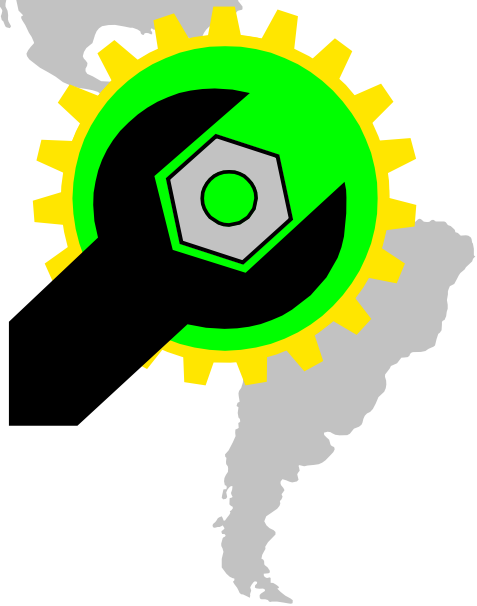


# AATI



**AMERICAN ADVANCED  
TECHNICIANS INSTITUTE, CORP.  
EMPLOYEE CODE OF ETHICS &  
CONDUCT HANDBOOK**

Revised: October 10, 2020

Dear Employees,

American Advanced Technician Institute, Corp. is proud of its reputation as a school that strongly values integrity, respect, and truthfulness. This reputation enables us to produce successful students, maintain the confidence of the employers that hire them, and retain the highest quality employees.

American Advanced Technician Institute, Corp.'s Employee Code of Ethics and Conduct outlines the general ethical standards that all of our employees are expected to live by. While this Code does not address all ethical concerns that you may face during your employment, I hope it will give you the information you need to make ethical decisions on a daily basis. And, I hope you will feel comfortable asking for guidance whenever you need help.

I want to encourage you to read and understand the matters detailed in this booklet, as they are critical to the school maintaining the highest standard of ethics and compliance possible.

In all our endeavors, whether teaching our students, transacting business within the school, with external entities, or accessing or managing confidential information, our principles should never be comprised.

These standards are achieved due to the best efforts, resolve, and integrity of each and every member of our school's faculty and staff.

When you face an ethical dilemma, I hope you will use the "front page" test. If you would not want your children and parents to see an article on the front page of your hometown newspaper describing an action you took or failed to take, let that be your guide. We can all sleep better at night knowing that we all act ethically during the day.

Thank you for helping American Advanced Technician Institute, Corp. continue its commitment to a workplace that sets a positive example for our students and community.

Fanny Marino  
Chief Executive Officer/President  
May 2011

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## **INTRODUCTION**

The Employee Code of Ethics and Conduct (“Code”) details American Advanced Technician Institute Corp.’s (“AATI”) policies for employees. AATI is committed to a quality business and reputation that value integrity, respect and truthfulness, and a strong commitment to the highest ethical standards. These principles apply to employee interactions with students, the employers that hire them, coworkers, vendors, government and regulatory agencies and the general public. AATI’s employees must be familiar with this Code and adhere to its guidelines.

This Code is not a comprehensive guide of all ethical issues that employees may face, but merely highlights specific problems. In dealing with ethical problems not detailed in this Code, employees are expected to use commonsense and their best moral judgment. If an employee has ethical questions, please contact the School Director. This policy may be modified or updated at any time. AATI welcomes employee suggestions on change in this Code.

## **Compliance with Applicable Laws and Regulations**

AATI has a policy to observe all laws, rules, and regulations of government agencies and authorities. This specifically includes requirements under the Higher Education Act, as amended, regulations of the United States Department of Education, the policies of accrediting agencies, as well as other state and federal laws. If federal, state or local law exists that is either contradictory or stricter than this policy, employees must apply the law.

## **OUR SHARED COMMITMENT**

The Code states our shared commitment to employees, students, business partners, and we will conduct the business with integrity and the highest standards of business ethics. Each of us is responsible for knowing and understanding the policies and guidelines contained in the following pages. If you have questions, ask them; if you have ethical concerns, raise them. Our conduct should reflect AATI’s culture and values, demonstrate ethical leadership, and promote a work environment that upholds AATI’s reputation for honesty and integrity, ethical conduct, and trust. The Code is a resource; it should be used whenever questions about the legal or ethical propriety of business conduct arise on the job. The Code cannot cover every situation you might encounter, but it should help you think about the appropriateness of your behavior and the behavior of others.

## **WHEN IN DOUBT**

If you find yourself in doubt about the appropriateness of certain conduct, ask yourself:

- Is this legal?
- Could this harm AATI’s reputation?
- Does this violate any AATI policy?

- What would my family or my friends say about this?
- How would this look in the newspaper?
- Would I bet my job on this?
- Should I check with my supervisor or an AATI executive about this?

If you are unsure about what to do, you should contact your supervisor. If for some reason you do not feel comfortable raising the issue with your supervisor, contact the President or the School Director in person or by calling 305-362-5519 to seek assistance.

Always remember that, in conducting AATI business, you must:

- Comply with the letter and spirit of all applicable laws, rules, and regulations.
- Act with highest standards of business ethics.
- Inquire when in doubt about whether a course of action is appropriate.
- Report suspected or known violations of any applicable laws, rules, regulations, or AATI's policies and/or procedures, including the Code.
- Certify your familiarity and compliance with the Code.

## **CONFLICTS OF INTEREST**

AATI's employees must avoid having a personal, business, financial, or other interest, activity or relationship, outside AATI that has or may be in conflict with AATI or its students. Any material transaction or relationship that may give rise to an actual or perceived conflict of interest should be discussed with the School Director.

