

2024



# HVAC TECHNICAL INSTITUTE

"THE HANDS-ON HEATING AND A/C SCHOOL"

## ANNUAL SECURITY REPORT FOR 2024



PUBLISHED IN THE YEAR 2025

## HVAC TECHNICAL INSTITUTE ANNUAL SECURITY REPORT

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In order to meet standards with the *Jeanne Clery Disclosure of Campus Security and Crime Statistics Act*, and the VAWA, HVAC Technical Institution publishes an Annual Security Safety Report.

This act is a federal law that requires all institutions of higher education in the United States to disclose campus security information, including crime statistics for the school and surrounding areas. The law is named after Jeanne Clery, a freshman at Pennsylvania's Lehigh University who was sexually assaulted and murdered in 1986 in her campus residence hall room. The university failed to inform students of 38 violent crimes on campus in the three years preceding her murder.

All postsecondary institutions that participate in federal student aid programs are required to:

- Publish an annual report every year by October 1<sup>st</sup> that contains three years of campus/school crime statistics;
- Disclose crime statistics for the school, public areas adjacent to or running through the school.
- Provide "timely warning" notice of those crimes that have occurred and pose an ongoing "threat to students and employees;"
- Disclose in a public log "any crime that occurred on campus or within the patrol jurisdiction of the campus security department and is reported to the security department."
- Report domestic violence, dating violence, and stalking, beyond crime categories the Clery Act already mandates;
- Adopt certain student discipline procedures; and
- Adopt certain institutional policies to address and prevent campus sexual violence.

A copy of the report is available to current and prospective students as well as the public online in our website. A printed copy of the report can be obtained at our office upon request.

This report was prepared with the assistance of local law enforcement agencies. School crime, arrest and referral statistics include those that were reported to local law enforcement, faculty and staff. This data may also include crimes that have occurred in private residences or businesses adjacent to the school. The crime statistics included in this report are reported January 1<sup>st</sup> to December 31<sup>st</sup> of the past three years (2022, 2023, and 2024). If you have any questions regarding this report, please contact our office at 773-927-9562.

As an institution, HVAC Technical Institute (HVAC Tech) is committed in providing a safe education free of harassment and discrimination. HVAC Tech has zero tolerance for any sexual assault, discrimination, or sexual misconduct committed in our school. Our Sexual Misconduct Policy was created to ensure the safety of all who participate in our school; it applies to all students, staff, faculty and visitors. This policy is included in our Annual Security Report and describes how to file a complaint, file a report, has a list of resources that can offer more professional help in the unfortunate event a sexual crime occurs.

In the event of any crime, we urge our students, staff and faculty to promptly report this to the appropriate authorities.

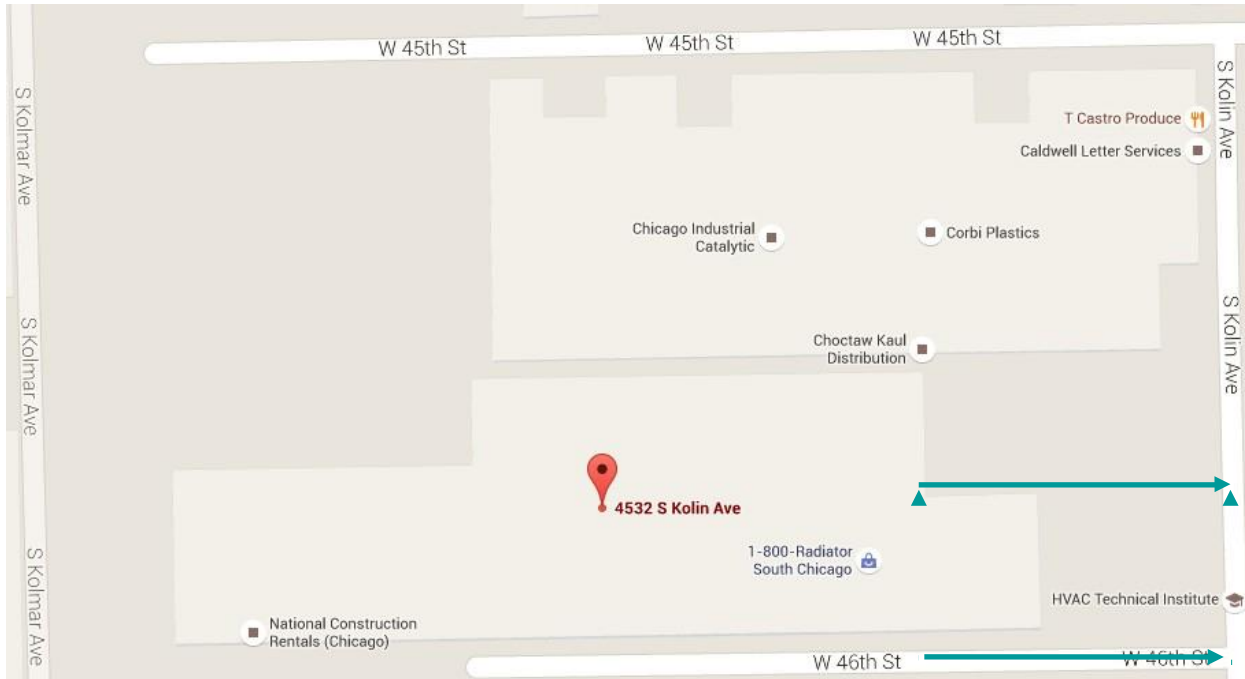
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# Crime Reporting

## GEOGRAPHICAL AREA

According to the Clery Act, we are required to report any crime committed in the areas surrounding our school. For these purposes, those areas include 46<sup>th</sup> and Kolin Avenue, including the road and our parking lot.



