtain interim remedies and the procedure for resolving complaints.