

# **Annual Campus Security/Fire Safety Report and Policies for Cranston, RI As of 10/1/18**

**TONI&GUY Hairdressing Academy** is firmly committed to maintaining a safe campus environment. The full benefit of academic freedom is only experienced by faculty and students when the Academy is free of violence or other criminal activity. To that end, and in accordance with the Jean Clery campus security policy and campus crime statistics act, the institution collects campus crime statistics and prepares this report for distribution to all current and prospective students and employees.

Campus is defined as “any building or property owned or controlled by the Academy within the same contiguous geographic area used by the Academy in direct support of or related to its educational purpose.” The campus includes the facilities located at TONI&GUY Hairdressing Academy and the parking lot.

The public area for the Academy is defined as the sidewalk of 1400 Oaklawn Ave, the street directly in front of it and the sidewalk of 1500 Oaklawn Ave.

No later than October 1st of each year, the Academy distributes notification to all current students and employees of the availability of the campus security report on our website with the exact URL where it is located. In addition, the report is provided to all prospective students during their tour or upon hiring of a new employee. At orientation, students review the campus security procedures. A copy of the report is maintained in the business office along with the backup documentation.

## **How TONI&GUY Hairdressing Academy Prepares the Annual Crime Statistics:**

The TONI&GUY Hairdressing Academy utilizes a Business Manager who requests the crime statistics from the state and local authorities and produces the Annual Campus Security and Fire Safety Report.

Carol Bastow, Business Manager

## **Reporting Crimes**

All individuals are encouraged and requested to report immediately any known criminal offense or other emergency occurring on campus to the Director of the Academy. In the event that the director is unavailable, the contact will then be the Director of Education or the Academy Designee. All individuals are also encouraged to promptly report all crimes to appropriate police agencies. The Academy Director will report all known criminal offenses to local law enforcement authorities upon obtaining knowledge of any criminal offense.

Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g) commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

## **Campus Police**

The campus does not employ campus security officials. The security of the campus is the direct responsibility of each employee and the Academy director. No such individuals have the authority to make arrests.

**Voluntary Confidential Crime Reporting**

TONI&GUY Hairdressing Academy does not currently have policies and procedures allowing voluntary confidential crime reporting.

**Pastoral and Professional Counselors**

TONI&GUY Hairdressing Academy does not employ pastoral and professional counselors.

**Criminal Activity on Campus**

In the event of criminal activity at the Academy, the student body, faculty, and administration are gathered together and informed of the situation immediately.

**Information for Crime Victims about Disciplinary Hearings**

Institution must, upon written request, disclose to the alleged victim of any crime of violence, or a non-forcible sex offense, the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of the crime or offense, the information shall be provided, upon request to the next of kin of the alleged victim. This provision applies to any disciplinary proceeding conducted by the institution on or after August 14, 2009 (HEOA amendment).

**Fire Safety**

TONI&GUY Hairdressing Academy does not house any students on campus and is not required by the Clery Act to disclose fire information.

**Safety**

The TONI&GUY Hairdressing Academy is monitored by 24-hour surveillance cameras.

**Security Education**

Before a student enrolls, all the information regarding crime statistics are given to the prospective student before they sign their contract. The Academy conducts orientation sessions for all new students. The orientation program includes information regarding issues of personal security and emergency response protocol. TONI&GUY Hairdressing Academy does not offer a crime prevention program.

**Off-Campus Student Activities**

When TONI&GUY Hairdressing Academy students are meeting off-campus, they are held to the same policies and regulations of reporting all crimes and offenses. There are no buildings or properties owned or controlled by the Academy's student organizations which are recognized by the Academy.

## DRUG AND ALCOHOL ABUSE PREVENTION PROGRAM

### Drug Offenses Related to TITLE IV Aid

	Possession of illegal drugs	Sale of illegal drugs
1 <sup>st</sup> Offense	1 year from date of conviction	2 years from date of conviction
2 <sup>nd</sup> Offense	2 years from date of conviction	Indefinite period
3 <sup>rd</sup> plus Offense	Indefinite period	Indefinite period

The student can gain eligibility the day after the period of ineligibility ends or when the student has successfully completed a drug rehabilitation program. If the student has further drug convictions, the student will become ineligible again. Students who have been denied ineligibility for an indefinite period of time can regain eligibility only after successfully completing a rehabilitation program or if the conviction was reversed, set aside, or removed from the student's record so that fewer than two convictions for the sale of illegal drugs or three convictions for possession remain on the student's record. The nature and dates of the remaining convictions will determine when the student can regain eligibility. The student is responsible to self-certify successful completion of a drug rehabilitation program. If The Academy receives conflicting documentation, the Academy will confirm reported information.

When the student regains eligibility, the student may be awarded Pell for the payment period of the award year the student is currently enrolled in. The student will be eligible for Stafford loans for the period of enrollment.

#### Standards for Qualified Drug Rehabilitation Program

Must include two unannounced drug tests and must satisfy one of the following:

- Be qualified to receive funds from federal, state, or local government programs
- Be qualified to receive funds from federal or state licensed insurance company
- The program must be administered or recognized by a federal, state, or local government agency, licensed hospital, health clinic or medical doctor

All students who will need to enter a drug rehabilitation program will be counseled by the Academy of the above requirements. If the Academy has any doubt that the drug rehabilitation program does not meet these requirements, the Academy will confirm qualifications of the program prior to disbursing Title IV.

#### Academy Drug and Alcohol Policy

Based on the Drug Free Academies and Communities Act Amendments of 1989 (Public Law 101-226), and to express this Academy's commitment to prevent drugs and alcohol abuse in the Academy environment, the Academy has adopted the following Drug and Alcohol Abuse Prevention Policy, which applies to all students and employees.

It is the policy of **TONI&GUY Hairdressing Academy** to prohibit the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in or on any property owned or controlled by the Academy. We are committed to providing a campus environment free of alcohol abuse and illegal use of

alcohol and drugs. To strengthen that commitment, the Academy has adopted and implanted a program that seeks to prevent the abuse of alcohol and drugs by the Academy, which includes its employees and students.

The policy contains the following sections: Standards of Conduct; Academy Sanctions; Applicable Legal Sanctions; Health Risks Associated with the Use of Illicit Drugs and the Abuse of Alcohol; Available Drugs and Alcohol Counseling, Treatment, and Rehabilitation.

