

**REVISED SEPTEMBER 29, 2014**

## **BAYSHIRE POLICY STATEMENT ADDRESSING TIMELY WARNINGS**

In the event that an emergency situation arises, either on or off campus, that, in the judgement of the School Owner or administrator, constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning will be issued by verbally addressing students, faculty, and staff on the premises and/or if deemed necessary by phone calls to individual students cells and/or via messages left on home land-lines. A notice will be followed-up at a later date and posted in the clinic instructor’s office on the Crime Alert Bulletin Board for further information and updates. Anyone with information warranting a timely warning should report the circumstances to the School Owner or Manager or Director of Financial Aid & Admissions immediately by phone (989) 894-2431, 894-4923, 894-0392 or in person at 917 Saginaw Street. Any student can also call 911 for assistance in the event of an emergency on or off campus.

## **DISCLOSURE OF CRIME STATISTICS**

### **POLICY FOR REPORTING THE ANNUAL DISCLOSURE OF CRIME STATISTICS**

The Director of Admissions and Financial Aid prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located in the front office of Bayshire Beauty Academy (Financial Aid Office) or by calling 8940392.

Bayshire does not maintain a campus security employee or law enforcement personnel. This report is prepared in cooperation with the local law enforcement agency surrounding our main campus and alternate sites.

Campus crime, arrest and referral statistics include those reported to the local police, designated campus officials (including but not limited to directors, School Owner, Director of Admissions & Financial Aid, School Manager, and Instructors.)

Employees, staff, students, and perspective employees may obtain a partial version of this report in the school’s catalogue which can be obtained from the Financial Aid Office. This report can also be found on the school’s website: [Bayshirebeautyacademy.edu](http://Bayshirebeautyacademy.edu)

## **POLICY STATEMENT ADDRESSING THE REPORTING A CRIMINAL OFFENSES**

### **TO REPORT A CRIME:**

Contact the School Owner, Manager, Financial Aid Director or Instructor at 894-2431 or 894-4923 (non-emergencies), **dial 9-1-1** (emergencies only). Follow-up all emergencies with a call to respective school officials as well for proper notification.

## **POLICY STATEMENT ADDRESSING VOLUNTARY CONFIDENTIAL REPORTING**

### **CONFIDENTIAL REPORTING PROCEDURES**

If you are a victim of a crime and do not want to pursue action within the University System or the Criminal Justice System, you may still want to consider making a confidential report. With your permission, the School Owner or his/her designee can consider making a confidential report. With your permission, the Owner or designee can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the Academy can keep accurate records of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution if they meet the Clary Act criteria.

## **POLICY STATEMENT ADDRESSING LIMITED VOLUNTARY CONFIDENTIAL REPORTING**

### **CRIME REPORTING LIMITED:**

Bayshire Beauty Academy encourages anyone who is the victim or witness to any crime to promptly report the incident to School Officials and to the police when necessary. Because police reports are public records under the state law, these records cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to the Owner or his designee. Confidential reports of crime may also be made to Crime Stoppers.

## **POLICY STATEMENT ADDRESSING ACCESS AND SECURITY**

### **ACCESS POLICY:**

During business hours, the Academy will be open to students, parents, employees, contractors, customers, vendors, guests, and invitees. During non business hours access to all Academy facilities is by key. The Academy does not maintain or own a residence hall or dormitory for students. Key employees who have key for access should never enter the building if door is already unlocked and it appears that no one from the Academy is present. Close door and keep students out until police have walked thru to check for safety and given all clear. Academy maintains security camera's with TV monitoring capability as a deterrent to crime only. Any security concern regarding such issues as landscaping, locks, alarms, lighting, and communications should be reported immediately to School Owner. Staff are advised to monitor for unusual or suspicious people lurking around any outside exits. Any unidentifiable large van or panel truck caught parking next to front door of facility should be reported immediately to School Owner or Manager.

## **POLICY STATEMENT ADDRESSING CAMPUS SECURITY**

### **SECURITY AUTHORITY AND JURISDICTION**

Bayshire Beauty Academy does not maintain or employ any security or campus police officers. No employee has any authority to apprehend and arrest anyone involved in illegal acts on-campus and areas immediately adjacent to the campus. If minor offenses involving school rules and violations of regulations are committed by a student, the Instructors or staff may also refer that student to School Officials for disciplinary action.

Major offenses such as rape, murder, aggravated assault, robbery, auto theft, repeated verbal threats, and arson are referred to the city police are deployed to solve these serious felony crimes. Criminal offenses may be punishable by prosecution. School Officials work very closely with local, state, and federal police agencies.

## **POLICY STATEMENT ADDRESSING SECURITY AWARENESS PROGRAMS**

### **SECURITY AWARENESS PROGRAMS**

During the first class orientation students are provided a pass-out security disclaimer document and provided with safety and security information. Periodically though-out the course of training as deemed necessary by School Owner/Manager sessions maybe provided thru local law enforcement pertaining to certain crimes if their has been a problem or repeated offenses close to campus. Crime Prevention programs and sexual Assault prevention Programs are offered only as needed.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

When time is of the essence, information is communicated by group meetings and/or posted on the Crime Alert Bulletin. The Academy is a small school and cannot afford an internet e-mail alert system or text cell phone system for the staff or students. We must rely on face to face (call to order meetings for dissemination of information to staff and students).

## **POLICY STATEMENT ADDRESSING CRIME PREVENTION PROGRAMS**

### **CRIME PREVENTION PROGRAMS**

The School has purchased a McGruff Crime Prevention Program. The School Owner will as necessary make copies of flyers to pass-out to students when situations occur around campus. Local law enforcement can be called upon to get educated to protect students from theft and sexual assault.

Tip: To enhance personal safety, and especially after an evening class, walk with fellow students to and from campus to parking lot when leaving for the day.

Any student especially High School students should leave before 4PM to move their vehicles from the off-campus parking lot to the public lot located across from the Academy before night fall. The public lot across from the Academy as is the sidewalk out in front is extremely well lighted.

Be a look out. Always look for suspicious people lounging in and around vehicles parked in the parking lot or out in front of the Academy. They may be standing around watching students come and go. Report this unusual activity to the nearest Instructor. Only students should parking or walking around in off-campus parking lot, report all others.

## **POLICY STATEMENT ADDRESSING SEX OFFENDER REGISTRATION**

### **SEXUAL OFFENDER REGISTRATION**

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. You can find more information by contacting local law enforcement or on the world wide web at: [www.MIPSOR.State.Mi.us](http://www.MIPSOR.State.Mi.us) (to obtain a list of registered sex offenders in the State of Michigan.)

## **POLICE STATEMENT ADDRESSING SEX OFFENSES**

### **Sexual Assault Prevention and Response**

The Academy will from time to time offer Sexual Assault & Awareness training as deemed necessary for student prevention reasons.

If you are a victim of a sexual assault at Bayshire, your first priority should be to get to a place of safety. You should then obtain necessary medical treatment. Bayshire strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. **An assault should be reported directly to the School Manager or Owner and by calling local law enforcement at 911.**

Filing a police report will: 1. Ensure that a victim of sexual assault receives the necessary medical treatment and test, at no expense to the victim.

2. Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (**ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam.**)

3. Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

4. Both parties the accused and the accuser shall be counseled if possible & both given the day and possibly the next day off from school, until such time the school can determine what happened and if a crime actually occurred. The School may consult with law enforcement to determine a safe time for when the student(s) may return to school if appropriate, keeping in mind the safety for all students on campus.