Conflicts of interest may include, but are not limited to, the following situations:

- Outside Employment – employees should not perform work or render direct consulting or managerial services for an organization that competes or does business with AATI without appropriate approval from the administration.
- Having a personal, social, or romantic relationship with a student or prospective student.
- Supervisors may not engage in sexual, romantic, or dating relationship with subordinate employees.
- Accepting loans or gifts of entertainment, food, or cash of nominal monetary amount or more from students, subordinate employees, regulatory or any outside concern that does or seeks to do business with or is a competitor to AATI.
- Obtaining a personal financial benefit in any sale or loan of company property.
- Performing services for students outside those consistent with AATI's mission of providing higher education and career training programs.
- Using or disclosing any confidential information gained during employment for an employee's personal benefit or the benefit of others, including a future employer.

## **RELATIONSHIPS WITH LENDERS**

Officers, employees and agents of AATI, in dealing with lenders providing financial aid to our students, must comply with the following Code of Conduct provisions:

- You must avoid creating any relationship with any lender that would constitute a conflict of interests, as defined in the Code;
- Neither you nor any member of your family can accept a “gift” from a lender, broadly defined to include any gratuity, favor, discount, entertainment, hospitality, loan or any other item worth more than *de minimus* amount;
- You may not accept any compensation from any lender or affiliate of any lender for any reason;
- You may not establish any revenue sharing arrangement with any lender;
- You must provide students with a choice of lenders, which includes lenders AATI may designate as “preferred,” and you may not direct or assign students to a particular Lender. You must also allow students to use the lender of their choice even if it is not on the choices you provide to the student:
- You may not request or accept any call center staffing or financial aid back office services from any lender;
- You may not request or accept private education loan funds in exchange for guaranteeing volume or number of loans or preferred lender arrangements to any lender; and,
- You may not accept anything of value, except for reasonable expense reimbursement, for service on an advisory board, commission, committee or group established by any lender or guarantor.

## **RELATIVES AND FRIENDS**

Conflicts of interest may arise as a result of doing business with, or even competing with, entities that employ or are owned by (or even partially owned by) your friends or relatives. You cannot do indirectly (through friends, relatives, or others) what you are prohibited from doing directly. If your spouse, other relative, or friend is employed by, or has a significant interest in, an entity that is attempting to do business with AATI, you must not use your position to influence decisions about AATI doing business with that entity. If you would ordinarily be involved in making that decision, you should disclose the relationship and situation to your supervisor as soon as you become aware of it.

A conflict of interest also can arise in situations in which your spouse, partner, or other person with whom you have a close personal relationship reports to you. You should not supervise or be in a position to influence the hiring, duties, or evaluation of such persons. If this situation exists or develops, you must notify your supervisor immediately.

## **CORPORATE OPPORTUNITIES**

You owe AATI a duty to advance its legitimate business interests while you are conducting the business of AATI. You should not take personal advantage of opportunities or favors offered to AATI as a result of your employment by or affiliation with AATI. By way of example, you should not accept a discount on personal purchases of a supplier's products or services unless the same discount is offered to all AATI employees. Similarly, you should not take for your own personal gain any opportunities that you learn about through the use of AATI's property or information, or through your position at AATI.

## **OUTSIDE EMPLOYMENT AND ACTIVITIES**

You must not provide services to any entity that competes with AATI. Also, if you have other employment besides your work for AATI, be aware that a conflict of interest may arise if that other employment impairs your ability to perform your responsibilities for AATI in a timely and effective way. You must ensure that any non-AATI employment activities are kept entirely separate from your AATI employment. You must not work on non-AATI employment activities on AATI time, or use AATI personnel or other resources for such activities.

## **GIFTS, ENTERTAINMENT, AND TRAVEL**

Items such as gifts, travel, and entertainment may each create a conflict of interest with your obligations to AATI. While gifts, travel, and entertainment can be part of building and maintaining business relationships, thereby furthering AATI's interests, these are areas in which difficult issues can arise. In order to avoid even the appearance of a conflict of interest, follow these guidelines:

- You may not accept or offer a business entertainment gift that is reasonable in cost, frequency, and nature without prior approval from your supervisor. Business entertainment includes such things as an occasional meal, a local cultural or sporting event, or entertainment at a company facility.
- You generally should not allow a contractor or supplier of AATI to pay for air travel or accommodation expenses relating to entertainment or industry events. If you believe that there is a legitimate AATI business purpose for you to attend such an event, you should consult your supervisor to seek approval to attend at AATI's expense.
- Never accept a gift, travel, entertainment, or favor if doing so would or could appear to compromise your judgment on an AATI business matter.
- When giving gifts, you must ensure that the gift is reasonable within the context of the business relationship and could not appear to be an attempt to influence or obligate the recipient in some way.
- Gifts of money or cash equivalents are never acceptable.
- Never solicit a gift, favor, travel, or entertainment, except in instances in which AATI authorizes support for a cause (for example, a charitable event).
- Bribes, kickbacks, payoffs, or any other unusual or improper payments made to obtain or keep business are unethical, illegal, and forbidden.

- Strict rules apply to gifts and entertainment extended to governmental officials. Refer to the more specific portions of the Code that deals with this topic for further guidance. Again, it bears repeating that accepting or giving gifts, travel, or entertainment frequently can present difficult issues. As always, when in doubt, consult your supervisor, the President or the School Director in person or by phone at 305-362-5519.

#### **EMPLOYEE EXPECTATIONS WHILE ON BUSINESS TRIPS**

AATI has an excellent reputation for conducting its business activities with integrity, fairness, and in accordance with the highest ethical standards. As an employee, you enjoy the benefits of that reputation and are obligated to uphold it in every business activity. If you are ever in doubt as to whether an activity meets our ethical standards or compromises the AATI's reputation, discuss it with your Supervisor.