### **I. Standards of Conduct**

The unlawful manufacture, dispensation, possession or use of a controlled substance (drugs) and the unlawful possession, use, or both, of alcohol, are prohibited in and on property owned or controlled by this Academy. No employee or student is to report to work, attend class, or participate in any Academy activity while under the influence of illegal drugs or alcohol. The possession and use of alcoholic beverages by employees, students, and guests of the Academy are at all times subject to applicable state alcoholic beverage laws, as well as city ordinances within our service area, and the Academy's policy.

### **II. Academy Sanctions**

Violation of the policy and laws referenced above by an employee or student will be grounds for disciplinary action up to and including termination or expulsion in accordance with applicable Academy policies. Violators may be consistent with local, state, and federal criminal laws. Disciplinary action taken against a student or employee of this Academy does not preclude the possibility of criminal charges being filed against that individual. The filing of criminal charges similarly does not preclude disciplinary action by the Academy. Students or employees who believe disciplinary action was taken in error should follow the grievance procedures outlined in the student or employee handbook as appropriate.

### **Federal Drug-Free Workplace Act Requirements**

The following is required of the **TONI&GUY** Hairdressing Academy and its employees and students:

An employee or student shall notify his or her supervisor or other appropriate management representative of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

The Academy shall notify any federal contracting agency within ten (10) days of having received notice that an employee or student who was engaged in the performance of such a contract or grant, has had a criminal drug statute conviction for a violation occurring in the work place.

The Academy will take appropriate personnel action against any employee or student who is convicted for a violation occurring in the workplace and will require the satisfactory participation of the employee or student in a drug abuse assistance or rehabilitation program if they remain an employee or student.

### **III. Applicable Legal Sanctions**

#### **Federal Law**

Federal law prohibits the illegal possession, manufacture, or distribution of a controlled substance. The following information, although not complete, provides an overview of federal penalties for first convictions.

**Denial of Federal Benefits (21 U.S.C. #862)**

A federal drug conviction may result in the loss of federal benefits, including Academy loans, grants, scholarships, contracts, and licenses. **Federal drug possession convictions may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions. Federal drug trafficking convictions may result in denial of federal benefits for up to five years for a first conviction.**

**Forfeiture of Personal Property and Real Estate (21 U.S.C. #853)**

Any person convicted of a federal drug offense punishable by imprisonment for more than one year shall forfeit to the United States any property constituting or derived from any proceeds obtained as a result of such violation or any property used to commit or facilitate such violation.

**Federal Drug Possession Penalties (21 U.S.C. #844)**

Federal sanctions for possession of controlled substances range from minimum fines of \$1,000 to \$5,000, and /or imprisonment from up to one year to three years, depending on the number of offenses.

**Federal Drug Trafficking Penalties (21 U.S.C. #841)**

Federal drug trafficking penalties vary and are outlined in the charts below, which are also posted on the Drug Enforcement Administration's website at:

**[https://www.dea.gov/sites/default/files/drug\\_of\\_abuse.pdf#page=30](https://www.dea.gov/sites/default/files/drug_of_abuse.pdf#page=30)**

Chart One

Schedule	Substance/Quantity	Penalty	Substance/Quantity	Penalty
II	Cocaine 500-4999 grams mixture	<p><b>First Offense:</b> Not less than 5 yrs. And not more than 40 yrs. If death or serious bodily injury, not less than 20yrs. Or more than life. Fine of not more than \$5 million if an individual, 25 million if not an individual.</p> <p><b>Second Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 Million if an individual, \$50 million if not an individual.</p>	Cocaine 5 kilograms or more mixture	<p><b>First Offense:</b> Not less than 10 yrs. and not more than life. If death or serious bodily injury, not less than 20yrs. or more than \$10 million if not an individual, \$50 million if not an individual</p> <p><b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual. <b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual \$75 million if not individual</p>
II	Cocaine Base 28-279 grams mixture		Cocaine Base 280 grams or more mixture	
IV	Fentanyl 40-399 grams mixture		Fentanyl 400 gram or more mixture	
I	Fentanyl Analogue 10- 99 grams mixture		Fentanyl Analogue 100 gram or more mixture	
I	Heroin 100-999 grams mixture		Heroin 1 kilogram or more mixture	
I	LSD 1-9 gram mixture		LSD 10grams or more mixture	
II	Methamphetamine 5-49 gram pure or 50- 499 gram mixture		Methamphetamine 50 gram or more pure or 500 grams or more mixture	

Substance/Quantity	Penalty
<p><b>Any Amount of other schedule I &amp; II substances</b></p>	<p><b>First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if not an individual.</b></p> <p><b>Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual</b></p>
<p><b>Any Drug product containing Gamma Hydroxybutyric Acid</b></p>	
<p><b>Flunitrazepam (schedule IV) 1 gram</b></p>	
<p><b>Any amount of other schedule III drugs</b></p>	<p><b>First Offense: Not more than 10 yrs. If death or serious bodily injury, not more than 15 yrs. Fine not more than \$500,000 if an individual. \$2.5million if not an individual.</b></p> <p><b>Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual,</b></p>
<p><b>Any amount of all other schedule IV drugs (other than one gram or more of Flunitrazepam)</b></p>	<p><b>First Offense: Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</b></p> <p><b>Second Offense: Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.</b></p>
<p><b>Any amount of all schedule V Drugs</b></p>	<p><b>First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.</b></p> <p><b>Second Offense: Not more than 4 yrs. Fine not more than \$200.000 if an individual, \$500,000 if not an individual</b></p>

