

Annual Security Report, Campus Safety, Drug & Alcohol Awareness & VAWA

**Institution's Policies and
Procedures Manual**

Disclosed September 1, 2018

MEMO

To: Staff and Students

From: _____, Executive Director

Date: _____

Subject: Annual Security Report, Campus Safety, Drug & Alcohol Awareness & VAWA

Purpose and Summary:

In compliance with the requirements set forth by Department of Education, I am providing you with information regarding the Institution's Annual Security Report and its Policies and Procedures.

The purpose of this manual is to provide prevention and awareness and promote safety to our staff and students and the university's community. The following manual is designed for employees and students. Please read over these policies carefully.

If you have any questions or concerns about these policies, or if you would like to provide additional input, please contact the Executive Director.

The institution's goal is to reduce risk, by providing primary and ongoing awareness of ways to prevent crime, bring awareness of the risks of drug and alcohol use, actively promote safety and reduce violence against men and women, providing you a safe working and learning environment is my greatest concern. I hope that these policies will work towards that goal. As a campus community we can be united to wipe out crime!

Table of Contents

Annual Security Report Policies.....	4
Drug & Alcohol Free Compliance.....	10
No Weapons on Campus.....	27
Violence Against Women Act.....	30
Bystander Intervention Program.....	39
Reporting Crime.....	42
Reducing Risk & Available Resources.....	49
Exhibits.....	52

Part 1

Annual Security Report Policies

Policies for Preparing the Annual Security Report (ASR)

The Clery Act requires all institutions of higher education to publish an annual report of security policies and crime statistics (ASR). Information contained in this report was solicited by the school Executive Director every year by July 31st. The report is requested from the local police forces for the purpose of indentifying crimes that occurred on campus and on public property (property adjacent to University of Cosmetology Arts & Sciences). In addition to crimes reported to the police, the report contains Institutional Crimes reported to School Security Force collected throughout the year.

The Executive Director is responsible for requesting the police report, compiling institutional crimes reported and disclosing the Annual Statistics Report by September 1 of every year to staff and students. The ASR contains certain crime statistics for the most recent three year reporting period as well as Institution Crime Logs. The complete report is published at the school's website at www.ucastx.com The School maintains records of the ASR for 7 years within its premises.

This report is made available to all current and prospective students and current and prospective employees; for a printed copy visit the school's Executive Director's office. In addition to the report, University of Cosmetology Arts & Sciences reports its crime statistics to the Department of Education, which posts the information to their website at <http://www.ope.ed.gov/security/InstList.aspx>

This report will also outline the school's policies regarding VAWA (Violence Against Women Act), alcohol-and-drug-related violations, including use, sale, and possession and under—age drinking and the prohibition of weapons on campus. The report will make available informational programs to students and employees about bystander intervention, definitions for reportable crimes, crime prevention, campus security and alcohol or drug abuse (as required by law).

Primary and Ongoing training is provided to current employees on an ongoing, yearly basis. Resources and contact information for Organizations that provide professional assistance are provided throughout this manual and on our school website.

Reporting Crime Confidentially & Voluntary

Victims and/ or Witnesses are encouraged to speak to any staff member pertaining to incidents or potential incidents of violence/ crime against women that may have occurred within or out of the school premises.

(Insert Staff names & Titles for your school)

Reporting of such crime is kept confidential and voluntary, and the school treats all reported incidents without bias towards persons involved. The names are not disclosed in the school's Annual Report Statistics disclosure, yet the reported crime will be part of the school's ARS. A specific form is used to describe and document incident. Victims and/ or Witnesses are encouraged to promptly report the incident to **911** or local authorities.

A person choosing to report a crime anonymously may choose to mail out the report to the school's Corporate Office address: **ATTN: ASR-Corporate Office, 8401 N. 10th Street, McAllen, Texas 78504.**

The school does not employ Pastoral or Counselors, but rather provides victim with local agencies that may be of assistance.

Reporting "Unfounded" Crimes to the Annual Report Statistics

When there is no truth to the Report, the school does not have to report it on its Annual Statistics Report, due to lack of reason or fact. If a complaint is reported, but the victim does not cooperate with school officials or with local authorities, the investigation may be closed and considered unfounded, due to lack of support of the reported crime. Police force is responsible for determining if a crime is unfounded.

Chief School Officer will make a written report, attachment "A" listing the following:

- Date of Report
- Time of Report
- Name of complaint (Voluntary)
- Nature of complaint
- Action taken by Chief School Officer
- Recommendations to Higher Authorities

NOTE: STUDENTS AND EMPLOYEES ARE INCOURAGED TO BE RESPONSIBLE FOR THEIR OWN SECURITY AND THE SECURITY OF OTHERS.

TYPE AND FREQUENCY OF CAMPUS SECURITY PROCEDURES PROGRAM

As stated in our policy, the policy of the institution is to disclosed and distribute through publications, flyers, or hand-outs, information to all current students and employees, and to any applicant for enrollment or employment upon request an annual campus security report. The information will be available in the

Admissions Office, Financial Aid Office, Placement Office and with School Executive Director.

