

# Barber and Beauty Academy of Pennsylvania ANNUAL SECURITY REPORT - 2023

**This report contains all of Barber and Beauty Academy of PA policies on fire, safety, crime and security matters. It also includes reported crime statistics from the previous three years.**

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**CAMPUS SAFETY AND SECURITY REPORT/PROCEDURES:** This Annual Security Report is distributed to all currently enrolled students (including those not enrolled in Title IV programs) and all current employees by Oct. 1 each year. It is also given to all new students at orientation on the first day of class. It is provided to any prospective student or prospective employees upon request, and is also available on our website to view and print out. A prospective student is defined as an individual who has contacted an eligible institution requesting information about admission to that institution. A prospective employee is defined as an individual who has contacted an eligible institution requesting information concerning employment with that institution.

**POLICY FOR REPORTING THE ANNUAL DISCLOSURE OF CRIME STATISTICS:** Barber and Beauty Academy of Cosmetology request's this report annually to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can also be viewed in the school office, library and on our website at **[divinecrownbarberandbeautyacademy.com](http://divinecrownbarberandbeautyacademy.com)**

Aynyess George, CEO/Program Director; Aynyess George, COO/Admissions Director; Samara George, Academy Supervisor; and Marsha Blackston, Financial Aid Coordinator.

CSA crime reports are used by the school to:

- Fulfill its responsibility to annually disclose Clery crime statistics
- Issue timely warnings for Clery

**REPORTING A CRIME/INCIDENT:** It is the policy of Barber and Beauty Academy to encourage victims and/or witnesses to crime(s) to report such crimes to the police and/or to a designated Campus Security Authority. (A list of Campus Security Authorities can be found in this Annual Security Report which is also available at [www.divinecrown.com](http://www.divinecrown.com)). For the purposes of CLERY, CSA's are required to document certain reportable crimes and non-criminal hate motivated incidents which have been reported to them. All student and staff members are also encouraged to report non-Clery crimes or incidents that occur. A Clery Incident Report is used to promote crime awareness and to enhance campus safety through reliable statistical records. The purpose of this form is to provide a uniform procedure for documenting the (What, When, Where) of certain reportable crimes and/or non-criminal hate motivated incidents that have occurred. This form can be obtained through the Administration office. Data collected on this form is to be used to increase public safety, not to identify the victim; therefore, no personal identifying information shall be included on this form. Sex offenses are of special concern to the campus community because they have been historically under reported. The victim of a sex offense typically desires confidentiality and anonymity; as a result, he/she will often seek a reporting source other than law enforcement such as a designated Campus Security Authority. Confidential and anonymous reports are accepted; however, if the reporting party is a victim of a sex offense, he/she shall also be encouraged to report the crime directly to the police department. While second hand reports are inherently unreliable and are difficult to verify, such reports shall also be accepted. The potential duplication of reported incidents shall not be a factor in determining whether or not a report is taken.

Clery reporting does not replace or change any existing reporting requirements or procedures for disciplinary referrals for student or employee misconduct. Hate Crimes present a special reporting challenge. CLERY requires the CSA to document each reported crime occurrence on a Clery Incident Form, and CLERY also requires the CSA to record the category of prejudice. If the reported incident constitutes a threat to the safety of the Academy’s community, in addition to completing the proper documentation, the CSA shall immediately telephone the local and state Police Department.

CRIME STATISTICS: In compliance with the Higher Education Act (HEA), the following information on campus crimes is reported for your review and is on file on campus, and is also available for view/print on our website at [www.divinecrown.com](http://www.divinecrown.com). The Harrisburg Barber and Beauty Academy campus includes a main building and 2 parking lots (one lot located at a separate address, doors down which is not part of our Clery Geography, as it is not campus owned). The following criminal offenses were reported to campus authorities or local police agencies as having occurred on our campus or the surrounding areas (Clery Geography) relative to our campus: The Academy does not have any officially recognized student organizations with any off-campus locations or any on-campus housing. The following statistics are updated yearly and as necessary. They are crime statistics for the campus, sidewalk, street, and parking lot are for the 3849-C Union Deposit Road, Union Square Shopping Center- Harrisburg, PA are as follows:

FOR YOUR SAFETY.....STATISTICS REPORTED TO LOCAL OR STATE POLICE AND/OR CAMPUS SECURITY

Offenses- Barber and Beauty Academy of PA	2020	2021	2022
CRIMINAL HOMICIDE:			
Murder	0	0	0
Non-Negligent	0	0	0
Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
SEXUAL OFFENSES:			
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0
Sexual Assault /Rape	0	0	0
Forcible	0	0	0
Non-Forcible	0	0	0
CRIMINAL OFFENSES:			
Arson	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Simple Assault	0	0	0
Burglary	0	0	0

Motor Vehicle Theft	0	0	0
Destruction/Damage	0	0	0
Vandalism of Property	0	0	0
Larceny-Theft	0	0	0
PREJUDICE (HATE CRIMES)			
BASED ON:			
Female	0	0	0
Male	0	0	0
Intimidation	0	0	0
Race (actual or perceived)	0	0	0
Religion	0	0	0
Sexual Orientation	0	0	0
Ethnicity/National Origin	0	0	0
Disability	0	0	0
DRUG AND ALCOHOL VIOLATIONS:			
Liquor Law Violations	0	0	0
Drug Abuse Violations	0	0	0
Opium-Cocaine, Marijuana,	0	0	0
Synthetic, Other	0	0	0
Weapons Violations	0	0	0
Drunkenness	0	0	0
Vagrancy	0	0	0
Disorderly Conduct	0	0	0
*Reported crimes may not involve individuals not associated with the institution.			

PARKING/SAFETY: For the safety of all students and staff, a visitor’s sign in sheet is located at the front desk. The Academy is open to the public and therefore access to the building is not formally monitored. It is the mandatory responsibility of the desk attendant to ensure that all persons who are not current students of Barber and Beauty Academy of Cosmetology SIGN IN.

Student parking is permitted at the Union Square Shopping Center parking lot directly in front of the academy entrance, with the side of the car facing the school. Please do not park in the back of the building, as we will not be responsible for any damage done or fines/fees associated with parking.

Spaces directly in the front of Barber & Beauty Academy of PA are reserved for clinic clients. For your safety, please walk to your car in pairs if necessary. If you should feel unsafe for any reason, a campus administrator will escort you out to your car. If an incident occurs to you or witnessed by you anywhere on either campus or in the parking areas, please dial 911 immediately Please notify the Campus Director

first. If the Director is not available, then notify the Supervising Instructor or any other Instructor that is currently available. This and all information related to the incident will be kept confidential if requested.

**EMERGENCY RESPONSE AND EVACUATION PROCEDURES:** In the event of a fire, flood, or other disaster/emergency, and to ensure that the Academy is sufficiently prepared for an emergency situation on campus, evacuation plans are posted on the walls throughout the building on the campus. Please familiarize yourself at all times with your location in reference to an exit. If you have a client at the time of an emergency, try to get your client out safely with you. Please go to the nearest exit and gather in a group outside of the building at the north end of the side walk (passed Gabe's) or if needed go to the Weis Market's side walk area so attendance can be determined. **DO NOT--FOR ANY REASON—GO BACK INTO THE BUILDING WITHOUT PERMISSION FROM THE FIRE DEPARTMENT, POLICE, OR A STAFF MEMBER.** Security and 911 will be notified and phone/text messages sent through the chain of command within the institution. Fire drills will be conducted regularly, announced and unannounced. They are logged and then reviewed to ensure proper procedures are followed. A complete report of all logged fire and safety drills is located in the Administration office and may be reviewed during the day by appointment.

**NOTIFICATION OF IMMEDIATE THREAT TO CAMPUS/COMMUNITY:** Everyone should be alerted promptly to potentially dangerous criminal situations near our homes, schools or workplaces so that we have both the time and the information necessary to take appropriate precautions. A timely warning or emergency notification will be issued via intra-office memo, network email, emergency text message, bulletin post or general announcement, if confirmation has been made (to the Director of the Academy) of an emergency involving an immediate threat to the health or safety of students or employees occurring on the campus or non-campus Clery geography. Some or all of these methods of communication may be activated in the event of an immediate threat to the campus. Students should take responsibility for regularly checking their e-mail and text messages in cases of emergency. The Academy will post updates during a critical incident also using these methods of communication so as to aid in the prevention of a similar crime/emergency. Each year students and staff receive a copy of the annual security report. If an incident occurs between the times the reports are issued, an intra-school memo will be issued by the Administration office as an immediate warning and addendum to the original security report