**Chart Two**

<p><b>Federal Trafficking Penalties for Marijuana, Hashish and Hashish Oil, Schedule I Substances</b></p>	
<p><b>Marijuana 1,000 Kilograms or more Marijuana mixture or 1,000 or more marijuana plants</b></p>	<p><b>First Offense: Not less than 10 yrs. or more than life if death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.</b></p> <p><b>Second Offense: Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million other than an individual.</b></p>
<p><b>Marijuana 100 to 999 kilograms marijuana mixture or 100 to 999 marijuana plants</b></p>	<p><b>First Offense: Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs .or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual</b></p> <p><b>Second Offense: Not less than 10yrs. or more than life. If death or bodily injury, life imprisonment. Fine not more than \$8 million if an individual, \$50 million if other than an individual</b></p>
<p><b>Marijuana 50 to 99 kilograms marijuana mixture, 50 to 99 marijuana plants</b></p>	<p><b>First Offense: Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.</b></p> <p><b>Second Offense: Not more than 30 yrs. if death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.</b></p>
<p><b>Hashish More than 10 kilograms</b></p>	
<p><b>Hashish Oil More than 1 kilogram</b></p>	
<p><b>Marijuana Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)  1 to 49 marijuana plants</b></p>	<p><b>First Offense: Not more than 5 yrs. Fine not more than \$250,000, if an individual, \$1 million if other than an individual.</b></p> <p><b>Second Offense: Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than an individual.</b></p>
<p><b>Hashish 10 kilograms or less</b></p>	
<p><b>Hashish Oil kilogram or less</b></p>	



### **State Laws *Offenses and Penalties***

**§ 21-28-4.01 Prohibited acts A – Penalties** – (a) except as authorized by this chapter, it shall be unlawful for any person to manufacture, deliver, or possess with intent to manufacture or deliver a controlled substance.

(2) Any person who is not a drug addicted person, as defined in § 21-28-1.02(18), who violates this subsection with respect to a controlled substance classified in schedule I or II, except the substance classified as marijuana, is guilty of a crime and upon conviction may be imprisoned to a term up to life, or fined not more than five hundred thousand dollars (\$500,000) nor less than ten thousand dollars (\$10,000), or both.

(3) Where the deliverance as prohibited in this subsection shall be the proximate cause of death to the person to whom the controlled substance is delivered, it shall not be a defense that the person delivering the substance was at the time of delivery, a drug addicted person as defined in § 21-28-1.02(18).

(4) Any person, except as provided for in subdivision (2) of this subsection, who violates this subsection with respect to:

(i) A controlled substance classified in schedule I or II, is guilty of a crime and upon conviction may be imprisoned for not more than thirty (30) years, or fined not more than one hundred thousand dollars (\$100,000) nor less than three thousand dollars (\$3,000), or both;

(ii) A controlled substance classified in schedule III or IV, is guilty of a crime and upon conviction may be imprisoned for not more than twenty (20) years, or fined not more than forty thousand dollars (\$40,000), or both; provided, with respect to a controlled substance classified in schedule III(d), upon conviction may be imprisoned for not more than five (5) years, or fined not more than twenty thousand dollars (\$20,000), or both.

(iii) A controlled substance classified in schedule V, is guilty of a crime and upon conviction may be imprisoned for not more than one year, or fined not more than ten thousand dollars (\$10,000), or both.

(b) Except as authorized by this chapter, it is unlawful for any person to create, deliver, or possess with intent to deliver, a counterfeit substance.

(2) Any person who violates this subsection with respect to:

(i) A counterfeit substance classified in schedule I or II, is guilty of a crime and upon conviction may be imprisoned for not more than thirty (30) years, or fined not more than one hundred thousand dollars (\$100,000), or both;

(ii) A counterfeit substance classified in schedule III or IV, is guilty of a crime and upon conviction may be imprisoned for not more than twenty (20) years, or fined not more than forty thousand dollars (\$40,000), or both; provided, with respect to a controlled substance classified in schedule III(d), upon conviction may be imprisoned for not more than five (5) years, or fined not more than twenty thousand dollars (\$20,000) or both.

(iii) A counterfeit substance classified in schedule V, is guilty of a crime and upon conviction may be imprisoned for not more than one year, or fined not more than ten thousand dollars (\$10,000), or both.

(c) It shall be unlawful for any person knowingly or intentionally to possess a controlled substance, unless the substance was obtained directly from or pursuant to a valid prescription or order of a practitioner while acting in the course of his or her professional practice, or except as otherwise authorized by this chapter.

(2) Any person who violates this subsection with respect to:

A controlled substance classified in schedules I, II and III, IV, and V, except the substance classified as marijuana, is guilty of a crime and upon conviction may be imprisoned for not more than three (3) years or fined not less than five hundred dollars (\$500) nor more than five thousand dollars (\$5,000), or both;

More than one ounce (1 oz.) of a controlled substance classified in schedule I as marijuana is guilty of a misdemeanor except for those persons subject to subdivision 21-28-4.01(a)(1) and upon conviction may be imprisoned for not more than one year or fined not less than two hundred dollars (\$200) nor more than five hundred dollars (\$500), or both.

Notwithstanding any public, special or general law to the contrary, the possession of one ounce (1 oz.) or less of marijuana by a person who is eighteen (18) years of age or older and who is not exempted from penalties pursuant to chapter 21-28.6 shall constitute a civil offense, rendering the offender liable to a civil penalty in the amount of one hundred fifty dollars (\$150) and forfeiture of the marijuana, but not to any other form of criminal or civil punishment or disqualification. Notwithstanding any public, special or general law to the contrary, this civil penalty of one hundred fifty dollars (\$150) and forfeiture of the marijuana shall apply if the offense is the first (1st) or second (2nd) violation within the previous eighteen (18) months.

(iv). Notwithstanding any public, special or general law to the contrary, possession of one ounce (1 oz.) or less of marijuana by a person who is under the age of eighteen (18) years and who is not exempted from penalties pursuant to chapter 21-28.6 shall constitute a civil offense, rendering the offender liable to a civil penalty in the amount of one hundred fifty dollars (\$150) and forfeiture of the marijuana; provided the minor offender completes an approved drug awareness program and community service as determined by the court. If the person under the age of eighteen (18) years fails to complete an approved drug awareness program and community service within one year of the offense, the penalty shall be a three hundred dollar (\$300) civil fine and forfeiture of the marijuana, except that if no drug awareness program or community service is available, the penalty shall be a fine of one hundred fifty dollars (\$150) and forfeiture of the marijuana. The parents or legal guardian of any offender under the age of eighteen (18) shall be notified of the offense and the availability of a drug awareness and community service program. The drug awareness program must be approved by the court, but shall, at a minimum, provide four (4) hours of instruction or group discussion, and ten (10) hours of community service. Notwithstanding any other public, special or general law to the contrary, this civil penalty shall apply if the offense is the first (1st) or second (2nd) violation within the previous eighteen (18) months.