Statistics concerning the occurrence on campus of the following criminal Offenses reported to campus security authorities or local police agencies are:

- Criminal Offenses/ Hate Crimes
 - Murder- Negligent and Non-negligent
 - Sex Offenses- Forcible and Non-Forcible
 - Robbery
 - Aggravated Assault
 - Burglary
 - Motor Vehicle Theft
 - Arson
- Arrests or Disciplinary Actions for:
 - Illegal Weapon Possession
 - Drug Law or Liquor Law Violations
- Addition of crimes that must be reported:
 - Illegal Weapon Possession
 - Drug law or Liquor law violations
 - Larceny-theft
 - Simple assault
 - Intimidation
 - Vandalism
 - Crime related dating violence
 - Domestic violence
 - Stalking

Timely Warnings

The Institution will issue a timely warning for any Clery Act crime that represents an ongoing threat to the safety of students or employees. The timely warning will occur by means of person-to-person notification, intercom announcement and printed flyers and social media. The Executive Director's Office is responsible for issuing the Timely Warning.

Emergency Notifications

The Institution will issue an emergency notification **without delay** and taking into account the safety of the community; upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus, such as fire, flood,

intruder, bomb threat or a hostage situation. The timely warning will occur by means of person-to-person notification, intercom announcement, printed flyers, and social media. The Executive Director's Office is responsible for issuing the Timely Warning.

Campus Facilities

The institution does not have campus residence halls or housing, therefore the ASR does not contain residence halls crimes.

Law Enforcement in Relation to the ASR

The institution does not employ security personnel or local law enforcement for on campus security, but rather maintains a School Security Force comprised of the School Executive Director and other personnel. The institution does not have written memoranda of understanding (MOU) between the institution and such agencies for the investigation of alleged criminal offenses.

Campus Security Authorities

The School Security Force does not have the authority to arrest, but rather will contact local agencies in instances where it is necessary.

The school does not employ security personnel. A School Security Force has been appointed to enhance the safety of both the students and the employees. All Students and employees are encouraged to report crimes promptly, suspicious activities or other security problems to the proper authorities at the school and to local authorities when deemed appropriate.

School Executive Director: _____
School Student Salon Director: _____

Emergency Drills & Evacuation Procedures

At least annually, the school has Fire, Safety & Emergency Evacuation Drills. The School Executive Director meets with the staff shortly after the drills to assess the drill and discuss effectiveness, strengths, weaknesses and improvements needed.

The drills are documented and for each instance, the School Executive Director will document the type of drill, the date, the time and whether it was announced or unannounced.

The institution provides each staff with a complete **Emergency Planning Guide**.

Part 2

Drug & Alcohol Free Compliance

Drug & Alcohol Free Compliance

Staff and Students are prohibited from the unlawful manufacture, distribution, possession, or use of illicit drugs or alcohol. This prohibition applies while on the property of the school or participating in any institutional activity. Students or employees who violate this policy will be subject to disciplinary action up to and including expulsion or termination from employment.

There are numerous legal sanctions under local, state and federal laws which can be used to punish violator. Penalties can range from suspension, revocation and denial or a driver's licenses to 20-50 years imprisonment at hard labor without benefit or parole. Property may be seized. Community service may be mandated. Examples of penalties found in federal law for drug trafficking are included as Appendix A.

Recent federal anti-drug laws affect a number of areas in everyone's lives. Students could lose eligibility for financial aid, could be denied other federal benefits, such as Social Security, retirement, welfare, health, disability, and veterans benefits. The Department of Housing and Urban Development, which provides funds to states and communities for public housing, now has the authority to evict residents and member of their household who are involved in drug-related crimes on or near the public housing premises. Businesses could lose federal contracts if the company does not promote a drug-free environment. Finally, a record of a felony or conviction in a drug-related crime may prevent a person from entering certain careers.

The laws of the State of TEXAS are adequate to protect the innocent, but stringent enough to insure that persons involved with the illegal dealing of drugs or excessive use of alcohol can be adequately punished. For example, a small amount of drugs found on a person may lead to an arrest which could require the person to make payment of all court costs as well as participate in mandatory community service. A person found with drugs with the intention to distribute could be imprisoned. A person found to be intoxicated while driving could be forced to pay court costs, lawyer's fees, participate in community service, received an increase in the cost of automobile insurance or even lose the driver's license and end up in prison.

Texas DWI Defined

In Texas, **driving while intoxicated (DWI)** means drunk driving, and the state uses your **blood alcohol concentration (BAC)** to determine whether you're too intoxicated to operate a motor vehicle.

Below are the state's BAC limits:

- **21 years old or older:** 0.08%
- **Commercial drivers:** 0.04%
- **Younger than 21 years old:** Any detectable amount.

Alcohol can affect you based on the number of drinks you've had, your body weight, and even your gender. Check out the [TX blood alcohol percentage charts](#) to learn more.

Additional Drug and Alcohol Crimes

Mostly, DWI crimes are related to your BAC when operating a motor vehicle and certain other circumstances (as you'll see below). However, officers can arrest you for other alcohol-related crimes involving your vehicle.

For example, it's illegal to have an open container of alcohol in the passenger area of your vehicle if you're driving or parked on a public highway (Texas defines the "passenger area" as the area designed for people to sit in while traveling).

A simple **open container violation** results in a maximum \$500 fine and a Class C misdemeanor. However, if you're arrested for **DWI and open container**, you'll get a Class B misdemeanor and a minimum of 6 days in jail.

For more information on other kinds of DWI laws, check out [Title 10, Chapter 49](#) of the state's penal code.