## **SAFE SCHOOL : THREATS AGAINST SCHOOLS**

A student may report a threat against a school to the School Owner/Principal/ or Management (989) 894-4923 or 989 909-HAIR or anonymously through the MSP Hot line at 1 800 815 8477 or [www.michigan.gov/safe](http://www.michigan.gov/safe) schools.



## Defining Dating Violence

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Dating violence is a pattern of assaultive and controlling behaviors that one person uses against another in order to gain or maintain power and control in the relationship. The abuser intentionally behaves in ways that cause fear, degradation and humiliation to control the other person. Forms of abuse can be physical, sexual, emotional and psychological.

Victims and abusers come from all social and economic backgrounds, faith communities, and racial and ethnic backgrounds. Abuse also occurs in same-sex relationships. Both females and males can be victims of dating violence, but numerous studies reveal the reality that the majority of victims are females (usually more than 95 percent). Throughout this Web site, victims are often referred to as females and abusers as male. That reference does not change the fact that every survivor -- male or female -- deserves support, options, resources and safety.

Abusers attempt to control their partners in a variety of ways. The following is a list of common controlling behaviors:

**Isolation:** Trying to cut off the victim's relationship with family and friends; using jealousy to justify behavior.

**Emotional:** Humiliating the victim in front of friends or making the victim feel guilty when she confronts the abuser about the abuse.

**Intimidation:** Making the victim fearful by using threatening behavior, abuse of animals, verbal aggression or destruction of property.

**Coercion:** Threatening to find someone else if the dating partner doesn't comply with the abuser's wishes or demands. Threats to harm self or others if the dating partner leaves.

**Physical:** Using or threatening to use physically assaultive behaviors such as hitting, shoving, grabbing, slapping, beating, kicking, etc.

**Sexual:** Touching or forcing the victim to engage in unwanted sexual activity.

At the beginning stages of the dating relationship, these behaviors may not be apparent or the use of them is so subtle that they may be mistaken for the abuser's caring and concern. For example, the abuser may suggest that the couple spend all their time together because when they are apart, they will miss each other. If the victim spends time with other friends, the abuser may appear to be sad or disappointed. As the relationship becomes more involved, the abuser may gradually escalate the use of these behaviors to include severe jealousy, which is not a sign of love as many in our society believe.

### What can you do if you are in an abusive relationship?

- **Create a safety plan. "Carry a cell phone"**
- **Create a buddy system. –Let others know of your situation.**
- **Let your school know if he would show up at school or if you have a PPO**

Sexual Assault and Prevention programs will be conducted periodically through-out the school year as time permits, availability of Instructor, and based on type and last date of class at Bayshire. A student(s) may request at any time a particular class related to this area if there is a interest or concern on campus. Bayshire will contract with the local Bay Area Woman's Center or UnderGround RailRoad, or other for prevention classes.



It is common for teen abusers to use stalking behaviors to monitor their dating partner's activities while still dating or after the partner has tried to end the relationship. Stalking behaviors may not look dangerous to others, but they are intended to be threats to the partner to stay in the relationship and remain under the control of the abuser. One example of this would be if the abuser sends flowers or gifts to the partner with a carefully worded apology designed to coerce her to not leave the relationship.

Stalking is illegal in Michigan. The Michigan statute defines stalking as "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" (MCLA 750.411h).

Stalking can take many forms, such as:

- Following or appearing within sight of the targeted victim.
- Approaching or confronting the targeted victim in a public or private place.
- Appearing at the workplace or the home of the targeted victim.
- Entering or remaining on the targeted victim's property.
- Contacting the targeted victim by telephone over and over again.
- Sending repeated mail or email to the targeted victim.
- Using cell phones, computers or surveillance equipment to keep tabs on the targeted victim.
- Using the Internet or other electronic means to stalk someone. This is commonly known as CYBERSTALKING. The stalker may use search engines, bulletin and discussion boards, online forums, chat rooms as well as online communities like My Space, Face book, Friendster and Indy media to stalk the victim, sometimes without the victim even knowing it. Learn more about cyber stalking by visiting [Feel Safe Again, Inc - Cyber stalking](#) and [Working to Halt Online Abuse Kid/Teen Division](#).

## What to do if you are Being Stalked?

-Report harassing/uninvited contact to your local police Department and School Administrators. Plan for your safety. Tell co-workers and neighbors what's going on.

Teach your children how to call 911. Consult the Bay Area Women's Center for more info. Keep a log of all harassing incidents. Include time, place and description, as well as any eye witnesses. Get a Personal Protection Order (PPO). A PPO is an order from the Court to the stalker that prohibits certain activity. If the Stalker violates the order he/she could be sentenced up to 90 days in jail and/or pay a \$500. fine.



## What is Sexual Assault

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Sexual assault (often known as rape) is forcing or coercing an individual to engage in any non-consensual sexual contact or sexual penetration. In Michigan, the law regarding sexual assault is called the Criminal Sexual Conduct Act. It is gender neutral and includes marital, stranger, date, acquaintance, and child sexual assault.

There are four degrees of criminal sexual conduct. First and third degrees involve forced or coerced penetration. This can involve vaginal, anal or oral intercourse, or putting a finger or object in another person's genital or anal opening.

The second and fourth degrees involve forced or coerced sexual contact. This includes touching the groin, genital area, inner thighs, buttocks, breasts or the clothing covering these parts.

How serious the crime is considered by the prosecutor depends on a number of factors such as: more than one assailant, a weapon, and a physical injury other than sexual assault, extortion or the element of surprise. The charges of criminal sexual assault are viewed as more serious if the victim is under 13 years of age, from 13-15 years of the age and the assailant is a member of the family or in a position of authority over the victim, such as a teacher, counselor, clergy or doctor.

Criminal sexual conduct does not require a witness other than the victim. It is also a crime if the assailant is your dating partner or spouse.

If you or someone you know has been a victim of a sexual assault or a domestic violence crime you may seek to contact the following resources which are available to help:

National Sexual Assault Hotline 1 800 656 4673

Love is Respect 1 800 331 9474  
Text "Campus" to 22522

National Domestic Violence 1 800 7997233

Rape, Abuse & Incest National 1 800 656 4673 ([www.rainn.org](http://www.rainn.org))

National Sexual Violence Resource Ctr. 1 877 7393895 ([www.nsvrc.org](http://www.nsvrc.org))

National Teen Dating Abuse Helpline 1 866 331 9474

National Center for Victims of Crime Stalking Resource Center 1 800 3942295  
([ncvc.org](http://ncvc.org))

**Bay Area Women's Center Shelter 989 686-4551 (local)**

**City Rescue Mission of Saginaw 989 752-6051 (local)**

**Sexual Assault Center CFS- Saginaw 790-9118 (local)**

**Underground Railroad- Saginaw 399-8385 (local)**

National Suicide Prevention 1 800 273 8255

Michigan Coalition Against Domestic & Sexual Violence 1 517 347-7000

Michigan Resource Center on Domestic & Sexual " 1 517 381-8470



### **Domestic Violence Sexual Assault Policy:**

It will be the policy of Bayshire Beauty Academy to forbid a hostile educational environment based on sexual misconduct either by its' students, employees, customers, or 3<sup>rd</sup> party vendors and suppliers. Bayshire will not tolerate sexual discrimination or misconduct. Students are not allowed to engage in sexual activities while on school property, which might include but not be limited to domestic violence, dating violence, stalking, or sexual assault. The definition of sexual consent should recognize that consent is a voluntary agreement to engage in sexual activity; someone who is incapacitated cannot consent; past consent does not imply future consent; silence or an absence of resistance does not imply consent; consent to engage in sexual behavior with one person does not imply consent to engage in sexual activity with another; consent be withdrawn at anytime; and coercion, force, or threat of either invalidates consent. Any student which brings forth an allegation of such occurrence will be investigated by Management. The School Owner, Manager, or Financial Aid Director, can decide if the police should be included for further investigation and/or prosecution. If the student is uncomfortable by a sexual crime he/or she may also take it upon themselves to call the local police at ( 911) and report the crime without requesting the school to do so, especially if a student feels threatened at any time.