(v) Notwithstanding any public, special, or general law to the contrary, a person not exempted from penalties pursuant to chapter 21-28.6 found in possession of one ounce (1 oz.) or less of marijuana is guilty of a misdemeanor and upon conviction may be imprisoned for not more than thirty (30) days or fined not less than two hundred dollars (\$200) nor more than five hundred dollars (\$500), or both, if that person has been previously adjudicated on a violation for possession of less than one ounce (1 oz.) of marijuana under subparagraphs 21-28-4.01(c)(2)(iii) or 21-28-4.01(c)(2)(iv) two (2) times in the eighteen (18) months prior to the third (3rd) offense.

(vi) Any unpaid civil fine issued under subparagraphs 21-28-4.01(c)(2)(iii) or 21-28-4.01(c)(2)(iv) shall double to three hundred dollars (\$300) if not paid within thirty (30) days of the offense. The civil fine shall double again to six hundred dollars (\$600) if it has not been paid within ninety (90) days.

(vii) No person may be arrested for a violation of subparagraphs 21-28-4.01(c)(2)(iii) or 21-28-4.01(c)(2)(iv) except as provided in this subparagraph. Any person in possession of an identification card, license, or other form of identification issued by the state or any state, city or town, or any college or university, who fails to produce the same upon request of a police officer who informs the person that he or she has been found in possession of what appears to the officer to be one ounce (1 oz.) or less of marijuana, or any person without any such forms of identification that fails or refuses to truthfully provide his or her name, address, and date of birth to a police officer who has informed such person that the officer intends to provide such individual with a citation for possession of one ounce (1 oz.) or less of marijuana, may be arrested.

(viii) No violation of subparagraphs 21-28-4.01(c)(2)(iii) or 21-28-4.01(c)(2)(iv) shall be considered a violation of parole or probation.

(ix) Any records collected by any state agency or tribunal that include personally identifiable information about violations of subparagraphs 21-28-4.01(c)(2)(iii) or 21-28-4.01(c)(2)(iv) shall be sealed eighteen (18) months after the payment of said civil fine.

(3) Jurisdiction. Any and all violations of subparagraphs 21-28-4.01(c)(2)(iii) and 21-28-4.01(c)(2)(iv) shall be the exclusive jurisdiction of the Rhode Island traffic tribunal. All money associated with the civil fine issued under subparagraphs 21-28-4.01(c)(2)(iii) or 21-28-4.01(c)(2)(iv) shall be payable to the Rhode Island traffic tribunal. Fifty percent (50%) of all fines collected by the Rhode Island traffic tribunal from civil penalties issued pursuant to subparagraphs 21-28-4.01(c)(2)(iii) or 21-28-4.01(c)(2)(iv) shall be expended on drug awareness and treatment programs for youth.

(4) Additionally, every person convicted or who pleads nolo contendere under paragraph (2)(i) of this subsection or convicted or who pleads nolo contendere a second or subsequent time under paragraph (2)(ii) of this subsection, who is not sentenced to a term of imprisonment to serve for the offense, shall be required to:

(i) Perform, up to one hundred (100) hours of community service;

(ii) Attend and complete a drug counseling and education program as prescribed by the director of the department of mental health, retardation and hospitals and pay the sum of four hundred dollars (\$400) to help defray the costs of this program which shall be deposited as general revenues. Failure to attend may result after hearing by the court in jail sentence up to one year;

(iii) The court shall not suspend any part or all of the imposition of the fee required by this subsection, unless the court finds an inability to pay;

(iv) If the offense involves the use of any automobile to transport the substance or the substance is found within an automobile, then a person convicted or who pleads nolo contendere under paragraphs (2)(i) and (ii) of this subsection shall be subject to a loss of license for a period of six (6) months for a first offense and one year for each offense after this.

(5) All fees assessed and collected pursuant to paragraph (3)(ii) of this subsection shall be deposited as general revenues and shall be collected from the person convicted or who pleads nolo contendere before any other fines authorized by this chapter.

(d) It shall be unlawful for any person to manufacture, distribute, or possess with intent to manufacture or distribute, an imitation controlled substance. Any person who violates this subsection is guilty of a crime, and upon conviction shall be subject to the same term of imprisonment and/or fine as provided by this

chapter for the manufacture or distribution of the controlled substance which the particular imitation controlled substance forming the basis of the prosecution was designed to resemble and/or represented to be; but in no case shall the imprisonment be for more than five (5) years nor the fine for more than twenty thousand dollars (\$20,000).

(e) It shall be unlawful for a practitioner to prescribe, order, distribute, supply, or sell an anabolic steroid or human growth hormone for: (1) enhancing performance in an exercise, sport, or game, or (2) hormonal manipulation intended to increase muscle mass, strength, or weight without a medical necessity. Any person who violates this subsection is guilty of a misdemeanor and upon conviction may be imprisoned for not more than six (6) months or a fine of not more than one thousand dollars (\$1,000), or both.

### **The Health Risks Associated with the Use of Illicit Drugs and the Abuse of Alcohol**

The use or abuse of drugs or alcohol increases the risk of health related, behavioral and social problems.

- Acute health problems related to intoxication or overdose.
- Physical and psychological dependence.
- Heart disease or brain damage.
- Ulcers and cancer.
- Fetal alcohol syndrome, stillbirths, and birth defects.
- Violent behavior towards others.
- Impaired driving resulting in arrests, accidents, injuries and fatalities.
- Disciplinary actions at work
- Loss of employment
- Legal problems including imprisonment.

### **Contact Information for Drug and Alcohol Counseling and Treatment**

There are drug and alcohol counseling, treatment and rehabilitation facilities in our area where advice and treatment are available. The telephone numbers of these facilities may be found on the web by searching Drug Abuse and Addiction Treatment, or by going to [www.findtreatment.samhsa.gov](http://www.findtreatment.samhsa.gov).

