

## JEAN CLEARY DISCLOSURE FOR ACADEMIES OF COSMETOLOGY

### SECURITY POLICY

A School Security Force has been appointed to enhance the safety of both the students and the employees of Academies of Cosmetology ( or the "School"). The school Security Force at all campuses is the Director of the schools. All reports of criminal offenses should be made to a member of the School Security Force.

The School Security Force keeps track of all campus crime reports so that statistics can be made available to all students, prospective students, and employees as of October 1st of each year. The report will be submitted to the Department of Education on an annual basis. The campus crime statistics will cover the three most recently completed calendar years. Current information is also contained in the School's Catalog.

Below lists the current campus policies of Academies of Cosmetology as they relate to campus security.

#### I. REPORTING CRIMES AND OTHER EMERGENCIES

All students and employees are encouraged to report crimes, suspicious activities, injuries or other security problems to the proper authorities at the school. The local police department is authorized by Academies of Cosmetology to prevent, investigate, and report any violations of state or Federal Law and /or School regulations on campus. Student behavior that violates state or federal law and /or School regulations, may also be investigated and reported by authorized staff of the school.

Any student, faculty member, or employee of The School, should directly report any potential criminal act or other emergency to a member of the School Security Force, or if a member is not in the immediate vicinity, to any staff member of The School, who shall immediately notify a member of the School Security Force. Callers should dial (772) 349-8637 for immediate assistance. Upon receipt of the call, police officers are dispatched to the location if necessary, an investigation is conducted, and appropriate action is taken. The 911 emergency number should be called for any and all life threatening emergencies.

THOSE REPORTING MUST BE AS DETAILED AS POSSIBLE WHEN PROVIDING A PHYSICAL DESCRIPTION OF A SUSPECT OR PREPETRATOR:

Physical description should include height, weight, build, facial hair, complexion, jewelry and tattoos

Vehicle description should include make, model, color, and approximate year of manufacture, maker plate, state of origin, and any notable damage to the vehicle

Do not disturb any crime scene so as to preserve any physical evidence that may exist.

## TIMELY WARNING

In the event that a situation arises, either on or off campus, that, in the judgment of the School Security Force or other members of the administrative Council, constitutes an ongoing or continuing threat, a campus-wide "timely warning" will be issued. The notification will include a short description of the crime or incident, giving the time and date, location, reported offense, suspect description, and any other pertinent information used to facilitate the crime. The notification will also include personal safety information to aid members of The School in protecting themselves from becoming victims of a similar crime. The warning will be broadcast thru the message center to students, faculty and staff. Depending on the nature of the emergency, a decision will be made to utilize other methods or notification including broadcasts on the local television network and posting of red colored flyers entitled 'Security Alert' on the building entrances.

## CONFIDENTIAL REPORTING PROCEDURES

Victims of crime who do not wish to pursue action within The School or criminal justice systems can provide a confidential report. a "Confidential Report Form" for victims to complete and submit can be found in Appendix B attached hereto. The report will assist in providing an accurate record of the number of incidents involving The School community and determine any patterns that may exist, while allowing the School Security Force to alert the community to any potential danger. Reports filed in this manner are counted and disclosed in the annual statistics for the institution.

## WHISTLEBLOWER POLICY

The Higher Education Opportunity Act (HEOA) establishes safeguards for whistleblowers by prohibiting retaliatory action against any individual with respect to the implementation of any provision of the Clery Act.

The Director will communicate directly and regularly on the progress of the inquiry with the individual raising allegations. The Director will respond to any concerns about personal retaliation or unfair treatment linked to the raising of such allegations.

## II. CAMPUS EMERGENCY RESPONSE AND EVACUATION

An Emergency Management Plan has been developed by the School Security Force as part of its ongoing effort to protect The School students, faculty, and staff. The development of this plan is based on a realistic assessment of potential incidents that could affect our community and the capabilities to react to those situations. A verbal announcement is used to distribute emergency notifications without delay in situations where a clear and active (e.g. in progress) threat or emergency exists that impacts the campus and where it is recommended that the recipients take some form of action in response to the active threat or emergency.