The alleged victim may request that this crime be kept confidential to prevent any further attacks or hostility and/or request that the police are not notified. The student would than be asking that an internal investigation be conducted by the school. The student may request that disciplinary action not be taken for fear of future repercussions, but, just want the school to know of the incident. The Management of the School will decide the best course of action to take and if the alleged perpetrator requires immediate suspension or discipline or if the school must contact the police anyway to protect the welfare of other students or the school. It may not always be an option for the school to keep such an event confidential in order to protect the safety of others in attendance. Student victim and management can discuss their safety as well as the safety of others at or after the time the event occurred on School property to determine if confidentiality is the method of filing the complaint. If confidentiality is the method of filing a complaint than employees of the school must be sure to keep complaint confidential from other students, but, may refer to an event/incidence that may have occurred to warn others, but, not refer by students name as to who the victim was of the crime. If a sexual assault or domestic violence crime occurs and the crime being committed is of a violent nature and student or employee is in immediate danger than of course when in doubt or when obtaining student (victim's consent) is not possible anyone can call (911) to report the incident. The Financial Aid Director may be at liberty to temporarily put student (victim) on leave of absence if necessary to prevent loss of schooling or financial aid, in accordance with LOA policy. The school should report back to student within 24 hours of an alleged incident with a response of what the current course of action will be implemented. If a student-victim continues to get retaliation, retribution, or on-going intimidation by the perpetrator and or others the school shall seek to follow standard disciplinary action of 1, 3, 5, 10, 30 days off for temporary suspension of those involved for correction of behaviors. The School promises no retaliation by the School on the part of the student filing the complaint and would encourage any student to file such a complaint when deemed necessary to do so.

For any situation which would be severe enough to require a (SART) Sexual Assault Response Team the victim would be escorted by an Instructor to our local hospital and law enforcement would be notified, since the school does not have that capability.

## **Education and Prevention Programs:**

Bayshire will provide appropriate programming to promote the awareness of sexual misconduct for all employees and students on an ongoing basis (semi-annually). This program will include information regarding safe and positive options for bystander intervention and information on risk reduction.

We are committed to offering educational programs to promote awareness and prevention of Prohibited conduct. Educational programs include an overview of the school's policies and procedures; relevant definitions, including prohibited conduct; discussion of the impact of alcohol and illegal drug use; consent; safe and positive options for bystander intervention; review of resources and reporting options available for students, faculty, and staff; and information about risk reduction. Incoming students and new employees will receive primary prevention and awareness programming as part of their orientation. The Title IX Coordinator maintains an education and prevention calendar and tailors programming to campus needs and climate.

As part of Bayshires' commitment to provide an educational and work environment free from Prohibited conduct, this Policy will be disseminated widely to the school community through publications, website, new employee orientation, student orientations, and other appropriate channels of communications as deemed necessary by School Administrators and staff. School Director or designated Title IX Coordinator or other staff will participate in some form of annual training so that they know how to approach students about sensitive issues that may arise in the context of sexual misconduct.

## **Bystander Intervention:**

Bayshires' primary prevention and awareness program includes a description of safe and positive options for bystander intervention. Active bystanders take the initiative to help someone who may be targeted for a sexual assault. They do this in ways that are intended to avoid verbal or physical conflict. Active bystanders also take the initiative to help friends, who are not thinking clearly, from becoming offenders of crime. Intervention does not mean that you directly intervene to stop a crime in progress; rather, these steps are "early intervention"-before a crime begins to occur. There are three (3) important components to consider before taking action that we refer to as the ABC's:

**Assess for Safety:** Ensure that all parties are safe, and whether the situation requires calling 911. When deciding to intervene, your personal safety should be the #1 priority. When in doubt call for help.

**Be with Others:** If it is safe to intervene, you are likely to have a greater influence on the parties involved when you work together with someone or several people. Your safety is increased when you stay with a group of friends that you know well.

**Care for the Person:** Ask if the target of the unwanted sexual advance/attention/behavior is okay-does he or she need medical care? Ask if someone they trust can help them get safely home. Information on Bystander Intervention was provided by the Department of Defense Sexual Assault Prevention & Response Office from: [www.sapr.mil](http://www.sapr.mil)

### **Risk Reduction:**

#### **AVOIDING DANGEROUS SITUATIONS:**

- Be aware of your surroundings. Knowing where you are and who is around you may help you find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with a purpose. Even if you don't know act like you do.
- Trust your instincts. If a situation or location feels unsafe. It probably is.
- Do not load yourself down with packages or bags as this makes you vulnerable.
- Make sure your cell phone with you fully charged and you have cash money.
- Don't allow yourself to be isolated with someone you don't know or trust.
- Avoid putting music headphones in both ears so that you can be more aware.

#### **SAFETY PLANNING: THINGS TO THINK ABOUT:**

- How to get away if there is an emergency. Conscious of exits and escape routes.
- Who can help? Friends and/or family or support centers.
- Where to go? Friends house or relatives house. If situation involves a life partner go to the police or shelter for a domestic situation.
- What to bring? Important documents, birth certificates, I.D, medicines, legal documents, cash, credit card, if any, one night sleep over of clothes, call it tornado backpack.

#### **PROTECTING YOUR FRIENDS:**

Things you can do to help out a friend in need:

- Distract. Create a distraction to get your friend to safety. Simple as joining or redirecting the conversation, suggest to your friend that you leave the party, or ask them to walk you home. Ask question? "Do you want to head to the bathroom with me." Or do you want to grab a pizza or go to another party.
- Step in. If you see someone who looks uncomfortable or is at risk, step in. If you feel safe find a way to de-escalate the situation and separate all parties involved. Don't be shy to ask, "Do you need help or are you uncomfortable?" Enlist others.
- Keep an eye out. If a friend has had too much to drink get them to a safe place.

#### **SOCIAL SITUATIONS:**

- When you attend social gathering. Don't go alone go with a group.
- Trust your instincts. If you feel unsafe go with your gut, and if you see something suspicious call 911.

- Don't ever leave your drink unattended or with someone you just met. If you choose to accept a drink from a person go to the bar to order it.
- Watch out for your friends and vice versa. Know when to get a friend out of place if they seem too intoxicated or acting out of character.
- If you suspect your or a friend has been drugged contact law enforcement now.