For example:

- |   |                |
|---|----------------|
| ● Drug & Alcohol Treatment Assoc. of RI | 1-401-521-5759 |
| ● Phoenix House Rhode Island            | 1-888-671-9392 |
| ● Ocean State Recovery House            | 1-866-ALC-DRUG |
| ● Narcotics Anonymous of Greater RI     | 1-866-624-3578 |

There are national organizations that can also be contacted for help. The National Hotline for Substance Abuse and Mental Health Services Administration is 1-800-662-HELP. It is available 24 hours a day. The National Alcoholism and Substance Abuse Information Center can be reached at 1-800-784-6776.

Results of the biennial review are available in the Business office.

### **Firearms**

The possession of any firearms, (e.g., pistols, rifles, shotguns, or crossbows) is prohibited. Any person on

campus with a loaded firearm will be prosecuted by local authorities.

## **Timely Warning Policy**

### **What Are Timely Warnings?**

Timely warnings are provided to notify students, faculty, and staff of certain crimes or circumstances that may represent a threat to the campus community and to heighten safety awareness.

### **When Are Timely Warnings Made? What Type of Situations Do They Warn of?**

Decisions to issue a timely warning are made on a case-by-case basis considering the nature of the situation and the danger posed to the campus. They do not represent an emergency situation, only a situation that students and faculty need to be aware of to heighten safety awareness. A warning is only required when a situation occurs on campus or the area defined as public property surrounding the campus. Some examples of timely warnings that might be issued are severe weather alerts such as a tornado, the theft of a vehicle from the campus, or a suspicious person outside the building.

### **Who Makes Them and How?**

A timely warning is made by the Academy director or designee and the students and staff are gathered together and the announcement is made. The police are also notified if the situation warrants it.

## **Emergency Response Policy**

### **Emergency Response Plan**

TONI&GUY Hairdressing Academy is committed to informing the campus of an emergency, disaster, or potential disaster immediately upon determining the nature of the emergency. When a serious incident occurs that causes an immediate threat to the campus, the Academy director or designee will contact the police or fire department depending on the emergency. The first responders to the scene are usually the local police department, the state police and the local fire department. If needed, the Academy would contact the state Emergency Management Agency, which may manage the incident. Depending on the nature of the incident, other departments and other local or federal agencies could also be involved in responding to the incident.

### **How the Students and Staff Are Notified in An Emergency**

An announcement is immediately made in the Academy to vacate the building or remain inside depending on the circumstances, or in the case of fire, the fire alarm will sound.

## **Evacuation Procedures**

### **When Alarm Sounds**

All students and faculty must vacate the building immediately.

**Pull Alarm Mounting Locations: *USE ONLY WHEN THERE IS A FIRE IN THE ACADEMY. All fire alarms are clearly marked.***

1. Window next to the front entrance door near the blow dry bar.
2. Wall (on the left) next to both rear emergency exits of the Academy.
3. To the right of the front doors.

## **Emergency Exit Doors**

Once you are aware that evacuation is happening, please proceed to the following exits:

1. The two rear exits of the Academy.
2. The two front exits of the Academy.

## **Meeting Place**

After evacuating the building, employees and students should proceed to the side of the Academy to ensure the safety of everyone.

## **Annual Evacuation Drill**

The evacuation drill occurs annually on a day during the last week of October between the hours of 9:00 and 10:00 am.

## **Fire Extinguishers Locations – All extinguishers are clearly marked**

1. In the front of the Academy (to the right of the exit).
2. In the front of the Academy clinic floor on the right hand side near the window.
3. In the middle of the Academy clinic floor on the left hand side outside the shampoo area.
4. On the wall to the left of the student time clock.
5. In the rear of the Academy, on the wall to the left of both rear exit doors.
6. On the rear wall outside of classroom A.
7. On the wall opposite the blow dry bar, next to the conference room.

## **Active Shooter**

In the event of an active shooter, the Academy will contact law enforcement agencies for their assistance. Practiced procedures may be put into action to alert and protect students, staff and clients. Determine whether school will be closed or remain open. Document all actions taken. Try to remain calm and quickly determine the most reasonable way to protect your life – run, hide or fight. Call 911 as soon as possible.

**If shooter is inside the building:** Depending on circumstances, consideration may be given to exiting the building (either through the front or back doors) as safely and quietly as possible. If evacuation is not possible, try to warn others to take immediate shelter. Proceed to a room that can be locked or barricaded. Turn off lights and silence cell phones. Keep out of sight and take adequate cover/protection. Call 911. Wait until a uniformed police officer provides an “all clear”. Attempts to rescue people should only be attempted if rescue can be accomplished without further endangering the persons inside a secure area.

**If shooter enters your office/classroom:** Try to remain calm. Try not to do anything that will provoke the active shooter. Only as a last resort when it is imminent that your life is in danger, make a personal choice to attempt to negotiate with or overpower the assailant if there is no possibility of escape or hiding. Call 911 if possible. Barricade the room or proceed to a safer location if the active shooter leaves the area.

**If you are outside and encounter an active shooter, you should:** Try to remain calm. Move away from the active shooter or the sounds of gunshots and/or explosions. Look for appropriate locations for cover/protection. Try to warn other staff, students, clients to take immediate shelter. Call 911. Do not allow staff and students to enter or leave the building until proper authorities have determined that it is safe to do so.

## **How Staff is Updated on Policies and Procedures**

Yearly, when crime statistics are distributed to the students and staff, a staff meeting is held with employees to discuss policy, procedures and protocol regarding safety at TONI&GUY Hairdressing Academy. A review of the procedures is explained, as well as reviewing how to be responsible for their own security and the security of others.

## **Sexual Harassment / Violence Against Women Act Policy Statement**

TONI&GUY Hairdressing Academy does not discriminate on the basis of sex in its educational programs. Sexual harassment and sexual violence are considered to be types of sex discrimination. Other acts can also be forms of sex-based discrimination, and are also prohibited whether sexually based or not. These other acts include dating violence, domestic violence, and stalking. TONI&GUY Hairdressing Academy issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking. This policy applies whether those acts occur on or off campus and when it is reported to a Title IX Coordinator. In this context, TONI&GUY Hairdressing Academy prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the academy community.

## **Violence Against Women Act / Sexual Assault Definitions**

There are numerous terms used by TONI&GUY Hairdressing Academy in our policy and procedures. Refer to attached Addendum A – Definitions & Terms.

Consent is defined by Merriam Webster as: 1. To give assent or approval, agree. 2. To be in concord in opinion or sentiment.

