



# 2021

**Combined Campus Security Report  
Crime/Fire/Drug Statistics**

**For**

**Springdale, Rogers, Siloam Springs, Fayetteville  
and Fort Smith**

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## **The Clery Act**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, more commonly known as the Clery Act, requires institutions of higher education to distribute to all current and prospective students and employees two types of information: (1) Descriptions of policies related to campus security, and (2) Statistics concerning specific types of crimes. Amendments enacted in 1998 renamed Title II, which is now known as the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act”. The amendments require the disclosure of crimes that are reported to police and campus officials other than police, along with a breakdown of locations of criminal activity to be specified as on-campus, non-campus, residence hall, or public property. The *Clery Annual Security Report* is prepared and distributed by the Campus Security Officer and is the CAHD’s “student right to know” report. An updated hard copy is printed each year in September. Copies are available in the campus admissions office and posted on the bulletin board in the student break room. Persons requesting copies may contact the Campus Security Officer (Renee Ramos) at (479) 986-0775.

## **SCHOOL ACCESS AND SECURITY**

CAREER ACADEMY OF HAIR DESIGN is open to the public on posted business hours. The classroom and training areas are open to staff and students on class schedule times published in the school catalog. In order to protect the safety and welfare of students and staff of CAREER ACADEMY OF HAIR DESIGN, all persons on property under the jurisdiction of CAHD behaving in a suspicious manner will be asked to identify themselves. A person identifies himself/herself by giving his/her name, complete address, and stating truthfully his/her relationship to CAHD. A person may be asked to provide proof of identification which is subject to verification. If any person refuses or fails upon request to present evidence of his/her identification and proof of his/her authorization to be in the building, on the campus or present at a school approved event, or if it is determined that the individual has no legitimate reason to be in the building or on campus, the person will be asked to leave and may be removed from the building or campus.

Persons who behave in a suspicious manner or are involved in suspicious activities should be reported immediately to the school manager or, President, Jim Butenschoen. CAHD opens its doors at 8:00 a.m. Monday- Friday. The doors are locked at 4:30 p.m. Monday-Friday. Students and staff are advised to leave the building in a group and to be aware of the surroundings.

Once a year, CAREER ACADEMY OF HAIR DESIGN has the local Police or a local Citizens Against Crime group come to the institution and talk to students about crime prevention; how to prevent sex offenses, and the procedures to follow when sex offenses occur, along with other safety related issues. Emergency evacuation drills are also conducted once a year to make sure all are aware in case of an emergency.

Over extended breaks (scheduled holidays) all campuses will be locked and secured until next class date.

Students and staff receive this Campus Report at Orientation and are advised that they are responsible for their own security and the security of students and staff during school hours.

## **GENERAL PROCEDURES FOR REPORTING A CRIME OR EMERGENCY**

Career Academy of Hair Design does not have a campus police department. Therefore, should you need to report criminal actions or other emergencies occurring on campus please report this directly to: Jim Butenschoen or School Manager.

- 479-935-4550 Shannon Rhein -- (School Manager) (Fayetteville campus phone)
- 479-986-0775 Emily Kincy -----(School Manager) (Rogers campus phone)
- 479-222-6225 Jaylene Borst --(School Manager) (Fort Smith campus phone)
- 479-238-0440 Rhonda Alderdson -----(School Manager) (Siloam Springs campus phone)
- 479-756-6060 Tammy Sisemore-(School Manager) (Springdale campus phone)
- 501-346-5468 Jim Butenschoen -(School Owner and President) (mobile phone)

### **Fayetteville Police Department**

100 A W Rock St.  
Fayetteville, AR 72707  
Non-Emergency 479-587-3555  
**Emergency 9-1-1**

### **Siloam Springs Police Department**

100 US-412 W  
Siloam Springs, AR 72761  
Non-Emergency 479-524-4118  
**Emergency 9-1-1**

### **Rogers Police Department**

1906 S Dixieland Rd  
Rogers, AR 72756  
Non-Emergency 479-621-1172  
**Emergency 9-1-1**

### **Fort Smith Police Department**

100 S 10<sup>th</sup> St.  
Fort Smith, AR 72901  
Non-Emergency 479-709-5000  
**Emergency 9-1-1**

### **Springdale Police Department**

201 Spring St.  
Springdale, AR 72764  
Non-Emergency 479-751-4542  
**Emergency 9-1-1**

**The Arkansas Crime Victim Rights Law** guarantees the right for victims of crime to prepare and present a Victim Impact Statement. The law also requires the court to consider the victim's statement. Impact statements are presented in the sentencing phase of trials and in Parole Board hearings. (visit: <http://www.acic.org/justice/index.htm> for detailed information).

#### **Accurate and Timely Reporting of Criminal Offenses**

Prompt and accurate reporting of criminal offenses aids in providing a timely response and timely warning notices to the community when appropriate, and assists in compiling accurate crime statistics. At any time if Career Academy of Hair Design deems a threat to our students or staff a timely warning will be issued. Community members, students, faculty, staff, patrons and visitors should report all crimes and public safety related incidents in an accurate and timely manner to the campus manager or school administrator. CAHD will work with local police to resolve any threats.

#### **Reporting of and Notification Regarding Missing Students**

If a member of CAHD has reason to believe that a student is missing, he or she should **immediately** contact a school manager or Jim Butenschoen, President. Should CAHD determine that the student is missing and has been missing for more than 24 hours, CAHD will notify surrounding law enforcement agencies and the student's emergency contact (student has provided on the enrollment form) no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and is not an emancipated individual, CAHD will notify the student's parent or legal guardian immediately after CAHD has determined that the student has been missing for more than 24 hours. CAHD will work with local police to resolve any threats.

#### **Emergency Evacuation**

In the event of an emergency or dangerous situation, CAHD school managers/Jim Butenschoen School owner may direct students, faculty, staff, and patrons to evacuate a building, a portion of the campus, or all campus locations. Certain events, such as a hazardous materials release, may require CAHD and the general public to shelter-in-place to prevent exposure to harmful elements. CAHD will work with local police to resolve any threats and post any emergency information or information to the public at large thru E-mail and CAHD's Facebook. CAHD will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

#### **Communication of a Crime on Campus**

##### **Timely Warnings:**

Timely Warnings/Crime Alerts will be provided to the community in the event of a reported crime, either on campus or off, that, in the judgment of the school manager or Jim Butenschoen, constitutes an ongoing or continuing serious threat to the safety of member of CAHD. The Clery-reportable crimes for which Timely Warnings/ Crime Alerts may be issued, but are not limited to, arson, homicide, burglary, robbery, sex offenses, aggravated assault and motor vehicle theft.

The Timely Warnings/ Crime Alerts are generally distributed to the community via email from CAHD to official CAHD student, staff, and faculty email or text message accounts on file. The school manager or Jim Butenschoen, President will initiate campus wide emails. Updates to the CAHD community about any particular case resulting in the Timely Warning / Crime Alert will normally be distributed via email, text messages or social media. CAHD will work with local police to resolve any threats. An institution is not required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

##### **Daily Crime Log:**

A public log, as required by the Clery Act, is maintained at the administration office in Rogers. This log summarizes reported crimes that have occurred on campus and includes the nature of the crime, the date reported, the date and time of occurrence, the general location of the crime, and the disposition of the complaint, if known. An institution may withhold information required under paragraphs (f)(1) and (2) of this section if there is clear and convincing evidence that the release of the information would **-(A)** Jeopardize an ongoing criminal investigation or the safety of an individual;**(B)** Cause a suspect to flee or evade detection; or**(C)** Result in the destruction of evidence.**(ii)** The institution must disclose any information withheld under paragraph (f)(3)(i) of this section once the adverse effect described in that paragraph is no longer likely to occur.**(4)** An institution may withhold under paragraph (f)(2) and (3) of this section only that information that would cause the adverse effects described in those paragraphs.

### **Notification to the CAHD community of an Immediate Threat**

In the event that an emergency or dangerous situation has been confirmed and it is determined that the situation poses an immediate threat to the health or safety of some or all members of CAHD, some or all of the following forms of communication will be utilized (Intercom/page system, phone calls, email, text messages, FaceBook, Twitter, Instagram and/or 40/29 News to communicate to staff/students. **The school managers or Jim Butenschoen has the responsibility of responding** to, summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, school managers or Jim Butenschoen has the responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the community. If so, Federal Law requires that the institution notify the campus community or the appropriate segments of the community that may be affected by the situation. CAHD will work with local police to resolve any threats.

### **Shelter-in-Place Procedures – What it means to “Shelter-in-Place”**

If an incident occurs and the buildings or areas around you becomes unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to “shelter-in-place” means to make a shelter of the building in which you are located, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside. CAHD will work with local police to resolve any threats.

### **Basic “Shelter-in-Place Guidance**

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, identification, etc.) and follow the posted evacuation and proceed to the nearest exit. Once you have evacuated, report to the designated meeting point on the school grounds. If police, fire department or Federal Agency personnel are on the scene, follow their directions. CAHD will work with local police to resolve any threats.

**How you will know to “Shelter-in-Place”** A shelter-in-place notification will be communicated to CAHD staff/students and patrons. CAHD will work with local police to resolve any threats.

### **How to “Shelter-in-Place”**

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
  - a. An interior room
  - b. Above ground level; and
  - c. Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able.
6. Make a list of people with you and ask someone (CAHD staff/student) to call the list of authorized personnel listed on Catalog page 27.
7. Turn on a radio or TV and listen for further instructions
8. Make yourself comfortable

### **Preparation and Disclosure of Crime Statistics**

The compliance manager is responsible for compiling and publishing the annual security and fire safety report for CAHD. This document is intended to serve as the annual security and fire safety report, as required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The purpose of the report is to provide information about security on campus and community crime statistics, fire statistics and safety information, policy information, safety tips, resource phone numbers and a brief overview of the many services and programs provided by CAHD. A campus make is posted throughout the school. CAHD will work with local police to resolve any threats.

Statistics for this report are compiled from the local police department in the city in which the school is located. The school will not withhold any statistics or not report any statistics unless it is sworn or commissioned by law enforcement. Each year, a written request is sent to all local police authorities requesting statistical information and is reported to all staff and students on an annual basis. The report is provided to each student via School catalog and Hard copy posted

in break room and in orientation. To request a copy of the campus security report, send email to [cahdadmin@beautynwa.com](mailto:cahdadmin@beautynwa.com). All Unfounded crimes withheld will be reported to DOE for the last 3 years.

**CRIME STATISTICS**

In compliance with Public Law 102-26, the following information on campus crimes is reported to you for your review. The following criminal offenses were reported to campus security (if applicable) authorities or local police agencies as having occurred on campus:

<b>Offences</b>	2018	2019	2020	2021
Murder/Non-negligent manslaughter	0	0	0	0
Negligent manslaughter	0	0	0	0
Rape, prior to 8/1/92	0	0	0	0
Incest	0	0	0	0
Fondling	0	0	0	0
Statutory Rape	0	0	0	0
Sexual Offense (non-forcible)	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor vehicle Theft	0	0	0	0
Personal Property Theft	1*	0	0	0
Arson **	0	0	0	0

\*Client did not pay for services – resulting in charges filed against her

\*\*Arson includes only fires that are investigated by law enforcement and determined to be arson

<b>Hate Crimes</b>	2018	2019	2020	2021
Murder/Non-negligent manslaughter	0	0	0	0
Negligent manslaughter	0	0	0	0
Rape, prior to 8/1/92	0	0	0	0
Incest	0	0	0	0
Fondling	0	0	0	0
Statutory Rape	0	0	0	0
Sexual Offense (non-forcible)	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor vehicle Theft	0	0	0	0
Personal Property Theft	1*	0	0	0
Arson **	0	0	0	0
Larceny-Theft	0	0	0	0
Simple Assault	0	0	0	0
Intimidation	0	0	0	0
Destruction/Damage/Vandalism of Property	0	0	0	0
Public ***	0	0	0	0

\*Client did not pay for services – resulting in charges filed against her

\*\*Arson includes only fires that are investigated by law enforcement and determined to be arson.

<b>VAWA Offences</b>	2018	2019	2020	2021
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Stalking	0	0	0	0

<b>Arrests and Referrals for Disciplinary Action</b>	2018	2019	2020	2021
Weapons: Carrying, Possessing, Etc.	0	0	0	0
Drug Abuse Violations	0	0	0	0
Liquor Law Violations	0	0	0	0

\*\*\*Public property means all public property including thoroughfares, streets, sidewalks, and parking facilities that is within the same campus or immediately adjacent to and accessible from the campus, but that are separated from the campus by a fence or other man-made barrier.

**Hierarchy Rule.** A requirement in the FBI's UCR program that, for purposes of reporting crimes in that system, when more than one criminal offense was committed during a single incident, only the most serious offense be counted. An institution must compile the crime statistics for murder and non-negligent manslaughter, negligent manslaughter, rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug law violations, and illegal weapons possession using the definitions of those crimes from the "Summary Reporting System (SRS) User Manual" from the FBI's UCR Program, as provided in Appendix A to this subpart.

Hate crimes are described as ones that manifest evidence of prejudice based on race, religion, sexual orientation or ethnicity, as prescribed by the Hate Crimes Statistics Act (28 U.S.C. 534).

**Definitions of Criminal Offenses:**

**Aggravated assault** is 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. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

**Arson** is 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, etc.

**Burglary** is the unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking, safecracking, and all attempts to commit any of the aforementioned.

**Dating violence** is 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 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.

**Drug law violations** are defined as the violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine, and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (demerol, methadones); and dangerous non-narcotic drugs (barbiturates, benzedrine).

**Hate crimes** are committed against a person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation, ethnicity, or national origin. *Hate crime.* A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability

***Hate crimes must be recorded by category of bias.*** For each hate crime recorded under paragraph (c)(1)(iii) of this section, an institution must identify the category of bias that motivated the crime. For the purposes of this paragraph, the categories of bias include the victim's actual or perceived -

- (i) Race;
- (ii) Gender;
- (iii) Gender identity;
- (iv) Religion;
- (v) Sexual orientation;
- (vi) Ethnicity;
- (vii) National origin;
- and (viii) Disability.

**Liquor law violations** are defined as the violation or laws or ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor,; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforementioned. (Drunkness and driving under the influence are not included in this definition.)

**Motor vehicle theft** is the theft or attempted theft of a motor vehicle.

**Murder and non-negligent manslaughter** is the willful (non-negligent) killing of one person by another.

**Negligent manslaughter** is the killing of another person through gross negligence.

**Robbery** is the 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.

**Sex offenses** are defined as any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape** is 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. This definition includes any gender of victim or perpetrator.
- **Fondling** is the touching of a 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** is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory rape** is non-forcible sexual intercourse with a person who is under the statutory age of consent.

**Stalking** is defined as 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.

**Hate violence** as defined in the statute means "any act of physical intimidation or physical harassment, physical force, or the threat of physical force or physical violence, that is directed against any person or group of persons because of the ethnicity, race, national origin, religion, sex, sexual orientation, disability, or political/religious beliefs of that person or group". Incidents of hate violence should be reported to the school manager or Jim Butenschoen. CAHD does not condone hate violence and is charged with ensuring that the rights guaranteed by the state law and the U.S. Constitution are protected for all people regardless of their ethnicity, race, national origin, religion, sex, sexual orientation, disability, or political/religious beliefs.

#### **Related Definitions:**

**On-Campus:** (1) any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes; and (2) property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person (including parking lots, sidewalks, common areas, and all academic and administrative buildings on the main campus).

**Non-campus:** (1) any building or property owned or controlled by a student organization recognized by the institution; and (2) any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution (includes religious student centers, farm, and all buildings not on the main campus).

#### **GENERAL PROCEDURES FOR REPORTING SEXUAL OFFENSES**

The purpose and authority of CAREER ACADEMY OF HAIR DESIGN staff is limited to the enforcement of campus rules and regulations. Incidents that go beyond this scope are referred to and investigated by the Rogers, Springdale, Siloam Springs and Fayetteville Police Department.

Students are to follow the procedures detailed below if a sex offense occurs:

- Notify:  
Jim Butenschoen or School Manager

(479) 935-4550 Shannon Rhien - School Manager (Fayetteville campus phone)

(479) 986-0775 Emily Kincy – School Manager (Rogers campus phone)

(479) 222-6225 Jaylene Borst – School Manager (Fort Smith campus phone)

(479) 238-0440 Rhonda Alderson – School Manager (Siloam Springs campus phone)

(479) 756-6060 Tammy Sisemore - School Manager (Springdale campus phone)

(501) 346-5468 Jim Butenschoen – School Owner and President (mobile phone)

If requested, the institution will notify the local Police Department. *It is very important that the victim preserve evidence for the proof of a criminal offense.*



**Fayetteville Police Department**  
100 A W Rock St.  
Fayetteville, AR 72707  
Non-Emergency 479-587-3555  
**Emergency 9-1-1**

**Siloam Springs Police Department**  
100 US-412 W  
Siloam Springs, AR 72761  
Non-Emergency 479-524-4118  
**Emergency 9-1-1**

**Rogers Police Department**  
1906 S Dixieland Rd  
Rogers, AR 72756  
Non-Emergency 479-621-1172  
**Emergency 9-1-1**

**Fort Smith Police Department**  
100 S 10<sup>th</sup> St.  
Fort Smith, AR 72901  
Non-Emergency 479-709-5000  
**Emergency 9-1-1**

**Springdale Police Department**  
201 Spring St.  
Springdale, AR 72764  
Non-Emergency 479-751-4542  
**Emergency 9-1-1**

- Although CAREER ACADEMY OF HAIR DESIGN has no on-campus housing we will assist you, if requested, in finding other living situations or in reporting to the appropriate authorities after an alleged sex offense. It is important to preserve any physical evidence, including DNA that may remain for Police. We may assist you in changing your academic program if necessary.
- The institution does not have any on-campus counseling centers. Victims of sexual offenses may contact:

### **Northwest Arkansas Rape Crisis**

Northwest Arkansas Rape Crisis, Inc. is a non-profit agency which focuses on the critical issues of sexual assault by assisting those affected, promoting community awareness and understanding; and serving as a catalyst for social change. They offer many services to the community, primarily in the areas of Victim Services and Education/Prevention. All of their services are provided free of charge, in English and Spanish. They serve the tri-county area of Northwest Arkansas: Benton, Madison and Washington Counties. If you live outside of this area, check the Resources and Links section, or call their office and they can refer you to services in your area.

24-hour Hotline: 479-927-1020 or 1-800-794-4175 visit their website at: <http://nwarapecrisis.com/>

They are located at:

**Northwest Arkansas Rape Crisis, Inc.**  
614 E Emma, Suite 247  
Springdale, AR 72764

Other resources: <http://www.hhscenter.org/sexualassault.html>

Please be advised that the institution does not have any institutional proceedings. All sexual offenses are reported to the local authorities. If the accused is convicted, the institution will, based upon the crime, suspended the offender; require counseling and/or terminate the offender from the institution.

In accordance to the "Campus Sex Crimes Prevention Act" Of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, CAREER ACADEMY OF HAIR DESIGN is providing a link to the Arkansas State Police Sex Offender Registry: SEX OFFENDER REGISTRY: [www.acic.org/Registration/Index.htm](http://www.acic.org/Registration/Index.htm)

### **Disclosures to Victims of Alleged Crimes**

CAHD adheres to disciplinary procedures when students are involved in any violent crime or sex offense.

Pursuant to the Family Educational Rights and Privacy Act (FERPA) a school is permitted to disclose to the harassed student information about the sanction imposed upon a student who was found to have engaged in harassment when the sanction directly relates to the harassed student.

Further, when conduct involves a crime of violence or sex offense, FERPA permits postsecondary institutions to disclose victim, upon written request, the final results of a disciplinary proceeding against the alleged perpetrator, regardless of whether the institution concludes a violation was committed. Additionally, the institution may, upon written request, disclose to anyone—not just the complainant—the final results of a disciplinary proceeding if it determines that the student is an alleged perpetrator of a crime of violence or sex offense, and with respect to the allegation made, the student has committed a violation of the institution's rules or policies. The final results are limited to the name of the

alleged perpetrator, any violation found to have been committed, and any sanction imposed against the perpetrator by CAHD. CAHD may not require a complainant from disclosing this information to others.

If the complainant is deceased as a result of the crime or offense, CAHD will provide the results of the disciplinary hearing to the victim's next of kin, if so requested. The records of deceased students may also be released or disclosed at the request of a parent, personal representative, or other qualified representative of the student's estate, or pursuant to a court order or subpoena.

### **Crime Prevention Tips For Your Personal Safety**

- After dark, avoid unlighted, vacant or deserted areas. If you are being followed or see suspicious activity, move to a lighted building or area and attract the attention of other people. Dial 911.
- Avoid walking alone after dark. Walk with a friend or in a group whenever possible.
- Avoid jogging alone – day or night.
- Never hitch a ride from a stranger.
- Be aware of your surroundings and other people who may be around you.
- Consider carrying a noise-making device (such as a whistle) with you.
- Consider waiting for the next elevator rather than entering an elevator alone with a stranger. Stand away from the elevator door to avoid being pushed inside. If you are assaulted while inside an elevator, hit the ALARM BUTTON and not the emergency stop button.
- Always have your keys in your hand and ready for use when you approach a locked door or vehicle.
- Look around your vehicle and in the back seat before getting inside.
- Drive on well-traveled streets; keep your doors locked. Make it a habit to lock your doors as soon as you get into your vehicle.
- If your vehicle breaks down, stay inside and open your window only slightly. If someone stops to help, stay inside and speak to them through the window—ask them to call for help.
- Where possible, engrave your driver's license or identification number on valuable items.
- 

### **Obscene and Annoying Telephone Calls**

- Hang up as soon as you realize the nature of the call.
- Use caller ID, your answering machine or voice mail to screen calls. Also, use an answering machine or voice mail to record an obscene or annoying caller for possible evidence.
- If you receive repeated calls, keep a log of the time and contents of the call(s). Listen for background noise that might help identify the location from which the call was initiated.
- Call the local police for more assistance.
- 

### **What to Do In the Event You Are Assaulted**

- Although your personal safety is maximized when you take precautions, you may still someday be the victim of a crime. Your reaction can affect whether or not you are physically harmed. You should think NOW about how you might react under a variety of circumstances. Are you prepared to scream and yell? Are you prepared to use physical force to resist?
- If you are faced with an armed criminal, cooperating with his or her demands may minimize the risk of injury. Avoid sudden movements and do what he or she demands.
- If you believe your life is in danger, use any defense you can think of (screaming, kicking, biting, running). Your objective should be to get away.
- If you have been the victim of a sexual assault or rape, sexual misconduct, gender-based violence, acquaintance rape, sexual harassment, stalking, dating violence or domestic violence, some or all of these safety suggestions may guide you after an incident has occurred:
  1. Go to a safe place and speak with someone you trust. Tell this person what happened. If there is any immediate danger, call 911.
  2. Consider securing immediate professional support to assist you in the crisis.
  3. For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible, ideally within 120 hours, is important in the case of sexual assault. The hospital will arrange for a specific medical examination. To preserve evidence, it is recommended that you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate or change clothes before the exam. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care and evidence may still be recoverable. Typically, if police are involved or will be involved, they will obtain evidence from the scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing and any other pertinent articles that may be used for evidence. It is best to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean PAPER bag or clean sheet, to avoid contamination. If you have physical injuries,

photograph or have them photographed, with a date stamp on the photo. Record the names of any witnesses, and their contact information. This information may be helpful to the proof of a crime, to obtain an order of protection or to offer proof of a campus policy violation. Try to memorize details (physical description, names, license plate number, car description,) or even better write notes to remind you of details, if you have time and the ability to do so. If you obtain external orders of protection (e.g. restraining orders, injunctions, protection from abuse), please notify the local police and campus staff. The campus may have resources for living arrangements, transportation accommodations, and counseling services.

### **Arkansas Legal Definitions:**

Rape is generally defined as forced sexual intercourse. It may also include situations where the victim is incapable of giving consent due to a disability or intoxication. Many rapes are committed by someone the victim knows, such as a friend or acquaintance.

Arkansas Code Annotated § 5-14-103 (2014) is the law that defines rape in Arkansas law. A person commits rape if:

**(a)** He or she engages in sexual intercourse or deviate sexual activity with another person:

**(1)** By forcible compulsion;

**(2)** Who is incapable of consent because he or she is:

**(A)** Physically helpless;

**(B)** Mentally defective; or

**(C)** Mentally incapacitated;

Rape can manifest under a variety of circumstances, including:

- Where the victim is prevented from resisting due to alcohol or drugs.
- Where the assailant uses physical force or the threat of force to overpower and control the victim.
- Where the victim fears that she or he or another will be injured if the victim does not submit.
- Where the victim is at the time unconscious of the nature of the act, and this is known to the assailant.
- Where the victim is incapable of giving legal consent due to a mental disorder or developmental or physical disability, and this is known or reasonably should be known to the assailant.

### **Other Sexual Assaults**

Besides rape, other sexual assault crimes include the following:

- Sodomy (forced anal intercourse);
- Oral copulation (forced oral-genital contact);
- Rape by a foreign object (forced penetration by a foreign object, including a finger); or
- Sexual battery (the unwanted touching of an intimate part of another person for the purpose of sexual arousal)

In Arkansas, consent in reference to sexual activity is defined as: a freely given agreement to the conduct at issue by a competent person. An expression of lack of consent through words or conduct means there is no consent. Lack of verbal or physical resistance or submission resulting from the use of force, threat of force, or placing another person in

fear does not constitute consent. A current or previous dating or social or sexual relationship by itself or the manner of dress of the person involved with the accused in the conduct at issue shall not constitute consent. A sleeping, unconscious, or incompetent person cannot consent. A person cannot consent to force causing or likely to cause death or grievous bodily harm or to being rendered unconscious. A person cannot consent while under threat or in fear. Lack of consent may be inferred based on the circumstances of the offense. All the surrounding circumstances are to be considered in determining whether a person gave consent, or whether a person did not resist or ceased to resist only because of another person's actions.

If rape, fondling, incest, or statutory rape occurs in the same incident as a murder, an institution must record both the sex offense and the murder in its statistics.

### **Sex Offender Registration**

In accordance to the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the University is providing a link to the Arkansas State Sex Offender Registry. All sex offenders are required to register in the state of Arkansas and to provide notice of each institution of higher education in Arkansas at which the person is employed, carries a vocation or is a student. <http://acic.org/citizens/Pages/sexOffenderInfo.aspx>

### **Arkansas Domestic Violence Definitions:**

Below are the Arkansas statutory definitions of domestic violence, dating violence and stalking.

It is important to note there is a difference between the "domestic" and "dating." A.C.A. §5-26-302 notes, [A] "dating relationship" means a romantic or intimate social relationship between two (2) individuals that is determined by examining the following factors: (i) The length of the relationship; (ii) The type of the relationship; and (iii) The frequency of interaction between the two (2) individuals involved in the relationship. "Dating relationship" does not include a causal relationship or ordinary fraternization between two (2) individuals in a business or social context;

**Domestic Violence/Abuse:** Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault between family or household members; or any sexual conduct between family or household members, whether minors or adults, that constitutes a crime under the laws of this state. The complete definition for domestic violence/abuse, as defined by Arkansas law, may be found at: A.C.A. §9-15-103.

**Dating Violence:** Dating violence is defined as physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault between two individuals who are in a romantic or intimate social relationship. A romantic or intimate social relationship between two individuals is determined by examining the following factors: (i) the length of the relationship; (ii) the type of the relationship; and (iii) the frequency of interaction between the two individuals involved in the relationship. "Dating" does not include a causal relationship or ordinary fraternization between two individuals in a business or social context.

**Stalking:** Stalking is defined as 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.

A "course of conduct" is 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. "Substantial emotional distress" is significant mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling. A "reasonable person" is one under similar circumstances and with similar identities to the victim. The complete definition for stalking, as defined by Arkansas law, may be found at: A.C.A. §5-71-229. Procedurally, when CAHD receives a report of sexual misconduct, gender-based violence, or other sex or gender discrimination the Campus Security officer is notified. If the victim wishes to access local community agencies and/or law enforcement for support, CAHD will assist the victim in making these contacts. The Campus Security Officer will offer assistance to victims in the form of interim or long-term measures such as opportunities for academic accommodations, changes in housing for the victim or the responding student, visa and immigration assistance, changes in working situations and other assistance as may be appropriate and available on campus or in the community (such as no contact orders, campus escorts, transportation assistance, targeted interventions, etc.). If the victim so desires, they will be connected with a counselor off-campus. No victim is required to take advantage of these services and resources, but CAHD provides them in the hopes of offering help and support without condition or qualification. A summary of rights, options, supports and procedures, in the form of this document, is provided to all victims, whether they are a student, employee, guest or visitor.

When the victim chooses, or CAHD believes it is necessary, the Campus Security Officer will cause a prompt, fair and impartial investigation to be initiated, which may lead to the imposition of sanctions, based upon a preponderance of evidence (what is more likely than not), upon an accused individual.

The Campus Security Officer is ultimately responsible to assure in all cases that the behavior is brought to an end, CAHD acts to reasonably prevent its recurrence and the effects on the victim and the community are remedied. The Campus Security Officer is also responsible to assure that training is conducted annually for all advocates, investigators, hearing officers, panelists and appeals officers. Training will focus on domestic violence, dating violence, sexual assault, stalking, sexual harassment, retaliation and other behaviors that can be forms of sex or gender

Discrimination covered by Title IX. Training will help those decision-makers associated with the process to protect the safety of victims and to promote accountability for those who commit offenses. The investigation and resolution conducted by the CAHD are maintained confidentially. Information is shared internally between administrators who need to know, but a tight circle is kept. Where information must be shared to permit the investigation to move forward, the person bringing the accusation will be informed. Privacy of the records specific to the investigation is maintained in accordance with Arkansas law and the federal Family Educational Rights and Privacy Act of 1974 (FERPA) statute. Any public release of information to comply with the timely warning provisions of the Jeanne Clery Act (Clery Act) will not release the names of victims or information that could easily lead to a victim's identification. In any complaint of sexual misconduct, sexual assault, stalking, dating violence, domestic violence or other sex or gender-based discrimination covered under the federal law, Title IX, the person bringing the accusation and the responding party are entitled to the same opportunities for a support person or advisor of their choice throughout the process, including any meeting, conference, hearing or other procedural action. Once complete, the parties will be informed, in writing, of the outcome, including the finding, the sanctions (if any) and the rationale therefor. Delivery of this outcome will not be delayed to either party, and should occur as nearly simultaneously as possible, without unnecessarily bringing those in conflict into close proximity to each other. Should any change in outcome occur prior to finalization, all parties will be timely informed in writing, and will be notified when the results of the resolution process become final.

### **Counseling and Other Services**

<http://www.unitedwaynwa.org/healthagencies>

<https://www.facebook.com/ArkCASA>

[Arkansas Coalition Against Sexual Assault](#)

Fayetteville, AR  
479-527-0900

### **Career Academy of Hair Design Statement on Alcohol and Drugs**

Career Academy of Hair Design is committed to the maintenance of a drug and alcohol free work place and the encouragement of a standard of conduct for employees and students that discourages the unlawful possession, use or distribution of controlled substances and alcohol on its property. Therefore, the unauthorized or unlawful possession, use, manufacture, or distribution of controlled substances or alcohol on property, or distribution of controlled substances or alcohol on campus property is expressly prohibited. Off-campus activities sponsored by recognized student organizations must abide by all local and state laws. In an effort to prevent unlawful use or distribution of illicit drugs and alcohol by students and employees, CAHD complies with the Drug-Free Schools and Communities Act Amendments of 1989, (Public Law 101-226). The compliance manager is responsible for providing a copy of the "Drug Free Schools and Communities Policy" to all students/staff on an annual basis. The school administration will review this policy on a yearly basis.

### **Drug-Free Workplace**

CAHD condemns the unlawful sale, manufacture, distribution, possession, transfer, or use of a controlled substance by any CAHD employee. It is the policy of CAHD to abide by the Drug-Free Workplace Act of 1988 and the Governor's Executive Order 89-2 on March 30, 1989. Therefore, the unlawful sale, manufacture, distribution, possession, transfer, or use of a controlled substance in the CAHD workplace is prohibited.

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

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions,

severely altering a person's ability to learn and remember information. Very high doses cause respiratory failure, depression, and death. If combine with other depressants, much lower doses of alcohol will produce the effects just described. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake 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 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 than other youngsters of becoming alcoholics. A number of serious health risks have been linked to the use and abuse of specific drugs. The short-term (acute) effects are easily recognized; nausea, vomiting, slurred speech, and impaired coordination. Extremely heavy consumption of alcohol, in a short period of time, may result in death. Long term (chronic) use can lead a host of serious health problems.

**Cocaine-** Cocaine use can lead to nasal stuffiness and tender, bleeding nasal membranes, seizures, heart and respiratory failure, paranoia, and dependence (addiction).

**Marijuana-** Marijuana use can lead to major lung diseases, (e.g., emphysema, bronchitis); impairment of the immune system that fights off infection and disease; and reduction of the male hormone, testosterone.

**Counseling and Treatment Programs-** There are a number of groups, offices, agencies, and hospitals in Arkansas that offer drug treatment and rehabilitation services/programs.

**COUNSELING AGENCIES:** The following centers are available for counseling:

<http://www.recovery.org/browse/fayetteville-ar/>

**Decision Point**

**Monday - Friday 8:00 AM - 4:30 PM**

301 Holcomb St.

Springdale, AR 72764

Call: 479.464.1060

**After Hours - Call: 479.381.4549**

Decision Point, Inc. is a non-profit alcohol and drug recovery center located in the Northwest Arkansas communities of Bentonville, Springdale and Berryville. Decision Point is licensed by the Arkansas Department of Health and Human Services Division of Behavioral Health, Office of Alcohol and Drug Abuse Prevention.

**DISCIPLINARY ACTION:** If a student should violate these regulations he/she will be terminated from classes and the violation or violations will be referred to the City Police Department. Severity of the offense and any action needed will be determined by and enforced by the Police Department.

Reinstatement after termination resulting from violation of this regulation will require demonstration that all violations have been corrected. The school will work closely with the Police Department and any state approved counseling or rehabilitation agency. The school will follow the professional judgment of the organization involved.

Any employee in violation of this regulation will be permanently terminated. The violation or violations will be referred to the City Police Department for whatever action they deem applicable.

**Applicable Legal Sanctions for Alcohol and Drugs**

**Manufacture or delivery of controlled substance** –It is unlawful for any person to manufacture, deliver, or possess with intent to manufacture or deliver, a controlled substance. Penalties for the manufacture or delivery of a controlled substance can range from three (3) years to life in prison, and fines up to \$250,000, depending on the quality and type of drug. In addition, real and personal property used in the manufacture, delivery, or importing of controlled substances may be forfeited to the government.

**Manufacture or delivery of a counterfeit substance** – It is unlawful for any person to create, deliver, or possess with intent to deliver, a counterfeit substance purposed to be a controlled substance. Penalties for the creating and/or delivery of a counterfeit substance can range from one (1) to twenty (20) years in prison, and fines up to \$15,000 depending on the type of drug being counterfeited.

**Possession of a controlled or counterfeit substance** – It is unlawful for any person to possess a controlled substance or counterfeit substance. Penalties for possession of a controlled or counterfeit substance can range from one (1) to ten (10) years in prison, and fines up to \$10,000 depending on the type of drug (or counterfeit) possessed.

**Minor in possession of alcohol (mandatory suspension of driving privilege)** – Under a new provision of Arkansas law, any person under twenty-one (21) years of age who has purchased or is in possession of intoxicating liquor, wine, or beer, in violation of the “Minor in possession of alcohol” statute, will be subject to a mandatory driver’s license suspension for 60 days by the Office of Driver Control, whether or not the person was in or about a vehicle at the time of arrest.

**Underage DUI law-** The State of Arkansas has an “Underage DUI Law” (Act 863 of 1993) in which it is an offense for a person under the age of 21 with a blood alcohol content of .02 to .07 (approximately one (1) or two (2) beers or hard drinks of liquor) to operate a motorized vehicle. Penalties for a first offense can result in (1) suspension of driver’s license for not less than 90 days or more than 120 days; (2) a fine of not less than \$100 nor more than \$500; (3) assignment to public service work; and/or (4) attendance at a state sponsored alcohol and driving education program.

**Driving while intoxicated-** A person who drives a motorized vehicle while influenced or affected by the ingestion of alcohol, a controlled substance, or any intoxicant, commits the offense of driving while intoxicated. Penalties for such offense may include: (1) suspension of license for 120 days for the first offense (and additional days for subsequent offenses); (2) imprisonment for no less than 24 hours and no more than one year for the first offense (with additional imprisonment for subsequent offenses); (3) fine of no less than \$150 and no more than \$1,000 for the first offense (with stiffer fines for subsequent offenses); (4) payment on an additional \$250 in court costs, or as an alternative to payment, public service work as deemed appropriate by the courts; and (5) a requirement to complete an alcohol education program as prescribed and approved by the Arkansas Highway Safety Program, or an alcoholism treatment program as approved by the Office on Alcohol and Drug Abuse Prevention. A blood alcohol level of .04 may be considered with other competent evidence in determining guilt or innocence. A blood alcohol level of .08 or more shall give rise to a presumption of intoxication.

**Public intoxication** – A person commits the offense of “Public Intoxication” if (1) he appears in a public place manifestly under the influence of alcohol in a public place manifestly under the influence of alcohol or a controlled substance to the degree that he is likely to endanger himself, other persons or property, or that he unreasonably annoys persons in his vicinity; or (2) he consumes an alcoholic beverage in a public place. Public intoxication is a Class C misdemeanor, and can result in (1) a fine up to \$100, and/or (2) imprisonment in the county jail (or other authorized institution) for up to 30 days.

**Contributing to delinquency of a minor** – A person commits offense of “contributing to the delinquency of a minor” if, being an adult, he knowingly purchases or provides alcoholic beverages for a minor. Such an offense is a Class A misdemeanor, and can result in (1) a fine up to \$1,000 and/or (2) imprisonment in the county jail (or other authorized institution) for up to one full year.

Federal penalties and sanctions for illegal possession of a controlled substance – 21 U.S.C.844© - First conviction; up to one (1) year imprisonment and fined at least \$1,000 but not more than \$100,000, or both. After first prior drug convictions: at least 15 days in prison, not to exceed two (2) years and fined at least \$2,500 but not more than \$250,000 or both. After two or more prior drug convictions: at least 90 days in prison, not to exceed three (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: (a) first conviction and the amount of crack possessed exceeds 5 grams, (b) second crack conviction and the amount of crack possessed exceeds 3 grams, (c) third or subsequent crack conviction and the amount of crack possessed exceeds 1 gram. 21 U.S.C. 953(a) (2) and 881 (a)(7) – 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 one (1) year imprisonment (See special sentencing provisions re: crack.) 21 U.S.C. 881(a)(4) Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance. 21 U.S.C. 881(a) – Civil fine and up to \$10,000 21 U.S.C. 853(a) – Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to one year for first offenses. 19 U.S.C. 922(g) – Ineligible to receive or purchase a firearm. Misc. –Revocation of certain Federal licenses and benefits, (e.g., pilot license, public housing, etc.) are vested within the authorities of individual Federal agencies.

#### **Institutional Response**

All members of CAHD community may report individuals in violation of CAHD’s alcohol and drug policy and applicable laws to a school manager, school administrator, or campus security officer, Elizabeth Webb.

## DRUG STATISTICS

The following drug offenses were reported to Career Academy of Hair Design or the local policies as having occurred on campus:

	2018	2019	2020	2021
Drug and Alcohol related disciplinary sanctions	0	0	0	0
Drug and Alcohol related referrals for counseling or treatment	0	0	0	0
Drug and Alcohol related incidents recorded in logs of law enforcement	0	0	0	0
Students or employees attending self-help or other counseling groups related to drug or alcohol abuse	0	0	0	0
Student, faculty and employee attitudes and perceptions about the drug and alcohol problem at the school	0	0	0	0

This information is reviewed biennial to determine the effectiveness of Career Academy of Hair Design Drug Prevention Program. Our procedures seem appropriate, as no increase in our statistics has occurred.

	2018	2019	2020	2021
Liquor-law Violations	0	0	0	0
Drug-abuse Violations	0	0	0	0
Weapons Possessions	0	0	0	0

### Preventing and Responding to Domestic Violence

#### I. Title of Policy

Preventing and Responding to Domestic Violence, Dating Violence, Sexual Assault, and Stalking

#### II. Objective of Policy

To address the public well-being of Career Academy of Hair Design students, faculty, and staff and to comply with the requirements of all applicable legislation, and to affirm the College's commitment to create and maintain an environment that is free from sexual harassment, domestic violence, dating violence, and sexual assault and stalking ("sexual misconduct"). As a result of this Board policy and as required by law, Career Academy of Hair Design is compliant with the Violence Against Women Reauthorization Act (VAWA) and the obligations on all post-secondary institutions under the Campus Sexual Violence Act (SAVE) .

#### III. Authority

All applicable legislation including but not limited to the Clery Act by the Violence Against Women Reauthorization Act (VAWA) of 2013; the Campus Save Act of 2012; Title IX of the Higher Education Act; the Prevention of Domestic Violence Act of 1991, N.J.S.A. 2C:25-17 et seq; United States Department of Education regulations, 34 C.F.R. 668.46 and other applicable State or Federal laws and regulations; and the Bylaws of the Career Academy of Hair Design.

#### IV. Policy Statement

Career Academy of Hair Design will not tolerate domestic violence, dating violence, sexual assault, stalking and sexual harassment. Career Academy of Hair Design is committed to prevention of sexual misconduct/violence so that that no student or employee shall engage in such behavior or be victimized by such behavior.

Regulations of Career Academy of Hair Design define sexual offenses, detail services available to students, faculty and staff who experience sexual violence, domestic violence, dating violence, and instances of stalking, provide information for bystanders and students, and provide other information required by law. College policies and regulations identify responsible employees to whom offenses may be reported, counseling services and other resources; including Policies 2.1000 College Security; 3.9002 Non-Discrimination; 3.9007 Affirmative Action; and 3.9008 Code of Ethics for Employees; and Regulations 2.1000R College Security; 3.9002R Non Discrimination; 3.9008R Code of Ethics for Employees; and 6.3000R Student Conduct Code and Academic Integrity Code.



Career Academy of Hair Design will utilize procedures that provide, prompt, fair, and impartial investigation and resolution in cases involving same. This includes domestic violence, dating violence, sexual assault, stalking and sexual harassment, as defined by our non-discrimination policy.

Career Academy of Hair Design provides prevention, awareness, risk reduction, compliance, and bystander intervention programming; crime statistics, and methods for reporting incidents, and ensures confidentiality for victims. The Student Conduct Code and the Disciplinary Appeal Procedure; and the Employee's Code of Ethics, are disseminated annually. As required by law, the Career Academy of Hair Design Annual Security Report contains policy statements and crime statistics for all Career Academy of Hair Design locations.

Sexual assaults are serious violations of Career Academy of Hair Design student judicial code, faculty standards and College employee policies, and will not be tolerated. They are also crimes, punishable by fines and/or imprisonment; and subject to civil suit for damages.

Career Academy of Hair Design Annual Security Report contains policy statements and crime statistics for all Career Academy of Hair Design locations.

Each academic year new students will receive information about sexual assault, domestic violence, dating violence, and stalking, their prevention, rights of victims, bystander intervention, risk reduction and such other information as set forth in this Policy and as required under federal and state law through presentations given during the new student orientation, college publications and by other effective methods. Each academic year, new faculty will receive similar information about such policies and procedures during faculty orientation and by other effective methods. All faculties shall be periodically presented such information by the College.

### **Violence Against Women Reauthorization Act of 2013**

Sexual misconduct, including, but not limited to sexual harassment, sexual assault, dating violence, and stalking by any faculty member, staff member, or student is a violation of both state and federal law. Sexual misconduct by raising awareness. Sexual misconduct of employees is prohibited under Section 703 of Title VII of the Civil Rights Act of 1964 and sexual harassment of students may constitute discrimination under Title IX of the Education Amendments of 1972. This policy seeks to comply with requirements mandated by the Violence Against Women Reauthorization Act of 2013. CAHD considers sexual misconduct a very serious issue and shall subject the offender to dismissal and/or other sanctions following CAHD's investigation and substantiation of the complaint and compliance with due process requirements.

### **Male Victims**

While most victims of sexual assault are women, some men are also victims. Male victims at Career Academy of Hair Design receive the same services as women. Emotional support, counseling about options, information about resources related to legal issues and medical treatment are available to assist all those recovering from sexual assault.

### **CAMPUS SECURITY OFFICER**

CAHD has designated a CAMPUS Security Officer, Elizabeth Webb, who will be responsible for ensuring that CAHD has all required policies and procedures in place; ensuring prompt and effective processing of complaints; administering a centralized complaint filing system; conducting evaluations of school compliance; for analyzing trends revealed by complaints, investigations and enforcement activities; assist in arranging for training for staff and students; and for monitoring on behalf of the institution overall compliance with this policy and related federal and state legislation and regulation. CAHD may designate one or more deputy officers to assist the Campus Security Officer. Such officers will be authorized to receive complaints and will have full power to conduct reviews and investigations and hear appeals as directed by the Campus Security Officer.

### **Definition of Consent**

Consent is when someone agrees, gives permission, or says "yes" to sexual activity with other persons. Consent is always freely given and all people in a sexual situation must feel that they are able to say "yes" or "no" or stop the sexual activity at any point.

*University of Michigan Policy & Procedures on Student Sexual and Gender-Based Misconduct and Other Forms of Interpersonal Violence* defines **consent** as "a clear and unambiguous agreement, expressed outwardly through mutually understandable words or actions, to engage in a particular activity." Consent can be withdrawn by either party at any point. Consent must be voluntarily given and may not be valid if a person is being subjected to actions or

behaviors that elicit emotional, psychological, physical, reputational, financial pressure, threat, intimidation, or fear (coercion or force). Consent to engage in one sexual activity, or past agreement to engage in a particular sexual activity, cannot be presumed to constitute consent to engage in a different sexual activity or to engage again in a sexual activity. Consent cannot be validly given by a person who is incapacitated.

At the heart of consent is the idea that every person has a right to personal sovereignty – the right to not be acted upon by someone else in a sexual manner unless they give that person clear permission. It is the responsibility of the person initiating the sexual activity to get this permission.

████████████████████

██

██

██████████ recognizing situations of potential harm, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. Additional areas considered for bystander intervention include the witnessing or having knowledge about hazing, discrimination, medical emergency, and acts of discrimination.

Bystanders are less likely to intervene if more people are present each assuming someone else may be more qualified to intercede. However, once one person steps up to help, the group will likely be more willing to assist.

Bystanders should notice the emergency, interpret it as such, assume personal responsibility for acting, choose a strategy and implement that strategy. A strategy could be as simple as saying something to the potential violator to stop the action, calling someone to help such as public safety, the police or other appropriate authority such as counselors, professors, or if safe to do so step in before the situation escalates.

Bystander training begins at orientation for incoming freshman students, all transfer students, new employee orientation, and continues throughout the year for student organizations, sports teams, faculty training and administrative positions.

CAHD prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as those terms are defined under this section. Students are required to complete preventative training before starting class and all employees are required to complete preventative training annually.

**Definition of sexual misconduct**

Sexual misconduct is any unwelcome conduct of a sexual nature, including any conduct or act of a sexual nature perpetrated against an individual without consent. Sexual misconduct can be committed by men or by women and it can occur between people of the same or different sex. Sexual misconduct includes but is not limited to:

- Dating violence;
- Domestic violence;
- Sexual assault (non-consensual sexual contact and non-consensual sexual intercourse);
- Sexual harassment; and
- Stalking

**Definition of Dating Violence**

Dating violence is defined as physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault between two individuals who are in a romantic or intimate social relationship. A romantic or intimate social relationship between two individuals is determined by examining the following factors: (i) the length of the relationship; (ii) the type of the relationship; and (iii) the frequency of interaction between the two individuals involved in the relationship. “Dating” does not include a causal relationship or ordinary fraternization between two individuals in a business or social context.

**Definition of Domestic Violence**

Domestic violence is 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 shares 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 person similarly situated to a spouse of the victim under the domestic or family laws of the jurisdiction in which the crime of the violence occurred; or
- Any other person against an adult or youth who is protected under the domestic or family violence laws of the jurisdiction in which the crime of violence has occurred.

**Definition of Sexual Assault: Non-consensual sexual contact**

Non-consensual sexual contact is defined as any sexual touching, with any object, by a man or a woman upon another person without consent or making any person touch you or them in a sexual manner.

**Definition of Sexual Assault: Non-consensual sexual intercourse**

Non-consensual sexual intercourse is defined as any sexual intercourse (anal, oral, or vaginal), with any object, by a man or woman upon another without consent.

**Definition of Sexual Harassment**

Sexual harassment is defined as unwelcomed sexual advances, requested for sexual favors or other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is either explicitly or implicitly made a condition of any individual's employment with CAHD.
- Submission to or rejection of such conduct by an individual is used as the basis for an employment or academic decision affecting such individual; and/or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's right to achieve an educational objective or to work in an environment free of intimidation, hostility, or threats stemming from acts or language of a sexual nature.

**Example of Sexual Harassment**

Sexual harassment may create a hostile, abusive, demeaning, offensive or intimidating environment. It may be manifested by verbal and/or physical actions, including gestures and other symbolic conduct. Sexual harassment is not always obvious and overt; it can also be subtle and covert. A person who consents to sexual advances may nevertheless be a victim of sexual harassment if those sexual advances were unwelcome. Previously welcomed advances may become unwelcome. Examples of sexual harassment may include, but are not limited to, the following:

- Non-sexual slurs about one's gender,
- Contrived work or study assignments and assigning more onerous or unpleasant tasks predominately to employees or students of one gender;
- Repeated unwanted touching, patting, or pinching;
- Repeated inappropriate social invitations or requests for sexual favors;
- Repeated unwanted discussions of sexual matters;
- Use of sexual jokes, stories, analogies or images which are not related to the subject of the class or work situation;
- Touching, fondling, or deliberate brushing against another person
- Ogling, leering or prolonged stares at another's body;
- Display or use of sexual graffiti or sexually-explicit pictures or objects; and
- Sexually-suggestive jokes, comments, emails, or other written or oral communication.

Although sexual harassment most frequently occurs when there is an authority differential between the persons involved (e.g. faculty, student and student, staff, and staff). Both men and women may be victims of sexual harassment and sexual harassment may occur between individuals on the same gender.

**NOTE:** Other forms of harassment based upon race, religion, national origin, sex or age may have the same impact as sexual harassment. In the absence of other policies addressing these specific issues, CAHD encourages the use of the steps and procedures in this policy in reporting other types of harassment and will generally conduct investigations of those complaints in the same manner.

**Definition of Stalking**

Stalking is defined as 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.

A "course of conduct" is 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.

“Substantial emotional distress” is significant mental suffering or anguish that may, but does not necessarily require, medical, or other professional treatment or counseling. A “reasonable person” is one under similar circumstances and with similar identities to the victim.

### **Consensual Relationships**

Because of the unique situations that exist among students, faculty, supervisors, and staff, relationships in the workplace and on campus should at all times remain professional. In particular, due to the professional power differential between faculty and students, faculty is encouraged to remain professional in all relationships with students.

### **Mandatory Reporting Under TITLE IX**

CAHD has designated all employees, both faculty and professional staff, as mandatory reporters. When an employee becomes aware of an alleged act of sexual misconduct, the employee must promptly contact the Campus Security Officer/campus manager/administrator. The employee should have the party make a detailed statement of events. The employee may call the Campus Security Officer and then follow-up by completing the form. The Campus Security Officer/campus manager/administrator are also available to provide guidance on how to handle a situation to faculty and professional staff at any time. Individuals who are aware of or have experienced an incident of misconduct should promptly report the matter to the Campus Security Officer/campus manager/administrator. Sexual misconduct should be reported within 180 days of its occurrence. However, complaints reported after 180 days will still be investigated.

When an employee thinks that a student may be about to report an act of misconduct, the employee should make every effort to ensure that the student understands: (i) the employee’s obligation to report the names of the alleged perpetrator and student involved in the alleged sexual violence, as well as relevant facts regarding the alleged incident (including the date, time, and location), to the Campus Security Officer/campus manager/administrator, (ii) the student’s option to request that the school maintain his or her confidentiality, which the school (e.g., Campus Security Officer/campus manager/administrator) will consider, and (iii) the student’s ability to share the information confidentially with counseling, advocacy, health, mental health, or sexual-assault-related services (e.g., sexual assault resource centers, campus health center, and pastoral counselors).

### **Confidentiality**

In the course of a complaint investigation, CAHD will make reasonable efforts to maintain confidentiality of the complaints. All parties to the complaint will be asked to assist in treating the complaint confidentially. However, there can be no guarantee of confidentiality and anonymity based upon the course and scope of the complaint investigation and the institution may share information where necessary to provide accommodations or protective measures.

Even if the complainant requests confidentiality or asks the complaint not be pursued, CAHD will 1) take all reasonable steps to investigate and respond to the complaint to the extent possible consistent with the alleged victim’s wishes; 2) notify the alleged victim that the failure of the alleged victim to pursue a complaint may limit CAHD’s ability to fully address the matter; and 3) report the incident to local law enforcement authorities if it appears to involve a crime that is required to be reported or a health or safety emergency as defined by state or federal law requires such reporting.

### **VAWA Risk Reduction**

Critical to ending violence and maintaining a safe campus is recognizing and avoiding abusive behavior. Abuse can surface in many ways (emotional, verbal, psychological, sexual, and physical). Some warning signs of abuse are:

Frequent yelling directed at a partner

- Blaming partner for own faults
- Name-calling
- Consistently accusing partner of infidelity
- Kicking, holding, slapping, and scratching
- Forcible sex (e.g., wanting sex after hitting)

### **Protective Measures**

There are a range of protective measures the institution may offer following an allegation of sexual misconduct including:

- Issuing “no contact” orders;
- Restricting the respondent’s movement on campus; and/or
- Re-assigning or placing the respondent on administrative leave.

### **Filing on False Reports**

A grievant whose complaint is found to be both false and to have been made with malicious intent will be subject to disciplinary action which may include, but is not limited to, demotion, transfer, suspension, expulsion, or termination of employment.

### **Duty to Cooperate**

All students and employees whose assistance is needed in the investigation of the complaint or in the course of disciplinary action will be required to cooperate with the Campus Security Officer/campus manager/administrator, and other parties who are duly authorized to investigate or to discipline. Persons who are accused to having engaged in sexual misconduct will be entitled to such cooperation when necessary to obtain witnesses in any formal disciplinary proceedings that may be initiated. Where necessary, adjustments will be made to work schedules, classroom schedules, and other academic or employment obligations.

### **Prohibition on Retaliation**

Retaliation against any person in the CAHD community for filing, supporting, providing information, or for cooperating in a sexual misconduct investigation in good faith, in connection with a complaint of sexual misconduct is strictly prohibited. Examples of retaliation may include, but are not limited to, adverse employment actions such as termination, refusal to hire, and denial of promotion. Additionally, retaliation in the form of harassment, intimidation, threats, or coercion, or in the form of any materially adverse harm that would dissuade a reasonable student or employee from filing a harassment complaint or participating in a harassment investigation is strictly prohibited. Any person who feels he/she has been subjected to retaliation should make a report to the Campus Security Officer/campus manager/administrator.

### **Grievance Procedures for Sexual Misconduct Claims**

Employees or students of CAHD who believe they have been subjected to sexual misconduct are encouraged to make a written complaint providing details to the Campus Security Officer/campus manager/administrator to resolve their complaint.

CAHD will make every effort to adhere to the prescribed time frames of the informal and formal resolution processes. However, in the event that individuals involved are unavailable or of other unanticipated occurrences, the Campus Security Officer may adjust the time frames. Any changes will be immediately communicated to the complainant and respondent by the Campus Security Officer. Time frames may also be extended upon the mutual agreement of the parties. Time frames will be extended if necessary to accommodate holidays and vacation periods that form part of the academic calendar or days on which CAHD is closed for weather or other emergency purposes. Working days are those on which the offices of CAHD are open for business. Extensions will not exceed the bounds allowed by applicable law and regulations.

### **Informal Investigation and Resolution**

1. Individuals who believe they have been subjected to sexual misconduct (complainant or “alleged victim” if not the complainant) should report the incident promptly to their immediate supervisor, campus manager, Campus Security Officer, or school administrator. The person to whom the complaint is made shall immediately contact the Campus Security Officer. The Campus Security Officer will conduct the informal investigation and resolution. The involved parties to whom the complaint was made may be asked to assist in the informal investigation and either party may elect to have others present.
2. The alleged victim may elect to resolve his or her complaint through a resolution process providing (i) the respondent agrees to such resolution, (ii) the alleged victim and the respondent are both students or are both employees of CAHD, (iii) the Campus Security Officer determines that a resolution is an appropriate mechanism for resolving the complaint, and (iv) the complaint does not involve sexual assault.
3. If, following investigation, a resolution of the matter that is satisfactory to the complainant, the person against whom the complaint is made (respondent) and the CAHD (represented by the Campus Security Officer) is reached, it shall be considered closed and all parties involved shall be so advised in writing by the Campus Security Officer. If a satisfactory resolution has not been reached within 10 working days from the date of the complaint, the complainant, respondent, or CAHD may initiate a formal complaint/investigation.

### **Formal Investigation and Resolution**

If the sexual misconduct complaint has not been resolved through informal investigation and the complainant, respondent, or CAHD wishes to pursue the matter must file a written complaint. The written complaint must be filed with the Campus Security Officer within three working days of the termination of the informal investigation. The Campus Security Officer will conduct the formal investigation which may be routinely modified to remain in compliance with the

current status of the law. Proceedings will be conducted by officials who receive training on various aspects of sexual misconduct including, but not limited to, sexual harassment, sexual assault, dating violence, domestic violence, and stalking. If student or staff member is found guilty they will be subject to disciplinary action which may include, but is not limited to, demotion, transfer, suspension, expulsion, or termination of employment. All appeals need to be filed within 10 days of the formal decision. If the appeal is not filed the decision will become final, all appeals will be reviewed and met on again.

### Report a Campus Fire

If a fire occurs in a CAHD campus, community members should immediately notify Administrator 501-346-5648 or 9-1-1. The fire alarms alert community members of potential hazards and community members are required to heed their warning and evacuate the building immediately upon hearing a fire alarm. Use the nearest exit to leave the building immediately. All CAHD students and staff should meet in the front of the building for a roll call. Community members should familiarize themselves with the exits in the building. The Fire Marshall can levy fines and penalties to individuals who fail to evacuate a building promptly- but a more important reason for evacuating is your own safety!

CAHD publishes this fire safety report as part of the annual Clery Act compliance document, via this publication, which contains information with respect to the fire safety practices and standards of CAHD. This report includes statistics concerning the number of fires, the cause of each fire, the number of injuries and deaths related to a fire, and the value of the property damage caused by a fire.

<b>Fire Statistics on Campus</b>	2018	2019	2020	2021
Unintentional Intentional Fire	0	0	0	0
Intentional Fire on Campus	0	0	0	0

### Classifications of Fire and Examples

**Unintentional Fire.** *(A fire that does not involve an intentional human act to ignite or spread fire into an area where the fire should not be.)*

<b>Cause:</b>	<b>Example:</b>
Cooking	Grease fire on stove top or in oven or microwave
Smoking Materials	Discarded lit cigarette butt
Open flames	Candles
Electrical	Electrical arcing, overheated electrical motor
Heating equipment	Heating stoves, space heaters, fireplaces, furnaces, water heaters
Hazardous products	Spontaneous combustion; chemical reaction
Machinery/Industrial	Heat from friction, (e.g., fan belts); cutting and welding
Natural	Fires that result from a natural phenomenon, such as lightning, tornadoes and earthquakes
Other	Fireworks (including sparklers), paper caps, party poppers, and firecrackers; sunlight (usually magnified through glass or a bottle); fires that start in a building that is not an on-campus student housing facility and spread to an on-campus student housing facility

### Fire Protection Equipment/Systems

CAHD buildings are equipped with automatic fire detection and alarm systems that are monitored by a private company. CAHD is equipped with portable fire extinguishers.

### Clinic Floor Electrical Appliances

Due to the need to use electrical curling irons, hair straighteners, hair dryers, and other necessary small electrical equipment needed for providing client services/student training, all students, staff, and patrons should be aware of the fire hazard in this establishment. Students/staff/patrons should be cautious using this tools. Students and staff are reminded to turn off these tools at the end of the service to reduce fire hazard.

### Classroom/Office/Break room Appliances

The school also provides TV's, VCRs/DVD players, lamps, coffee makers, microwave ovens, portable fans, and portable heaters in the classroom, office, and/or break room areas. Students/staff are reminded to turn off this appliances after each use or at the end of each day.

### **Arson**

The criminal act of deliberately setting fire to property

An arson investigation basically focuses on four areas:

1. Proof of incendiarism - comes from an examination of the fire scene by a qualified cause and origin expert.
2. Proof of opportunity - focuses on the security of the building when the fire was discovered and who had access.
3. Proof of motive - focuses on the insured's financial condition, profit or loss from operations and cash flow.
4. Miscellaneous connecting evidence - includes an examination of the insured's insurance history, operability of fire and burglar detection systems, how insured learned about the fire, etc.

### **How to Report a Fire**

If a fire occurs on the Career Academy of Hair Design campus, immediately notify your instructor, or Career Academy of Hair Design School Manager