**Coordination With Drug Free School Policy:**

Students may be reluctant to report instances of sexual misconduct because they fear being disciplined pursuant to the Bayshire's alcohol or drug policies, if event occurred while student was intoxicated or under the influence or on drugs. The school encourages students to report all instances of sexual misconduct and will take into consideration importance of reporting sexual misconduct in addressing violations of the school's alcohol and drug policy. This means, that whenever possible, Bayshire will respond educationally rather than punitively to student alcohol or drug policy violations associated with reported sexual misconduct.

## **CRIME LOG**

The campus maintains a Crime Log that records, by the date the alleged crime was reported, any crime that occurred on campus, on a non-campus building or property, on public property within the patrol jurisdiction of the campus. The log is located in the main Instructor's Office on the North side wall in plain view. The log would include: date of entry, nature/type of crime/complaint, and general location of crime. Instructor's and staff must make Management aware that a crime occurred.

### **Crime Prevention and Personal Protection Helpful Hints:**

- Do not leave text books, equipment kit items unlocked or unattended even for just a minute to shampoo a customer, as another student could borrow those items without your knowledge. Lockers are located on campus for a reason, use them for all personal items of value such as: wallets and purses, expensive cell phones should not be left laying around. Keep lockers locked at all times.
- Report suspicious individuals both inside and outside of school lurking around sidewalk outside to staff
- At night, always walk in groups of at least two or more. Move your car from school parking lot after 4:30PM, to Saginaw Street public lot located directly across from school if staying late.
- Stay on the main walkway (well lighted) avoid any secluded streets, pathways, or dimly lit alleys.
- Keep your vehicle in good condition and park in lighted areas.
- Always lock your vehicle and secure valuables in trunk out of sight if possible.
- Have your keys in your hand before you reach your vehicle or parking lot.
- Check the interior of your vehicle before entering it.
- If you believe you are being followed, DO NOT DRIVE HOME. Stay on busy streets and drive to the nearest police or law enforcement center.
- Always carry a valid picture I.D. Do not carry large amounts of cash.
- Never bring anything into the school including, but, not limited to clothing that you would not want stolen.
- Be aware of your surroundings at all times, never stare at your cell phone while walking. Always be aware of what is going on around you in all 360 degrees.
- When away from home always let someone know where you are and expected to return.

- Avoid dangerous situations. Trust your feelings if it's uncomfortable than you are probably putting yourself or others in danger.
- Always keep your keys in your possession even when getting car serviced, as keys can be duplicated.
- Report all thefts immediately
- If you observe an individual in an improper restroom, leave immediately and call someone (authorities) to make them aware of the situation.
- When you are in a public place, mall, theatre, etc, always located and identify your exits for a quick emergency escape route.
- Anyone that is not a student should not be lingering around campus parking lot Notify an instructor or staff immediately.
- Any student that has recently been involved in a domestic dispute with someone Should report this occurrence to staff or instructors, especially if a PPO is involved.
- If a student has a client that is stalking them tell staff or instructor.

### **Title IX Coordinator:**

The campus Title 9 coordinator would be the Financial Aid Director and is responsible for monitoring and overseeing each school's compliance with the Title 9 and the prevention of sex harassment, sexual misconduct and discrimination. The campus Title 9 Coordinator is:

- Knowledgeable and trained in Bayshire Beauty Academies' policies and procedures relevant state and federal regulations.
- available to advise any individual, including a complainant, respondent, or third party, about campus and community resources and reporting options.
- available to provide assistance to any school employee regarding how to respond appropriately to a report of Title 9 related prohibited conduct and related retaliation;
- Participates in ensuring the effective implementation of this Policy, including monitoring compliance with all procedural requirements, record keeping, and timeframes; and
- Responsible for overseeing training, prevention, and education efforts and annual reviews of climate and culture.

Inquiries or concerns about Title IX may be referred to the Campus Title IX Coordinator. Her contact information is: 989 894-0392 or [Bayshire@speednetllc.com](mailto:Bayshire@speednetllc.com)

The Title IX Coordinator will not pressure a victim to request confidentiality, but will honor and support the victim's wishes, including Bayshire Beauty Academy to fully investigate an incident. By the same token, the Title IX Coordinator will not pressure a victim to make a full report if the victim is not ready to do so.

### **Requesting Confidentiality: How the School Will Access the Request & Respond**

If a victim discloses an incident to the Title IX Coordinator but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, Bayshire Beauty Academy must weigh that request against the School's obligation to provide a safe, non-discriminatory environment for all students and staff, including the victim as well. **If Bayshire honors the request for confidentiality, a victim must understand that the school's ability to meaningfully investigate the incident and pursue disciplinary action against the**

**alleged perpetrator(s) may be limited.** That is confidentiality may not prevail in the event management decides to discipline the perpetrator to ensure the safety of the rest of the students and staff in order to maintain a safe environment. Although it may be rare, there are times potentially when Bayshire may not be able to honor a victim's request in order to provide a safe, non-discriminatory environment for all students. The Title IX Coordinator will evaluate the requests for confidentiality. When weighing a victim's request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator will consider a range of factors, including the following:

- The increased risk that the alleged perpetrator will commit additional acts of sexual misconduct or other violence, such as:
- Whether there have been other sexual misconduct complaints about the same alleged perpetrator;
- Whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence;
- Whether the alleged perpetrator threatened further sexual misconduct or other violence against the victim or others;
- Whether the sexual misconduct was committed by multiple perpetrator(s);
- Whether the sexual misconduct was perpetrated with a weapon;
- Whether the victim is a minor or High School student;
- Whether Bayshire possesses other means to obtain relevant evidence of the sexual misconduct (e.g. security cameras or personnel, witnesses, physical evidence);
- Whether the victim's report reveals a pattern of perpetration (e.g. vial illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead Bayshire to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the school will likely respect the victim's request for confidentiality. If Bayshire determines that it cannot maintain a victim's confidentiality, the school will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the school's response. Bayshire will remain ever mindful of the victim's well-being, and take ongoing steps to protect the victim, whether by students or school employees, will not be tolerated.

Bayshire will also:

- Assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance;
- Provide other security and support, which could include issuing a no-contact order, helping arrange a change of course schedules (including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests; and
- Inform the victim of the right to report a crime to local law enforcement-and the victim with assistance if the victim wishes to do so.

Bayshire may not require a victim to participate in any investigation or disciplinary proceeding.

Bayshire is under a continuing obligation to address the issue of sexual violence campus-wide. Reports of sexual violence (including non-identifying reports) will also prompt the school to consider broader remedial action-such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revisiting its policies and practices.

**Off-campus Counselors and Advocates.** Off campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with Bayshire unless the victim requests the disclosure and signs a consent or waiver form. Contact information for these off-campus resources can be found in this policy.

**Investigation Procedures and Protocols:**

**The Title IX Coordinator** shall oversee the Institution's investigation, response to, and resolution of all reports of prohibited sexual misconduct, and of related retaliation, involving students, faculty, and staff. The Title IX Coordinator will designate a specially trained investigator (or team of investigators) to interview the complainant, respondent and any witnesses. The investigator will also gather pertinent documentary materials (if any) and other information.

**Notice of Investigation:**

The Title IX Coordinator will inform the complainant before starting an investigation. The complainant may request that an investigation not be undertaken. The Title IX Coordinator will consider such a request in light of Bayshire's commitment to provide a safe and non-discriminatory environment for all students. If the Title IX Coordinator determines not to investigate, she will notify the complainant in writing, including the determination was made at the complainant's request. At the complainant's request, the Title IX Coordinator will also notify the respondent in writing, including that the complainant asked Bayshire not to investigate.