In Rhode Island, consent as it relates to sexual assaults is evaluated on several factors. Victims cannot give consent if: Victim under 16; victim incapacity (victim is mentally incapable— a mental disease or defect makes the victim incapable of understanding the nature of his/her conduct); mentally incapacitated—(victim is temporarily incapable of appraising or controlling his/her conduct due to the influence of a narcotic, anesthetic or other substance administered without consent or due to any other act committed upon the victim without consent); and/or physically helpless (victim is unconscious, asleep, or for any other reason physically unable to communicate unwillingness to act); assailant uses force or coercion.

**Sexual Assault:** Means an offense classified as a forcible or non-forcible sex offense under the Uniform Crime Reporting System of the Federal Bureau of Investigation.

In Rhode Island, Criminal Sexual Assaults are defined as: sexual penetration or sexual contact with a person without their consent, or with someone who is incapable of giving consent.

**Rape:** The carnal knowledge of a person, forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

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

**Domestic Violence:** Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or has cohabitated with the victim as a spouse, or by any 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 Rhode Island, Domestic Violence means the occurrence of any of the following acts by a person that is not an act of self-defense: Causing or attempting to cause physical or mental harm to a family or household member, placing a family or household member in fear of physical or mental harm, causing or attempting to cause a family or household member to engage in involuntary sexual activity by force, threat of force, or duress, engaging in activity **toward a family or** household member that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested. Family or household member includes any of the following: spouse or former spouse, an individual with whom the person resides or has resided, an individual with whom the person has or has had a dating relationship, an individual with whom the person is or has engaged in a sexual relationship, an individual to whom the person is related or was formerly related by marriage, an individual with whom the person has a child in common.

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

In Rhode Island, Dating Violence is violence when a person is in a dating relationship with someone. Dating relationship means frequent, intimate associations primarily characterized by the expectation of affectional involvement. Dating relationship does not include a casual relationship or an ordinary fraternization between 2 individuals in a business or social context.

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

In Rhode Island, Stalking means a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

### **Violence Against Women Act / Sexual Assault Education and Prevention Programs**

The Academy engages in comprehensive educational programming to prevent domestic violence, dating violence, sexual assault and stalking. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and faculty that:

- a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- b. Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- c. Defines what behavior and actions constitute consent to sexual activity;
- d. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander;
- e. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks;



- f. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.
- g. The Academy has developed an annual education campaign consisting of presentations that include distribution of educational materials to new students at orientation sessions.. In addition, new employees and faculty receive information and materials during initial employment.

### **Violence Against Women Act / Sexual Assault Procedures for Reporting a Complaint**

The Academy has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of medical, counseling, and support services, and additional remedies to prevent contact between a complainant (also known as victim) and an accused party, such as academic, transportation, and working accommodations, if reasonably available. To file a complaint, students and employees should contact the Title IX coordinator at the school. The Title IX coordinator will provide written notification to victims about options available.

### **Violence Against Women Act / Sexual Assault Evidence Preservation**

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible. Local emergency rooms may provide physical evidence recovery and access to Forensic Nurse Practitioners and Sexual Assault Nurse Practitioners. In Rhode Island, evidence may be collected even if you chose not to make a report to law enforcement. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen where they were assaulted if the offense occurred within the past 96 hours so that evidence necessary to prove criminal activity may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to Academy hearing boards, investigators, or police. Although the Academy strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victims' choice whether or not to make such a report and victims have the right to decline involvement with the police. The Title IX coordinator will assist any victim with notifying local police if they so desire.

### **Violence Against Women Act Reporting Options / Procedures**

If you are a student or employee and have been the victim of domestic violence, dating violence, sexual assault or stalking, you should report the incident promptly to the Title IX Coordinator, Alyson Campbell (located in the Cranston office, 401- 463-3633, [acampbell@tg-ne.com](mailto:acampbell@tg-ne.com)).

The Academy will provide resources to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges to sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigations, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, they nevertheless

should consider speaking with the Title IX coordinator or other law enforcement to preserve evidence in the event that the victim changes their mind at a later date.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the Academy, below are the procedures that the Academy will follow as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report.

**Sexual Assault:** Referred to Title IX Coordinator, preponderance of the evidence standard (more likely than not). The Title IX Coordinator can take a report, refer to medical care, assess short and long term safety needs, assist with contacting local police, referrals for mental health providers, assist with Personal Protection Orders, provide copy of Sexual Misconduct Policy, inform complainant of the outcome, enforce anti-retaliation policy.

**Stalking:** Title IX Coordinator to investigate with the preponderance of the evidence standard (more likely than not). Title IX Coordinator to be involved if it falls under the sexual misconduct policy with a preponderance of the evidence standard. Assess short and long term safety needs, assist with contacting local police, assist with Personal Protection Orders, and provide information on how to preserve evidence.

**Dating Violence:** Title IX Coordinator to investigate with the preponderance of the evidence standard (more likely than not). Title IX Coordinator to be involved if it falls under the sexual misconduct policy with a preponderance of the evidence standard. Assess short and long term safety needs, assist with contacting local police, assist with Personal Protection Orders, and provide information on how to preserve evidence.

**Domestic Violence:** Title IX Coordinator to investigate with the preponderance of the evidence standard (more likely than not). Title IX Coordinator to be involved if it falls under the sexual misconduct policy with a preponderance of the evidence standard. Assess short and long term safety needs, assist with contacting local police, assist with Personal Protection Orders, and provide information on how to preserve evidence.

### **Violence Against Women Act Assistance for Victims: Rights & Options**

Regardless of whether a victim elects to pursue a criminal complaint, the Academy will assist victims of sexual assault, domestic violence, dating violence and stalking. The Academy will provide each victim with a written explanation of their rights. In Rhode Island, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

Sexual Harassment is a violation of Section 703 of Title VII of the Civil Rights Act of 1964 as amended in 1972, (42 U.S.C s2000e, et, Sequa). This is punishable under both federal and state laws.