If the Administration has confirmed that a significant emergency or dangerous situation exists, the Academy will:

- Take into account the safety of the campus,
- Determine what information to release about the situation
- Begin the notification process the only instance the Academy would NOT immediately issue a notification for a confirmed emergency or dangerous situation is if doing so will compromise efforts to:
  - Assist a victim, • Contain the emergency, • Respond to the emergency, or • Otherwise mitigate the emergency

## THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA) AND THE TIMELY WARNING

REQUIREMENT FERPA does not preclude our compliance with the timely warning provision of the campus security regulations. FERPA recognizes that information can, in case of an emergency, be released without consent when needed to protect the health and safety of others. As well, nothing in FERPA prohibits Barber and Beauty Academy from disclosing information about registered sex offenders. This includes the disclosure of personally identifiable, non-directory information without prior written consent or other consent from the individual. Information regarding registered sexual offenders in surrounding areas is available to the public and can be obtained by visiting this website: <http://www.pameganslaw.state.pa.us/>. The Campus Sex Crimes Prevention Act" of 2000, also requires sex offenders already required to register in a Pennsylvania to provide notice of each institution of higher education in the State at which the person is employed, carries a vocation, or is a student.

**SEX OFFENSES: REPORTING A SEX OFFENSE** Barber and Beauty fully supports the prevention of any sexual harassment or sexual abuse/assault, forcible or non-forcible. A sex offense is defined as 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. If you are a student and a victim of a sexual assault, your first priority is to try to get to a safe place. You should then try to obtain the necessary medical attention needed. Ideally, a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam. Time is of the essence in cases of sexual assault due to the importance of collecting evidence in a timely manner. Even if the alleged sexual offense did not occur on campus, you are encouraged to report it to a CSA and they will assist you in filing charges with local authorities.

**SEX OFFENSES: WHO TO CONTACT** If a sexual offense happens on or off campus, the student is encouraged to please notify a campus security authority (listed above). The CSA will then assist the student in notifying the proper authorities if the student so requests this assistance. The student will always be encouraged to report all sexual offenses, regardless of where the actual offense took place. The reporting of an offense does not in any way obligate the victim to prosecute, although it is encouraged. Clery Incident Report Form and a Sex Offense Report Form should both be filled out by the designated CSA. If the act was recent, the student shall be counseled on the importance of preserving the evidence for proof of the criminal offense. Although there are no on-campus counseling services, the student will be directed to Counseling, and the local YWCA, where viable licensed counselors are available to assist in finding suitable services elsewhere.

**SEX OFFENSES: DISCIPLINARY PROCEDURES** Disciplinary actions in cases of an alleged sex offense will be determined first by the local or state police. A clear and concise Clery Incident Report will be filed and then actions taken by the School pertaining to our general policy on Discipline listed in the Student Handbook. If the alleged incident involves current students, the accuser and the accused are entitled to the same opportunities to have others present throughout the disciplinary procedures and both initial parties to the offense will be informed of the final outcome only, and any sanction that is imposed against the accused. If the alleged victim of such crime or offense is deceased as a result of such crime or

offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph. Again, this is not a violation of the Family Educational Rights and Privacy Act, or FERPA. If a student of this School is found guilty of a sexual offense, be it on-campus or off-campus that Student will be terminated immediately and could also be criminally prosecuted in court.

If the alleged incident happened on campus, involving one or more current students, Barber and Beauty Barber & beauty Academy will honor a student's request for an academic/situation change within reason. This may include, but is not limited to, a termination of a contract without additional fees or a transfer to another campus if necessary.