The investigator will direct the complainant, respondent, witnesses and other interested individuals to preserve any relevant evidence.

If an investigation proceeds, Bayshire will notify the respondent in writing that a report has been filed. The notice will describe the allegations in the report. The complainant and respondent will be given the opportunity to meet separately with the Title IX Coordinator to review the Policy and these Procedures.

**Investigation Process:**

Bayshire's process for responding to, investigating and adjudicating sexual misconduct reports will continue during any law enforcement



proceeding. The investigation after learning that the police department has completed its evidence-gathering and will generally not wait for the conclusion of any related criminal proceeding.

The investigator will interview the complainant, respondent and any witnesses. They will also gather pertinent documentary materials (if any) and other information.

### **Investigation Report:**

The investigator will prepare a report detailing the relevant content from the interviews and the documentation gathered. The report will include the assessment of individual credibility and recommended findings of responsibility.

The respondent and complainant will each have the opportunity to review a copy of the investigative report and any other information that will be used during the disciplinary proceedings. The names and other identifying information of other students will be redacted from such materials in accordance with the Family Education Rights and Privacy Act (FERPA), except to the extent that doing so would interfere with the purpose of Title IX to eliminate sex-based discrimination. The Title IX Coordinator will supervise this review and ensure that reasonable time is afforded for review prior to the hearing.

### **Time Frame for Investigation:**

Consistent with the goal to maximize educational opportunities and minimize the disruptive nature of the Investigation and resolution, the Title IX Coordinator seeks to resolve all reports in a timely manner. In general, an investigation may last up to 30 days, from receipt of written notice from the complainant of the intent to proceed with an investigation. Adjudication will generally take up to 30 days from the date the investigative report is provided to both the complainant and the respondent. The Title IX Coordinator may set reasonable time frames for required actions under the Policy. Those time frames may be extended for good cause as necessary to ensure the integrity and completeness of the investigation, comply with a request by external law enforcement, accommodate the availability of witnesses, accommodate delays by the parties, account for school breaks or vacation, or address other legitimate reasons, including the complexity of the investigation (including the number of witnesses and volume of information provided by the parties) and the severity and extent of the alleged conduct. Any extension of the timeframes, and the reason for the extension, will be shared with the parties in writing. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.

Where necessary, Bayshire will take immediate steps to protect complainants pending the final outcome of an investigation, including academic accommodations and other interim measures. These steps may

include the ability to change class schedules; withdraw from/retake a class without penalty; access academic support such as tutoring; issue no contact orders; and change the alleged perpetrator's class schedule.

**Impact of Victim's Confidentiality Request:**

A victim's request for confidentiality will likely limit Bayshire's ability to investigate a particular matter. The school may take steps to limit the effects of the alleged sexual misconduct and prevent its recurrence without initiating formal action against the alleged perpetrator or revealing the identity of the student complainant. Examples include: providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; providing training and education materials for students and employees; revising and publicizing Bayshire's policies on sexual misconduct; and conducting climate surveys regarding sexual misconduct.

**Voluntary Resolution:**

Voluntary resolution, when selected by the complainant and deemed appropriate by the Title IX Coordinator, is a path designed to eliminate the conduct at issue, prevent its recurrence, and remedy its effects in a manner that meets the expressed preference of the complainant and the safety and welfare of Bayshire's community. Voluntary resolution is not appropriate for all forms of conduct under the Policy.

Bayshire retains the discretion to determine, when selected by the complainant, which cases are appropriate for voluntary resolution. If a complainant requests voluntary resolution, and the Title IX Coordinator concludes that voluntary resolution is appropriate, then the Title IX Coordinator will take appropriate action by imposing remedies designed to maximize the complainant's access to all employment, educational, and extracurricular opportunities and benefits at the School and to eliminate a potential hostile environment. A complainant may request and decide to pursue voluntary resolution at any time. In those cases in which the voluntary resolution involves either the notification to or participation by the respondent, it is the respondent's decision whether to accept voluntary resolution.

Voluntary resolution may include: conducting targeted or broad-based educational programming or training for relevant individuals or groups; providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; facilitating a meeting with the respondent with the complainant present (in cases that do not involve sexual assault); and any other remedy that can be tailored to the involved individuals to achieve the goals of the Policy. In some forms of voluntary resolution, the remedies imposed will focus on supporting the complainant with no participation or involvement by the respondent. In other forms of voluntary resolution, the respondent may agree to participate. Depending

on the type of remedy used, it may be possible for a complainant to maintain anonymity.

Voluntary resolution may also include restorative principles that are designed to allow a respondent to accept responsibility for misconduct and acknowledge harm to the complainant or to Bayshire's community. Restorative models will be used only with the consent of both parties, and a following determination by the Title IX Coordinator that the matter is appropriate for a restorative approach.

Bayshire will not compel a complainant to engage in mediation, to confront directly the respondent or to participate in any form of informal resolution. Mediation, even if voluntary, is never appropriate in sexual misconduct cases and will not be used in such cases. As the Title implies, participation in voluntary resolution is a choice, and either party can request to end this manner of resolution and pursue an investigation and adjudication at any time, including if voluntary resolution is unsuccessful at resolving the report. Similarly, a complainant can request to end an investigation and pursue voluntary resolution. The time frame for completion of voluntary resolution may vary, but, Bayshire will seek to complete the process within 15 days of the complainant's request.

#### **Grievance/Adjudication Procedures:**

If voluntary resolution is not available, Bayshire will convene a hearing panel following the end of the investigation. The hearing panel determines whether the respondent is responsible or not responsible for a violation of the Policy. If the respondent is determined to be responsible, the matter proceeds to the sanctions stage.

The Hearing Panel will generally include the Title IX Coordinator and two additional members who will be individuals associated with Bayshire Academies. These additional hearing panel members may include administrators, officers, lawyers, other campus staff, advisory board members, or other individuals with relevant experience and special training. Panel members may participate remotely so long as the hearing room is equipped with telephone equipment that allows the panel member to hear all the participants and to be heard by all the participants throughout the hearing proceedings. All panelists will receive training from experts in the field at least once a year. In addition, to training on how the adjudicatory process works, the training will include specific instruction about how to approach students about sensitive issues that may arise in the context of sexual misconduct. The complainant and respondent will be informed of the panel's membership before the hearing process begins.

#### **Advisors:**

Both the complainant and respondent are entitled to be accompanied to any meeting or proceeding relating to the allegation of sexual misconduct

by an advisor or support person of their choice, provided the involvement of such advisor or support person does not result in the postponement or delay of such meeting as scheduled.

**Written Submissions:**

Both the complainant and respondent will have the opportunity to submit written responses to the investigation report and other relevant information to the hearing panel. Each of the complainant and respondent will have the opportunity to review any written submissions by the other. The hearing panel may set reasonable parameters for these written submissions. The hearing panel will review the investigation report and written submissions.

**Hearing Procedures:**

The Title IX Coordinator will, whenever possible, give the complainant and respondent at least five days' advance notice of the hearing. The Title IX Coordinator will arrange to hold the hearing at an off-campus location if during normal business hours. The hearing is a closed proceeding, meaning that no one other than the panel members, the School's personnel may be present during the proceeding. The Campus Director will work with the School staff so that any student whose presence is required may participate in the hearing.