## EVACUATIONS

Instructions to evacuate will be issued by the School Security Force as described above. Students, faculty, and staff are to evacuate quickly, in a calm and orderly fashion to a safe area. Students, faculty, and staff should remain calm and assist handicapped persons or those in need and not turn off lights or equipment or lock doors to a room or building. If community members observe something unusual or suspicious, they should not touch it and notify a member of the School Security Force. Students, faculty, and staff should remain in a safe area until receiving notification to return to the facility,

In situations where The school is forced to evacuate the campus, the School Security Force will notify the public that the campus is closed and that traffic will not be allowed to enter.

If the emergency occurs on a day and time prior to the start of classes, notification of all members of the School community will occur according to normal weather closing policies and procedures. In addition, notification will be made to all staff members.

Evacuation will be performed by personal vehicles if possible, and students, faculty and staff are directed to their homes or other safe havens.

## III. MISSING STUDENT NOTIFICATION PROCEDURES

Students who are 18 or above, including emancipated minors, will be provided the opportunity during each registration process to designate an individual to be contacted by The School in the event the student is officially reported as missing. If the missing student is 18 or older, or an emancipated minor, and has not identified an emergency contact, The School will contact the local Police Department. The School will continue to assist all outside agencies in the investigation as needed.

The School is required to notify the custodial parent or legal guardian no more than 24 hours after a student under the age of 18 is determined to be missing.

Any questions or concerns regarding a student who is missing or appears to be missing should be referred to the School Security Force.

## IV. SECURITY OF AND ACCESS TO CAMPUS FACILITIES

Students, faculty, and staff of The School have access to academic and administrative facilities on campus. The general public may attend certain events on campus with their access limited only to the facilities in which these events are held.

## V. CAMPUS LAW ENFORCEMENT POLICY

The School Security Force does not provide services outside the boundaries of campus property, nor do any officially recognized student organizations exist off campus. The School enjoys a close working relationship with local and state agencies when violations of federal, state

Or local laws involving students occur.

## CITY, STATE, COUNTY AND FEDERAL POLICE

In addition, the Department of Public Safety maintains a highly professional working relationship with federal law enforcement. The Florida Department of Public Safety, the St. Lucie County, Indian River County, City of Fort Pierce, City of Port. St. Lucie, and the City of Vero Beach police Departments. The School follows all applicable policies and laws regarding confidentiality of records and reserves the right to provide police any information obtained as a result of a criminal investigation. The School strongly encourages anyone who is the victim or witness to any crime to promptly report the incident to the School Security Force. It is the right of any member of the School community to contact the local Police Department to investigate any crime. Assistance in contacting the local Police Department may be arranged through the School Security Force.

There are currently no formal written agreements with local, state, or federal agencies.

## VI. SECURITY AWARENESS PROGRAMS

Safety programs for students begin on the first day's orientation for each class and continue throughout the year in cooperation with the Dean's Office. The Dean of students coordinates quarterly Personal Safety Seminars through Protection Against Crime, LLC. Focusing on basic hands-on defense training, rape awareness, crime prevention, and risk reduction. The safety policies are also provided at employee orientation for new employees.

The School Security Force is also responsible for coordinating the School's fire prevention and training programs, designing fire safety policy and procedures, and ensuring that The Schools are in compliance with the fire safety codes of the state of Florida. Information regarding the number of fires, injuries, fire drills, fire related property damage, and the type of fire detection systems in each building can be obtained by contact the manager of each facility.

The school Security Force has the authority to (i) check all persons on the school property to determine their legitimate presence, and to escort unauthorized persons to the proper office or off the school property; (ii) report any suspicious activity or criminal activity to their supervisor or local law enforcement; (iii) control the actions of persons violating School rules or local, state, or federal laws, as long as these actions by the School Security Force do not in themselves violate any local, state, or federal laws; and (iv) cooperate with local, state or federal law enforcement should that become necessary.

All members of the School community play an important role in keeping the campus safe and are encouraged to alert the School Security Force of any criminal act, unsafe condition, or suspicious activity. While on School Property students are encouraged to be responsible for their own security and the security of others. Students, faculty, and staff should use sound judgment and take simple precautions to avoid becoming the victim of a crime, such as traveling in groups or pairs, staying or walking in well-lit areas, reporting suspicious activities or persons, locking vehicles or personal property and knowing where the School Security Force can be reached at any time.