**DRUG AND ALCOHOL PREVENTION PROGRAM:** Since Barber & Beauty Academy of PA is eligible to participate in Federal Title IV Financial Aid programs, the school certifies to the Department of Education that it operates an alcohol and drug-free campus. The Academy fully supports the prevention of alcohol and drug abuse by employees and students. We embrace a healthy lifestyle, drug and alcohol free, and we dedicate ourselves to promote it to our students and staff. Barber and Beauty provides assistance to employees or students dealing with drug and/or alcohol abuse, as well as referrals to outside agencies and programs. The effects of drugs and alcohol can be devastating and affect not only ourselves but also our loved ones. The use and abuse of drugs and alcohol can lead to physical and psychological health problems such as liver damage and psychotic behavior. As well, substance abuse impairs coordination and thinking. Long-term use can result in permanent damage to the brain, elevated blood pressure and heart rate, risk of stroke, heart failure, respiratory depression and failure, pneumonia, tuberculosis, lung abscesses, increased risk of mouth and throat cancer, alcoholic fatty liver, hepatitis, and cirrhosis, duodenal ulcers, reflux, diarrhea, impaired judgment and verbal ability, apathy, introversion, antisocial behavior, inability to concentrate, and deterioration of relationships with family, friends, and co-workers. The severity of health problems depends on the type, intensity, and longevity of the drug or alcohol use. Even short term use runs the risk of overdose and possible death. Prolonged, excessive drinking can shorten life span 10-12 years. Drinking or using illegal drugs while pregnant can cause pre-term health problems as well as permanent birth defects post-term.

All drug and alcohol information contained within this catalog is discussed at length on the first day of every class in Orientation. Barber and Beauty Academy maintains drug and alcohol education information and a list of counseling and support services in the administration office. All students and staff are made aware of the following information:

**ALCOHOL:** The possession, sale or the furnishing of alcohol anywhere on the campus, parking areas or while attending a school related function of the school is prohibited by both students and staff. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. Laws regarding the possession, sale, consumption or furnishing of alcohol are controlled by the PLCB or Pennsylvania Liquor Control Board, however, the enforcement of alcohol laws on- campus is the primary responsibility of the City or State Police once the offense has been reported. A violation of any state or federal law regarding alcohol is also a violation of the Academy's Standards of Conduct and will be treated as a separate

disciplinary matter by the Academy. Immediate dismissal for the day is mandatory as well as probation, suspension or dismissal/termination according to the severity of the situation.

ILLICIT / ILLEGAL DRUGS the possession, sale, manufacture or distribution of any controlled substance is prohibited anywhere on the campus, parking areas or while attending a school related function of the school by both students and staff. It is also illegal under both state and federal laws. Furthermore, Marijuana and synthetic marijuana are controlled substances under federal law. State laws decriminalizing or allowing use of "medical" marijuana do not change this. It is also unlawful and against school policy to possess drug paraphernalia that is used for packaging, manufacturing, injecting, ingesting, inhaling or otherwise introducing into the human body a controlled substance. All students and staff must comply with the Drug Free Campuses and Schools regulations. Students and staff are subject to School disciplinary action, criminal prosecution, fine and/or imprisonment.

DRUG AND ALCOHOL PENALTIES: A conviction for any offense, during a period of enrollment (the student is enrolled in a program) for which the student was receiving Title IV, HEA program funds, or G.I. Veteran's funds, under any local, federal or state law involving the possession or sale of illegal drugs will result in the loss of eligibility for any Title IV or G.I. funding based on the following chart:

1st offense: Possession=1 year from date of conviction, Sale= 2 years from date of conviction (This also includes conspiring to sell) 2nd offense: Possession=2 years from date of conviction, Sale= indefinite period (This also includes conspiring to sell) 3rd offense: Possession or Sale= indefinite period (This also includes conspiring to sell)

If convicted of both possession and sale, the longer of the two periods of ineligibility will apply. A description of federal penalties for drug violations can also be found at <http://www.justice.gov/dea/agency/penalties.htm>. The period of ineligibility begins on the date of conviction and lasts until the end of a statutorily specified period. The student may regain eligibility early by completing a drug rehabilitation program or if the conviction is overturned. Local, state and federal laws make illegal use of drugs and alcohol serious crimes. Conviction can lead to imprisonment, fines and/or assigned community service. Courts do not lift prison sentences in order for convicted persons to attend college or continue their jobs. A felony conviction for such an offense can prevent you from entering many fields of employment or professions.

Informative pamphlets that outline the hazards of drug and alcohol abuse are located in the common areas of the school. As well, you may visit the following website for information on alcohol prevention: <http://www.lcb.state.pa.us/PLCB/Education/index.htm>.

Federal Penalties include but are not limited to: 1st conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both. After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both. After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both. Special sentencing provisions for possession of crack cocaine are mandatory of minimum 5 years in prison, not to exceed 20 years and fined up to \$250,000, or both. Commonwealth of Pennsylvania Law- State law prohibits, among other things, the unauthorized

manufacture, sale, delivery and possession of controlled substances. Consistent with federal law, Pennsylvania classifies controlled substances according to Schedules I through V. Penalties vary according to the type of controlled substance involved. For a simple possession of a small amount of marijuana (misdemeanor), persons may be subject to 30 days imprisonment and a \$500 fine. A person may be subject to a maximum of 15 years imprisonment and a \$25,000 fine for the manufacture, delivery or possession of a Schedule I or II controlled drug such as cocaine, PCP or LSD (felony). Sentences can be doubled for second and subsequent offenses. Sentences can also be doubled for distribution of controlled offenses to persons under the age of eighteen. Penalties range from a mandatory minimum sentence of seven years and a \$50,000 fine for subsequent convictions for the manufacture, delivery or possession of 100 grams or more of a Schedule I or II controlled narcotic drug.

STATE OF PENNSYLVANIA CODE SUMMARY OF ALCOHOL RELATED STATUTES: The following represents a summary of relevant statutes from the Pennsylvania Crimes Code (Title 18) and the Pennsylvania Liquor Code (Title 47) for alcohol related offenses: 1. A person, under the age of 21, commits a summary offense if he/she attempts to purchase, purchases, consumes, possesses or knowingly and intentionally transports any liquor or malt or brewed beverages. Maximum fine \$300 plus court costs and mandatory loss of your driver's license for 90 days for a first offense, one year for a second offense and two years subsequent offenses. Police officers making an arrest for this offense are obligated to notify the parents or guardians of the minor charged (Pa C.S.A. 6308). 2. A person is guilty of a summary offense for a first violation and a misdemeanor of the third degree for any subsequent violations if he/she is under the age of 21 and knowingly and falsely represents him/herself to be 21 years of age or older, for the purpose of obtaining any liquor or malt or brewed beverages. Maximum fine is \$500 plus court costs and loss of driver's license (Pa C.S.A. 6307). 3. A person is guilty of a misdemeanor of the third degree if he/she knowingly, willfully, and falsely represents to any licensed dealer, or other person, that a minor is of legal age for the purpose of inducing a person to sell or furnish any liquor, malt or brewed beverages. The minimum penalty is a fine of not less than \$300 (Pa C.S.A. 6309). 4. A person commits a misdemeanor of the third degree if he/she intentionally and knowingly sells or intentionally and knowingly furnishes, or purchases with the intent to sell or furnish, any liquor or malt or brewed beverages to a person who is less than 21 years or age. Minimum penalty for violating this subsection is a fine not less than \$1000 for the first violation and a fine of \$2500 for each subsequent violation plus court costs (Pa C.S.A.6310.1A). 5. A person commits a misdemeanor of the second degree if he/she intentionally, knowingly or recklessly manufactures, makes, alters, sells or attempts to sell an identification card falsely representing the identity, birth date or age of another. Minimum penalty is a fine of not less than \$1000 for the first violation and a fine of not less than \$2500 for each subsequent violation (Pa C.S.A. 6310.2).

EMPLOYEE/STAFF SPECIFICS: As a condition of employment, every employee shall abide by the terms of this and all policies pertaining to the School. Any employee who violates this or any policy is subject to Barber and Beauty Academy sanctions, including immediate termination of employment, as well as criminal sanctions from federal, state, or local law if applicable. An employee may be required to participate in a drug abuse or drug rehabilitation program. An employee must notify Director of Schools of any criminal drug or alcohol conviction for a violation occurring in the Academy workplace no later

than 5 days after such conviction. It is also a condition of employment that employees understand and support all policies for the prevention of drug and alcohol abuse on Campus.