In general, hearings will proceed as follows:

- The Title IX Coordinator may set reasonable time limits for any part of the hearing. Each of the complainant and respondent will have the opportunity to present witnesses and other information consistent with the Policy and Procedures. The Panel may determine the relevance of, place restrictions on, or exclude any witnesses or information. When the complainant and respondent are not able to be present for the hearing panel, arrangements will be made for participation via alternate means.
- In cases where either the complainant or respondent opts not to participate in the hearing, the panel may still hear from the other.
- Additional rules of the Hearing include:
- Questioning. Only the panel may ask questions of the complainant and respondent and any witnesses. Both the complainant and respondent will have the opportunity to suggest questions of the other and of witnesses by submitting suggested questions to the panel in writing. The panel may revise or not ask any or all submitted questions.
- Information regarding romantic or sexual History. The Panel will not consider the romantic or sexual history of either the complainant or respondent in cases involving allegations of sexual misconduct, except for testimony offered by one or the other about the complainant's and respondent's shared sexual history that the panel deems relevant. If such information is offered by the complainant or respondent, the other has the right to respond. The

existence of a prior consensual dating or sexual relationship between the complainant and respondent by itself does not support an inference of consent to alleged sexual misconduct.

- **Prior Conduct Violations.** The hearing panel will not consider the respondent's prior conduct violations, unless the investigator provided that information to the hearing panel because the respondent was previously found to be responsible, and the previous incident was substantially similar to the present allegation(s) and/or the information indicates a pattern of behavior by the respondent.

Bayshire Schools will keep an audio recording of the hearing for the use of the panel, for sanctioning, and for the purposes of appeal. The panelists may request a transcript of the recording. Cell phones and recording devices may not be used in the hearing room unless approved by the panel in advance.

### **Panel Determinations/Standard of Proof:**

The panel will use "preponderance of the evidence" as the standard of proof to determine whether a violation of the Policy occurred. Preponderance of the evidence means that a panel must be convinced based on the information it considers that the respondent was more likely than not to have engaged in the conduct at issue in order to find the respondent responsible for violating the Policy. The panel will find a student responsible, or not responsible, based on a majority vote. The panel's decision will include an explanation of the basis for the decision. If the panel finds the respondent responsible, the matter will proceed to the sanction stage.

### **Sanctions and Other Remedies:**

- The Title IX Coordinator, with the advice and counsel of the other hearing panel members, shall be responsible for imposing sanctions are:
  - Fair and appropriate given the facts of the particular case;
  - Consistent with Bayshire's handling of similar cases;
  - Adequate to protect the safety of the campus community; and
  - Reflective of the seriousness of sexual misconduct.

The Title IX Coordinator will consider relevant factors, including if applicable: (1) the specific sexual misconduct at issue (Such as penetration, touching under clothing, touching over clothing, unauthorized recording, etc.) (2) the circumstances accompanying the lack of consent (such as force, threat, coercion, intentional incapacitation, etc.) (3) the respondent's state of mind (intentional, knowing, bias-motivated, reckless, negligent, etc.) (4) the impact of the offense on the complainant; (5) the respondent's prior disciplinary history; (6) the safety of the Bayshire community; and (7) the respondent's conduct during the disciplinary process.

The Title IX Coordinator will render a sanctioning decision within five days following the receipt of the panel's determination. The sanctioning decision will be communicated in writing to the complainant and the respondent.

Bayshire may impose any one or more of the following sanctions on a student determined to have violated the Policy:

- Reprimand/ Warning
- Changing the respondent's Academic Schedule
- Disciplinary Probation
- Restricting Access to Bayshire's facilities or activities.
- Community service
- Issuing a "no contact" order to the respondent or requiring that such an order remain in place.
- Dismissal or restriction from Bayshire's employment
- Suspension (Limited time or indefinite)
- Expulsion

In addition to any other sanction (except where the sanction is expulsion), Bayshire may require any student determined to be responsible for a violation of the Policy to receive appropriate education and/or training related to the sexual misconduct violation at issue. Bayshire may also recommend counseling or other support services for the student.

Whatever the outcome of the hearing process, a complainant may request ongoing or additional accommodations and the Title IX Coordinator will determine whether such measures are appropriate.

Potential accommodations may include:

- Providing an escort for the complainant
- Changing the complainants' academic schedule
- Allowing the complainant to withdraw from or retake a class without penalty
- Providing access to tutoring or other academic support, such as extra time to complete or re-take a class.
  
- Bayshire may also determine that additional measures are appropriate to respond to the effects of the incident on the school community. Additional responses for the benefit of the Bayshire Schools community may include:
  - Increased monitoring, supervision, or security at locations or activities where the misconduct occurred
  - Additional training and educational materials for students and employees.
  - Revision of Bayshire's policies relating to sexual misconduct.

- Climate surveys regarding sexual misconduct.

### **APPEALS:**

Either the respondent or the complainant or both may appeal the determination of the hearing panel and/or the sanctions. Appeals are decided by the President of Bayshire Beauty Academy. The three grounds for appeals are:

1. A procedural error affecting the determine or sanction.
2. New information that was not available at the time of the investigation or hearing and that may change the determination or sanction; and
3. Excessiveness or insufficiency of the sanction.

Disagreement with the finding or sanctions is not, by itself, grounds for appeals.

The appealing student must submit the appeal in writing to the Owner of Bayshire Beauty Academy within five days after receiving the sanctioning notice. If either the complainant or respondent submits an appeal, the Title IX Coordinator will notify the other that an appeal has been filed and the grounds of the appeal. The non-appealing student may submit a written response within five days after the notice of an appeal.

If the Owner concludes that a change in the hearing panel's determination is warranted, the Owner may enter a revised determination, reconvene the panel to reconsider the determination, or return the matter for additional investigation. After consultation with the Title IX Coordinator, the Owner may also change the sanction. If both the complainant and respondent appeal, the appeals will be considered concurrently.

The Owner will notify the complainant and respondent of the final decision in writing. Appeals decisions will be rendered within 15 days after receipt of the written appeal. All appeal decisions are final.

### **Records Disclosure:**

Disciplinary proceedings conducted by Bayshire are subject to the Family Educational Records and Privacy Act (FERPA), a federal law governing the privacy of student information. FERPA generally limits disclosure of student information outside Bayshire without the student's consent, but it does provide for release of student disciplinary information without a student's consent in certain circumstances. Any information gathered in the course of an investigation may be subpoenaed by law enforcement authorities a part of a parallel investigation into the same conduct, or required to be produced through other compulsory legal process.

### **Amendments:**

Bayshire may amend its Sexual Misconduct Policies & Procedures from time to time. Nothing in such policies or procedures shall affect the inherent authority of the school to take such actions as it deems appropriate to further the educational mission or to protect the safety and security of the school community.

## **Drug Free Campus and Workplace Alcohol & Drug Policy:**

Bayshire Beauty Academy is in compliance with the Drug Free Schools and Communities Act of 1989 (Public Law 101-226). All students and employees should refer to the “Drug & Alcohol Prevention information” given to each student at orientation for information concerning the campus policies and individual responsibilities required under the act.

The campus will provide to each student upon enrollment a clear written notice with information on the penalties associated with drug-related offenses. This information is given to each student during orientation. The National Minimum Drinking Age Act of 1984 required all states to raise their minimum purchase and public possession of alcohol to age 21.

## **Standards of Conduct for A Drug Free Campus:**

1. Bayshire, hereafter referred to as “this institution”, has a policy of maintaining a Drug-distribution, dispensing, possession or use of controlled substances (drugs & Alcohol) is prohibited in this Institution’s campus/workplace.
2. In compliance with the **Drug-Free Workplace** act of 1988, this institution’s Campus/workplace consists of the following locations of each individual campus:
  - The entire college/salon facility and its parking lot.
  - Any location used for an off-site school function, i.e., competition, hairshow, graduation, etc.
  - Students & employees must comply with the policy while off-site if they are participating in any activities with or on behalf of this institution in any capacity.
3. Non-compliance with the terms in Paragraph 1 above will result in the following actions being taken by this institution.
  - Notification to the proper law enforcement authorities.
  - Termination of enrollment/employment.
4. All students and employees must read and understand the following statement:
  - I understand that Bayshire Beauty Academies, by participating in Title IV Federal Aid, must establish a policy of a Drug-Free Campus/workplace, and as a student/employee of Bayshire, I must acknowledge and agree to abide by the terms of Paragraph 1. (above)
  - I must notify the School Director/Owner of any criminal drug statue conviction of a violation occurring on the campus/workplace within five calendar days after such conviction.
  - I understand that this institution has established a Drug-Free Awareness Program to inform students and employees about:
    - The dangers of drug abuse in the campus/workplace.
    - This institution’s policy of maintaining a Drug-Free Campus/workplace.
    - Any available drug counseling, rehabilitation, and student/employee assistance programs.



- The penalties that may be imposed upon student/employee for drug abuse violations occurring in the campus/workplace (see paragraph 3 above)

If a student is convicted of any criminal drug activities, enrollment will be Terminated at that time. If convicted of a criminal drug offense resulting from a Violation occurring during the conduct of any activity with Bayshire, the student must report the conviction, in writing, within 5 calendar days of the conviction to the Management of Bayshire Beauty Academy.

## **Drug & Alcohol Awareness**

### **Description of Health Risks Associated with Alcohol**

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgement and coordination required to drive a car safely, increasing the likelihood of an accident. Low-to-moderate doses of alcohol may also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate-to-High doses of alcohol may cause marked impairments to higher mental functions, severely altering a person's ability to learn and remember information. Very high doses may cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicated that children of alcoholic parents are at greater risk of becoming alcoholics than any other youngsters.

### **Sanctions for Violating Drug & Alcohol Laws**

#### **Federal Penalties & Sanctions for Illegal Possession of a Controlled Substance**

- 1<sup>st</sup> Conviction: Up to 1 year imprisonment and fined at least \$1,000. but not more than \$100,000 or both.
- After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years, and fined at least \$2,500. but not more than \$250,000., or both.
- After 2 or more drug convictions: At least 90 days in prison, not to exceed 3 years, and fined at least \$5,000. but not more than \$250,000. or both.
- Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years, and fined up to \$250,000, or both if:
  - 1<sup>st</sup> convictions and amount of crack possessed exceeds 5 grams
  - 2<sup>nd</sup> crack conviction and the amount of crack possessed exceeds 3 grams.
  - 3<sup>rd</sup> or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.
- Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year of imprisonment. (see special sentencing provisions re-crack.)

- Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.
- Civil Fine of up to \$10,000. (pending adoption of final regulations)
- Denial of federal benefits such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense and up to 5 years for second and subsequent offenses.
- Ineligible to receive or purchase a firearm.
- Revocation of certain federal licenses and benefits (e.g. pilot licenses, public housing tenancy, etc) are vested within the authorities of individual federal agencies.

### **Federal Trafficking Penalties for Illegal Distribution of a Controlled Substance**

- Methamphetamine (10-99 gm or 100-199gm mixture)
  - Heroin (100-999 gm mixture)
  - Cocaine/Cocaine Base (500-4,999 gm mixture Cocaine 5-49gm mix)
  - Phencyclidine (PCP) (10-99 gm or 10-999 gm mixture)
  - LSD (1-10gm mixture)
  - Fentanyl/Fentanyl Analogue (40-399gm mix Fentanyl 10-99 gm mix)
  - Marijuana (Mixture containing detectable quantity (100-1,000 kg or 100-999 plants)
    1. First Offense: not less than 5 years; not more than 40 years. If death or serious injury, not less than 20 years; not more than life. Fine of not more than 2 million individual, \$5 million other than individual.
    - Second Offense: Not less than 10 years; not more than life. If death or serious injury, not less than life. Fine of not more than \$4 million individual, \$10 million other than individual.
    - Methamphetamine (100gm or more, or 1 kg or more mix)
    - Heroin (1 kg or more mix)
    - Cocaine (5kg or more mix Cocaine 50 gm or more mix)
    - Phencylidine(PCP) (100 gm or more or 1 KG or more mix)
    - LSD (10gm or more mixture)
    - Fentanyl/Fentanyl Analogue (400 gm or more mix )
    - Marijuana (Mixture containing detectable quantity (1,000 kg or more or 1,000 or more plants)
      - 1 st offense: Not less than 10 years; not more than life. If death or serious injury, not less than 20 years; not more than life. Fine of not more than \$4 million individual, \$10 million other than individual.
      - 2<sup>nd</sup> Offense: Not less than 20 years; not more than life. If death or serious injury, not less than life. Fine of not more than \$8 million individual, \$20 million other than individual.
1. First Offense: Not more than 5 years. Fine of not more than \$250,000 individual, \$1 million other than individual.
  2. Second Offense: Not more than 10 years. Fine of not more than \$500,000 individual, \$2 million other than individual.
    - Marijuana (Less than 50 kg)
    - Hashish/Hashish Oil (Less than 10kg less than 1 kg Hashish oil)

1. First Offense: Not more than 20 years. If death or serious injury, not less than 20 years; not more than life. Fine of no more than \$1 million individual, \$5 million other than individual.
2. Second Offense: Not more than 30 years. If death or serious injury, not less than life. Fine of no more than \$2 million individual, \$10 million if other than individual.

### **State Penalties & Sanctions**

There are legal sanctions under state law for the unlawful possession, use, or distribution of illicit drugs and alcohol. A violation under state law may result in a misdemeanor or felony conviction, depending on the nature of the offense, punishable by imprisonment, payment of fines, confiscation or real and personal property, or a combination of the three.