#### **EMPLOYEE EXPECTED CONDUCT WHILE ON A BUSINESS TRIP OR COMPANY EVENT**

- Conduct all aspects of company business in an ethical and legal manner and obey the laws of the United States and of every locality where you are to be conducting business.
- Conduct with students, suppliers, partners, the public, and fellow employees must reflect the highest standards and honesty, integrity, and fairness.
- Be responsible for your actions and their consequences. No one will be excused from misconduct because another person ordered or asked the employee to participate in misconduct.
- Respect the rights of all employees to receive fair treatment and equal opportunity without discrimination or harassment of any type.

#### **ALCOHOLIC BEVERAGES WHILE ON A BUSINESS TRIP OR COMPANY EVENT**

Employee is to refrain from consuming alcoholic beverages during business functions. However, in the event an employee chooses to consume alcoholic beverages in connection with a business function, AATI expects that employee will act responsibly and avoid excess. If an employee has any concerns that he/she is not capable of safely driving after such event(s), then we urge the employee to make appropriate transportation arrangements to ensure that he/she does not place themselves or others in danger. An employee, who is arrested and convicted for driving under the Influence while in the performance of company business, or when returning from a business function, or trip, is subject to disciplinary action up to and including termination. AATI will not reimburse the cost of alternative transportation.

#### **MATERIAL NON-PUBLIC INFORMATION AND INSIDER TRADING**

Although AATI is not a public company, we are of course committed to complying with all laws, rules, and regulations that may apply to the conduct of business. Federal and state securities laws and regulations govern transactions in securities (such as stocks and bonds) of companies, which could include AATI suppliers and other companies with which AATI does business. You violate the insider trading aspects of the securities laws if, while you are aware of material non-

public information, you trade on that information or disclose it to others before that information is publicly disclosed. Material non-public information is any information concerning a public company's business, prospects, securities, or market that an investor might consider important in deciding whether to buy or sell securities. If you come into possession of such information in the course of your AATI duties, do not act on it by buying or selling securities or by sharing such information with others. Simply sharing such information (sometimes called "tipping") can violate the securities laws, and violations of such laws can lead to serious civil and criminal penalties.

## **CONFIDENTIALITY OF STUDENT RECORDS**

Federal law, including the Family Educational Rights and Privacy Act of 1974 ("FERPA"), contains provisions designed to afford parents and students with privacy and other rights with respect to student educational records. Those provisions include limitations on which student records can be disclosed by institutions and to whom they can be disclosed without the prior consent of the student. The FERPA applies to the educational records of all of AATI's current and former students. Thus, AATI will and must comply with all of these requirements, and you must know, understand, and follow them.

## **DEALINGS WITH GOVERNMENTAL EMPLOYEES**

You must not give, offer, or promise an employee of a local, state, or federal governmental body, or a member of that employee's immediate family, any gift, gratuity, favor, discount, entertainment, hospitality, service, transportation, lodging, meal, or any other item of monetary value.

Federal, state, and local laws on this subject are varied, can tend to be fluid in nature, and are frequently the focus of careful scrutiny by the media and by governmental officials tasked with ensuring compliance with their own rules. Thus, exceptions to the prohibition on providing anything of value to any governmental employee must be approved in advance by AATI's Compliance Officer.

## **FAIR DEALING**

AATI depends on its reputation for honesty and integrity. The way we deal with our students, competitors, suppliers, and others molds our reputation, builds long-term trust and determines our success. You should endeavor to deal fairly with AATI's students, competitors, suppliers, and others. We must never take unfair advantage of others through manipulation, concealment, abuse of privileged information, misrepresentation of material facts, or any other unfair dealing practice.

## **COMPETITION LAWS**

The antitrust laws were developed to encourage competition among businesses and to protect consumers from anti-competitive conduct. AATI of course will comply fully with such laws. It is beyond the scope of the Code to explain the complexities of this important area of the law in any detail; you should contact AATI's Compliance Officer if you have questions.

Following these guidelines will help you avoid running afoul of the antitrust laws:

- Never discuss pricing, terms of service, or any other competitive information with AATI competitors.
- Never divide markets or territories with AATI's competitors.
- Never engage in bid-rigging.
- Never disparage a competitor.
- Never make a claim about AATI without a factual basis for the claim.
- Never boycott a supplier.
- Never discuss or agree with others to do any of the things prohibited above.

## **COMPETITIVE INFORMATION AND TRADE SECRETS**

AATI's intellectual property is valuable, and AATI will take steps as necessary to protect it. Similarly, AATI respects the intellectual property rights of others. Laws concerning the protection of intellectual property, such as copyright laws, protect many materials you may use in your work for AATI. Also, patent laws protecting inventions, trademark laws protecting product and service names, and trade secret laws protecting proprietary information all must be respected. You must not infringe on the valid intellectual property rights of others.

In connection with your AATI employment, you must not reveal or encourage others to reveal, or use or encourage others to use, any trade secrets of AATI or others, such as your former employer or any competitor of AATI. Trade secrets may include such things as operational data, technical information, strategies, student lists, prospective student lists or pricing information, test results, test preparation and handling. If you inadvertently or mistakenly come into possession of information that could be a trade secret or the proprietary information of another business or entity, notify AATI's Compliance Officer immediately.

## **AATI'S BUSINESS BOOKS AND RECORDS**

### **ACCURATE AND COMPLETE BUSINESS RECORDS**

Employees must act in good faith not to misrepresent material facts in AATI's books and records or in any internal or external correspondence, memoranda, or communication of any type, including telephone or electronic communications.

## **FINANCIAL REPORTING**

All AATI funds, assets, liabilities and receipts must be recorded in accordance with generally acceptable accounting procedures. There cannot be any “off the books” accounts.

## **PROPER MAINTENANCE OF RECORDS**

AATI maintains documents in accordance with all applicable laws and regulations. If AATI employees receive a subpoena, a request for records or other legal papers or if we have reason to believe that such a request or demand is likely, the law requires AATI to retain all relevant records and contact the Human Resource/Compliance Supervisor.

## **COOPERATION WITH AUDITORS**

AATI employees must cooperate fully with internal and outside auditors during examination of AATI’s books, records, and operations.

## **BUSINESS COMMUNICATIONS**

Employees must not make public statements regarding issues or matters of AATI about which they are not authorized spokespersons.

## **ADVERTISING AND MARKETING**

AATI’s policy takes necessary steps to assure that all advertised products or services in any of its literature, exhibits or other public statements is true, supported by documentation, and does not mislead customers.

## **GOVERNMENTAL INQUIRIES**

AATI will cooperate with governmental agencies and authorities when they make lawful requests for information. All information provided in response to such requests must be truthful and accurate. It is never appropriate to mislead a governmental investigator or to alter or destroy records or documents requested by a government as part of an investigation. If you are contacted by a law enforcement agency or other governmental body to provide information relating to AATI, please contact AATI’s Compliance Officer.

## **MEDIA INQUIRIES**

All media inquiries should be forwarded to AATI’s Public Relations Officer for response to ensure consistent, professional handling of such matters.

## **AATI ASSETS**

You must protect AATI assets from loss, damage, misuse, and theft. This includes intangible assets, especially information. Information about AATI’s business is a critical asset; AATI’s success depends in part on keeping such information secure. Thus, you should treat all AATI

business information as confidential unless it has been made public by AATI. You should not discuss confidential AATI matters in public places or on the Internet (whether in a chat room, Twitter, Facebook, MySpace, YouTube, a blog, or elsewhere).

## **PROCUREMENT**

AATI employees who are responsible for buying or leasing materials, services, and other assets for AATI's use must guard their objectivity in a conscious manner. Decisions in this area should be based on obtaining the best overall value for AATI. Typically, competitive bids should be obtained, quality and service claims by supplies should be verified, and the financial and legal condition of suppliers should be examined. You should never make an agreement for AATI that provides for a payment that is unreasonable or inconsistent with the value of the goods or services that AATI is to receive.

## **COMMUNITY ACTIVITIES AND CONTRIBUTIONS**

AATI encourages your participation in community activities of your choice. If it ever becomes a question, you should make it clear that your actions and views are your own, not those of AATI. You also should ensure that community or other outside activities do not interfere with your job responsibilities at AATI. You should never allow another AATI employee to pressure you to contribute to any particular charitable organization, nor should you pressure a fellow AATI employee to do so. If you would like to use AATI time or property or other AATI resources in support of charitable, non-political activity, you must obtain the prior approval of your supervisor before doing so.

## **POLITICAL CONTRIBUTIONS AND ACTIVITY/LOBBYING**

You should not make any contribution on behalf of AATI, or use AATI's name, funds, personnel, or property in support of political candidates or parties, unless doing so is both legally permissible and authorized in advance by AATI's Compliance Officer. You also must not pressure another AATI employee to express a political view or contribute to a political candidate, party, or political action committee. Federal law, as well as many states' laws, restricts companies such as AATI from making contributions or otherwise supporting political candidates.

Your relationships with governmental representatives should be conducted in such a way that, if publicly disclosed, they would not reflect poorly on you, the representative, or AATI Activities that could influence governmental officials and employees are carefully regulated. In your role as an AATI employee, you must avoid even the appearance of impropriety in your dealings with governmental representatives. You may extend reasonable entertainment and courtesies so long as they are not prohibited by law, and then only to the extent customary and appropriate under the circumstances. If you have questions regarding such matters, please contact AATI's Compliance Officer.

## **USE OF COMPANY RESOURCES**

For a comprehensive description of AATI policy on use of company resources, please see the Employee Handbook.

## **INTERNET AND ELECTRONIC MAIL POLICY**

- Employees may use Internet and send and receive electronic mail solely for business purposes.
- AATI electronic mail system is a company resource, and AATI reserves the right to read, view and copy any email communications.
- Employees must take reasonable care not to disclose confidential information, or acquire unauthorized information over the Internet.

## **EQUIPMENT AND SUPPLIES**

All equipment and supplies purchased by AATI remain AATI property, including but not limited to office supplies, office furniture, fax machines, computers, software, hardware, supplies and equipment, and may not be used by AATI employees for personal reasons.

## **COMPUTER AND NETWORK SECURITY**

AATI's computer systems, networks, and electronic data are critical to its business. You must do your part to maintain the integrity and security of the systems, networks, and electronic data processes in our systems by protecting passwords, user IDs, and access to AATI facilities. AATI provides computing and network services to members of its educational community, typically at no cost to those users. Those services, as well as the hardware associated with providing them, and all information transmitted by, received from, or stored on or in them, is the property of AATI. Use of these computing and network resources is limited to authorized users (enrolled students attending classes and AATI employees). All use of these systems, including electronic mail, Internet access, telephone systems, computer systems and network, generally should be limited to legitimate AATI business or educational purposes. Any non-AATI commercial or other use of these resources is prohibited. All calls may be monitored and recorded to insure quality of service.

## **CONFIDENTIAL INFORMATION**

AATI employees must exercise care to avoid disclosing non-public, internal, secret, or proprietary information related to AATI or its students to unauthorized persons, either within or outside AATI during employment or afterwards, except as such disclosure is legally mandated or approved by AATI.

## **EMPLOYEE ACCESS TO CONFIDENTIAL INFORMATION**

Only AATI employees that truly need to know confidential information to conduct their business have access to confidential information and must take necessary steps to keep this information private and confidential.

## **CONFIDENTIAL INFORMATION OF EMPLOYEES**

Employment and medical records of AATI employees are confidential and private. Medical Records may only be disclosed if the employee provides a written release or required by applicable law. Such requests are handled by the Human Resource Supervisor.

## **PROPRIETARY INFORMATION AND CONFIDENTIALITY**

Information about AATI, its employees, customers, students, and vendors is to be kept confidential and divulged only to individuals within AATI with both a need to know and authorization to receive the information. If in doubt as to whether information should be divulged, discuss the situation with your Supervisor.

All records and files maintained by AATI are confidential, and remain the property of AATI. Records and files are not to be disclosed to any outside party without the express permission of the President. Such information may not be used for the purpose of personal gain or profit. Confidential information includes, but is in no way limited to: financial records; business, marketing, and strategic plans; personnel and payroll records; the identity of, contact information for, and any other account information for customers, vendors, and suppliers; programs, trade secrets, techniques, and processes; and any other documents or information regarding AATI's operations, procedures, or practices. Confidential information may not be removed from AATI's premises without express written authorization from your Supervisor.

By receiving and reading this Employee Code of Ethics and Conduct, Employees enter into a confidentiality agreement confirming their understanding of AATI's confidentiality policies and cooperation in keeping our technology and processes secure.

## **FERPA**

FINANCIAL INFORMATION OF CURRENT AND FORMER STUDENTS MUST BE PROTECTED AS REQUIRED BY PRIVACY LAWS AND REGULATIONS. Requirements under The Family and Education Rights and Privacy Act of 1974, as amended ("FERPA") - FERPA includes limitations on student educational records that institutions can disclose without the student's prior written consent or written consent of the parent if the student is under 18 years of age. FERPA requirements apply to current and former students of AATI.

## **DISCRIMINATION, HARASSMENT & SEXUAL HARASSMENT**

AATI is an equal opportunity employer. AATI is committed to providing a work environment that is free of discrimination and harassment. This means that AATI will not tolerate

employment discrimination and harassment based on sex, race, age, disability, sexual orientation, religion, veteran status, national origin, color, creed, ancestry, marital status, or any other protected class or status. The same is true with respect to students and prospective students, and with respect to dealings with any other customers, business partners, or stakeholders. All of AATI's employment decisions are made without regard to sex, race, age, disability, sexual orientation, religion, veteran status, national origin, color, creed, ancestry, marital status, or any other reason prohibited by law.

AATI prohibits any form of harassment in the workplace, including sexual harassment. AATI will take prompt and appropriate action to prevent and discipline behavior that constitutes harassment. AATI expects employees to interact with each other in a professional and respectful manner.

### **PROHIBITION OF DISCRIMINATION**

The Company prohibits discrimination against any employee or applicant on the basis of race, color, sex, age, religion, national origin, marital status, ancestry, citizenship, veteran status, pregnancy, medical condition, physical or mental disability, sexual orientation or any other characteristics to the extent protected by law. Any Employee who engages in an unlawful discriminatory practice will be subject to appropriate disciplinary action, up to and including termination of employment. AATI has zero tolerance for any form of unlawful discrimination.

### **PREGNANCY DISCRIMINATION**

The Pregnancy Discrimination Act prohibits discrimination on the basis of pregnancy, childbirth, or related medical conditions.

### **GENETIC INFORMATION NONDISCRIMINATION ACT**

*Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA), which prohibits genetic information discrimination in employment, took effect on November 21, 2009.*

Under Title II of GINA, it is illegal to discriminate against employees or applicants because of genetic information. Title II of GINA prohibits the use of genetic information in making employment decisions, restricts employers and other entities covered by Title II (employment agencies, labor organizations and joint labor-management training and apprenticeship programs - referred to as "covered entities") from requesting, requiring or purchasing genetic information, and strictly limits the disclosure of genetic information.

The EEOC enforces Title II of GINA (dealing with genetic discrimination in employment). The Departments of Labor, Health and Human Services and the Treasury have responsibility for issuing regulations for Title I of GINA, which addresses the use of genetic information in health insurance.

## **DEFINITION OF “GENETIC INFORMATION”**

Genetic information includes information about an individual’s genetic tests and the genetic tests of an individual’s family members, as well as information about the manifestation of a disease or disorder in an individual’s family members (i.e. family medical history). Family medical history is included in the definition of genetic information because it is often used to determine whether someone has an increased risk of getting a disease, disorder, or condition in the future. Genetic information also includes an individual’s request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual, and the genetic information of a fetus carried by an individual or by a pregnant woman who is a family member of the individual and the genetic information of any embryo legally held by the individual or family member using an assisted reproductive technology.

## **DISCRIMINATION BECAUSE OF GENETIC INFORMATION**

The law forbids discrimination on the basis of genetic information when it comes to any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoffs, training, fringe benefits, or any other term or condition of employment. *An employer may never use genetic information to make an employment decision because genetic information doesn’t tell the employer anything about someone’s current ability to work.*

## **HARASSMENT BECAUSE OF GENETIC INFORMATION**

Under GINA, it is also illegal to harass a person because of his or her genetic information. Harassment can include, for example, making offensive or derogatory remarks about an applicant or employee’s genetic information, or about the genetic information of a relative of the applicant or employee. Although the law doesn’t prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal when it is so severe or pervasive that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted). The harasser can be the victim’s supervisor, a supervisor in another area of the workplace, a co-worker, or someone who is not an employee, such as a client or customer.

## **RETALIATION**

Under GINA, it is illegal to fire, demote, harass, or otherwise “retaliate” against an applicant or employee for filing a charge of discrimination, participating in a discrimination proceeding (such as a discrimination investigation or lawsuit), or otherwise opposing discrimination.

## **RULES AGAINST ACQUIRING GENETIC INFORMATION**

It will usually be unlawful for a covered entity to get genetic information. There are six narrow exceptions to this prohibition:

Inadvertent acquisitions of genetic information do not violate GINA, such as in situations where a manager or supervisor overhears someone talking about a family member's illness.

Genetic information (such as family medical history) may be obtained as part of health or genetic services, including wellness programs, offered by the employer on a voluntary basis, if certain specific requirements are met.

Family medical history may be acquired as part of the certification process for FMLA leave (or leave under similar state or local laws or pursuant to an employer policy), where an employee is asking for leave to care for a family member with a serious health condition.

Genetic information may be acquired through commercially and publicly available documents like newspapers, as long as the employer is not searching those sources with the intent of finding genetic information or accessing sources from which they are likely to acquire genetic information (as websites and on-line discussion groups that focus on issues such as genetic testing of individuals and genetic discrimination).

Genetic information may be acquired through a genetic monitoring program that monitors the biological effects of toxic substances in the workplace where the monitoring is required by law or, under carefully defined conditions, where the program is voluntary.

Acquisition of genetic information of employees by employers who engage in DNA testing for law enforcement purposes as a forensic lab or for purposes of human remains identification is permitted, but the genetic information may only be used for analysis of DNA markers for quality control to detect sample contamination.

## **CONFIDENTIALITY OF GENETIC INFORMATION**

It is also unlawful for a covered entity to disclose genetic information about applicants, employees or members. Covered entities must keep genetic information confidential and in a separate medical file. (Genetic information may be kept in the same file as other medical information in compliance with the Americans with Disabilities Act.) There are limited exceptions to this non-disclosure rule, such as exceptions that provide for the disclosure of relevant genetic information to government officials investigating compliance with Title II of GINA and for disclosures made pursuant to a court order.

## **PROHIBITION OF HARASSMENT**

AATI prohibits unlawful harassment of any kind against any Employee or Student. This policy applies to all employees, vendors, clients and students.

Workplace harassment is defined as verbal or physical conduct that:

- Denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, national origin, age, veteran status, marital status, familial status or disability/handicap, or that of his/her relatives, friends or associates, and any other category protected by Federal, State or Local Law;
- Has the purpose or effect of creating an intimidating, hostile or offensive working environment;
- Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- Otherwise adversely affects an individual's employment opportunities.

Prohibited harassing conduct includes, but is not limited to, epithets, slurs, negative stereotyping, or threatening, intimidating or hostile acts that relate to race, color, religion, gender, age, national origin, veteran status, marital status, familial status or disability/handicap. Prohibited harassing conduct includes written or graphic material that is placed on walls, bulletin boards, computer monitors, television screens or elsewhere on the premises or that is circulated in any manner in the workplace.

### **SEXUAL HARASSMENT**

Sexual harassment is defined as:

- Unwelcome sexual advances.
- Explicit or implicit demands for sexual favors in return for benefits or privileges.
- Physical assaults of a sexual nature or coerced sexual contact.
- Unwelcome sexually suggestive looks or gestures.
- Unwelcome pressure for sexual favors or dates.
- Submission to or rejection of such conduct is used as a basis for decisions affecting an individual's employment.
- Such conduct which the purpose or effect of creating an intimidating, hostile or offensive working environment.
- Unwelcome letters, e-mail communications, or telephone calls of a sexual nature.
- Distribution or display of materials of a sexual nature, including posters, screen savers or computer graphics, calendars, or picture of men or women who are dressed in a suggestive manner.
- Utilizing the Company's facilities, time or resources in relation to any form of entertainment, such as strippers or belly dancers, that tends to present men or women as sexual objects.
- Sexually offensive jokes, innuendoes, suggestive comments, sexually oriented "kidding", or "teasing," "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, displays of foul or obscene printed or visual material; and other sexually oriented statements or behavior.
- Unwelcome physical contact, such as patting, pinching, touching, fondling or brushing against another's body.

It is the duty and obligation of all employees to comply with this policy and to report conduct that they believe to be any type of harassment.

Any employee who believes that he or she is being harassed is encouraged to confront the person or persons responsible for causing the offense. Often the simplest and most effective way to put an end to harassing behavior is to tell the harasser that the behavior is offensive and unwelcome and to stop.

If the misconduct continues, or if the employee feels uncomfortable about the confronting the harasser, he or she should bring the improper conduct to the attention of the appropriate member of the administration using the following complaint procedure:

**REPORT CONCERNS TO:**

- The President of AATI;
- The School Director or designee and /or
- The Human Resource Supervisor.

It is the responsibility of each Supervisor within his or her area of control to report employee's complaints in writing to the Human Resource Supervisor.

The administration of AATI will investigate all harassment complaints; including interviewing witnesses as appropriate, and in doing so will make every effort to treat the complaint and resulting investigation discreetly and confidentially.

Any employee, student who engages in any unlawful harassment will be subject to appropriate disciplinary action, up to and including termination of employment. Any vendor, client or student who engages in any unlawful harassment of an AATI employee will be subject to termination of our business relationship. AATI has zero tolerance for any form of unlawful harassment.

**STALKING**

Stalking is a crime in all states, and is on the rise in academic settings. Stalking is defined as:

Willful, malicious, and repeated following and harassment combines with a credible threat intended to cause the victim to be in fear for their safety.

If you believe you are being stalked, let someone know preferably the Human Resource Supervisor and/or the School Director. Document all activities related to the person you believe may be stalking you and report the incident to the police. Don't discount the situation and ignore "red flags" that your safety is in danger.

If an employee has any questions regarding sexual harassment or stalking in the workplace or this policy, they should contact the Human Resource Supervisor or the School Director.

## **REPORTING UNLAWFUL DISCRIMINATION OR HARASSMENT**

If you experience any unlawful harassment based on your sex, race, national origin, disability, or another factor, or believe that you have been treated in an unlawful discriminatory manner by any employee, client, student or vendor, you must promptly report the incident to your supervisor, who will investigate the matter and take appropriate action, including reporting it to the Administration or the Human Resource Department. If you believe it would be inappropriate to discuss the matter with the administration, or you may report it directly to the Human Resource Officer who will undertake an investigation.

If you become aware of an incident of unlawful harassment or discrimination by any employee, client, student or vendor, whether by witnessing the incident or being told of it, you must promptly report the incident to your supervisor, who will investigate the matter and take appropriate action, including reporting it to the Administration or the Human Resource Department. If you believe it would be inappropriate to discuss the matter with the Administration, you may report it directly to Human Resource Officer who will undertake an investigation. All complaints and reports will be kept confidential to the extent possible.

The Company prohibits any form of retaliation against any employee for filing a bona fide complaint or report under this policy, or for assisting in a complaint investigation. However, if after investigating any complaint of unlawful harassment or discrimination, AATI determines that the complaint or report is not bona fide or that an employee has provided false information regarding the complaint or report, the offender will be subject to appropriate disciplinary action, up to and including termination of employment.

## **VIOLENT CRIMES - GUIDELINES PROTECTING EMPLOYEE & CUSTOMER SAFETY**

Prevention is the key to safety. Accordingly, you should make a conscious effort to observe your surroundings and report any suspicious persons or activities to the police.

In the unfortunate event of a holdup or robbery, you should obey all orders issued by the perpetrator. Failure to follow the perpetrator's orders jeopardizes your safety, as well as, the safety of students and other Employees. Remember to stay calm, move slowly, and cooperate with the perpetrator. Do not argue, fight, display a weapon, or offer any other form of resistance. Try to concentrate on the perpetrator's physical features, dress, voice, automobile, etc... for later identification. Once the incident is over, remain where you are. Do not attempt to follow or catch the perpetrator. Once you are certain that the perpetrator has left the immediate area, quickly secure the area and call the police. While waiting for the police to arrive, avoid touching anything or disturbing the area. If possible, write down everything you can remember about the incident and the perpetrator. Employees are expected to cooperate fully with the law enforcement after the occurrence of an incident.

## **WORKPLACE VIOLENCE**

The Company recognizes that violence in the workplace is a growing nationwide problem necessitating a firm, considered response by employers. We believe that safety is paramount, so we have adopted this policy regarding workplace violence.

Acts or threats of physical violence, including intimidation, harassment, and/or coercion, that involve or affect the Company or that occur on the company's property or in the conduct of the company's business will not be tolerated. This prohibition against threats and acts of violence applies to all persons involved in the company operations, including, but not limited to, Employees, Contractors, and anyone else on the company's property or conducting company's business off company property. Violations of this policy by any individual will lead to disciplinary and/or legal action.

Email [administration@aati.edu](mailto:administration@aati.edu) for questions, concerns or want to report a situation

## **ENFORCEMENT**

Any person who engages in a threat or violent action on Company property may be removed from the premises as quickly as safety permits, and may be required at the Company's discretion to remain off Company premises, pending the outcome of an investigation of the incident.

The Company may undertake a case-by-case analysis in order to ascertain whether there is a reasonable basis to believe that a threat or violent action has occurred. Once this has been substantiated, it is the Company's policy to implement a decisive and appropriate response holding the responsible individual accountable.

Under this policy, the Company may undertake whatever course of action it deems necessary to attempt to prevent a threat from being carried out, a violent act from occurring, or a life-threatening situation from developing. No existing company policy or procedure should be interpreted in a manner that prevents taking these necessary actions. No provision of this policy shall alter the at-will nature of employment with the Company.

## **DRUG FREE WORKPLACE**

AATI maintains zero tolerance for drug and alcohol abuse by its Employees. Use of any illegal drug is always a violation of company policy and subject to discipline, up to and including termination of employment, even if the use is during the employee's personal time. In keeping with our efforts to promote health and safety, and protect the interests of our Employees, Students, and the Company; the use, possession, sale, manufacture and purchase of intoxicants or controlled substances, or being under the influence of alcohol, illegal drugs, intoxicants, or controlled substances at any time on AATI's premises, or anywhere AATI work is conducted, in company vehicles, or while on company business is prohibited.

Employees are absolutely prohibited from unlawfully manufacturing, distributing, dispensing, being under the influence of, possessing, using controlled substances, consuming alcohol and/or abusing other legal substances in the workplace.

Abuse of legal substances includes using a prescription drug in a manner that is not consistent with a valid prescription, or improperly using over the counter drugs. AATI will use the National Institution of Drug Abuse detection cut off levels to test for these drugs.

Any Employee violating the above policy is subject to discipline up to and including termination of employment for the first or any subsequent offenses.

### **CONSEQUENCES**

Employees who violate AATI's drug and alcohol abuse policy will be removed from the workplace promptly.

AATI, at its sole discretion, shall determine acceptable disciplinary action, as it deems appropriate for a violation of its Substance Abuse Policy. Penalties may include termination for a first time substance abuse violation without further consideration.

### **CONFIDENTIALITY**

All information in the Employee's file is confidential and is released only to the administration with a reasonable business need to know or, as required by a Court of Law, or as authorized by the person tested.

**NOTE:** On occasion, Supervisors may entertain clients and/or customers as representatives of AATI. These occasions may include lunches, dinners, or business conferences. On these occasions, only the moderate and limited use of alcoholic beverages is acceptable. In addition, alcohol is occasionally served at social events sponsored by AATI. Alcohol may be served at these events only with the approval of the President. Only the moderate and limited use of alcohol is acceptable and Employees are expected to remain responsible and professional at all times.

### **RESPONSIBLE MANAGEMENT OF GOVERNMENT FUNDS**

Government regulations prohibit AATI from participating in any federal student financial aid program under Title IV of the Higher Education Act of 1965, if AATI has any person in its employ or contracts with any person or organization that has been convicted of, or has pleaded no contest or guilty to, any crime involving the acquisition, use, or expenditure of federal, state, or local government funds, or has been judicially or administratively determined to have committed fraud or any material violation involving federal, state, or local government funds.

In order to ensure that AATI complies with these regulations, you must certify in writing, as a condition of your employment, that no such convictions, pleas, or determinations of any kind

have been made by or with respect to you, and that to your knowledge, the same is true as to any AATI contractor. If it is discovered that you have been convicted of, pled to, or had such a determination made with respect to you as to such matters, AATI will terminate your employment immediately.

### **EMPLOYEE/STUDENT INTERACTIONS**

You should not enter into a personal, social, or romantic relationship with a student or prospective student. Such conduct is inconsistent with the obligations you have, as an AATI employee, to maintain a professional demeanor toward and relationship with students or prospective students. Thus, you are prohibited from pursuing a relationship with any student or prospective student that involves any interaction beyond the normal scope of the educational services that AATI provides to students.

### **DATING**

AATI's Employees must maintain high standard of professionalism and ethics in their personal relationship with other AATI's Employees and/or Supervisors in the workplace.

Since, the Company has no specific policy that forbids employees to date each other; we ask that you carefully consider the consequences of this practice, since it often results in unrest and turmoil in the workplace.

**IN KEEPING WITH OUR COMMITMENT TO OPERATE OUR WORKPLACE WITH HIGH EMPLOYEE MORALE, THE ADMINISTRATION RESERVES THE RIGHT TO TAKE NECESSARY MEASURES WHEN PERSONAL RELATIONSHIPS NEGATIVELY IMPACT BUSINESS OPERATIONS OR INDIVIDUAL PERFORMANCE.**

### **SUPERVISOR RESPONSIBILITY**

AATI supervisors must meet and model the highest standards of business ethics. Encouraging frank discussion of the ethical and legal implications of business decisions is an effective management technique. If you are a supervisor, you should ensure that every AATI employee you supervise understands and appreciates AATI's expectations, as expressed in the Code, and how the Code, AATI's other policies, or the law applies to relevant business operations or issues that arise. AATI depends upon supervisors to take every opportunity to model behaviors that are consistent with this Code and AATI's other policies.

## **NON-EXCLUSIVE SCOPE**

The Code cannot cover explicitly every situation or circumstance that you may encounter. As indicated elsewhere, the Code is not a full, complete, or comprehensive explanation of the many laws, rules, and regulations that apply to AATI and to you as an AATI employee. Many of the subjects and issues discussed in the Code are treated in greater detail in other AATI materials, including the AATI Employee Handbook and policies and procedures. You must familiarize yourself with such policies, and applicable laws, rules, and regulations; however, nothing serves as a substitute for common sense and good judgment.

If you believe that any provision of the Code conflicts with any AATI policy stated elsewhere, contact your supervisor. Generally speaking, you should assume that any such conflicts will be resolved in favor of the letter and spirit of the Code.

## **WAIVER**

The Company does not expect to waive the application of the Code. If you nevertheless believe that a particular set of circumstances warrants a waiver of a provision of the Code, contact the Compliance Officer.

## **REPORTING ACTUAL OR SUSPECTED VIOLATIONS OF THE CODE**

Requirement to Report Actual or Suspected Violations of the Code: employees must report any actual or suspected violations of this code to the human resource/compliance supervisor. Failure to report any actual or suspected violations of the code is in itself a violation of this code.

### **Non-Retaliation Policy:**

Employees will not be retaliated against or subject to any form of reprisal for raising a good faith concern under this policy or participating in an investigation into any such concerns. Retaliation is a serious violation of this Code and should be reported immediately.

## **INVESTIGATION OF ALLEGED VIOLATIONS OF THE CODE:**

All inquiries, complaints, and reports will be promptly investigated. Employees are expected to cooperate in the investigation. Reasonable measures will be taken to preserve confidentiality of the claim and the identity of anyone who reports a suspected violation or participated in the investigation. If you are unsure whether a violation has occurred, AATI encourages you to seek advice from the Human Resource/Compliance Supervisor before acting.

## **ZERO-TOLERANCE POLICY TOWARD VIOLATIONS OF THE CODE**

AATI takes a zero-tolerance approach to violations of this Code, failure to report actual or suspected violations of the Code, or retaliation against whistleblowers. Employees that are found to have violated this Code or retaliated against whistleblowers will have their employment with AATI terminated.

## **IF YOU NEED HELP OR ADVICE**

If you have questions or concerns about a potential ethics or compliance issue or matter, you should discuss it with your supervisor and/or with the Human Resource/Compliance Supervisor.

If you would like to seek confidential advice or report a suspected violation anonymously, you may send an anonymous email to [administration@aati.edu](mailto:administration@aati.edu) or by calling the President or the school director and not disclose your identity.

**ACKNOWLEDGMENT FORM FOR  
CODE OF CONDUCT AND ETHICS**

I have read and am familiar with AATI.'s Employee Code of Ethics and Conduct. I will comply with and enforce the policies in this Code in its entirety.

I understand my responsibility to promptly report any incident of misconduct or perceived misconduct that I may experience or witness. I further understand that AATI takes a zero-tolerance approach to violations of this Code, and that violations of the Code or retaliation against whistleblowers will result in termination of Employment.

**By signing this acknowledgement I am indicating that I have read and will abide by AATI's Employee Code of Ethics and Conduct.**

\_\_\_\_\_  
**Employee Signature**

\_\_\_\_\_  
**Employee name (print)**

\_\_\_\_/\_\_\_\_/\_\_\_\_\_  
**Date**