## VII. CRIME PREVENTION PROGRAMS

Crime prevention material is on display for one week in the Dean's Office during the month of October and programs focusing on crime prevention are conducted throughout the year in cooperation with the Dean's Office.

## VIII. DRUG AND ALCOHOL REGULATIONS

The School enforces drug and alcohol regulations as required in the Drug Free Schools and Communities Act of 1988 and amendments of 1989. The unlawful possession, use, or distribution of alcohol by employees on School property, or as part of any School activity, is prohibited. The Family Education Rights and Privacy Act (FERPA) as amended in 1998 enables institutions to release to parents of students under the age of 21 information concerning alcohol or drug-related disciplinary violations.

Students documented for an alcohol violation may be referred to substance abuse programs outside the School. If more information is desired, please contact the Office of the Dean of Students and/or the Administration Office for a copy of the Alcohol and Substance Abuse policy.

Illegal drugs and drug paraphernalia are prohibited on the grounds of the School. The possession, sale, manufacture, or distribution of any controlled substance is in violation of School regulations and illegal under both state and federal laws. Therefore, any employee or student engaging in such illegal action will be subject to disciplinary procedures, which could result in sanctions, including termination or employment, suspension or expulsion from school, and criminal prosecution. In addition, the use and/or possession of weapons of any type, including facsimiles, except those in possession of a bona fide law enforcement agency, are not permitted on campus.

## IX. SEXUAL ASSAULT, RAPE OR MISCONDUCT

### Statement of intent

The School is committed to providing a learning environment free of all forms of abuse, harassment, or coercive conduct. The School adheres to the notion that any expression of behavior must conform with and affirm the integrity, dignity, health, and safety of oneself and others. That includes behavior in the realm of human sexuality. Sexual assault is a crime. It is also an issue of justice and each act harms not just an individual but the School community generally. The School does not tolerate sexual assault or misconduct in any form or to any degree.

The School has an array of public safety, medical, psychological, administrative, and disciplinary services available for referral to students reporting instances of sexual assault or misconduct. The School's policy and procedures regarding sexual misconduct seek to achieve the following goals:

To provide prompt, professional, and attentive support services to reduce the sexual assault victim's trauma and alleviate suffering;

To provide a comprehensive framework in which the needs and decisions of the victim, duly informed, are central in determining further administrative response and assistance;

To create a campus climate that facilitates prompt reporting of assaults;

To facilitate, in cooperation with the School Security Force and local law enforcement, the apprehension of assailants when acts of misconduct or assault are committed;

To cultivate a campus climate of education and attention where incidence of assault and misconduct are avoided through preventative measure, training, and thoughtful discourse; and

To protect the rights of the victim of an assault.

## Violations

The School undertakes inquiries and disciplinary hearings and renders disciplinary sanctions regarding sexual assault or misconduct in a noncriminal context. Although the definitions utilized by The School may be similar to those set forth in the penal code and/or used in a criminal court system, they are specific to The School and limited to the meaning given to them by The School. An act which might not be criminally prosecuted under either state or federal law may still violate the policies of The School. The School disciplinary jurisdiction is limited to conduct which occurs on campus or which occurs off campus and adversely affects members of The School community.

**Rape:** At The School, rape is any sexual penetration (anal, oral, or vaginal), however slight, with any object or sexual intercourse between individuals without effective consent. Sexual penetration includes vaginal or anal penetration by a penis, tongue, finger, or object and also includes oral copulation by mouth to genital contact or genital to mouth contact. Attempted rape is also prohibited under this policy.

**Sexual Assault:** At The School, sexual assault is any sexual touching, however slight, with any object or with any part of the body without effective consent. Sexual assault also includes disrobing or otherwise exposing oneself to another without consent. Attempted sexual assault is also prohibited under this policy.

**Sexual Exploitation:** At The School, sexual exploitation occurs when a student takes nonconsensual, unjust, or abusive sexual advantage of another for his/her own benefit or for the benefit of anyone other than the one being exploited, and that behavior does not otherwise constitute rape, sexual assault, or sexual harassment. Examples of sexual exploitation include but are not limited to, prostitution, videotaping without knowledge and consent of all parties, peeping tommy, transmission of HIV or STD, or inducing incapacitation with the intent to rape or sexually assault regardless of whether sexual activity actually takes place.