### **Victim's Bill of Rights**

- (a) Each victim of a criminal offense who makes a timely report of the crime and who cooperates with law enforcement authorities in the investigation and prosecution of the offense shall have the following rights:
- (1) To be notified no less frequently than every three (3) months by law enforcement authorities of the status of the investigation, until the time that the alleged perpetrator is apprehended or the investigation closed. In the case of a criminal offense that results in the victim's death, the law enforcement authorities shall provide notification to a designated family member of the victim;
  - (2) To be notified by law enforcement authorities of the arraignment of the alleged perpetrator before a court empowered to set bail; and to be informed of the release of the alleged perpetrator on bail or personal recognizance;

- (3) To receive protection from harm and threats of harm arising out of the victim's cooperation with law enforcement and prosecution efforts, and to be provided with information as to the means of protection available;
  - (4) To be notified of all court proceedings at which the victim's presence is required in a reasonable amount of time prior to the proceeding, and to be notified of the cancellation of any scheduled court proceeding in sufficient time to prevent an unnecessary appearance at the courthouse;
  - (5) To be provided, whenever feasible, with a secure waiting area during court proceedings that does not require the victim to be in close proximity to the defendant and the family and friends of the defendant;
  - (6) To be informed of the procedure to be followed in order to apply for and receive any witness fee to which the victim is entitled;
  - (7) To be provided with appropriate employer intercession services to ensure that the employer of the victim will cooperate with the criminal justice process in order to minimize the employee's loss of pay and other benefits resulting from court appearances;
  - (8) To have any stolen or other personal property expeditiously returned by law enforcement agencies when no longer needed as evidence;
  - (9) To be informed of financial assistance and other social services available to crime victims and the manner of applying for them. All eligible victims shall be informed of the existence of the criminal injuries compensation fund and the manner of applying for it;
  - (10) To be consulted by the administrator of probation and parole in the course of his or her preparation of the presentence report on felony cases and to have included in that report a statement regarding the impact which the defendant's criminal conduct has had upon the victim;
  - (11) To be afforded the right to address the court prior to sentencing in those cases where the defendant has been adjudicated guilty following a trial;
  - (12) To be informed of the disposition of the case against the alleged offender;
  - (13) To be notified in felony cases whenever the defendant or perpetrator is released from custody at the adult correctional institutions. When release is ordered prior to final conviction, it shall be the responsibility of the governmental entity having final responsibility for the defendant's supervised custody to give notice to the victim. When release is granted by parole, the notice to the victim shall be given by the parole board. In all other cases when release is granted, the notice to the victim shall be given by the department of corrections. Victims who wish to be notified by the department of corrections shall register their names and the addresses they wish the notices to be sent with the department of corrections. Department of corrections notification shall also include furlough, transfer out of state, escape and death;
  - (14) To be afforded the opportunity to make a statement, in writing and signed, regarding the impact which the defendant's criminal conduct had upon the victim. The statement shall be inserted into the case file maintained by the attorney general or prosecutor and shall be presented to the court for its review prior to the acceptance of any plea negotiation. The statement shall be submitted to the parole board for inclusion in its records regarding the defendant's conduct against the victim; and
  - (15) To be informed by the prosecuting officer of the right to request that restitution be an element of the final disposition of a case.
- (b) The rights afforded to the victim of a crime by this section shall be afforded as well to the immediate families of homicide victims.
- (c) Unless otherwise specified, in felony cases it shall be the responsibility of the attorney general and the victims' services unit as described in § 12-28-9 to make certain that the victim receives the notification that is required by this section. In misdemeanor cases, it shall be the responsibility of the law enforcement agency making the arrest and of the victims' service unit as described in § 12-28-9 to make certain that the victim receives the notification that is required by this section.
- (from <http://webserver.rilin.state.ri.us/Statutes/Title12/12-28/12-28-3.HTM>)

### **Personal Protection Order Compliance**

Further, TONI&GUY Hairdressing Academy complies with Rhode Island Law in recognizing Personal Protection Orders. Any person who obtains a Personal Protection Order from Rhode Island or any reciprocal

state should provide a copy to the Title IX Coordinator. A complainant may then meet with the Title IX Coordinator to develop a safety action plan, which is a plan for the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or other academic arrangements. Personal Protection Orders may be available through the local circuit court.

To the extent of the victims' cooperation and consent, Academy offices will work cooperatively to provide reasonable assistance so that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal Academy investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic or working situations in addition to counseling, health services, and assistance in notifying local law enforcement. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant.

### **Violence Against Women Act / Sexual Assault Adjudication of Violations**

Whether or not criminal charges are filed, the Academy or a person may file a complaint under the sexual harassment policy alleging that a student or employee violated the Academy policy on sexual harassment. Reports of all domestic violence, dating violence, sexual assault, and stalking made to the Title IX Coordinator will automatically be investigated regardless if the complainant chooses to pursue criminal charges.

The Academy disciplinary process will include a prompt, fair, and impartial investigation and resolution process. Investigators and hearing board members are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking and taught how to conduct an investigation and hearing process that protects the safety of the victim, and promotes accountability. The policy provides:

The accuser and accused student each have the opportunity to attend a hearing before a properly trained hearing board.

The accuser and the accused student each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or hearing. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing.

A student conduct decision is based on the preponderance of the evidence standard, i.e. "more likely than not to have occurred" standard. In other words, the conduct process asks: "is it more likely than not that the accused student violated the Academy's student code of conduct?"

The accuser and the accused will be notified simultaneously in writing of the outcome of any disciplinary proceeding, as well as any changes to those results or disciplinary actions prior to the time that such results become final. The anticipated timeline for the decision making will be no more than 10 business days.

The accuser and the accused each have the right to appeal the outcome of the hearing by submitting a letter to the Title IX coordinator with their concerns within five (5) business days and will be notified simultaneously in writing of the final outcome within 10 business days after the appeal is submitted and the appeal results will become final.

### **Violence Against Women Act / Sexual Assault Adjudication Process Hostile Working Environment**

A person alleging sexual assault, domestic violence, dating violence or stalking may also utilize the complaint and investigatory procedures set forth in the Academy's policy against sexual harassment in order to remedy any hostile environment. All conduct proceedings against students and employees, however, will be resolved through the Academy's policies.

When a complainant does not consent to the disclosure of their name or other identifiable information to the alleged perpetrator, the Academy's ability to respond to the complaint may be limited.

### **Violence Against Women Act / Sexual Assault Confidentiality**

The Academy will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law.