Barber and Beauty Barber & Beauty Academy conducts a biennial review of its drug and alcohol prevention policy to first, determine its effectiveness, secondly, implement changes to the program as they are needed and lastly, to help determine the number of drug and alcohol-related violations and fatalities that occur on or near our campus's. The reports are written and filed by the Director of Schools and are maintained in the Administration office for full view to interested parties upon request. This process also ensures that the disciplinary sanctions described in the ASR are consistently enforced. Any Student or Staff member who violates this or any policy is subject to Barber and Beauty Academy of Cosmetology sanctions, including immediate termination of enrollment/employment, as well as criminal sanctions from federal, state, or local law if applicable. The possession, use or distribution of potentially harmful drugs such as marijuana, hallucinogens, amphetamines, barbiturates and opiates is illegal and subject to very harsh penalties. Although Barber and Beauty Academy of Cosmetology does not assume the responsibility of acting as an arm of the law, members of our Campuses have no immunity from enforcement of the law. Use of many of these drugs may threaten the physical and mental health of the user. Use by one student may also threaten the welfare of other students. Distribution by any student clearly threatens the welfare of the entire community.

For Treatment Contact:

SAMHSA National Helpline--1-800-662-4357

SUBSTANCE ABUSE SERVICES 100 N. CAMRON STREET, HARRISBURG, PA --1-717-232-8535

GENESIS HOUSE 2901 N 6TH Street, Harrisburg, PA 17102—717-232-6981

PA DEPT. OF DRUG & ALCOHOL PROGRAMS-2601 N 3<sup>RD</sup> STREET, HARRISBURG, PA –717-783-8200

DRUG & ALCOHOL REHAB CENTERS -866-293-703

**IMPORTANT DEFINITIONS:**

Murder: The willful (non-negligent) killing of a human being by another.

Manslaughter: The killing of another person through gross negligence.

Sex Offense (Forcible): Any sexual act directed against another person without the other person's consent. (Includes attempts) a. Sexual intercourse (penetration--however slight) b. Sodomy

(penetration, however slight) c. Oral copulation (vaginal, anal) d. Rape with a foreign object (penetration vaginal or anal--however slight) e. Sexual battery (the touching of the intimate parts, [sexual organ, anus, groin, or buttocks of any person, or the breast of a female] of another person for the purpose of sexual gratification)

Sex Offense (Non-forcible): Any unlawful, but consensual sex act with another person. (Includes attempts) a. Incest (sexual intercourse between persons who are related to one another within the degrees wherein marriage is prohibited) b. Statutory rape (intercourse with a person who is under the age of consent--18yrs).

Robbery: The taking of personal property in the possession of another, from his/her immediate presence, and against his/her will, accomplished by means of force or fear. (Includes attempts)

Aggravated Assault: An unlawful assault upon the person of another for the purpose of inflicting severe or aggravated bodily injury. (Includes attempts, and whether or not an injury occurred.)

Burglary: The unlawful entry (or attempt to enter) into a defined structure with the intent to commit a theft or any felony. (Excludes vehicle burglary)

Motor Vehicle Theft: The taking of a motor vehicle (as defined) without the consent of the owner with the intent to either permanently or temporarily deprive the owner of the vehicle. (Includes attempts)

Arson: The willful or malicious burning or attempt to burn (w/o the intent to defraud) a dwelling, house, public building, motor vehicle or aircraft, or personal property of another. (Includes attempts)

Drug/Narcotic Violations: The unlawful possession, sale, use, transportation, cultivation, manufacturing, maintaining an unlawful place.

Alcohol Violations: The unlawful possession, sale, transportation, manufacturing, furnishing alcohol to a minor (under 21 years), or maintaining an unlawful drinking place. CLERY does not require the reporting of public drunkenness or driving while under the influence offenses.

Weapons Violation: The unlawful possession or control of any firearm, deadly weapon, (including nunchakus or billy club) illegal knife or explosive device while on the property of the Barber and Beauty Academy of Cosmetology.

### **Title IX/VAWA/Clery Act Policy**

**VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT:** Barber and Beauty Barber & Beauty Academy recognizes the provisions regulations issued under the Higher Education Act of 1965, as amended (HEA), to implement the changes made to the Clery Act by the Violence Against Women Reauthorization Act of 2013 (VAWA). Categories of violence against women include but are not limited to:

- Domestic Violence

- Dating Violence
- Stalking
- Sexual Assault

**Domestic Violence:** A felony or misdemeanor crime of violence committed by –

- a current or former spouse or intimate partner of the victim
- a person with whom a victim shares a child in common
- a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner
- a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

\*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 in which the crime of violence occurred.