Consent: At The School, effective consent is informed consent which freely and actively given; it is mutually understandable words or actions indicating a willingness to do the same thing, at the time, in the same way with each other. Mutually understandable consent is almost always viewed under an objective, reasonable person standard. The only context in which mutually understandable consent would be viewed under a subjective standard is in the instance of a long-standing relationship where a couple has established patterns of communicating consent, but even then there must still be evidence of free and knowing participation to establish consent. Consent which is obtained through the use of fraud, force (actual or implied), threats, intimidation, or coercion is ineffective consent. Consent may never be given by a minor ( in Connecticut, those not yet 18 years of age). Mentally disabled persons cannot give effective consent to sexual activity. Physically incapacitated persons cannot give consent. One who is physically incapacitated as a result of alcohol or other drug consumption (voluntary or involuntary) or who is unconscious, unaware, or otherwise physically helpless, is incapable of giving consent.

Sexual Harassment: At The School, sexual harassment includes unwelcome sexual advance, direct or indirect sexual demands, request for sexual favors, sexual comments, gestures, or other physical actions of a sexual nature, when:

Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's educational success;

Submission to or rejection of such conduct by an individual is used as the basis for educational decisions affecting the individual;

Such conduct has the purpose or effect of unreasonably interfering with an individual's academic performance or creating an intimidating, hostile, or offensive working , living, or educational environment.

For more information regarding sexual harassment, students are encouraged to seek out the assistance of the Dean of Students at the appropriate campus.

What to do if you have been assaulted

The School strongly encourages students to report incidences of rape, sexual assault, and sexual misconduct. Trained professionals and support services are available to assist students and anyone else impacted by such events. Resources exist off campus. The wishes of the victim of an assault or misconduct will guide how incidents are handled.

If a student is in IMMEDIATE DANGER, they should get to a safe place and DIAL 911 for the local Police Department. Similarly, if a student is hurt and in need of medical attention, they should dial 911.

If a student is not in immediate danger, they may either dial 911 for the local Police Department or speak to the Assistant Director by calling 772-337-4747. The Dean of students is trained to provide services and act as advocates for students who are victim of sex offenses. A victim's discussion with the Dean of Students is confidential.

The Dean of Students will be able to review options with the victim and assist in facilitating contact with any other resource or service the victim may need and desire.

Depending on the student's wishes and the circumstances, the Dean of Students will facilitate the following services which include, but are not limited to:

- Obtaining medical attention at a hospital;
- Filing a Confidential Crime Report;
- Filing an Incident Report with the School Security Force;
- Filing a Criminal Report with the local police department;
- Contacting a clergy member;
- Issuance of a "Timely Warning" alert to the campus community.

Often times, the first person a sexual assault victim will turn to is a friend or trusted member of the staff. If a student tells a staff member about the sexual offense, the staff member must tell the Dean of Students. The Dean of Students consults with the student to determine his/her wishes for support services.

For Third parties: if a student's friend has been assaulted or raped, they should;

- Listen and be supportive;
- Let the friend make his or her own choices;
- Resist touching the friend unless the student knows he or she welcomes it;
- Encourage the friend to immediately call the local Police Department, preserving any evidence there may be.

Additional off-campus resource for victims of sexual assault;

### **Local Law Enforcement Agencies**

#### **Local Police Department**

Port St Lucie Police Department	1-772-871-5000
Fort Pierce Police Department	1-772-465-5770
Vero Beach Police Department	1-772-978-4600

#### **Local Sheriff Department**

St Lucie County Sheriff Department	1-772-462-7300
Indian River County Sheriff Department	1-772-569-6700
Martin County Police Department	1-772-220-7170

### **Drug Hot Line**

Indian River County Drug Hotline	1-772-778-0000
St Lucie County Drug Hotline	1-772-462-6400
Martin County Drug Hotline	1-772-221-2305



## **Florida Coalition Against Domestic Violence**

St Lucie County  
Indian River County  
Martin County

1-772-464-4555  
1-772-569-7233  
1-772-288-7023

### **Rape Hotline**

Florida Council Against Sexual Violence

1-866-828-7273

### **Reporting Options**

When a student is sexually assaulted, he/she has reporting options. Victims of sexual misconduct are encouraged, but not required to, file a report. If a student elects to file a report, the student has reporting options available: (1) the filing of a Confidential Crime Report, (2) the filing of an Incident Report with the School Security Force; and (3) the filing of a Criminal Report with the local Police Department.