### **Violence Against Women Act / Sexual Assault Standard of Proof**

In all cases, investigations that result in a finding of "more likely than not" (preponderance of the evidence standard) that a violation of the policy occurred will lead to the initiation of disciplinary procedures against the accused individual. Academy sanctions including no action, suspension, expulsion, termination of employment, may be imposed upon those determined to have violated this policy. The Academy may implement protective measures following the report of domestic violence, dating violence, sexual assault, and or stalking which may include escorts, special parking arrangements, changing classroom location, other academic arrangements, assisting with personal protection orders, modifying the work environment, and assisting in obtaining outside resources. For students; sexual assaults, domestic violence, dating violence and stalking are violations of the Student Code of Conduct. Students who violate this policy will be subject to discipline up to and including expulsion. Employees who violate this policy will be subject to discipline, up to and including termination of employment. Sexual assault, domestic violence, dating violence and stalking are criminal acts which may also subject the perpetrator to criminal and civil penalties under federal, state and local laws.

### **Violence Against Women act / Sexual Assault Interim Interventions**

The Title IX Coordinator will determine if interim interventions should be implemented, and, if so, take steps to implement those protective measures, as soon as possible. Examples of interim protective measures include, but are not limited to: an order of no contact, adjustment of **course** schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved.

Violations of the Title IX Coordinator's directives and or protective measures will constitute related violations that may lead to additional disciplinary actions. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by TONI&GUY Hairdressing Academy.

You may need the services of an appropriate agency in the community for counseling or other services. Some examples are:

- Sexual Assault Trauma Resource Center                      1-401-421-4100
- RAINN Center (National)    1-800-656-HOPE
- Women's Center of Rhode Island                                      1-401-861-2760

**Sex Offender Information**

The state and local police maintain a record of registered sex offenders. You may also go on the web to [www.paroleboard.ri.gov](http://www.paroleboard.ri.gov).

**Missing Student Procedure**

The Academy does not provide on-campus housing for students; therefore, is not required to establish official notification procedures for a missing student.

**Anti-Retaliation**

TONI&GUY Hairdressing Academy will not retaliate or allow retaliation against any person for filing a good-faith complaint alleging sexual assault or acts of discrimination: or for participating or assisting in good faith in an investigation under this policy. An employee or student who retaliates will be subject to disciplinary action, up to and including termination from TONI&GUY Hairdressing Academy. Any student or employee who feels that he or she has been subject to retaliation in violation of this policy should report the matter immediately to the Title IX Coordinator.

**Crime Statistics**

In accordance with the Jeanne Clery disclosure of Campus Security Policy and Campus Crime Statistics Act, the Academy collects crime statistics as the basis for the Annual Security Report that is made available to students, employees, and applicants for enrollment or employment. The following criminal offenses include any crime statistics that occurred on campus, off campus and the public area during the previous three (3) year period. Any crime statistics that are unfounded by the police department are not included.

Data updated 10/1/2018 for year end 2017

<b>Criminal Offenses</b>	<b>2017</b>			<b>2016</b>			<b>2015</b>		
	On Campus	Off Campus	Public Property	On Campus	Off Campus	Public Property	On Campus	Off Campus	Public Property
<b>Homicide</b>	0	0	0	0	0	0	0	0	0
<b>Negligent Manslaughter</b>	0	0	0	0	0	0	0	0	0
<b>Sex Offenses</b>	0	0	0	0	0	0	0	0	0
<b>Robbery</b>	0	0	0	0	0	0	0	0	0
<b>Aggravated Assault</b>	0	0	0	0	0	0	0	0	0
<b>Burglary</b>	0	0	0	0	0	0	0	0	0
<b>Motor Vehicle Theft</b>	0	0	0	0	0	0	0	0	0
<b>Arson</b>	0	0	0	0	0	0	0	0	0
<b>Domestic Violence</b>	0	0	0	0	0	0	0	0	0
<b>Dating Violence</b>	0	0	0	0	0	0	0	0	0
<b>Stalking</b>	0	0	0	0	0	0	0	0	0
<b>Disciplinary Referrals(R) and Arrests(A):</b>	<b>2017</b>			<b>2016</b>			<b>2015</b>		
	On Campus	Off Campus	Public Property	On Campus	Off Campus	Public Property	On Campus	Off Campus	Public Property
<b>Weapons Violations</b>	R- 0 A- 0	0 0	0 0	R- 0 A- 0	0 0	0 0	R- 0 A- 0	0 0	0 0
<b>Drug Violations</b>	R- 0 A- 0	0 0	0 0	R- 0 A- 0	0 0	0 0	R- 0 A- 0	0 0	0 0
<b>Liquor Law Violations</b>	R- 0 A- 0	0 0	0 0	R- 0 A- 0	0 0	0 0	R- 0 A- 0	0 0	0 0

<b>HATE CRIME STATISTICS</b>
<b>2017 – ZERO</b>
<b>2016 – ZERO</b>
<b>2015 – ZERO</b>

Reportable categories are: race, gender, religion, sexual orientation, gender identity, ethnicity/national origin and disability.

## ADDENDUM A

### Definitions & Terms

1. Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.
2. Sex Offenses: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
  - 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.
  - Fondling – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
  - Incest – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - Statutory Rape – Sexual intercourse with a person who is under the statutory age of consent.
3. Domestic Violence: A felony or misdemeanor crime of violence committed
  - By a current or former spouse or intimate partner of the victim;
  - By a person with whom the victim shares a child in common;
  - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction 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.
4. 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.
  - The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
  - For the purposes of this definition, 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 of domestic violence.
  - Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
5. Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to
  - Fear for the person's safety or the safety of others; or
  - Suffer substantial emotional distress.

For the purposes of this definition:

*Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

*Reasonable person* means a reasonable person under similar circumstances and with similar identities to



the victim.

*Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

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

6. Programs to prevent dating violence, domestic violence, sexual assault, and stalking: Comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:
  - Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and
  - Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels

Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees.

7. 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.
8. 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

9. 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
10. 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.
11. 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.
12. 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 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; and

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; and  
Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

13. Advisor: Any individual who provides the accuser or accused support, guidance, or advise
14. Proceeding: All activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact finding investigations, formal or informal meetings, and hearings.  
  
Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.
15. Result: Any initial; interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution.