

## **Cosmetology Careers Unlimited College (CCU College) – Annual Security Report**

The Cleary Act and the United States Department of Education's regulations require Title IV participating institutions to publish an annual security report containing safety and security related policy statements and crime statistics and distribute it to all current students and employees. Institutions must also inform prospective students and employees about the availability of the report.

### **POLICY STATEMENTS:**

#### **Procedures for Reporting**

- 1) Student or employees witnessing or being involved in any kind of criminal action or emergency on campus shall report this action, promptly and accurately, to their Instructor. If the Instructor is unavailable, then report to an Administrator.
- 2) All such reports shall be given to the Financial Aid Office will take actions as necessary. This includes, but is not limited to:
  - (1) Calling emergency services as required
  - (2) Reports to the local authorities or jurisdiction
  - (3) Referral of student or employee to agencies to receive necessary assistance.
  - (4) Collecting and maintaining a file of all such reports.

#### **Timely Warnings**

In the event that a situation arises, either on or off campus, that, in the judgment of the Financial Aid Office constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued. The warning will be issued through the most effective and efficient means available and may include instant messaging and email to students and Cosmetology Careers Unlimited College (CCU College) employees. Notices may also be posted in the common areas throughout the school. Anyone with information warranting a timely warning should report the circumstances to the Campus Financial Aid Office by phone at (218) 722-7484 or in person at the school. A timely warning will include the reported offense, the location of the reported offense, the date of the reported offense if known, a description of suspects if available, and any other information that would promote safety.

For purposes of making timely warnings students and staff should report criminal offenses or emergency situations to their immediate supervisor or these staff members:

- Richard Shaffer, President                      School Manager
- Karen Shaffer, Vice President

#### **Voluntary and Confidential Reporting Procedures**

If you are the victim of a crime and do not want to pursue action through CCU College or the criminal justice system, you may still want to consider making a voluntary, confidential report. With your permission, the Financial Aid Office 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 school can keep an accurate record of the number of incidents involving students, educators, staff, and visitors; 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 CCU College.

#### **Preparing the Annual Disclosure of Crime Statistics**

Each year before the Department of Education reporting website opens for registration, the Financial Aid Office requests crime statistics information from the Duluth Police Department. The information is compiled into the Annual Security Report Statistics section and entered appropriately into the Department of Education's website. The report is distributed on or before October 1 each year to current students and employees. The report will also be made available to new students and employees at orientation sessions that are mandatory for new enrollees before starting class and new hires before starting work in their designated area.

### **Security of and Access to Campus Facilities**

1. The campus area is accessible only during normal business hours. Responsible management personnel will be available on campus during all normal business hours to ensure timely reaction to any and all incidents reported.
2. Cosmetology Careers Unlimited College (CCU College) does not own or control any housing, but all students and employees are advised to check with apartment managers and or local law enforcement agencies as to residence security.

### **Maintenance of Campus Facilities**

Campus maintenance is considered to be of the highest priority. All campus facilities will be maintained in a manner to ensure a safe and secure workplace.

### **Campus Law Enforcement**

Cosmetology Careers Unlimited College (CCU College) does not employ any private security personnel or have a campus police department. Local law enforcement agencies are relied on campus law enforcement.

### **Accurate and Prompt Reporting of all Crimes**

Community members, students, educators, staff, and visitors are encouraged to report all crimes, emergencies, and safety concerns to the School Manager in a timely manner.

### **Privileged and Confidential Communications – Professional & Pastoral Counselors**

Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Financial Aid Office without a victim's permission. Cosmetology Careers Unlimited College (CCU College) does not provide professional or pastoral counseling, but can assist a victim of sexual misconduct in obtaining support services from these groups or agencies

A victim who at first requests confidentiality may later decide to file a complaint with CCU College or report the incident to local law enforcement, and thus have the incident fully investigated.

NOTE: While these professional and pastoral counselors and advocates may maintain a victim's confidentiality vis-à-vis Cosmetology Careers Unlimited College (CCU College), they may have reporting or other obligations under state law.

ALSO NOTE: If Cosmetology Careers Unlimited College (CCU College) determines that the alleged perpetrator(s) pose a serious and immediate threat to the school community, the Financial Aid Office may be called upon to issue a timely warning to the community. Any such warning should not include any information that identifies the victim.

### **Programs Promoting Campus Safety and Security**

An orientation is held with new students and employees to inform them about campus security procedures and practices, and to encourage them to be responsible for their own security and the security of others. Instructors and the Administrative Staff will continue to remind students and employees of their need to remain security conscious throughout their enrollment or employment.

Cosmetology Careers Unlimited College (CCU College) has a policy to inform students and employees about crime prevention and is a one on one Instructor to Student, Supervisor to employee communication and the need to be security conscious.

Procedures and practices are also reinforced periodically during regular staff meetings as well as student theory classes. Students and employees are informed about the importance of maintaining secure premises, including the following safety tips:

- Stay alert of your surroundings, wherever you are.
- If you feel uncomfortable in a place, leave right away.
- Keep eyes and ears open, hands free.
- Choose busy streets and avoid going through deserted areas.
- At night, walk in well-lit areas in groups whenever possible.
- Try not to walk or jog alone. Take a friend or walk in groups.
- Avoid carrying large sums of cash.
- When in public spaces, keep valuables including jewelry, mobile phones and wallets out of sight.

Staff is also reminded that they can assist in crime prevention by ensuring that all doors are locked at the appropriate times. Also, they must report any suspicious situation to administration

### **Monitoring Criminal Activity at Off-Campus Locations**

CCU College operates no off-campus housing and does not recognize any off-campus student organizations.

### **Drugs and Alcohol**

The purpose of this policy and program is to identify CCU College as a drug-free environment, and to outline a continuing program of a drug-free awareness for all students.

Students found to be under the influence of drugs or alcohol, in the possession of, or selling while in school will be terminated from the program and the Duluth Police Dept. will be called if State or Federal laws have been violated. CCU College reserves the right to have students who are in question of being under the influence of drugs or alcohol to be tested for substances. Refusal to submit to a drug and/or alcohol test can result in termination of the program. All situations will be kept confidential.

The unlawful manufacture, distribution, dispensation, or use of a controlled substance at Cosmetology Careers Unlimited College (CCU College) is prohibited. Students who violate this prohibition will be subject to immediate corrective action. Depending on the nature and circumstances of the violation, corrective action may include immediate discharge, disciplinary suspension, mandatory treatment and rehabilitation, some combination of the above or other action deemed appropriate to the circumstances. Other policies relating to corrective discipline or substance abuse may provide guidance in determining an appropriate response, but shall not limit the college's authority to implement any corrective action deemed appropriate. There are many agencies to help those in need of a substance abuse program. The Alcohol and Drug abuse Hotline is open 24 hours, 1-800-252 6465. Substances that can be tested for include amphetamines, barbiturates, cocaine, marijuana, opiates, benzodiazepines, methaqualone, phencyclidine, propoxyphene, methadone, and alcohol. Also reference, [www.health.org](http://www.health.org) for further help or information of statistics and services available. A reasonable suspicion of being under the influence shall be based on behavioral observations including, without limitation to, slurred speech, unsteady gait, staggering, alcohol on the breath, excessive absenteeism/tardiness, changes in behavior, continuing decline at school, continuing resistance to discipline at school, unable to get along with others, unusual temper flare-ups, increased borrowing of money, a new set of friends, or heightened secrecy of a student and/or staff member should be reported to the school administrator and kept confidential.

Caution must be observed in accusing or suspecting someone of substance abuse, such an accusation can embarrass both the student/staff member and the school. State and Federal Drug and Alcohol Laws are stiff. A conviction can mean loss of Federal Student Aid, welfare, loss of driver's license, as well as in many other areas. In return, this can affect your schooling. There are clinics in the area of the school, which can render help. The school can only offer advice in a limited manner. If the individual is in immediate threat of harming either him/herself or others, local law enforcement will be called.

### **Description of Drug or Alcohol Abuse Education Programs**

Information regarding drug and alcohol abuse prevention is presented to students and staff annually. Students have access to community resource binders that are maintained in the Student Library collection. The binders show the link to the St. Louis County website that provides a list of local agencies that offer professional assistance in the areas of drug and alcohol abuse prevention. Information regarding the agencies can be accessed at:

<https://www.stlouisco.com> › [HealthandWellness](#) › [PDMP](#)

## **CAMPUS SEXUAL MISCONDUCT POLICIES**

### **1. Introduction**

The CCU College is committed to providing a working and educational environment for all students, faculty and staff that is free from sex discrimination, including sexual misconduct. Every member of the community should be aware that the school is strongly opposed to sexual misconduct, and that such behavior is prohibited by state and federal laws.

As part of CCU College's commitment to providing a working and learning environment free from sexual misconduct, this Policy shall be disseminated widely to the school community through publications, the school website, new employee orientations, student orientations, and other appropriate channels of communication. CCU College provides training to key staff members to enable the school to handle any allegations of sexual misconduct promptly and effectively. CCU College will respond quickly to all reports of sexual harassment, and will take appropriate action to prevent, to correct, and if necessary, to discipline behavior that violates this policy.

## **2. Scope of the Policy**

This Policy governs sexual misconduct involving students that occurs on CCU College property or in connection with any school-sponsored program or event. This Policy applies to all students, employees, and third parties conducting business with CCU College, regardless of the person's gender, gender identity, sexual orientation, age, race, nationality, class status, ability, religion or other protected status. CCU College encourages victims of sexual violence to talk to somebody about what happened – so victims can get the support they need, and so the school can respond appropriately. As further described in this Policy, CCU College will seek to respect a victim's request for confidentiality to the extent possible, while remaining ever mindful of the victim's well-being.

## **3. Prohibited Conduct**

Sexual misconduct comprises a broad range of behaviors focused on sex that may or may not be sexual in nature. Any intercourse or other intentional sexual touching or activity without the other person's consent is sexual assault, which is a form of sexual misconduct under this Policy. Sexual harassment and sexual exploitation, stalking, domestic violence, and dating violence are also forms of sexual misconduct. Intimidation for one of these purposes is sexual misconduct, as is retaliation following an incident of alleged sexual misconduct or attempted sexual misconduct. The definitions for specific acts of sexual misconduct can be found in the Definitions of Key Terms at the end of this Policy statement.

Misconduct can occur between strangers or acquaintances, or people who know each other well, including between people involved in an intimate or sexual relationship, can be committed by anyone regardless of gender identity, and can occur between people of the same or different sex or gender. **This Policy prohibits all forms of sexual misconduct.**

## **4. Options for Assistance Following an Incident of Sexual Misconduct**

CCU College strongly encourages any victim of sexual misconduct to seek immediate assistance. Seeking prompt assistance may be important to ensure a victim's physical safety or to obtain medical care. CCU College 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.

### **Reporting Incidents of Sexual Misconduct**

Victims of sexual misconduct may file a report with the Duluth Police Department. Victims may also file a report with the School's Financial Aid Office. More information about reporting an incident of sexual misconduct can be found in Section 6 of this Policy, below.

The victim of the sexual assault may choose for the investigation to be pursued through the criminal justice system and CCU College's disciplinary procedures. The school and the criminal justice system work independently from each other. Law enforcement officers do not determine whether a violation of this Policy has occurred. The campus Financial Aid Office will guide the victim through the available options and support the victim in his or her decision.

### **Support Services Available**

Counseling, advocacy and support services are available for victims of sexual misconduct, whether or not a victim chooses to make an official report or participate in the school's disciplinary or criminal process. CCU College does not provide counseling or health care services. Personal counseling offered by CCU College will be limited to initial crisis assessment and referral.

Sexual misconduct crisis and counseling options are available locally and nationally through a number of agencies, including:

#### **National Resources:**

National Sexual Assault Hotline – 800-656-4673

National Domestic Violence Hotline – 800-799-7233

The campus Financial Aid Office will work with all students affected by sexual misconduct to ensure their safety and support their wellbeing. This assistance may include providing accommodations to support or protect a student after an incident of sexual misconduct and while an investigation or disciplinary proceeding

is pending. Such accommodations may include the ability to alter class schedules, withdraw from/retake a class without penalty, and access academic support (e.g., tutoring). CCU College may be able to provide additional interim measures to victims while an investigation is pending, such as no contact orders and changing the alleged perpetrator's class schedule.

### **5. Financial Aid Office**

The campus Financial Aid Office is responsible for monitoring and overseeing CCU College's compliance with Title IX and the prevention of sexual harassment, sexual misconduct and discrimination. The Financial Aid Office is:

- Knowledgeable and trained in CCU College policies and procedures and relevant state and federal laws;
- Available to advise any individual, including a complainant, respondent, or a third party, about CCU College and community resources and reporting options;
- Available to provide assistance to any CCU College employee regarding how to respond appropriately to a report of Title IX-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 Financial Aid Office:

Richard Shaffer (218)722-7484

### **6. Reporting Policies and Protocols**

CCU College strongly encourages all members of the school community to report information about any incident of sexual misconduct as soon as possible, whether the incident occurred on or off campus. Reports can be made either to the school and/or to law enforcement.

#### **Reporting to the School**

An incident of sexual misconduct may be reported directly to the campus Financial Aid Office. If the campus Financial Aid Office is the alleged perpetrator of the sexual misconduct, the report should be submitted to the CCU College President. Filing a report with a school official will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers.

An individual who has experienced an incident of sexual misconduct may report the incident at any time, regardless of how much time has elapsed since the incident occurred. CCU College is committed to supporting the rights of a person reporting an incident of sexual misconduct to make an informed choice among options and services available. CCU College will respond to all reports in a manner that treats each individual with dignity and respect and will take prompt responsive action to end any misconduct, prevent its recurrence, and address its effects.

#### **Reporting to Law Enforcement**

An incident of sexual misconduct can be reported to law enforcement at any time, 24 hours a day/7 days a week, by calling 911. At the complainant's request, CCU College will assist the complainant in contacting law enforcement. If the complainant decides to pursue the criminal process, the school will cooperate with law enforcement agencies to the extent permitted by law. A complainant has the option to decide whether or not to participate in any investigation conducted by law enforcement. Filing a police report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests
- 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)
- Assure the victim has a referral to confidential counseling from counselors specifically trained in the area of sexual assault

#### **Third-Party and Anonymous Reporting**

In cases where sexual misconduct is reported to the Financial Aid Office by someone other than the complainant (by an instructor, classmate or friend, for example), the Financial Aid Office will promptly notify the complainant that a report has been received. This Policy and the Procedures will apply in the same manner as if the complainant had made the initial report. The Financial Aid Office will make every effort to

meet with the complainant to discuss available options and resources. Reports from an anonymous source will be treated in a similar fashion.

### **No Retaliation**

CCU College prohibits retaliation against those who file a complaint or third-party report, or otherwise participate in the investigative and/or disciplinary process (e.g., as a witness).

The school will take strong responsive action if retaliation occurs. Any incident of retaliation should be promptly reported to the Financial Aid Office or the CCU College's President.

### **Coordination with Drug Free School Policy**

Students may be reluctant to report instances of sexual misconduct because they fear being disciplined pursuant to the CCU College's alcohol or drug policies. CCU College encourages students to report all instances of sexual misconduct and will take into consideration the importance of reporting sexual misconduct in addressing violations of the school's alcohol and drug policies. This means that, whenever possible, the CCU College will respond educationally rather than punitively to student alcohol or drug policy violations associated with reported sexual misconduct.

### **7. School Policy on Confidentiality**

CCU College encourages victims of sexual misconduct to talk to somebody about an incident – so victims can get the support they need, and so the school can respond appropriately.

This policy is intended to make students aware of the various reporting and confidential disclosure options available to them – so they can make informed choices about where to turn should they become a victim of sexual misconduct. CCU College encourages victims to talk to someone identified in one or more of these groups.

### **Reporting to Financial Aid Office**

When a victim tells the Financial Aid Office about an incident of sexual misconduct, the victim has the right to expect CCU College to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. To the extent possible, information reported to the Financial Aid Office will be shared only with people responsible for handling the school's response to the report. The Financial Aid Office should not share information with law enforcement without the victim's consent or unless the victim has also reported the incident to law enforcement.

Before a victim reveals any information to the Financial Aid Office, the Financial Aid Office should ensure that the victim understands the Financial Aid Office's reporting obligations – and, if the victim wants to maintain confidentiality, direct the victim to confidential resources. If the victim wants to tell the Financial Aid Office what happened but also maintain confidentiality, the Coordinator should tell the victim that CCU College will consider the request, but cannot guarantee that the school will be able to honor it. The Financial Aid Office will not pressure a victim to request confidentiality, but will honor and support the victim's wishes, including for CCU College to fully investigate an incident. By the same token, the Financial Aid Office will not pressure a victim to make a full report if the victim is not ready to.

### **Requesting Confidentiality From CCU COLLEGE: Weighing the Request and Responding.**

If a victim discloses an incident to the Financial Aid Office but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, CCU College must weigh that request against the school's obligation to provide a safe, non-discriminatory environment for all students, including the victim. If CCU College 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. Although rare, there are times when CCU College may not be able to honor a victim's request in order to provide a safe, non-discriminatory environment for all students. The Financial Aid Office will evaluate requests for confidentiality. When weighing a victim's request for confidentiality or that no investigation or discipline be pursued, the Financial Aid Office 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 perpetrators;
- Whether the sexual misconduct was perpetrated with a weapon;
- Whether the victim is a minor;
- Whether CCU College possesses other means to obtain relevant evidence of the sexual misconduct (e.g., security cameras or personnel, physical evidence);
- Whether the victim's report reveals a pattern of perpetration (e.g., via 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 CCU College 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 CCU College 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. CCU College will remain ever mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students or school employees, will not be tolerated. CCU College 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 provide the victim with assistance if the victim wishes to do so.

CCU College may not require a victim to participate in any investigation or disciplinary proceeding. Because CCU College 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.

**If CCU College determines that it can respect a victim's request for confidentiality**, the school will also take immediate action as necessary to protect and assist the victim.

### **Miscellaneous**

**Take Back the Night and other public awareness events.** Public awareness events such as "Take Back the Night," the Clothesline Project, candlelight vigils, protests, "survivor speak outs" or other forums in which students disclose incidents of sexual violence, are not considered notice to CCU College of sexual misconduct for purposes of triggering its obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts.

**Off-campus Counselors and Advocates.** Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with CCU College unless the victim requests the disclosure and signs a consent or waiver form. Contact information for these off-campus resources can be found in Section 4 of this Policy.

### **8. Investigation Procedures and Protocols**

The Financial Aid Office oversees the Institute's investigation, response to, and resolution of all reports of prohibited sexual misconduct, and of related retaliation, involving students, faculty, and staff. The Financial Aid Office 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 Financial Aid Office will inform the complainant before starting an investigation. The complainant may request that an investigation not be undertaken. The Financial Aid Office will consider such a request in light of CCU College's commitment to provide a safe and non-discriminatory environment for all students. If the Financial Aid Office determines not to investigate, he will notify the complainant in writing, including that the determination was made at the complainant's request. At the complainant's request, the Financial Aid Office will also notify the respondent in writing, including that the complainant asked CCU College not to investigate. The investigator will direct the complainant, respondent, witnesses and other interested individuals to preserve any relevant evidence. If an investigation proceeds, CCU College 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 Financial Aid Office to review the Policy and these Procedures.

### **Investigation Process**

CCU College's process for responding to, investigating and adjudicating sexual misconduct reports will continue during any law enforcement proceeding. The investigator may need to temporarily delay an investigation while the police are gathering evidence but will resume 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 Educational 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 Financial Aid Office 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 Financial Aid Office seeks to resolve all reports in a timely manner. There is no set time frame established for investigation, however, any investigation will proceed promptly and equitably.

Where necessary, CCU College 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 requests for confidentiality will likely limit CCU College'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 CCU College'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 Financial Aid Office 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 the CCU College community. Voluntary resolution is not appropriate for all forms of conduct under the Policy.

CCU College 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 Financial Aid Office concludes that voluntary resolution is appropriate, then the Financial Aid Office 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 the CCU College community. Restorative models will be used only with the consent of both parties, and following a determination by the Financial Aid Office that the matter is appropriate for a restorative approach.

CCU College will not compel a complainant to engage in mediation, to confront directly the respondent, or to participate in any particular form of informal resolution. Mediation, even if voluntary, is never appropriate in sexual assault 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 at any time.

The time frame for completion of voluntary resolution may vary, but CCU College will seek to complete the process within 15 days of the complainant's request.

## **9. Grievance/Adjudication Procedures Hearing Panel**

If voluntary resolution is not available, CCU College 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 Financial Aid Office and two additional members who will be individuals associated with CCU College.

These additional hearing panel members may include administrators, officers, lawyers 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 the 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 Financial Aid Office will, whenever possible, give the complainant and respondent at least five days advance notice of the hearing. The Financial Aid Office will arrange to hold the hearing at an off-campus location. The hearing is a closed proceeding, meaning that no one other than the panel members, the complainant and respondent, their respective advisors, witnesses (when called), and necessary CCU College personnel may be present during the proceeding. The Campus Financial Aid Office will work with school staff so that any student whose presence is required may participate in the hearing.

In general, hearings will proceed as follows:

- The Financial Aid Office 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 these 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 hearing rules include:
  - 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.

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

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

The investigators, with or without a hearing, must make findings of fact and conclusions as to whether the facts support a finding of responsibility for violation of the school's sexual misconduct policy. If the complaint presented more than a single allegation of misconduct, a decision will be reached separately as to each allegation of misconduct.

The findings of fact and conclusions will be reached by applying a preponderance of the evidence standard. The decision-makers must offer each party the same meaningful access to any information that will be used during informal and formal disciplinary meetings and hearings, including the investigation report. The parties will have the opportunity to respond to the report in writing in advance of the decision of responsibility and/or at a live hearing to decide responsibility.

Any process made available to one party in the adjudication procedure will be made equally available to the other party (for example, the right to have an attorney or other advisor present and/or participate in an interview or hearing; the right to cross-examine parties and witnesses or to submit questions to be asked of parties and witnesses).

When resolving allegations of dating violence, domestic violence, sexual assault, or stalking, the school will provide the accuser and the accused with the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. In such disciplinary proceedings and any related meetings, the institution may not limit the choice of advisor or presence for either the accuser or the accused, but may establish restrictions regarding the extent to which the advisor may participate in the proceedings.

## **10. Sanctions and Other Remedies**

The Financial Aid Office, with the advice and counsel of the other hearing panel members, shall be responsible for imposing sanctions that are:

- Fair and appropriate given the facts of the particular case;
- Consistent with CCU College's handling of similar cases;
- Adequate to protect the safety of the campus community; and
- Reflective of the seriousness of sexual misconduct.

The Financial Aid Office 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 CCU College community; and
- (7) The respondent's conduct during the disciplinary process.

The Financial Aid Office 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. CCU College 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 CCU College 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 CCU College employment
- Suspension (limited time or indefinite)
- Expulsion

In addition to any other sanction (except where the sanction is expulsion), CCU College will 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. CCU College 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 Financial Aid Office will determine whether such measures are appropriate. Potential ongoing accommodations include:

- Providing an escort for the complainant
- Changing the complainant's 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

CCU College 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 CCU College 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 CCU College's policies relating to sexual misconduct
- Climate surveys regarding sexual misconduct

## **11. 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 CCU College. The three grounds for appeal are:

1. A procedural error affecting the determination 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 President of CCU College within five days after receiving the sanctioning notice. If either the complainant or respondent submits an appeal, the Financial Aid Office 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 notice of an appeal. If the President concludes that a change in the hearing panel's determination is warranted, the President may enter a revised determination, reconvene the panel to reconsider the determination, or return the matter for additional investigation. After consultation with the Financial Aid Office, the President may also change the sanction. If both the complainant and respondent appeal, the appeals will be considered concurrently.

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

## **12. Records Disclosure**

Disciplinary proceedings conducted by CCU College 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 CCU College 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 as part of a parallel investigation into the same conduct, or required to be produced through other compulsory legal process. Additional information about FERPA can be found on the CCU College's website at [www.ccucollege.com](http://www.ccucollege.com).

## **13. Education and Prevention Programs**

As set forth in Section 3 of this Policy statement, Sexual Assault, Sexual Harassment, Sexual Exploitation, Dating Violence, Domestic Violence, and Stalking are all forms of Prohibited Conduct.

CCU College is committed to offering educational programs to promote awareness and prevention of Prohibited Conduct. Educational programs include an overview of CCU College'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 Financial Aid Office maintains an education and prevention calendar and tailors programming to campus needs and climate.

As part of CCU College's commitment to provide an educational and work environment free from Prohibited Conduct, this Policy will be disseminated widely to the school community through e-mail communication, publications, websites, new employee orientations, student orientations, and other appropriate channels of communication.

### **Definitions of Sexual Misconduct**

Sexual Assault is any unwanted physical contact of a sexual nature that occurs either without the consent of each participant or when a participant is unable to give consent freely. Sexual assault can occur either

forcibly and/or against a person's will, or when a person is unable to give consent freely. Non-consensual sexual intercourse is any form of sexual intercourse (vaginal, anal or oral) with any object without consent. Nonconsensual sexual contact is any intentional sexual touching, however slight, with any object without a person's consent.

(a) "Consent" means intelligent, knowing, and voluntary consent and does not include coerced submission. "Consent" shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender.

(b) "Mentally defective" means a mental disease or defect which renders a person temporarily or permanently incapable of appraising the nature of his or her conduct.

(c) "Mentally incapacitated" means temporarily incapable of appraising or controlling a person's own conduct due to the influence of a narcotic, anesthetic, or intoxicating substance administered without his or her consent or due to any other act committed upon that person without his or her consent.

(d) "Offender" means a person accused of a sexual offense in violation of a provision of this chapter.

(e) "Physically helpless" means unconscious, asleep, or for any other reason physically unable to communicate unwillingness to an act.

(f) "Retaliation" includes, but is not limited to, threats of future physical punishment, kidnapping, false imprisonment or forcible confinement, or extortion.

(g) "Serious personal injury" means great bodily harm or pain, permanent disability, or permanent disfigurement.

(h) "Sexual battery" means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose.

(i) "Victim" means a person who has been the object of a sexual offense.

(j) "Physically incapacitated" means bodily impaired or handicapped and substantially limited in ability to resist or flee.

(2)(a) A person 18 years of age or older who commits sexual battery upon, or in an attempt to commit sexual battery injures the sexual organs of, a person less than 12 years of age commits a capital felony \* \* \* .

(b) A person less than 18 years of age who commits sexual battery upon, or in an attempt to commit sexual battery injures the sexual organs of, a person less than 12 years of age commits a life felony, \* \* \* .

(3) A person who commits sexual battery upon a person 12 years of age or older, without that person's consent, and in the process thereof uses or threatens to use a deadly weapon or uses actual physical force likely to cause serious personal injury commits a life felony \* \* \* .

(4)(a) A person 18 years of age or older who commits sexual battery upon a person 12 years of age or older but younger than 18 years of age without that person's consent, under any of the circumstances listed in paragraph (e), commits a felony of the first degree \* \* \* .

(b) A person 18 years of age or older who commits sexual battery upon a person 18 years of age or older without that person's consent, under any of the circumstances listed in paragraph (e), commits a felony of the first degree \* \* \* .

(c) A person younger than 18 years of age who commits sexual battery upon a person 12 years of age or older without that person's consent, under any of the circumstances listed in paragraph (e), commits a felony of the first degree

\* \* \*

(e) The following circumstances apply to paragraphs (a)-(d):

1. The victim is physically helpless to resist.
2. The offender coerces the victim to submit by threatening to use force or violence likely to cause serious personal injury on the victim, and the victim reasonably believes that the offender has the present ability to execute the threat.
3. The offender coerces the victim to submit by threatening to retaliate against the victim, or any other person, and the victim reasonably believes that the offender has the ability to execute the threat in the future.
4. The offender, without the prior knowledge or consent of the victim, administers or has knowledge of someone else administering to the victim any narcotic, anesthetic, or other intoxicating substance that mentally or physically incapacitates the victim.
5. The victim is mentally defective, and the offender has reason to believe this or has actual knowledge of this fact.

6. The victim is physically incapacitated.

7. The offender is a law enforcement officer, correctional officer, or correctional probation officer, who is certified or is an elected official exempt from such certification, or any other person in a position of control or authority in a probation, community control, controlled release, detention, custodial, or similar setting, and such officer, official, or person is acting in such a manner as to lead the victim to reasonably believe that the offender is in a position of control or authority as an agent or employee of government.

(5) (a) A person 18 years of age or older who commits sexual battery upon a person 12 years of age or older but younger than 18 years of age, without that person's consent, and in the process does not use physical force and violence likely to cause serious personal injury commits a felony of the first degree\* \* \*.

(b) A person 18 years of age or older who commits sexual battery upon a person 18 years of age or older, without that person's consent, and in the process does not use physical force and violence likely to cause serious personal injury commits a felony of the second degree\* \* \*.

(c) A person younger than 18 years of age who commits sexual battery upon a person 12 years of age or older, without that person's consent, and in the process does not use physical force and violence likely to cause serious personal injury commits a felony of the second degree\* \* \*.

(8) Without regard to the willingness or consent of the victim, which is not a defense to prosecution under this subsection, a person who is in a position of familiar or custodial authority to a person less than 18 years of age and who:

(a) Solicits that person to engage in any act which would constitute sexual battery under paragraph (1)(h) commits a felony of the third degree\* \* \*.

(b) Engages in any act with that person while the person is 12 years of age or older but younger than 18 years of age which constitutes sexual battery under paragraph (1)(h) commits a felony of the first degree\* \* \*.

(c) Engages in any act with that person while the person is less than 12 years of age which constitutes sexual battery under paragraph (1)(h), or in an attempt to commit sexual battery injures the sexual organs of such person commits a capital or life felony\* \* \*.

(9) For prosecution under paragraph (4)(a), paragraph (4)(b), paragraph (4)(c), or paragraph (4)(d) which involves an offense committed under any of the circumstances listed in subparagraph (4)(e)7., acquiescence to a person reasonably believed by the victim to be in a position of authority or control does not constitute consent, and it is not a defense that the perpetrator was not actually in a position of control or authority if the circumstances were such as to lead the victim to reasonably believe that the person was in such a position.

(10) A person who falsely accuses a person listed in subparagraph (4)(e)7. or other person in a position of control or authority as an agent or employee of government of violating paragraph (4)(a), paragraph (4)(b), paragraph (4)(c), or paragraph (4)(d) commits a felony of the third degree\* \* \*.

As described above, in certain circumstances it is an element of the offense that the sexual act was committed without the victim's consent. "consent" means intelligent, knowing, and voluntary consent and does not include coerced submission. "Consent" shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender. Stalking; definitions; penalties.

(1) As used in this section, the term:

(a) "Harass" means to engage in a course of conduct directed at a specific person which causes substantial emotional distress to that person and serves no legitimate purpose.

(b) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, which evidences a continuity of purpose. The term does not include constitutionally protected activity such as picketing or other organized protests.

(c) "Credible threat" means a verbal or nonverbal threat, or a combination of the two, including threats delivered by electronic communication or implied by a pattern of conduct, which places the person who is the target of the threat in reasonable fear for his or her safety or the safety of his or her family members or individuals closely associated with the person, and which is made with the apparent ability to carry out the threat to cause such harm. It is not necessary to prove that the person making the threat had the intent to

actually carry out the threat. The present incarceration of the person making the threat is not a bar to prosecution under this section.

(d) "Cyberstalk" means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

(2) A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of stalking, a misdemeanor of the first degree \* \* \*.

(3) A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person and makes a credible threat to that person commits the offense of aggravated stalking, a felony of the third degree \* \* \*.

(4) A person who, after an injunction for protection against repeat violence, sexual violence, or dating violence, or an injunction for protection against domestic violence, or after any other court-imposed prohibition of conduct toward the subject person or that person's property, knowingly, willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of aggravated stalking, a felony of the third degree \* \* \*.

(5) A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks a child under 16 years of age commits the offense of aggravated stalking, a felony of the third degree \* \* \*.

(6) A law enforcement officer may arrest, without a warrant, any person that he or she has probable cause to believe has violated this section. Definitions with respect to Domestic Violence:

(2) "Domestic violence" means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member. (3) "Family or household member" means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit. Definitions with respect to Dating Violence: "Dating violence" means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors:

1. A dating relationship must have existed within the past 6 months;
2. The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and
3. The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship. The term does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context.

## **Bystander Intervention**

CCU College 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 important components to consider before taking action that we refer to as the ABCs:

- **Assess for safety.** Ensure that all parties are safe, and whether the situation requires calling authorities. 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 and Response Office from: [www.sapr.mil](http://www.sapr.mil)*

## **Risk Reduction**

CCU College's primary prevention and awareness program includes information on risk reduction. This includes: *Avoiding Dangerous Situations*. While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted.

- Be aware of your surroundings. Knowing where you are and who is around you may help you to 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 purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cash money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone. *Safety Planning*. Things to think about:
  - How to get away if there is an emergency? Be conscious of exits or other escape routes. Think about options for transportation (car, bus, subway, etc.).
  - Who can help? Friends and/or family, or support centers in your area. Please see Section 4 of this Policy for a list of support organizations.
  - Where to go? Options may include a friend's house or relative's house, or you may consider going to a domestic violence or homeless shelter. You may also go to the police. **Important Safety Note:** If the dangerous situation involves a partner, go to the police or a shelter first.
  - What to bring? This may include important papers and documents such birth certificate, social security card, license, passport, medical records, lease, bills, etc. This will also include house keys, car keys, cash, credit cards, medicine, important numbers, and your cell phone. If you are bringing children with you, remember to bring their important papers and legal documents. You can keep all of these things in an emergency bag. You should hide the bag—it is best if it is not in your house or car. If the bag is discovered, you can call it a "tornado" or "fire" bag. *Protecting Your Friends*. You have a crucial role to play in keeping your friends safe. No matter what the setting, if you see something that doesn't feel quite right or see someone who might be in trouble, there are some simple things you can do to help out a friend.
    - If you see a friend in a situation that doesn't feel quite right, create a distraction to get your friend to safety. This can be as simple as joining or redirecting the conversation: suggest to your friend that you leave the party, or ask them to walk you home. Try asking questions like: "Do you want to head to the bathroom with me?" or "Do you want to head to another party – or grab pizza?"
    - 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 about directly asking the person if they need help or if they feel uncomfortable.
    - Enlist others. You don't have to go it alone. Call in friends or other people in the area as reinforcements to help defuse a dangerous situation and get the at-risk person home safely. There is safety in numbers.
    - Keep an eye out. Use your eyes and ears to observe your surroundings. If you see someone who has had too much to drink or could be vulnerable, try to get them to a safe place. Enlist friends to help you. Even if you weren't around when the assault occurred, you can still support a friend in the aftermath. *Social Situations*. While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted in social situations.
      - When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.

- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious contact law enforcement immediately.
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others). *Information on Risk Reduction was provided by RAINN: Rape, Abuse & Incest National Network: [www.rainn.org](http://www.rainn.org).*

#### 14. Amendments

CCU College may amend the Policy or the Procedures from time to time. Nothing in the Policy or Procedures shall affect the inherent authority of CCU College to take such actions as it deems appropriate to further the educational mission or to protect the safety and security of the school community.

#### Definitions of Key Terms

- **Sexual Harassment** – Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education or employment, (ii) submission to or rejection of such conduct by an individual is used as the basis for education or employment decisions affecting such individuals, or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's school or work performance or creating an intimidating, hostile, or offensive educational or working environment.
- **Hostile Environment Caused By Sexual Harassment** – refers to a situation where students and/or employees are subject to a pattern of exposure to unwanted sexual behavior that is so severe, persistent, or pervasive that it alters the conditions of education, employment, or participation in a school program or activity, thereby creating an environment that a reasonable person in similar circumstances and with similar identities would find hostile, intimidating, or abusive. An isolated incident, unless sufficiently severe, does not amount to a hostile environment caused by sexual harassment.
- **Quid Pro Quo Harassment** – refers to a situation where students and/or employees are subject to unwanted sexual behavior where submission or rejection of such conduct is used, explicitly or implicitly, as the basis for decisions affecting an individual's education, employment, or participation in a school program or activity.
- **Sexual Assault** – is any unwanted physical contact of a sexual nature that occurs either without the consent of each participant or when a participant is unable to give consent freely. Sexual assault can occur either forcibly and/or against a person's will, or when a person is unable to give consent freely. Nonconsensual sexual intercourse is any form of sexual intercourse (vaginal, anal or oral) with any object without consent. Non-consensual sexual contact is any intentional sexual touching, however slight, with any object without a person's consent.
- **Domestic Violence** – A felony or misdemeanor crime of violence committed (i) by a current or former spouse or intimate partner of the victim; (ii) by a person with whom the victim shares a child in common; (iii) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (iv) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (v) by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- **Dating Violence** – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. 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 this definition dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

• **Prohibited Conduct** – CCU College prohibits the crimes of Sexual Assault, Sexual Harassment, Sexual Exploitation, Dating Violence, Domestic Violence, and Stalking as defined in these Definitions of Key Terms.

• **Sexual Exploitation** – sexual misconduct that occurs when a person takes unjust or abusive sexual advantage of another for his or her own advantage or benefit or for the benefit or advantage of anyone other than the exploited party; and that behavior does not otherwise constitute sexual assault. Examples of sexual exploitation include, but are not limited to, videotaping or photographing of any type (web-cam, camera, Internet exposure, etc.) without knowledge and consent of all persons; prostituting another person; knowingly transmitting HIV or a sexually transmitted disease to an unknowing person or to a person who has not consented to the risk; or inducing incapacitation with the intent to commit sexual assault, without regard to whether sexual activity actually takes place.

• **Stalking** – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveys, threatens, or communicates to or about a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

• **Retaliation** – means any adverse action, or attempted adverse action, against an individual or group of individuals because of their participation in any manner in an investigation, proceeding, or hearing under this Policy.

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

• **Consent** is a voluntary agreement to engage in sexual activity.

- Past consent does not imply future consent.
- Silence or an absence of resistance does not imply consent.
- 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.

Someone who is incapacitated cannot consent. Incapacitation refers to a situation in which a person is not capable of providing consent because the person lacks the ability to understand her or his decision. This situation may occur due to the use of drugs or alcohol, when a person is asleep or unconscious, or because of an intellectual or other disability that prevents the student from having the capacity to give consent.

- Complainant – means the person making the allegation(s) of sexual misconduct.
- Respondent – means the person alleged to have committed sexual misconduct.

### **Registered Sexual Offenders**

A list of individuals who are registered sex offenders in Minnesota can be found at the Minnesota Department of Corrections website. <http://doc.mn.gov/communityresources/mn-sex-offender-registry>

### **EMERGENCY RESPONSE/EVACUATION PROCEDURES**

Should an emergency or dangerous situation arise that may impact the safety or health of the CCU College students or staff while on the campus the CCU College has procedures in place.

In a dangerous or emergency situation, a campus staff member will contact a school administrator and the proper authorities. The school will proceed with an all campus lock down until the authorities have the situation under control and the police notify a staff/administrative member that it is safe for the students and staff. Should a situation arise before the students arrive on campus; the staff will attempt to notify the students by phone/text message and advise them accordingly. The appropriate staff member will place signs on the front and rear entrances of the building.

In the case of a fire follow the campus signage for exit locations. Choose an exit that is closest to your location and exit quickly and in an orderly fashion, follow the directions of the staff member.

In the event of a tornado move in an orderly fashion to the treatment room area or follow the staff member to the basement, follow the directions of the staff members. Tests of these emergency response and evacuation procedures are conducted biannually and students are informed of them on their first day of class. The tests may or may not be announced.

### **Emergency Telephone Numbers**

911

### **Non-Emergency Numbers**

Hospital – St Mary's 218-786-4000 St Luke's 218-249-5555

Information and Referral Services United Way 211

Fire Department 218-730-4394

Police Department 218-730-5400

Sheriff's Department 218-726-2340

### **ADMINISTRATIVE STAFF & FACULTY**

School Administration/Owners Richard and Karen Shaffer

Financial Officer Kari Prudhomme

School Manager Maddy Adamich

Instructors Maddy Adamich, Carolyn Turkowski

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### **COSMETOLOGY CAREERS UNLIMITED COLLEGE**

#### **CAMPUS CRIME STATISTICS REPORT**

#### **OCTOBER 1, 2019**

CCU College provides its students and employees an Annual Security Report. In accordance with the Crime Awareness and Campus Security Act of 1990, the school has gathered crime statistics from January 1, 2015 through December 31, 2018. Included below are reportable criminal offenses and violations that occurred on campus and/or public property. "On campus" is defined as buildings or property owned or controlled by the institution within the same reasonably contiguous geographic area and used by the institution in a manner related to the institution's educational purpose. "Public property" is defined as property that is located within the same reasonably contiguous geographic areas of the campus, like a sidewalk, street or public parking lot, that is adjacent to a facility owned or controlled by the institution for purposes related to the institution's educational purposes. The academy does not have any non-campus buildings or property. The campus security policy is available for review or copy during normal business hours by submitting

a request to the Rich Shaffer at [rich.shaffer@coscareers.com](mailto:rich.shaffer@coscareers.com)

### **Offense Year**

#### **On Campus**

#### **Property Public Property**

2015 0 0

**Murder/Non-negligent manslaughter 2016 0 0**

2017 0 0

2018 0 0

2015 0 0

**Negligent manslaughter 2016 0 0**

2017 0 0

2018 0 0

2015 0 0

**Rape 2016 0 0**

2017 0 0

2018 0 0

2015 0 0

**Fondling 2016 0 0**

2017 0 0  
2018 0 0  
2015 0 0  
Incest 2016 0 0  
2017 0 0  
2018 0 0  
2015 0 0  
Statutory Rape 2016 0 0  
2017 0 0  
2018 0 0  
2015 0 0  
Robbery 2016 0 0  
2017 0 0  
2018 0 0  
2015 0 0  
Aggravated Assault 2016 0 0  
2017 0 0  
2018 0 0  
2015 0 0  
Burglary 2016 0 0  
2017 0 0  
2018 0 0  
2015 0 0  
Motor Vehicle Theft 2016 0 0  
*(Does not include theft from a motor vehicle)* 2017 0 0  
2018 0 0  
2015 0 0  
Arson 2016 0 0  
2017 0 0  
2018 0 0  
59

## **VAWA Offenses Year**

### **On Campus**

#### **Property Public Property**

2015 0 0

#### **Domestic Violence 2016 0 0**

2017 0 0

2018 0 0

2015 0 0

#### **Dating Violence 2016 0 0**

2017 0 0

2018 0 0

2015 0 0

#### **Stalking 2016 0 0**

2017 0 0

2018 0 0

## **Hate Crimes Year**

### **On Campus**

#### **Property Public Property**

2015 0 0

#### **Murder/Non-negligent manslaughter 2016 0 0**

2017 0 0

2018 0 0

2015 0 0

#### **Rape 2016 0 0**

2017 0 0

2018 0 0

2015 0 0

#### **Fondling 2016 0 0**

2017 0 0

2018 0 0  
2015 0 0  
Incest 2016 0 0  
2017 0 0  
2018 0 0  
2015 0 0  
Statutory Rape 2016 0 0  
2017 0 0  
2018 0 0  
2015 0 0  
Robbery 2016 0 0  
2017 0 0  
2018 0 0  
2015 0 0  
Aggravated Assault 2016 0 0  
2017 0 0  
2018 0 0  
2015 0 0  
Burglary 2016 0 0  
2017 0 0  
2018 0 0  
2015 0 0  
Motor Vehicle Theft 2016 0 0  
*(Does not include theft from a motor vehicle)* 2017 0 0  
2018 0 0  
2015 0 0  
Arson 2016 0 0  
2017 0 0  
2018 0 0  
2015 0 0  
Larceny - theft 2016 0 0  
2017 0 0  
2018 0 0  
2015 0 0  
Simple Assault 2016 0 0  
2017 0 0  
2018 0 0  
2015 0 0  
Intimidation 2016 0 0  
2017 0 0  
2018 0 0  
60  
2015 0 0  
Destruction/damage/vandalism of property 2016 0 0  
2017 0 0  
2018 0 0  
Arrests and Referrals for Disciplinary  
Action Year  
On Campus  
Property Public Property  
2015 0 0  
Weapons: Carrying, Possessing, Etc. 2016 0 0  
2017 0 0  
2018 0 0  
2015 0 0  
Drug Abuse Violatons 2016 0 0  
2017 0 0  
2018 0 0  
2015 0 0  
Liquor Law Violatons 2016 0 0  
2017 0 0

2018 0 0