**Confidential Crime Report:** A student may fill out or seek assistance in completing a Confidential Crime Report. A Confidential Crime Report does not contain the name of the victim or the offender. A Confidential Crime Report will be kept in the file of the Dean of Students and recorded with the School Security Force for purposes of the Jeanne Clery reporting disclosure requirements. Confidential Crime Reports allow The School to track reported incidents of sexual assault. Completing the Confidential Crime Report does NOT constitute an incident report, a police report, or a student conduct report, and The School will NOT initiate investigatory or student conduct proceedings. The victim will NOT be contacted by The School unless the victim indicates a desire to be contacted.

**Incident Report:** Sexual assault is a crime and is a violation of the rules and regulations of The School. As such, a student may always file a standard, formal Incident Report with the School Security Force. An Incident Report will include the name of the student filing the report and the name of the alleged offender, if known. Upon the filing of an Incident Report, The School Security Force will conduct an investigation which will include notifying the local Police Department. Upon a finding of responsibility, The School will take disciplinary action against the offender. The offender may also be prosecuted under Florida criminal statutes, and the victim may also sue the offender in a civil action. The results of these various actions are independent of each other. After the filing of an Incident Report, the student filing the report has the option to take no further action with respect to the investigation. In that instance, the student will be advised that The School may still take action regarding the alleged offender as The School has the responsibility to protect its students.

Criminal Report: Sexual assault and rape are against the law in the STATE of Florida and may be prosecuted under Florida criminal and /or civil statutes. In that respect, and in addition to the reporting options listed above, students who have been sexually assaulted are encouraged to contact the local Police Department directly by calling 911. Filing a Criminal Report with the local Police Department isn't different than filing an Incident Report with the School Security Force. If a student files a Criminal investigation will occur and if the case will be referred for prosecution.

#### Confidentially

Students have the right to decide whether or not to report a rape, sexual assault, or other sexual misconduct. We recommend that students contact a School official as soon as possible. While The School is required by law (e.g., the Jeanne Clery Act) to report incidents of sexual assault, confidentiality laws may prohibit us from disclosing a victim's name or any other personal or identifying information. This means that a student's identity will be protected unless the student agrees otherwise.

It is certainly understood the victims of sexual assault experience significant distress and may desire confidentiality. If a student desires confidential support following an incident, he or she is encouraged to seek out professional help through the local resources available as mentioned above. Students should be aware that School administrators must fulfill separate obligations as a matter of law. All personally identifiable information shall be kept confidential, but statistical information must be passed along to the School Security Force regarding the type of incident and its general location (e.g., on campus or off campus) for inclusion in the annual crime statistic report, but no name will be used.

The School will maintain the victim's confidentiality to the extent permitted by the law. However, The School reserves the right to investigate and pursue resolution of an incident when it is deemed necessary to protect the interests of members of the campus community. In addition, School administrators must issue timely warnings for incidents reported to them that continue to pose a substantial threat of bodily harm or danger to members of the School community.

#### Disciplinary Process

The School will initiate disciplinary action when an Incident Report is filed by a student alleging sexual misconduct. In most circumstances where rape or sexual assault is alleged, both the victim and the accused will meet separately with the Dean of Students. When a determination of responsibility is made, the victim will be notified of the decision as well as sanctions assigned. In cases of rape and sexual assault, the typical sanction is dismissal or expulsion.

#### Sex Offender Registration

In compliance with the Campus Sex Prevention Act of 2000, members of the School community may search the following registries for information concerning registered sex offenders:

Dru Sjoдин National Sex Offender Public Website at [www.nsopr.gov/](http://www.nsopr.gov/)



## CONFIDENTIAL CRIME REPORT

Describe the nature of the crime:

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Where did the crime occur:

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Provide the date and times associated with this crime:

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Please provide the suspect's name, if known:

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If unknown, please provide a detailed description:

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Would you like us to contact you ? If so, please provide your necessary contact information:

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