## Description of Health Risks Associated with Drug Use

DRUGS	PHYSICAL	PSYCHOLOGICAL	POSSIBLE EFFECTS	
	DEPENDENCE	DEPENDENCE		
<b>NARCOTICS</b>				
Heroin	High	High		
Morphine	High	High		
Codeine	Moderate	Moderate	Euphoria	
Hydrocodone	High	High	Drowsiness	
Hydromorphone	High	High	Respiratory	
Oxycodone	High	High	Depression	
Meadadone & LAAM	High	High	Constricted pupils	
Fentanyl & Analogs	High	High	Nausea	
Other Narcotics	High-Low	High-Low		
<b>DEPRESSANTS</b>				
Chloral Hydrate	Moderate	Moderate		
Barbiturates	High-Moderate	High-Moderate	Slurred Speech	
Benzodiazepines	Low	Low	Disorientation	
Glutethimide	High	Moderate	Drunken Behavior	
Other Depressants	Moderate	Moderate	without Odor Alcohol	
<b>STIMULANTS</b>				
Cocaine	Possible	High	Increased Alertness	
Amphetamine	Possible	High	Increased Pulse Rate	
Methamphetamine			& Blood Pressure	
Methylphenidate	Possible	High	Excitation Insomnia	
Other Stimulants	Possible	High	Loss Appetite	
Marijuana	Unknown	Moderate	Euphoria	
Tetrahyroncannabinol	Unknown	Moderate	Relaxed	
Hashish & Oil	Unknown	Unknown	Disorientation	
<b>Hallucinogens</b>				
LSD	None	Unknown		
Mescaline & Peyote	None	Unknown		
Amphetamine Var.	Unknown	Unknown	Illusions	
Phencyclides & Analogs	Unknown	Unknown	Altered time	
Testosterone	unknown	Unknown	Virilization Acne	
<b>Cypionate, Enanthate</b>				
Nandrolone		Testicular Atrophy		
Decanoate	Unknown	Unknown	Gynecomastia	
Phenpropionate	Unknown	Unknown	Aggressive Behavior	
Oxymetholone	Unkown	Unknown	Edema	

## **EMERGENCY PROCEDURES:**

### **Building Emergency Plan**

The building Emergency Plan establishes the procedure for all students and employees in case of an emergency that occurs at Bayshire Beauty Academy. This plan is simple and should be followed by everyone in the building including, staff, students, and clients to ensure the safe evacuation from the premises:

### **Fire or Other Indoor Emergency:**

The following steps must be followed in sequence:

1. Alert students employees and clients that there is a fire or other emergency
2. Anyone can dial 911 immediately, but, Manager or Financial Aid Director should ensure that they are called and make the call if warranted. If time allows describe the nature and location of the fire within the building. State the address and location of the School.
3. Make sure all students, clients and employees evacuate the building safely according to evacuation plan depending on location of person's closest to exits if deemed necessary.
4. If fire is small, use a portable ABC Fire Extinguisher located through designated area's in the building.
5. If the fire is large, and time permits, shut down all electrical equipment & appliances. Close all exterior & interior doors as you exit.
6. Check all rooms including rest rooms to ensure that nobody is hiding from the fire.
7. Notify all other tenants either by phone or by walking over to each location.
8. Upon exiting building move to parking lot across the street for role call procedures. Wait for help to arrive do not let anyone go back into structure.

### **Tornado/Storm or Other Outside Emergency:**

1. Electrical Storm: Manager will decide if electrical equipment should be turned off & unplugged. All persons should stay away from faucets and sinks and plumbing. Avoid contact with any electrical equipment or appliances during the storm. Do not go outside or by front doors to watch the storm.
2. Tornado: Assuming there is sufficient Warning as there is an Air Raid Siren located downtown; again shut off all electrical appliances. Take Shelter immediately in designated shelter area located in supply area, and student lounge. Stay away from all windows or glass which might be broken by debris.

### **Chemical Spill:**

1. Close down all operations and if necessary shelter in if advised to do so. Turn-off lights and electrical appliances. Treat similar to lock-down drill.
2. If advised to evacuate than close down business and dismiss students and staff for the day. Follow evacuation plan for prompt dismissal if necessary. If time permits follow end of day shut down procedures.

#### Terrorist Attack:

1. Follow lock down procedures if advisable unless otherwise notified by authorities to evacuate city immediately. Always be on look out for suspicious large vehicles parked outside front door, when suspicious call authorities to investigate.

#### Definitions for Crimes (As defined by FBI Uniform Crime Report)

1. **CRIMINAL HOMICIDE:** These offenses are separated into two categories: Murder Non-Negligent Manslaughter and Negligent Manslaughter.
  - A) **Murder and Non-Negligent Manslaughter:** The Willful (non-negligent) killing of one human being by another.
  - B) **Negligent Manslaughter:** Killing of another person through gross negligence.
2. **SEXUAL ASSAULT:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.
3. A) **FORCIBLE SEX OFFENSES:** Any sexual act directed against another person, forcibly and/or against consent. There are four types of forcible sex offenses:
  - Forcible 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 consent of the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental incapacity.
  - Forcible Sodomy-Oral or anal sexual intercourse with another person, Forcible and or against the person's will.
    - Sexual Assault With an Object: The use of an object or instrument to unlawfully penetrate, against the person's will including instances where the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental incapacity.
    - Forcible Fondling: The touching of the private 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 or her age or because of his or her temporary or permanent mental incapacity.
3. **NON FORCIBLE SEX OFFENSES:** Unlawful, non-forcible sexual intercourse. There are two (2) types of offenses included in this definition:
  - Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - Statutory Rape-A non-forcible sexual intercourse with a person who is under the statutory age or consent.

4. **CONSENT:** Consent is a voluntary agreement to engage in sexual activity. The absence of “no” is not does not constitute a freely given “yes”. Individuals who consent to sex must be able to understand what they are doing. A person may not be able to give consent if: they are under the age of 16, if they are legally mentally incapable, mentally incapacitated, or physically helpless. This may include impairment due to drug or alcohol use. Someone who is incapacitated cannot consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity. Previous relationships or prior consent does not imply consent to further sexual acts. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. Coercion, force or threat of either invalidates consent.
5. **BYSTANDER INTERVENTION:** The term bystander intervention refers to safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene in situations of potential harm when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the individual. Effective bystander intervention training prepares participants to recognize situations of potential harm, overcome barriers to intervening, identify safe and effective intervention options, and take action.
6. **ROBBERY:** Taking or attempting to take anything of value from the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
7. **AGGRAVATED ASSAULT:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
8. **BURGLARY:** The unlawful entry of a structure to commit a felony or theft.
9. **MOTOR VEHICLE THEFT:** Motor Vehicle Theft includes the theft or attempted theft of a motor vehicle.
10. **ARSON:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft personal property or another, etc.
11. **HATE CRIMES:** A hate crime is a criminal offense committed against a person or property which is motivated in whole or in part by the offenders bias. Bias is a performed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation or ethnicity/national origin.
  - **LARCENY/THEFT:** The unlawful taking, carrying, leading, or riding away of property from the possession, or constructive possession of another.
  - **SIMPLE ASSAULT;** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent

broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

- **INTIMIDATION:** To unlawfully place another person in reasonable fear of bodily harm through subjecting the victim to actual physical attack.
- **DESTRUCTION/DAMAGE/VANDALISM OF PROPERTY:** To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control of it.

#### 12. **LAW VIOLATIONS:**

- **WEAPONS: CARRYING, POSSESING, ETC:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.
- **DRUG ABUSE VIOLATIONS:** The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those in relation to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.
- **LIQUOR LAW VIOLATIONS;** The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

#### 13. **DOMESTIC VIOLENCE:** A felony or misdemeanor crime of violence committed by any of the following individuals:

- A current or former spouse or intimate partner of the victim; or
- A person with whom the victim has a child in common; or
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; or
- A similar situated to a spouse of the victim under the domestic or family laws of the jurisdiction in which the crime of violence occurred; or
- Any other person against an adult or youth victim who is protected under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

#### 14. **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 purpose of 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.

15. **STALKING:** Engaging in a course of conduct directed at a specific person that would cause a reasonable to:

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.
- For the purpose of 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 an action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person'