## REPORTING CRIMES AND EMERGENCIES

When making your report of an incident you will be asked to provide the following information:

- Description of the incident
- Date, time, and location of the incident
- Description of the persons or vehicles involved in the incident
- Detail regarding who was notified about the incident

Once the school is informed of any incident, we will notify local law enforcements,

All Emergencies	8 <sup>th</sup> District Police Department	Anonymous Call at HVAC Tech's office	School Director
911	312-747-8730	773-927-9562	Mario Recio 4532 S. Kolin Avenue (2nd Floor) Chicago, IL 60632 773-927-9562

## **Emergency Notifications**

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To help prevent crimes or serious incidents, the office will issue School Safety Alerts in a timely manner to notify our students and staff about certain crimes in and around our institution. Any of the following may be used to issue immediate warnings: mass emails and prominent postings on the HVAC Tech website and/or flyers.

If a crime does occur in our surrounding area, we will promptly alert our students, staff and faculty in the following ways:

### **BULLETIN BOARD POSTINGS**

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When the school is made aware of a crime, we will create an announcement and post it on our bulletin board and/or the classrooms, so students are made aware of all incidents.

### **INSTANT ALERTS**

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We have started working with SchoolMessenger for Emergency Notifications, an emergency notification system that sends out voice calls and emails to our students and staff in the event of an emergency or school closing.

## **Fire Safety**

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### **SAFETY PLAN**

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For us to provide a safe and beneficial education, we have implemented a Health and Safety Plan. This plan includes policies and procedures detailing what to do in the event of a safety breach, such as a fire or an accident. Our safety plan also includes annual training for our staff and faculty and is reviewed every June.

## **Method of Disclosure**

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Our Annual Security Report is available online on our website for our students and the public to see: <http://hvac-tech.com/consumer-information>. A printed copy can also be obtained upon request in our office. During orientation, students are informed of our Report in the case they would like to be better informed about the crime rates and safety procedures around our school.

As part of the school's commitment to providing a harassment-free working and learning environment, this policy shall be disseminated to the school community through publications, the school website new employee orientations, student orientations and other appropriate channels of communication. The school provides training to key staff members to enable the school to handle any allegations of sexual harassment or sexual violence promptly and effectively. The school will respond quickly to all reports, and will take appropriate action to prevent, to correct, and if necessary, to discipline behavior that violate this policy.

## Crime Statistics – HVAC Technical Institute

Reported by Hierarchy

Type of Offense (Reported by Hierarchy)	Year	On Campus	Non-Campus	Public Property	Total
<b>Criminal Homicide</b>					
Murder/Non-negligent Manslaughter	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
Negligent Manslaughter	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
<b>Robbery</b>					
	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
<b>Aggravated Assault</b>					
	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
<b>Burglary</b>					
	2024	1	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
<b>Motor Vehicle Theft</b>					
	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
<b>Rape</b>					
	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
<b>Fondling</b>					
	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
<b>Incest</b>					
	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
<b>Arson</b>					
	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
<b>Statutory Rape</b>					
	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0



## Crime Statistics – HVAC Technical Institute

Reported by Hierarchy (Cont.)

Type of Offense (Reported by Hierarchy)	Year	On Campus	Non-Campus	Public Property	Total
<b>Arrests: Weapons – Carrying, Possessing, etc.</b>					
	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
<b>Disciplinary Referrals: Weapons – Carrying, Possessing, etc.</b>					
	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
<b>Arrest: Drug Abuse Violations</b>					
	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
<b>Disciplinary Referrals: Drug Abuse Violations</b>					
	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
<b>Arrest: Liquor Law Violations</b>					
	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
<b>Disciplinary Referrals: Liquor Law Violations</b>					
	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0

## Crime Statistics – HVAC Technical Institute

Not Reported by Hierarchy

Type of Offense (Not Reported by Hierarchy)	Year	On Campus	Non-Campus	Public Property	Total
<b>Domestic Violence</b>					
	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
<b>Dating Violence</b>					
	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
<b>Stalking</b>					
	2024	0	0	0	0
	2023	0	0	0	0
	2022	0	0	0	0
<b>Hate Crimes</b>					
There were no reported hate crimes in 2022, 2023 or 2024.					



## CRIME DEFINITIONS

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The following definitions have been taken from the FBI's Uniform Crime Reporting Handbook.

### **Criminal Offenses**

**Aggravated Assault** – an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**Arson** – any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

**Burglary** – the unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft** – the theft or attempted theft of a motor vehicle.

**Murder/Non-negligent Manslaughter** – The willful (non-negligent) killing of one human being by another; this may be any death caused by injuries received in a fight, argument, quarrel or assault, or commission of a crime is classified as Murder and Non-negligent Manslaughter. NOTE: the following deaths are excluded: Suicides, accidental deaths, fetal deaths, assaults to murder, traffic fatalities, and attempts to murder

**Negligent Manslaughter** – The killing of another person through gross negligence.

**Robbery** – the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

### **Sex Offenses**

#### ***Forcible Sex Offenses***

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent

**Consent** - the informed, voluntary, and mutual, saying of agreeing to a certain action and can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent.

Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person. If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes impairment or incapacitation due to alcohol or drug consumption that meets this standard, or being asleep or unconscious

**Fondling** – the touching of the private body parts of another person for sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

**Sexual Assault with Object** – the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity. An object or instrument is anything used by the offender other than the offender's genitalia.

**Sodomy** – oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

**Rape** – the carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes the forcible rape of both males and females.

***Non-forcible Sex Offenses*** – unlawful, non-forcible sexual intercourse.

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

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

### ***Unwelcome Conduct***

When a student did not request or invite the conduct it is considered that conduct is undesirable or offensive. Unwelcome conduct may take various forms, including, name-calling, graphic or written statements

**Sexual harassment** – This is any unwelcome conduct of a sexual nature. This includes, but is not limited to: unwelcome sexual advances, any request for sexual favors, verbal or nonverbal, rape, sexual assault, and sexual exploitation.

**Hostile environment caused by sexual harassment** – This type of environment exists when the sex-based harassment denies or limits a student's ability to participate in or benefit from the school's programs or activities. This environment can be created by anyone involved in the school's programs or activities; this includes: administrators, faculty, staff, students and visitors.

To determine whether the sex-based harassment has created a hostile environment, we will consider the conduct in question from both a subjective and objective perspectives. It will be necessary, but not enough, that the conduct was unwelcome to the student who was harassed. However, the school will also need to find that a reasonable person in the student's position would have perceived the conduct as undesirable or offensive in order for that conduct to create or contribute to a hostile environment.

To make the ultimate determination of whether a hostile environment exists for a student or students, the school considers a variety of factors related to the severity, persistence, or pervasiveness of the sex-based harassment, including:

1. the type, frequency, and duration of the conduct;
2. the identity and relationships of persons involved;
3. the number of individuals involved;
4. the location of the conduct and the context in which it occurred; and,
5. the degree to which the conduct affected one or more student's education.

The more severe the sex-based harassment, the less need there is to show a repetitive series of incidents to find a hostile environment. Indeed, a single instance of sexual assault may be sufficient to create a hostile environment. Likewise, a series of incidents may be sufficient even if the sex-based harassment is not particularly severe.

**Sexual assault** – This is defined as actual or attempted sexual contact with another person without that person's consent. This includes, but is not limited to the following:

1. Intentional touching of another person's intimate parts without that person's consent;
2. Other intentional sexual contact with another person without that person's consent;
3. Coercing, forcing, or attempting to coerce or force a person to touch another person's intimate parts without that person's consent; or
4. Rape, which is penetration, no matter how slight, of
  - a. the vagina or anus of a person by any body part of another person or by an object, or
  - b. the mouth of a person by a sex organ of another person, without that person's consent.

**Domestic violence** – includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Dating Violence** – violence committed by a person:

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - a. The length of the relationship;
  - b. The type of relationship;
  - c. The frequency of interaction between the persons involved in the relationship.

**Sexual exploitation** – This occurs when a person takes sexual advantage of another person for the benefit of anyone other than that person without that person's consent. The following behavior could rise to the level of sexual exploitation:

1. Prostituting another person;
2. Recording images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness without that person's consent;
3. Distributing images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to such disclosure and objects to such disclosure; and,
4. Viewing another person's sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without that person's consent, and for arousing or gratifying sexual desire.

**Stalking** – means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress.

**Retaliation** – Any form of retaliation is a violation of Title IX and school policy. No person will retaliate against any individual who reports, testifies, participates in any investigation, proceeding or litigation.

**Weapons Law Violations** – the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

**Drug Law Violations** – the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

**Liquor Law Violations** – the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

**Domestic Violence** – includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Dating Violence** – violence committed by a person (A) who is or has been in a social relationship of a romantic or intimate nature with the victim and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; (iii) the frequency of interaction between the persons involved in the relationship.

**Stalking** – means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress.

**Hate Crimes** – a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation or ethnicity/national origin.

# **HVAC Technical Institute**

Standard Operating Procedure 702G  
Sexual Misconduct and VAWA Policy  
Date Implemented:  
Revised Date:  
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## **PURPOSE**

Our Sexual Misconduct and VAWA Policy was created to ensure the safety of all who participate in campus and applies to all students, staff, faculty and visitors. A copy of our Sexual Misconduct Policy and/or Annual Security Report, can be printed in the office or found online.

HVAC Tech is firmly committed to providing equal opportunity and an environment free of all forms of improper or unlawful harassment, discrimination, and violence in its educational programs and activities, including admissions and employment practices. Our institution has zero tolerance for any sexual assault, discrimination, or sexual misconduct committed in our campus.

HVAC Tech complies with Title IX of the Education Amendments of 1972, Titles VI and VII of the Civil Rights Act of 1964, Violence Against Women Reauthorization Act (VAWA). HVAC Tech will not tolerate any discrimination, harassment or violence of any kind including, but not limited to, discrimination, harassment, or violence based on sex/gender (including pregnancy and childbirth), sexual orientation, gender identity, gender expression, nonconformity with sex stereotypes, age, national origin, disability, veteran status, or any category protected by federal, state, or local law.

## **POLICY**

- 1) HVAC Tech Title IX Coordinator is responsible for oversight of all sexual misconduct complaints.
- 2) To file a complaint with HVAC Tech for a conduct violation of this policy including, but not limited to, sex discrimination, sexual harassment, sexual violence, domestic violence, dating violence or stalking, individuals may contact the Title IX Coordinator.
- 3) Reports can also be made directly to the Department of Education's Office for Civil Rights (OCR). Individuals can find the appropriate office at by contacting the OCR Headquarters at:  
Office for Civil Rights  
Lyndon Baines Johnson Department of Education Bldg.  
400 Maryland Avenue, SW  
800-421-3481.
- 4) Reports can also be made to an HVAC Tech faculty member, and a staff member. Please note that responsible employees cannot keep complaints confidential and are required to report any instances of alleged sexual misconduct to the Title IX Coordinator.
- 5) Retaliation against a person for filing a complaint or participation in an investigation will not be tolerated. Disciplinary action up to and including suspension, expulsion, or termination may be taken for retaliatory actions
- 6) Confidentiality
  - i. HVAC will maintain the confidentiality and protect the identity of any complaint and other necessary parties to the maximum extent possible. Confidentiality means that HVAC Tech will not disclose the identity of the individual reporting the concern or allegation unless it is determined during the course of the investigation that it unavoidable or that HVAC Tech is required by law to disclose the information.
  - ii. Faculty members, advisors, administration, and all HVAC Tech faculty and staff members are "responsible employees". This means that they are required to report any disclosures of sexual misconduct (including the identities of both the victim and the alleged perpetrator) to the Title IX Coordinator who with HVAC Tech will investigate the incident and take appropriate actions to address the situation.

# **HVAC Technical Institute**

Standard Operating Procedure 702G

Sexual Misconduct and VAWA Policy

Date Implemented:

Revised Date:

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- iii. Individuals seeking professional counseling will have their information kept in confidence. Even if an individual gives the professional counselor permission to release his or her identity, the counselor may only report the occurrence of the event itself to be included in the annual crime Statics, unless otherwise required by law.
  - iv. In order to ensure the safety of the staff and faculty, disclosure of some details of a sexual misconduct complaint may be necessary. The details may include, but are not limited to, when and where the misconduct occurred, and other details necessary to ensure the safety of HVAC Tech. The Title IX Coordinator is responsible for determining confidentiality on a case-by-case basis
- 7) HVAC Tech discloses information about crime on and near our school as required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") in the Annual Security Report. However, HVAC Tech does not disclose personally identifiable information in its public Crime Log

## **COUNSELING, ADVOCACY, AND SUPPORT**

1. Currently enrolled students are provided with a Sexual Misconduct Prevention Pamphlet during orientation containing information on rape prevention, sexual assault, dating violence and domestic violence.
2. Full Time employees have access to confidential counseling through Insperity's Human Resource Program, Employee Assistance Program (EAP), which can be accessed by calling 866-402-0003.
3. Financial Aid Related services and information, such as information about how to apply for a leave of absence or about options for addressing concern about loan repayment terms and conditions can be obtained by contacting HVAC Tech finance advisor. A change on his or her class schedule (or work schedule if an employee), withdraw from class without financial or academic penalty may be granted. As well as class accommodation may be granted, such as additional time to submit assignment or allowing a test to be taken separately from the class.
4. During the investigation, HVAC Tech may also take interim measures, such as issuing a No Contact Order, which orders to insure the well-being of all parties and/or the integrity of the investigation process by:
  - removing a student or faculty member from class,
  - interim suspension,
  - changing a student, faculty member, or employee's schedule or class/work location,
  - placing an employee on administrative leave.
5. All accommodations will be made on a case by a case basis and will ensure all of those involved will be comfortable with the adjustments agreed upon.
6. An institution under the jurisdiction of the Department of Education may not intimidate, threaten, coerce, or retaliate against anyone who asserts a right protected by civil right laws that OCR enforces, or who cooperates in an investigation. Anyone who believes that they or she has been intimidated or retaliated against should file a complaint with OCR.
7. If you believe the school does not process your incident or case, you are advised to contact the Office for Civil Rights:

# **HVAC Technical Institute**

Standard Operating Procedure 702G  
Sexual Misconduct and VAWA Policy  
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## **OCR in Chicago:**

U.S. Department of Education  
Citigroup Center  
500 W. Madison Street, Suite 1475  
Chicago, IL 60661-4544

## **OCR Headquarters:**

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

## **INVESTIGATION PROCEDURE AND PROTOCOLS**

- 1) HVAC Tech will promptly, thoroughly and impartially investigate all Title IX cases in a professional manner. We shall maintain confidentiality for all parties to the extent possible, but absolute confidentiality cannot be guaranteed. In cases where a student does not give consent for an investigation, HVAC Tech will weigh the student's request for confidentiality against the impact on the school's safety to determine whether an investigation must proceed.
- 2) HVAC Tech strives to complete any investigation, hearing, appeal, and sanctions or actions as a result of the process within sixty (60) days. However, if the process exceeds that sixty (60) day time frame, the investigator or Title IX Coordinator will contact the complainant and respondent in writing to explain the reason for the delay.
- 3) Parties involved in a Title IX investigation may be asked to preserve evidence, including, but not limited to, emails, text messages, or other documents. Knowingly destroying evidence related to a Title IX investigation may be a violation of policy, for which disciplinary action may be taken. The preponderance of the evidence standard will apply to investigation, meaning HVAC Tech will evaluate whether it is more likely than not that the alleged conduct occurred. Both parties may have one other person (including an attorney, if desired) present at any proceedings or meetings related to alleged offense. Both parties will receive written notice of the outcome of the complaint.
- 4) Information obtained through the course of a Title IX investigation may be shared with law enforcement, if requested. Complainants should be aware that in a formal investigation due process generally requires that the identity of the charging party and the substance of the complaint be revealed to the person charged with alleged harassment.
- 5) During the investigation, HVAC Tech will provide interim measures, as necessary, to protect the safety and well-being of student and/ or employees involved. If HVAC Tech determines that unlawful harassment or sexual violence has occurred, immediate appropriate corrective action will be taken in accordance with the circumstances involved, and the school will take steps to prevent the recurrence of any harassment or discrimination, including changing a victim's academic situation after an alleged sex offense, and the options for those changes if those changes are requested by the victim and are reasonably available.
- 6) Any employee determined by HVAC Tech to be responsible for unlawful harassment or discrimination will be subject to appropriate disciplinary action, up to and including termination. Remedies for student-related claims may include, but are not limited to, an order to stay away suspension or expulsion. Student and employees have option to notify appropriate law enforcement agencies, and the school will assist as requested. To initiate a criminal investigation, reports of sexual violence should be made to "911" or local law enforcement. The criminal process is separate from HVAC Tech disciplinary process.
- 7) If a student is a victim or a witness to a sexual misconduct or any criminal activity at HVAC Tech, they can come into the office, and with the Title IX coordinator, and fill out a report. All information given



# **HVAC Technical Institute**

Standard Operating Procedure 702G  
Sexual Misconduct and VAWA Policy  
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will be given to the authorities and/or the Director if the student permits it. The Title IX will then offer services from various organizations to who can further help the student to.

## **SECURITY AWARENESS AND CRIME PREVENTION**

Our Sexual Misconduct Prevention details how our school informs students how to stay safe and prevent any sexual assault from occurring in our school or in the surrounding areas. It details various definitions of what is considered to be a violation against our Sexual Misconduct Policy and what steps to take in the unfortunate event as assault does occur.

During orientation, on the first day of class, students go over the student handbook; during this orientation, there is a section in the handbook that covers how to be safe from sexual assaults. The handbook offers public services and resources in the unfortunate case that they become victims or witness a sexual assault.

## **TITLE IX COORDINATOR**

The Title IX Coordinator reports to the Director and is responsible for investigating, and resolving any reports of sexual misconduct. The Title IX Coordinator can be contacted by telephone, email, or in person during regular office hours.

The Title IX Coordinator is:

Lainer Rodriguez  
4532 S. Kolin Avenue (2<sup>nd</sup>)  
Chicago, IL 60632  
773-927-9562

**Hours: Monday, 8:00AM to 6:30PM**  
**Tuesday-Wednesday, 8:00AM to 6:30PM**  
**Thursday, 8:00AM to 3:00PM**

For more information, please feel free to call or visit our Main Office:

HVAC Technical Institute  
4532 S. Kolin Avenue (2<sup>nd</sup> Floor)  
Chicago, IL 60632

Phone: 773.927.9562  
[www.hvac-tech.com](http://www.hvac-tech.com)



## *Sexual Misconduct Prevention*



## *What is the Sexual Misconduct Policy?*

As a higher education institution, HVAC Tech is firmly committed to providing equal opportunity and an environment free of all forms of improper or unlawful harassment, discrimination, and violence in its educational programs and activities, including admissions and employment practices. Our institution has zero tolerance for any sexual assault, discrimination, or sexual misconduct committed in our campus.

HVAC Tech complies with Title IX of the Education Amendments of 1972, Titles VI and VII of the Civil Rights Act of 1964, Violence Against Women Reauthorization Act (VAWA). HVAC Tech will not tolerate any discrimination, harassment or violence of any kind including, but not limited to, discrimination, harassment, or violence based on sex/gender (including pregnancy and childbirth), sexual orientation, gender identity, gender expression, nonconformity with sex stereotypes, age, national origin, disability, veteran status, or any category protected by federal, state, or local law.

Our Sexual Misconduct and VAWA Policy was created to ensure the safety of all who participate in campus and applies to all students, staff, faculty and visitors. If you would like a copy of our Sexual Misconduct Policy and/or Annual Security Report, we can provide you with a printed copy in our office. In the event of any crime, we urge our students, staff and faculty to promptly report this to the appropriate authorities.

## *Sexual Misconduct Definitions*

The following definitions have been taken from either the FBI's Uniform Crime Reporting Handbook or the following website: <https://www.notalone.gov/assets/definitions-of-prohibited-conduct.pdf>. The definitions given here have been summarized, for a complete definition of these crimes, please follow the link given.

### **Sexual harassment**

Any unwelcome conduct of a sexual nature. This includes, but is not limited to: unwelcome sexual advances, any request for sexual favors, verbal or nonverbal, rape, sexual assault, and sexual exploitation.

### **Hostile environment caused by sexual harassment**

This type of environment exists when the sex-based harassment denies or limits a student's ability to participate in or benefit from the school's programs or activities. This environment can be created by anyone involved in the school's programs or activities; this includes: faculty, staff, students and campus visitors.

## *Confidential Reporting Procedure*

If a student is a victim or a witness to a sexual assault, they can come into the office, and with the Title IX coordinator, can fill out a report. All information given will be given to the authorities and/or the Director if the student permits it. The Title IX will then offer services from various organizations to who can further help the student.

## *Disciplinary Procedures Following a Complaint*

Any person found guilty of any sexual misconduct behavior will be immediately removed from the school.

## *Additional Resources for Sexual Assault*

### **YWCA Metropolitan Chicago Sexual Violence & Support Services**

1 North LaSalle Street, Suite 1700

Chicago, Illinois 60602

**Phone:** (312) 372 - 6600

**Hotline:** (888) 293-2080

**Website:** [www.ywcachicago.org](http://www.ywcachicago.org)

### **Mujeres Latinas En Acción**

2124 W. 21<sup>st</sup> Place

Chicago, Illinois 60608

**Phone:** (773) 890-7676

**Hotline:** (312) 738-5358

**Website:** [www.mujereslatinasenaccion.org](http://www.mujereslatinasenaccion.org)

### **Resilience**

444 N. Michigan Avenue, Suite 970

Chicago, Illinois 60611

**Phone:** (312) 443-9603

**Hotline:** (888) 293-2080

**Website:** [www.ourresilience.org](http://www.ourresilience.org)

These organizations also offer services in Spanish.

The following organizations offer help for those who have suffered a sexual assault:

**Chicago Rape Crisis Hotline:**

888.293.2080

<https://www.ourresilience.org/>

**National Sexual Assault Hotline:**

1.800. 656.HOPE (4673)

**National Sexual Assault Online Hotline:**

<http://www.rainn.org/>

The Online Hotline provides the following services:

Crisis intervention and support

- Answers to your questions about recovering from sexual assault
- Information about medical issues
- Explanations of the criminal justice system
- What to expect when you report the crime to Police Authorities
- Referrals to resources in your area
- Information for family and friends of victims

## *Reporting an Incident of Sexual Misconduct*

If you are a victim of sexual assault and or sexual misconduct, or know someone who has been victim, we encourage you to promptly report this incident. To report this incident, you may contact our Title IX Coordinator.



### **Sexual assault**

This is defined as actual or attempted sexual contact with another person without that person's consent.

### **Fondling**

The forcibly touching of the private body parts of another person for sexual gratification.

### **Rape**

The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes the forcible rape of both males and females.

### **Domestic Violence**

Any form of violence committed by a current or former spouse or intimate partner of the victim, a person with whom the victim shares a child in common, or a person who is cohabiting with or has cohabited with the victim as a spouse or intimate partner.

### **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 a relationship shall be determined based on the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

### **Sexual exploitation**

This occurs when a person takes sexual advantage of another person for the benefit of anyone other than that person without that person's consent. The following behavior are examples of what could be considered sexual exploitation:

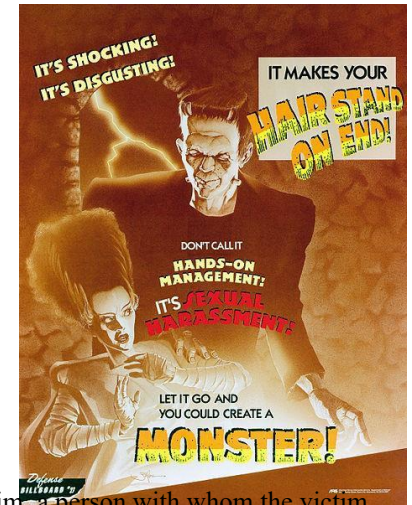
1. Prostitution of another person;
2. Recording images of sexual nature
3. Distributing images of sexual nature
4. Viewing another person's sexual activity, intimate body parts, or nakedness.

### **Stalking**

To engage in a conduct directed at a specific person that would cause a reasonable person to (A) fear for his or her safety or the safety of others' or (B) suffer substantial emotional distress.

### **Retaliation**

Any form of retaliation is a violation of Title IX and school policy. No person will retaliate against any individual who reports, testifies, participates in any investigation, proceeding or litigation.



## *What is consent?*

Consent is defined as giving permission for something to happen. Consent must be informed, voluntary, and mutual, and can be withdrawn at any time. Silence or absence of resistance does not imply consent. Past consent to sexual activity with another person does not imply ongoing future consent with that person or consent to that same sexual activity with another person. If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature, or extent of the sexual situation, there is no consent; this includes impairment or incapacitation due to alcohol or drug consumption that meets this standard or being asleep or unconscious.

**Silence  
DOES NOT  
equal consent**

## *Security Awareness and Crime Prevention Programs*

During orientation, on the first day of class, students go over the student handbook; which contains the Sexual Misconduct & VAWA and Alcohol Substance Abuse policy. The handbook offers public services and resources in the unfortunate case that they become victims or witness a sexual assault.

## *Minimizing your Risk of a Sexual Assault*

Victims of rape and sexual offences are generally chosen because they appear vulnerable or defenseless. You can minimize your risk if you practice the following:

- 1) Never walk alone and be aware of your surroundings. Stay alert and show confidence.
- 2) Avoid poorly lit doorways or alleys.
- 3) Keep all doors locked while alone in an automobile

## *Title IX Coordinator*

The Title IX Coordinator is responsible for investigating, solving any reports of sexual misconduct. The Title IX Coordinator can be contacted by telephone, email, or in person during regular office hours.  
The Title IX Coordinator is:

Lainer Rodriguez  
4532. S Kolin Avenue (2<sup>nd</sup>)  
Chicago, IL 60632  
773-927-9562

**Hours: Monday, 8:00AM to 6:30PM**

**Tuesday-Wednesday, 8:00AM to 6:30PM**

**Thursday, 8:00AM to 3:00PM**

## *Procedures to Follow After an Assault*

If you are a person who experienced or thinks they have experienced a sexual offense HVAC Tech is committed to offer a secure and supportive environment in which considers all the options that are available to you including (but not limited to), medical attention and evaluation, obtaining information, support and counseling, and/or reporting. It should be noted that some of these options offer confidentiality while others severed are required by sexual offense.

A person, who has experienced a sexual offense, whether rape or another unwanted contact, is urged follow the procedure below:

- The victim should get to safety and call local Police Department;
- Go to a safe place, go somewhere to get emotional support;
- Evidence should not be destroyed. The victim should refrain from taking a shower, washing hands, or changing clothing. The location where the assault occurred should not be disturbed;
- The victim should get immediate medical assistance;
- The victim is encouraged to seek support, information, and counseling.



# **HVAC Technical Institute**

Standard Operating Procedure – 702F  
General Provisions – Alcohol and Substance Abuse Policy  
Date Implemented: 12/2014  
Revised Date: 10/2020  
Page 1 of 3

**34 CFR 668.14(c)**

## **PURPOSE:**

HVAC Tech expects all members of its community; students, faculty and staff, to be familiar with and to abide by applicable state, federal and local laws regarding alcohol and drugs. Students are also responsible for knowing school regulations concerning alcohol use on campus. HVAC Tech forbids the use, possession, distribution or sale of drugs or alcohol by a student anywhere on school property. Violation of these laws or regulations may subject a student to both criminal prosecution and campus disciplinary action.

## **POLICY:**

Use of illicit drugs and abuse of prescription drugs pose a serious threat to mental and physical health. Alcohol is a drug. Its use in even the smallest amounts may be harmful to some people, and when used to excess, alcohol is harmful to everyone. For this reason, responsible drinking is essential and is expected of those who choose to drink.

HVAC Tech complies with the requirements of the Drug Free Schools and Communities Act. HVAC Tech will review its policy on an annual basis to determine its effectiveness and to ensure that the standards of conduct and disciplinary sanctions have been consistently enforced.

The unlawful possession, use, distribution, sale or manufacture of controlled substances is prohibited on any premises owned or controlled by HVAC Tech. Under no circumstance will the institution tolerate the use of illicit drugs or alcohol on campus or during any institution-sponsored activities. Students who violate the prohibition against the illegal use of controlled substances and alcohol will be subject to disciplinary action up to and including expulsion and may lose Financial Aid eligibility.

HVAC Tech student who has a drug or alcohol problem may call upon the institution for assistance. HVAC Tech can provide a confidential referral to a drug or alcohol treatment program. The following agencies provide information on substance abuse:

Use of illicit drugs by any person is illegal under both the state and federal statutes. Use of alcohol by people under 21 years of age is illegal under state law. Penalties for conviction under state and federal law include incarceration and fines varying between \$100 and \$100,000 depending on the offense. Property used in connection with illegal drugs may be confiscated. All Federal and State student loans and grants may be denied to those convicted for a violation of a criminal drug statute.

HVAC Technical Institute's new employees are told about the Drug-Free Workplace Policy and are given a copy of the entire Human Resources Policy Guide; the Human Resources Department updates this Policy Guide annually. All policy changes are highlighted and all employees are required to sign an acknowledgement form indicating that they have read, understand, and will comply with the provisions of the Policy Guide.

If a student approaches any employee about an alcohol/drug issue, employees are informed to refer students to agencies that can provide students with substance abuse information and help; students are offered several counseling options.

# **HVAC Technical Institute**

Standard Operating Procedure – 702F

General Provisions – Alcohol and Substance Abuse Policy

Date Implemented: 12/2014

Revised Date: 10/2020

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## **PREVENTION:**

During orientation, all students will receive a pamphlet explaining our Alcohol and Substance Abuse Prevention Policy along with the risks and penalties of being under the influence. The pamphlet also contains the information of various organizations that can help those who have an alcohol and substance abuse problem.

## **DRUG AND ALCOHOL-FREE SCHOOL AND COMMUNITY ACT:**

HVAC Tech complies with the requirements of the Drug Free Schools and Communities Act. Therefore, the unlawful possession, use, distribution, sale or manufacture of controlled substances is prohibited on any premises owned or controlled by HVAC Tech. Under no circumstance will the institution tolerate the use of illicit drugs or alcohol on campus or during any institution-sponsored activities.

HVAC Tech student who has a drug or alcohol problem may call upon the institution for assistance. HVAC Tech can provide a confidential referral to a drug or alcohol treatment program.

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 C.F.R. Part 84, Subpart C, for recipients who are individuals, as defined at 34 C.F.R. Part 84, Section 84.300 -

- As a condition of the grant, the Institution certifies that it will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity related to the award; and
- If any officer or owner of the Institution is convicted of a criminal drug offense resulting from a violation occurring during the conduct of any award activity, the Institution will report the conviction, in writing, within 10 calendar days of the conviction, to: Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, DC 20202. Notice shall include the identification number(s) of each affected grant.

## **STANDARDS OF CONDUCT:**

The unlawful possession, use, distribution, sale or manufacture of controlled substances is prohibited on any premises owned or controlled by HVAC Tech. Under no circumstance will the institution tolerate the use of illicit drugs or alcohol on campus or during any institution-sponsored activities.

## **SCHOOL SANCTIONS:**

Students who violate the prohibition against the illegal use of controlled substances and alcohol will be subject to disciplinary action, including expulsion.

## **Debarment, Suspension, and Other Responsibility Matters**

As required by Executive Order 12549, Debarment and Suspension, and implemented at 34 C.F.R. Part 85, for prospective participants in primary covered transactions as defined at 34 C.F.R. Part 85, Sections 85.105 and 85.110, the Institution certifies that it and its principals:

- Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction; violation of Federal or State antitrust statutes; commission of embezzlement,



# **HVAC Technical Institute**

Standard Operating Procedure – 702F

General Provisions – Alcohol and Substance Abuse Policy

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theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; or commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects their present responsibility.

- Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.



## PENALTIES FOR POSSESSION OF PENTAZOCINE, METHAQUALONE, AND PCP

Penalty	Illinois Compiled Statutes Codes
Possession of pentazocine, methaqualone, ketamine, or PCP that contains 30 or more grams is a Class 1 Felony and is punishable for 4 to 15 years of jail time with a fine of up to \$25,000.	720 ILCS 570/402 730 ILCS 5/5-4.5-30 730 ILCS 5/5-4.5-50

## CANNABIS CONTROL ACT

Possession limit for marijuana, for a person who is 21 years of age or older, and a resident of this state, is as follows (People who are from out of state can possess half of what a resident can possess):

Possession Limit	Illinois Compiled Statutes Codes
(1) 30 grams of cannabis flower; (2) No more than 500 milligrams of THC contained in cannabis-infused product; (3) 5 grams of cannabis concentrate; and (4) For registered qualifying patients, any cannabis produced by cannabis plants grown under subsection (b) of Section 10-5, provided any amount of cannabis produced in excess of 30 grams of raw cannabis or its equivalent must remain secured within the residence or residential property in which it was grown.	410 ILCS 705/10-10

## Substance Abuse Resources

If you, or someone you know has an alcohol and/or substance problem, please contact the following organizations to receive the appropriate help:

### Alcoholics Anonymous:

1.800.371.1475 (24-hour answering service)

### 988 Suicide & Crisis Lifeline:

988 (24-hour answering service)

### Substance Abuse and Mental Health Services Administration (SAMHSA):

1.800. 662.HELP (4357)

### \*Gateway Foundation

3828 W. Taylor St.  
Chicago, IL 60624  
Intake: (773) 231 – 7276

### \*Addiction Counseling Education Services (ACES)

2601 W.Marquette  
Chicago, IL 60629  
Intake: (773) 349 – 8052

\*Services in Spanish

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## Alcohol and Substance Abuse Prevention



## ***Drug and Alcohol-Free School and Community Act***

HVAC Tech complies with the requirements of the Drug Free Schools and Communities Act. Therefore, the unlawful possession, use, distribution, sale or manufacture of controlled substances is prohibited on any premises owned or controlled by HVAC Tech. Under no circumstance will the institution tolerate the use of illicit drugs or alcohol on campus or during any institution-sponsored activities.

HVAC Tech student who has a drug or alcohol problem may call upon the institution for assistance. HVAC Tech can provide a confidential referral to a drug or alcohol treatment program.

## ***Standards of Conduct***

The unlawful possession, use, distribution, sale or manufacture of controlled substances is prohibited on any premises owned or controlled by HVAC Tech. Under no circumstance will the institution tolerate the use of illicit drugs or alcohol on campus or during any institution-sponsored activities.

## ***School Sanctions***

Students who violate the prohibition against the illegal use of controlled substances and alcohol will be subject to disciplinary action, including expulsion.

## ***Health Risks***

The use of drugs and alcohol can have a substantial and detrimental effect on health. These effects are often permanent and can lead to severe physical and psychological impairment, disability and premature death.

The following are a number of the consequence's substance abuse can lead to:

- Cardiovascular disease
- Stroke
- Cancer
- HIV/AIDS
- Hepatitis B and C
- Lung disease
- Mental disorders

HVAC Tech encourages students to lead drug-free lives.

## ***Specific Crime Penalties***

The following are a few chosen crimes and penalties addressed by the state of Illinois.

### **PENALTIES FOR A DUI IN ILLINOIS**

	<b>Jail Time</b>	<b>Fines</b>	<b>License Suspension</b>
1st Offense	Maximum 1 year	Maximum \$2,500	Minimum 1 year
2nd Offense	Maximum 1 year	Maximum \$2,500	Minimum 5year
3rd Offense	3 to 7 years	Maximum \$2,500	Minimum 10year

### **PENALTIES FOR POSSESSION OF HEROIN, COCAINE, AND MORPHINE**

Possession of heroin, cocaine and morphine are punishable depending on the amount of the substance involved.

<b>Amount of substance</b>	<b>Jail Time</b>	<b>Illinois Compiled Statutes Codes</b>
15 to 99 grams	4 to 15 years	(720 ILCS 570/402)
100 to 399 grams	6 to 30 years	
400 to 899 grams	8 to 40 years	
900 or more grams	10 to 50 years	
Possession of these substances also carries a financial penalty of up \$200,000, or the street value of the substance, whichever is greater.		

### **PENALTIES FOR POSSESSION OF PEYOTE, BARBITURIC AND AMPHETAMINE**

<b>Penalty</b>	<b>Illinois Compiled Statutes Codes</b>
Possession of peyote, barbituric and amphetamine that contains 200 or more grams is a Class 1 Felony and is punishable for 4 to 15 years of jail time with a fine of up to \$25,000.	720 ILCS 570/402 730 ILCS 5/5-4.5-30

### **PENALTIES FOR POSSESSION OF LSD**

The possession of LSD in any form is a Class 1 felony and is punishable depending on the amount of the substance, or the number of objects (or segregated parts of the object), involved.

<b>Amount of substance</b>	<b>Jail Time</b>	<b>Illinois Compiled Statutes Codes</b>
15 to 100 grams or 15 or more but less than 200 objects/segregated parts	4 to 15 years	(720 ILCS 570/402)
100 to 399 grams or 200 or more but less than 600 objects/segregated parts	6 to 30 years	
400 to 899 grams or 600 or more but less than 1500 objects/segregated parts.	8 to 40 years	
900 grams or more or 1500 or more objects/segregated parts	10 to 50 years	
Possession of these substances also carries a financial penalty of up \$200,000, or the street value of the substance, whichever is greater.		

### **PENALTIES FOR POSSESSION OF AMPHETAMINES**

Possession of specific amphetamines in any form (capsule, tablet, pill, or object) is a Class 1 felony and is punishable depending on the amount of the substance involved.

<b>Amount of substance</b>	<b>Jail Time</b>	<b>Illinois Compiled Statutes Codes</b>
15 to 100 grams, or 15 to 200 tablets, etc.	4 to 15 years	720 ILCS 570/402 730 ILCS 5/5-4.5-50
100 to 400 grams or 200 to 600 tablets, etc.	6 to 30 years	
400 to 900 grams or 600 to 1500 tablets, etc.	12 to 30 years	
900 grams or more or 1500 or more tablets, etc.	15 to 60 years	
Possession of these substances also carries a financial penalty of up \$200,000, or the street value of the substance, whichever is greater.		

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