**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
- Where the existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the following factors

The length of the relationship – The type of relationship; and – The frequency of interaction between the persons involved in the relationship

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

\*Dating violence does not include acts covered under the definition domestic violence.

\*Any incident meeting this definition is considered a crime for purposes of Clery Act reporting.

**Stalking:** Means engaging in a course of conduct (two or more acts) directed at a specific person that would cause a reasonable person to--

- Fear for his or her safety or the safety of others
- Suffer substantial emotional distress.

**Sexual Assault:** An offence that meets the definition of rape, incest, or statutory rape against another person without the consent of the victim, including instances where the victim is incapable of giving consent, as used in the FBI's UCR Program.

- Rape- The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim
- Incest-Sexual intercourse between persons related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape- Sexual intercourse with the person who is under the statutory age of consent.
- Consent- Permission for something to happen or agreement to do something.

**Procedures victims should follow if domestic violence, dating violence, sexual assault or stalking has occurred.**

\*First it is important to preserve evidence as may be necessary to the proof of the crime or to obtaining a protection order – to whom the alleged offense should be reported – options regarding law enforcement and campus authorities, including notification of a victim's options:

REPORTING CRIME/VIOLENCE (VAWA): There are options for reporting crime or violence. In an emergency, dial **9-1-1** for help. We urge you to report all criminal activity or violence against you, whether on or off campus, to local authorities, however you are not required to report violence.

Below is written notification of options for reporting, as well as information regarding the involvement of law enforcement and campus authorities.

#### **Reporting Crime Options:**

- You can report VAWA on-campus incidents to the Campus Security Authority (CSA). You may report any violence towards you or criminal activity to the CSA anonymously or request confidentiality. The CSA will coordinate with the local police department when compiling the Annual Security Report. The CSA has the official capacity to receive all reports relating to crime at DCA.
- You can report VAWA crimes to local police authorities @ 10 N. Second Street, Harrisburg, PA
- You can decline to notify authorities

Staff, students and clients are not required to report VAWA crimes and may opt to not report the activity to local authorities or campus security.

Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault or stalking. Such proceedings shall:

- (a) provide a prompt, fair and impartial investigation and resolution
- (b) be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of the victims and promote accountability.

The accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related disciplinary meeting or proceeding by the advisor of their choice.

#### **Investigations and Hearings**

The investigation may include, but is not limited to, conducting interviews of the complainant, the alleged perpetrator, and any witnesses; reviewing law enforcement investigation documents, if applicable; reviewing student and personnel files; and gathering and examining other relevant documents, including any fact-finding and hearings and must comply with the Family Educational Rights and Privacy Act ("FERPA") and other applicable privacy laws. Investigations shall begin immediately, with hearings scheduled in less 14 calendar days.

#### **Remedies and Notice of Outcome**

Effective remedial action may include disciplinary action against the perpetrator, providing counseling for the perpetrator, remedies for the complainant and others, as well as changes to the school's overall services or policies.

#### **Retaliation and Protection**

Title IX includes protections against retaliation, and that school officials will not only take steps to prevent retaliation but also take strong responsive action if it occurs. This includes retaliatory actions taken by the school and school officials. Where applicable, the rights of victims and the institution's responsibilities for orders of protection, "no-contact" orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court or by the institution.

\*Disciplinary complaints can be filed with the campus security officer.

### **Barber and Beauty Barber and Beauty Academy prohibits the offenses of domestic violence, dating violence, stalking and sexual assault.**

Barber and Beauty fully supports the prevention of any sexual harassment or sexual abuse/assault, forcible or non-forcible. To get help with domestic violence, dating violence, stalking, sexual assault and pregnancy, brochures are available and located in all restrooms throughout the academy. A list of agencies and phone numbers are maintained in the administrative office and posted on the bulletin boards in the common areas throughout the school. Barber and Beauty Academy has a primary prevention program to help reduce sexual violence, through an ongoing prevention and awareness campaign that includes safe options for bystander intervention, information on risk reduction, as well as policies & procedures after the sex offense has occurred. This is all discussed during an overview of VAWA on 1<sup>st</sup> day orientation for all students and employees.

Awareness programs: Community-wide or audience specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration

Bystander intervention: Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking Bystander intervention includes: • Recognizing situations of potential harm • Understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking actions to intervene

Ongoing prevention and awareness campaigns: Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution

Primary prevention programs: Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe direction.

Risk reduction: Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

Prompt, fair, and impartial proceeding: A proceeding that is completed within reasonably prompt timeframes designated by an institution's policy, including a process that allows for the extension of timeframes for good cause and with written notice to the accuser and the accused of the delay and the reason for the delay; Conducted in a manner that:

- Is consistent with the institution's policies and transparent to the accuser and accused
- Includes timely notice of meetings at which the accuser or accused, or both, may be present
- Provides timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings
- Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

SEXUAL ABUSE, DOMESTIC ABUSE, DATING VIOLENCE AND STALKING HOTLINES, WEBSITES, AND COUNSELING FACILITIES:

PENNSYLVANIA COALITION AGAINST DOMESTIC VIOLENCE 6400 Flank Drive, #1300 Harrisburg, PA 17112 (717) 545-6400 Fax: (717) 545-9456 (800) 932-4632 Nationwide

NATIONAL DOMESTIC VIOLENCE HOTLINE 1-800-799-7233 1-800-787-3224 (TTY)

NATIONAL SEXUAL ASSAULT HOTLINE: 1-800-656-HOPE SAFEHORIZON 1-800-621-4673

Harrisburg YWCA 1101 Market Street, Harrisburg, PA 17103 717-234-7931

[WWW.SAFEHORIZON.ORG](http://WWW.SAFEHORIZON.ORG)

LOVE IS RESPECT: 1-866-331-9474 OR TEXT "LOVEIS" TO 77054

NATIONAL TEEN DATING ABUSE HOTLINE: 1-866-331-9474

Reportable Offenses: These crimes meet definition in the Uniform Crime Reporting System of the Department of Justice, FBI, as modified by the Hate Crime Statistics Act.

- Assault
- Arson

- Burglary
- Drug Abuse Violation
- Hate Crime
- Liquor Law Violation
- Motor Vehicle Theft
- Murder and Manslaughter
- Rape, Forcible and Non-Forcible Sexual Offenses
- Robbery
- Weapons Possessions

## CATEGORIES OF HATE CRIMES

Hate Crime: A criminal act involving one/more of the listed crimes which was motivated by bias against any person or group of persons, or the property of any person or group of persons because of the ethnicity, race, national origin, religion, gender, sexual orientation, or disability of the person or group, or bias based upon the perception that the person or group has one or more of those characteristics.

Hate Incident: Any noncriminal act motivated by bias against any person or group of persons, or the property of any person or group of persons because of the ethnicity, race, national origin, religion, gender, sexual orientation or disability of the person or group, or bias based upon the perception that the person or group has one or more of those characteristics.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.

Destruction/Damage/Vandalism or Property (except Arson): to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Race: A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity that distinguish them as a distinct division of humankind.

Gender: A preformed negative opinion or attitude toward a group of persons because those persons are male or female.

Religion: A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and Purpose of the universe and the existence or nonexistence of a supreme being.

Sexual Orientation: A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex.

Ethnicity/national origin: A preformed negative opinion or attitude toward a group of persons of the same race or national origins who share common or similar traits, languages, customs, and traditions.

Disability: A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age, or illness

SEXUAL ASSAULT POLICY AND PREVENTION: DCA is committed to creating and maintaining a community which students, staff and clients are in an atmosphere free from all forms of harassment, exploitation, intimidation or violence. The University regards all forms of or attempts at sexual assault or misconduct as serious offenses that may result in suspension, required withdrawal, expulsion, or termination of employment.

The victim of sexual violence is encouraged to:

- Dial 9-1-1
- Report the incident to the police and pursue criminal charges
- Seek medical treatment as soon as possible, including the collection and preservation of evidence that is crucial to pursuing criminal prosecution.
- Report any incident to the Campus Security Authority.

/ Barber & Beauty Academy may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situations where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report for purposes of reporting under this section. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report.