Understand Your DWI Penalties

TX DWI penalties are based on factors like age, license type, and other circumstances (such as having other passengers in the vehicle, or horrific events like death).

Common DWI penalties you can expect include:

- Fines and surcharges (also tack on court costs and lawyer fees).
- [License suspension or revocation](#).
- Community service.
- Imprisonment (even for a first offense).
- DWI education and intervention programs.
- More expensive car insurance, depending on your provider.

DWI Penalties: Minors

TX DWI laws distinguish anyone younger than 21 years old as a minor.

Minors and Implied Consent

Driving on Texas roads implies you give law enforcement consent to check your breath or blood for the presence of alcohol or other drugs. The TX DMV will suspend your license if you refuse a breath or blood test.

- **First offense:** 180 days
- **Second/subsequent offenses:** 2 years

Don't have a license yet? The DMV will delay your driving privileges the same number of days or years.

Minors and DWI

Like many states, Texas has a Zero Tolerance Law for minors and alcohol; this means drivers younger than 21 years old can't operate motor vehicles with **any amount of alcohol or drugs** in their systems.

For a first offense, you face:

- License suspension not to exceed 2 years. *
- Up to a \$500 fine.
- An Alcohol Education Program at least 12 hours long (see below).
- An additional 180 days of license suspension if you don't complete the Alcohol Education program.
- 90 days of license suspension if your judge gives you community service. This means you'll also have an ignition interlock device (see below).

* Generally, a second DWI offense brings 120 days of license suspension, and a third offense gets you 180 days.

Expect to also pay fines, court costs, and legal fees, should your parents hire an attorney for you.

Minors and Other Alcohol Offenses

Pretty much any involvement you have with alcohol can affect your driving privileges in Texas—including non-driving alcohol offenses.

Examples of **non-driving alcohol offenses** include:

- Purchasing or attempting to purchase alcohol.
- Lying about your age in an attempt to obtain alcohol.
- Presenting a falsified document stating that you're 21 years old in an attempt to obtain alcohol.
- Consuming alcohol.
- Possessing alcohol.
- Public intoxication.

Penalties for these offenses are as follows:

- **First offense:** License suspension for 30 days.
- **Second offense:** License suspension for 60 days.
- **Third offense:** License suspension for 180 days.

Based on your situation (and possibly even your age), your judge also might order the Alcohol Education Program and community service.

DWI Penalties: Adults

Just like it does for minors, Texas assigns DWI penalties for drivers 21 years old or older according to the offense number and other situation-specific factors.

Offenses: DWI Alcohol or Drugs

First Offense

- Up to a \$2,000 fine.
- Jail time between 3 days and 180 days.
- License suspension for up to 2 years.
- Annual surcharge up to \$2,000 for 3 years to keep your license.
- DWI intervention or education program (see below).
- Possible ignition interlock device (see below).

Second Offense

- Up to a \$4,000 fine.
- Jail time between 1 month and 1 year.
- License suspension up to 2 years.
- Annual surcharge of up to \$2,000 for 3 years to keep your license.
- DWI intervention or education program (see below).
- Possible ignition interlock device (see below).

Third Offense

- Up to a \$10,000 fine.
- State prison time between 2 years and 10 years.
- License suspension up to 2 years.
- Annual surcharge of up to \$2,000 for 3 years to keep your license.
- DWI intervention or education program (see below).
- Possible ignition interlock device (see below).

DWI with a Child Passenger

If you're drunk driving with a child younger than 15 years old in your vehicle, you face:

- Up to a \$10,000 fine.
- Jail time up to 2 years.
- License suspension for 180 days.

Extreme DWI Crimes

All DWI offenses are serious, but some are extremely grave, such as **intoxication assault** and **intoxication manslaughter**.

We've outlined some details about the serious crimes below; please refer to Chapter 10 of the Texas Drivers Handbook for more information specific to your situation.

Intoxication Assault

You can be charged with intoxication assault if, while drunk driving, you cause **serious bodily injury** to another person.

For these purposes, Texas considers serious bodily injury to be an injury that causes:

- A significant risk of death.
- Serious and permanent disfigurement or loss.
- Damage that impairs function of a body part or organ.

If you're convicted, you'll have a 3rd degree felony.

Intoxication Manslaughter

As the name suggests, intoxication manslaughter involves killing another human being while you're operating a motor vehicle under the influence.

If you're convicted, you'll have a 2nd degree felony.

Commercial Drivers and DWI

The Federal Motor Carrier Safety Administration (FMCSA) states that any commercial driver operating a commercial vehicle with a BAC of 0.04% or higher is considered to be driving under the influence.

If you're a CDL holder and you either **refuse a chemical test** or take one and have a BAC of—

- 0.04% in your commercial vehicle
- 0.08% or higher in any vehicle

—your CDL is disqualified for 1 year. If you drive a commercial vehicle placarded for hazardous materials, the penalty is **3 years**.

Visit the FMCSA's [Disqualification of Drivers](#) for specific information.

Advertisement

Other DWI Penalties

Chemical Test Refusal Penalties

All drivers in Texas are subject to **implied consent**, which means that if you drive, you've implied your consent to a chemical test if law enforcement suspects you're drunk or otherwise impaired.

If you refuse a chemical test (often a blood or breath test), law enforcement can enforce **Administrative License Revocation (ALR)**, which is a type of license suspension unrelated to your other possible DWI penalties.

Chemical test refusals can lead to license suspension between 90 days and 2 years for adults (for drivers under 21 years old, see the "DWI Penalties: Minors" section above), but here's how chemical test refusals and ALR usually play out:

- You refuse a chemical test.
- The officer takes your driver's license and issues you a temporary driving permit.

- You have 15 days to request a hearing, after which any hearing request will be denied.
- If you don't request a hearing, your license suspension kicks in 40 days after the arrest. (Sometimes, missing or delayed paperwork is taken into consideration.)
- You'll eventually pay a \$125 fee to get your license back.

The State Office of Administrative Hearings handles the hearings, and you can request one using the state's [ALR Hearing Request](#) page. Allow 120 days to receive the date, time, and location of your hearing.

If you're found guilty, you can **appeal the verdict**. Just send a file-stamped, clerk-certified copy of your appeal petition to the address below within 30 days of your suspension:

Department of Public Safety

Enforcement and Compliance Service

P.O. Box 4087

Austin, TX 78773-0320

DWI Intervention and Education Programs

Texas provides several alcohol intervention and education programs via the Texas Department of State Health Services.

Your judge will order the one that's right for you. We've outlined some facts below, but you can call the DSHS at (800) 832-9623 to find a list of approved courses.

DWI Education Program

The TX DWI Education program is designed for first-time offenders who are receiving probation. The program focuses on how alcohol and drugs affect the body, mind, and driving abilities; TX DWI laws; and substance abuse and dependency.

The course is 12 hours long, and drivers must complete it within 180 days of the date probation was granted.

DWI Intervention Program

The DWI Intervention Program is for repeat offenders—those who've had previous DWI offenses.

As you can imagine, the Intervention Program dives a little deeper, covering topics like lifestyle issues and self-esteem; alcoholism and chemical dependency; and support groups and processes like Al-Anon, 12-Step, and relapse prevention.

The course is 32 hours long, and if you fail to complete it, TX will revoke your license until you do.

Alcohol Education Program for Minors

Generally, the Alcohol Education Program for Minors is for minors who've gotten any DWI or DUI offenses.

The program's curriculum teaches alcohol awareness. Students learn about the relationship between alcohol and drugs and driving; societal issues related to drugs and alcohol; and patterns that lead to or indicate abuse and addiction.

Sometimes, a judge will substitute the program with community service, usually anywhere from 8 hours to 12 hours, but failure to complete the program (or the community service) within 90 days of the conviction leads to 6 months of license suspension.

Find out more about enrolling at [Alcohol Education Program for Minors](#).

Ignition Interlock Device

Your judge will determine whether you have to get an ignition interlock device (IID); if so, the court will send a notice to the TX DPS. You'll also receive a restricted interlock license with the "N" restriction. You will have **30 days to have the device installed before the DPS cancels your license.**

Before allowing you to get an IID, the DPS makes sure that:

- Your current driver's license isn't suspended or revoked.
- You've paid the necessary fees. These include the \$10 fee for the restricted interlock license and the license reinstatement fee (see below).

You must have your IID installed by an approved devices and installation location. Please visit the [Regulatory Services Division](#) to find one near you.

SR-22: Car Insurance and Proof of Financial Responsibility

Texas requires DWI offenders to file proof of financial responsibility, often called an SR-22 certificate. SR-22 isn't a form of car insurance, but it does provide the DPS with proof you're carrying the state's minimum liability coverage.

SR-22 must be on file with the DPS for 2 years from the date of your DWI conviction. The state does not accept a regular insurance policy document or card. It must be an SR-22 Financial Responsibility Insurance Certificate.

If your SR-22 is cancelled or you allow it to lapse, the DPS will suspend your driving privileges and vehicle registration.

Most auto insurance carriers offer SR-22, but if you need help finding one, the TX DPS recommends visiting the Texas Department of Insurance.

Lower Your Car Insurance Rates

Even after it's all said and done, you might still experience "penalties" in the form of higher car insurance rates. Once your provider takes a look at your driving report and sees the conviction, they'll probably increase your rates once it's time to renew your policy.

However, you *can* try to get the lowest coverage rates possible when you shop around with other car insurance providers.

HINT: Before you contact any car insurance providers, obtain your driving history so you'll know what you're up against—or what's working in your favor.

Health Risks Associated with 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 like hood that the driver will be involved in an car 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 impairment in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

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 the liver.

Mother who drinks alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

College Drinking Consequences

The consequences of excessive and underage drinking affect virtually all college campuses, college communities, and college students, whether they choose to drink or not.

- **Death:** 1,825 college students between the ages of 18 and 24 die from alcohol-related unintentional injuries, including motor vehicle crashes ([Hingson et al., 2009](#)).
- **Injury:** 599,000 students between the ages of 18 and 24 are unintentionally injured under the influence of alcohol ([Hingson et al., 2009](#)).
- **Assault:** 696,000 students between the ages of 18 and 24 are assaulted by another student who has been drinking ([Hingson et al., 2009](#)).
- **Sexual Abuse:** 97,000 students between the ages of 18 and 24 are victims of alcohol-related sexual assault or date rape ([Hingson et al., 2009](#)).
- **Unsafe Sex:** 400,000 students between the ages of 18 and 24 had unprotected sex and more than 100,000 students between the ages of 18 and 24 report having been too intoxicated to know if they consented to having sex ([Hingson et al., 2002](#)).
- **Academic Problems:** About 25 percent of college students report academic consequences of their drinking including missing class, falling behind, doing poorly on exams or papers, and receiving lower grades overall ([Engs et al., 1996](#); [Presley et al., 1996a, 1996b](#); [Wechsler et al., 2002](#)).
- **Health Problems/Suicide Attempts:** More than 150,000 students develop an alcohol-related health problem ([Hingson et al., 2002](#)), and between 1.2

and 1.5 percent of students indicate that they tried to commit suicide within the past year due to drinking or drug use ([Presley et al., 1998](#)).

- **Drunk Driving:** 3,360,000 students between the ages of 18 and 24 drive under the influence of alcohol ([Hingson et al., 2009](#)).
- **Vandalism:** About 11 percent of college student drinkers report that they have damaged property while under the influence of alcohol ([Wechsler et al., 2002](#)).
- **Property Damage:** More than 25 percent of administrators from schools with relatively low drinking levels and over 50 percent from schools with high drinking levels say their campuses have a "moderate" or "major" problem with alcohol-related property damage ([Wechsler et al., 1995](#)).
- **Police Involvement:** About 5 percent of 4-year college students are involved with the police or campus security as a result of their drinking ([Wechsler et al., 2002](#)), and 110,000 students between the ages of 18 and 24 are arrested for an alcohol-related violation such as public drunkenness or driving under the influence ([Hingson et al., 2002](#)).
- **Alcohol Abuse and Dependence:** 31 percent of college students met criteria for a diagnosis of alcohol abuse and 6 percent for a diagnosis of alcohol dependence in the past 12 months, according to questionnaire-based self-reports about their drinking ([Knight et al., 2002](#)).

<http://www.collegedrinkingprevention.gov/StatsSummaries/snapshot.aspx>

In addition to local and state authorities, the federal government has four agencies employing approximately 52,500 personnel engaged in fighting illicit drugs. These agencies are: **The Drug Enforcement Agency, U.S. Customs Service, Federal Bureau of Investigation and the U.S. Coast Guard.**

The Truth about DOPE!

Here are a few legal facts of which we should be aware. It is a crime to hold someone else's dope. It is a crime to sell fake dope. You can be arrested if you are in a house (or a School) where people are using drugs, even though you are not. You can be charged with possessing dope even if it is not on you. You are considered to possess, under legal terms or "constructive possession," dope that is in your locker, purse, car or house.

Drug abuse is the utilization of natural and/or synthetic chemical substance for non-medical reasons to affect the body and its processes, the mind and nervous system and behavior. The abuse of drugs can affect a person's physical and emotional health and social life. Alcohol is the most abused drug in the United States.

Drugs can be highly addictive and injurious to the body as well as one's self. People tend to lose their sense of responsibility and coordination. Restlessness, irritability, anxiety, paranoia, depression, acting slow moving, inattentiveness, loss of appetite, sexual indifference, comas, convulsions or even death can result from overuse or abuse of drugs. Not only does the person using the drug subject himself to all sorts of health risks, drug use can and, in many instances do, cause grief and discomfort to innocent people. A drug-dulled brain, for example, affects the wide range of skills needed for safe driving, such as thinking. Further, reflexes are slowed, making it hard for drivers to respond to sudden, unexpected events. Alcohol-related highway deaths are the top killer of 15-24 year olds. Appendix B provides a description of controlled substances and their effects.

There are drug or alcohol counseling, treatment and rehabilitation facilities available in our area where you can seek advice and treatment. The yellow pages or the local telephone book is an excellent source. Look under the heading "Drug Abuse & Addiction-Information and Treatment." State Drug Abuse Prevention and Treatment Coordinators are included as Appendix C

There are national organizations one can contact for help. The Alcoholism and Drug Abuse Hotline is open 24 hours, 1-800-252-6465. The Cocaine Hotline, 1-800-444-9999 is open 24 hours a day. The National Institute on Drug Abuse Hotline is available 8:00am./2:00am. On Weekends, 1-800-662-4357.

Dependency upon drugs can only lead to a life of misery and misfortune. The illegal use or abuse of drugs has a very high impact on our society and the type of crimes committed. To support a drug habit, people must resort to many things which can only lead to a life of horror and in some instances, death. The dollar costs can range from \$ 200 to \$ 3,000 per week to support a habit. More importantly, the drug habit impacts a person's family and lifestyle and career prospects as well as one's physical well-being and self-respect.

Treatment is available and may be expensive. For example, a typical live-in program lasting four (4) weeks can cost from \$5,000.00 to \$ 15,000.00. Out-patient programs cost from \$ 1,000.00 to \$ 5,000.00. Who pays for these

treatments? There may be programs which cover the costs. One way or another, the person and the taxpayer pays! It has been proven that an individual “hooked” cannot just stop, but requires professional care to kick the habit.

There are classic danger signals that could indicate the first sign of drug use. The primary ones that could call attention to one’s use of drugs are:

- Abrupt changes in mood or attitude**
- Continuing slump at work or school**
- Continuing resistance to discipline at home or school**
- Cannot get along with family or friends**
- Unusual temper flare-ups**
- Increased borrowing or Money**
- Heightened secrecy**
- A complete new set of friends**

We recommend that any person observing any of the above changes in either staff or students immediately notify the Instructor or school Executive Director. Caution must be observed not to wrongly accuse a person suspected or taking drugs as an improper accusation could lead to embarrassment both to the individual and the school.

Once it has been determined by management that assistance to overcome a drug problem is necessary, the individual and his/her family should be counseled on the need for assistance. Records must be maintained of any counseling provided the individual.

There are clinics in the school’s vicinity which can render assistance. Treatment must be an expense borne by the patient. The school can only offer advice in a limited manner. If the individual is in immediate danger of harming either him/herself or others, local law authorities should be immediately contacted.

Staff and students who violate these standards of conduct subject themselves to disciplinary action. Students are reminded that as a pre-condition to accepting a Title IV Funding (Federal Financial Aid) that they sign a certificate stating they would not engage in the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance during the period covered by a Title IV Funding (Federal Financial Aid).

A Title IV Funding (Federal Financial Aid) recipient convicted of a criminal drug offense resulting from, a violation occurring during the period of enrollment

covered by the Title IV Funding (Federal Financial Aid) must report the conviction, in writing, within **10 calendar** days of the conviction, to the School Executive Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W., Room 3073, FOB-6 Washington, D.C. 20202-4571. Failure to report the conviction could lead to LS & T or debarment.

Staff, upon being hired by the institution and on annual basis, will receive a briefing and acknowledge in writing that they understand the provisions of the Drug-Free Workplace Act of 1988.

Employees must notify the School Executive Director in writing of a conviction of a criminal drug statute occurring in the workplace, within **five days** after receiving the conviction. Disciplinary action will take place within 30 days of notification, and can range from a letter of admonishment, suspension from school or work, and/or enrollment in a rehabilitation program to termination from either school or employment.

Texas Controlled Substances Act

Texas is known to have strict illegal controlled substance and narcotics drug possession laws. Just for conviction of possession of any drug, you could face jail time, probation, fines, and a 6 month loss of your driver's license.

The following information is just general information about possible punishments for simple possession, sale, or manufacture and delivery of controlled substances in Texas.

Simple Drug Possession in Texas

Texas state law imposes penalties that range from a relatively minor misdemeanor to severe felony charges. Depending on certain factors or circumstances charges could be drug possession or drug possession with intent to distribute.

Determining factors are:

- Quantity
- How the drug was concealed or stored
- Possession of drug with paraphernalia (scale)
- Drugs found with large amount of money
- Past convictions/prior offenses

Marijuana Possession Penalties

Considered as a controlled substance class on it's own, possession of Marijuana has it's own penalties that are not the same as other drugs or substances.

The most common marijuana possession offense of under 2oz have a maximum penalty of 180 days in jail.

If you are accused of being in possession of more than 2oz, Texas marijuana penalties range from 180 days in jail up to 20 years in prison with fines of up to \$10,000.00. However, the illegal possession of more than 2,000 pounds of Marijuana may result in a life sentence.

Possession of Cocaine, Heroin, Methamphetamine

Known in Texas under "Penalty Group 1", minimum penalties could be two years in jail and \$10,000.00 fine but it may run up to a maximum of life imprisonment for possession of 400 grams or more.

Possession of LSD

Held under Penalty Group 1A, hallucinogens like LSD could result a penalty of two years to life imprisonment with fines imposed of up to \$250,000.00.

Possession of Ecstasy, PCP, Mescaline (Group 2)

Penalty Group 2 under Texas drug laws includes ecstasy, mescaline, and PCP. Ecstasy or MDMA (also called "Molly") in particular is a common club drug and is regularly charged in Texas courts.

Hashish and forms of cannabis with resinous or extracted THC are also in this felony category.

These drugs carry two-year jail sentences for less than one gram, and maximum sentences of life imprisonment and fines up to \$50,000 for 400 grams or more.

Possession of Valium, Ritalin, various chemical compounds

Penalty Groups 3 and 4 include common prescription drugs, and could result in minimums of one year in jail and fines of about \$4000.

Maximum sentences are given for amounts over 200 grams and are in the area of 20 years in prison and \$10,000 in fines.

Controlled Substances Delivery & Manufacture (Drug) Laws in Texas

The punishment for manufacture and delivery of controlled substances vary depending on the type of drug and the quantity involved in the offense.

Texas drug laws (The Texas Penal Code and Texas health and safety code) divides the offenses and punishment in four penalty groups, by drug classification.

Penalties for felony drug offenses include imprisonment of up to ninety nine year in jail and fines of up to \$250,000.00.

Definitions:

Narcotics

Narcotics are made or derived synthetically from opium. Examples include opium, morphine, codeine, hydrocodone, fentanyl, and many others.

Depressants

Depressant are drugs that slows the functions of the body. Medically taken to calm people down or help a person to sleep.

Examples are barbiturates, inhalants and Chloral Hydrate

Stimulants

Tend to increase alertness and physical activity. Amphetamines are the most common of these “uppers” and cocaine.

Hallucinogens

These drugs alter perception (visual), mood and thought. Examples are LSD, PCP and Marijuana.

Part 3

No Weapons on Campus

No Weapons on Campus Policy and Procedure

To ensure that University of Cosmetology Arts & Sciences maintains a workplace safe and free of violence for all employees, student, and clients, the company prohibits the possession or use of dangerous weapons on company property.

All University of Cosmetology Arts & Sciences workers, students and clients are subject to this provision, including contract workers and temporary employees as well as visitors on company property. A license to carry the weapon on company property does not supersede company policy. Any employee or student in violation of this policy will be subject to disciplinary action, up to and including termination.

“Company property” is defined as all company-owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways and parking lots under the company’s ownership or control. This policy applies to all company-owned or leased vehicles and all vehicles that come onto company property.

“Dangerous weapons” include firearms, explosives, knives and other weapons that might be considered dangerous or that could cause harm. Employees are responsible for making sure that any item possessed by the employee is not prohibited by this policy.

Searches of Personal Property

University of Cosmetology Arts & Sciences reserves the right at any time and at its discretion to search all company-owned or leased vehicles and all vehicles, plus packages, containers, briefcases, purses, lockers, desks, enclosures and persons entering its property, for the purpose of determining whether any weapon is being, or has been, brought onto its property or premises in violation of this policy. Employees and students who fail or refuse to promptly permit a search under this policy will be subject to discipline up to and including termination.

Enforcement

This policy is administered and enforced by the Executive Director’s Office. Anyone with questions or concerns specific to this policy should contact Executive Director’s Office.

Certain areas of the School facilities are not open to the public and reconsidered to be restricted. Individuals who wish to visit restricted area or persons in such areas must first obtain permission through either the admissions office or the Administration Office. Visitors to the school classrooms or laboratories must

check-in with the School Security Force. Security is maintained during open hours by the School Security Force.

The School Security Force has the authority to check all persons on the school property to determine their legitimate presence, and to:

- Escort unauthorized persons to the proper office or off the school property.
- Report any suspicious activity or criminal activity to their supervisor.
- Control the actions of personal violating school rules or local State or Federal laws—so long as these actions by the School Security Force do not in themselves violate any local State or Federal laws.
- Cooperate with local, State or Federal Law Officers should that become necessary.

The institution encourages student and employees that while on the school property they are to take preventive measures and security considerations. Some basic safety measures are recommended to supplement any crime information received.

- Walk with a partner through the parking lot particularly at night.
- Roll-up car windows and lock the doors.
- Mark property, such as books, calculators, and other items, in order to easily identify them.
- Avoid isolated or unsupervised area, particularly when alone.
- Do not let others use you locker key.
- Never give personal information to a stranger.
- Do not let others use your locker key.
- Never give personal information to a stranger.
- Do not bring valuables or excessive cash to school.
- Become familiar with how to report a crime or suspicious behavior. Note license numbers, vehicle make and color, description or personal involved; to include clothing, height.

Part 4

Violence Against Women Act

VAWA

Violence Against Women Act

In 1994 Congress passed the Violence Against Women Act (VAWA) in recognition of the severity of crimes associated with domestic violence, sexual assault, and stalking. This Act emerged from the efforts of a broad, grassroots coalition of advocates and survivors who informed the work of Congress. In the two decades prior to VAWA, a movement had grown within the United States to respond appropriately to violent crimes or offenses against women. Rape crisis centers and women's shelters were established in localities, and state and local laws had changed. However, the progress had been uneven around the country. VAWA was borne out of the need for a national solution. This Act enhances the investigation and prosecution of violent crimes against women.

Created in 1995, OVW (Office of Violence Against Women) administers financial and technical assistance to communities across the country that are developing programs, policies, and practices aimed at ending domestic violence, dating violence, sexual assault, and stalking.

Currently, OVW administers four formula-based and 20 discretionary grant programs, established under VAWA and subsequent legislation. The four formula programs include STOP (Services, Training, Officers, Prosecutors), SASP (Sexual Assault Services Program), State Coalitions, and Tribal Coalitions. The 20 discretionary programs work to support victims and hold perpetrators accountable through promoting a coordinated community response. Funding is provided to local and state and tribal governments, courts, non-profit organizations, community-based organizations, secondary schools, institutions of higher education, and state and tribal coalitions. These entities work toward developing more effective responses to violence against women through activities that include direct services, crisis intervention, transitional housing, legal assistance to victims, court improvement, and training for law enforcement and courts. They also work with specific populations such as elder victims, or persons with disabilities, college students, teens, culturally and linguistically specific populations. Additionally as funding allows, OVW funds special initiatives in response to areas of special need. These initiatives dedicate resources to develop enhancements in areas requiring particular attention or in communities facing particularly acute challenges. They enable OVW to explore innovations in the violence against women field and share knowledge that can be replicated nationwide.

Since its inception, OVW has awarded over \$6 billion in grants and cooperative agreements, and has launched a multifaceted approach to implementing VAWA. By forging state, local, and tribal partnerships among police, prosecutors, judges, victim advocates, health care providers, faith leaders, and others, OVW grant programs help provide victims with the protection and services they need to pursue safe and healthy lives, while simultaneously enabling communities to hold offenders accountable for their violence.

The institution strictly prohibits the offenses listed, as established under VAWA Act.

<http://www.justice.gov/ovw/about-office>

Updated- Definition of “Rape” as per FBI

The new definition is more inclusive, better reflects state criminal codes and focuses on the various forms of sexual penetration understood to be rape.

The revised definition of rape is: 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. Attempts or assaults to commit rape are also included; however, statutory rape and incest are excluded.

The revised definition includes any gender of victim or perpetrator, and includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity, including due to the influence of drugs or alcohol or because of age. The ability of the victim to give consent must be determined in accordance with state statute. Physical resistance from the victim is not required to demonstrate lack of consent. The new definition does not change federal or state criminal codes or impact charging and prosecution on the local level.

Bystander Intervention

People have a responsibility not to sexually assault other people. That is absolutely certain. At the same time, as bystanders, we have a responsibility to intervene when we can in order to help de-escalate potentially violent situations. It can be an overwhelming feeling to have this responsibility. But as we make strides to teach everyone (not just men) not to rape, we have to be ok with this extra responsibility for now. In spite of (and because of) what others do, we have a responsibility to look out for others and intervene when appropriate and possible. To that end, bystander intervention is a powerful tool that empowers

whole communities to help end sexual violence. The school encourages bystanders to intervene whenever safely possible. Safety and reducing crime is part of everyone's duty.

Sexual Harassment

Sexual harassment is bullying or coercion of a sexual nature, or the unwelcome or inappropriate promise of rewards in exchange for sexual favors. In most modern legal contexts, sexual harassment is illegal. As defined by the US Equal Employment Opportunity Commission (EEOC), "It is unlawful to harass a person (an applicant or employee) because of that person's sex." Harassment can include "sexual harassment" or unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature. The legal definition of sexual harassment varies by jurisdiction.

Where laws surrounding sexual harassment exist, they generally do not prohibit simple teasing, offhand comments, or minor isolated incidents. In the workplace, harassment may be considered illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted, or when the victim decides to quit the job). The legal and social understanding of sexual harassment, however, varies by culture.

In the context of US employment, the harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the employer, such as a client or customer, and harassers or victims can be of any sex or gender.

It includes a range of actions from mild transgressions to sexual abuse or sexual assault. Sexual harassment is a form of illegal employment discrimination in many countries, and is a form of abuse (sexual and psychological) and bullying. For many businesses and other organizations, preventing sexual harassment, and defending employees from sexual harassment charges, have become key goals of legal decision-making.

https://en.wikipedia.org/wiki/Sexual_harassment

If you need immediate support, you can reach your local RAINN affiliate at any time, 24/7, by calling the National Sexual Assault Hotline at 800.656.HOPE (4673)

Sexual Assault

Sexual assault is any involuntary sexual act in which a person is coerced or physically forced to engage against their will, or any non-consensual sexual touching of a person. Sexual assault is a form of sexual violence, and it includes rape (such as forced vaginal, anal or oral penetration or drug facilitated sexual assault), groping, forced kissing, child sexual abuse, or the torture of the person in a sexual manner.

In legal terms, sexual assault is a statutory offense in various jurisdictions, including the United States, Canada, England and Wales, Ireland, and Scotland. The legal definition of the crime of sexual assault is determined by each jurisdiction. Specific legal jurisdictions and research often use highly technical or detailed definitions of the term. In some places, such as New South Wales, the crime of sexual assault has replaced the traditional crime of rape, and is being defined as non-consensual penetrative sex. By contrast, in other jurisdictions, the crime deals with non-penetrative sexual contact.

https://en.wikipedia.org/wiki/Sexual_assault

Need help?

Call 800.656.HOPE (4673) to be connected with a trained staff member from a sexual assault service provider in your area.

Penalties and Sentences

A sexual assault is typically a second degree felony. This carries a sentence of two to twenty years in a state prison and/or a fine of up to \$10,000. However, this crime may be elevated to a first degree felony if the victim was a person whom the defendant was prohibited from marrying or was prohibited from living under the appearance of being married to the victim. A first degree felony in Texas is punishable by five to ninety-nine years in a state prison and/or a fine of up to \$10,000.

Sex Offenders Registry- Texas

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 of Cosmetology Arts & Sciences is providing the following link:

<https://records.txdps.state.tx.us/sexoffender/>

The “Campus Sex Crimes Prevention Act” requires sex offenders who are enrolled in or work at institutions of higher education to register with the state’s sex offender registration program. The state in turn is obligated to notify the school’s law enforcement unit as soon as possible.

Sex Offender Lists that are specific to the institution are published annually at <http://www.ucastx.com/start-your-career/annual-statistics-report/>

Domestic Violence




Domestic violence is the willful intimidation, physical assault, battery, sexual assault, and/or other abusive behavior as part of a systematic pattern of power and control perpetrated by one intimate partner against another. It includes physical violence, sexual violence, psychological violence, and emotional abuse. The frequency and severity of domestic violence can vary dramatically; however, the one constant component of domestic violence is one partner's consistent efforts to maintain power and control over the other.

Domestic violence is an epidemic affecting individuals in every community, regardless of age, economic status, sexual orientation, gender, race, religion, or nationality. It is often accompanied by emotionally abusive and controlling behavior that is only a fraction of a systematic pattern of dominance and control. Domestic violence can result in physical injury, psychological trauma, and in severe cases, even death. The devastating physical, emotional, and psychological consequences of domestic violence can cross generations and last a lifetime.

It is not always easy to determine in the early stages of a relationship if one person will become abusive. Domestic violence intensifies over time. Abusers may often seem wonderful and perfect initially, but gradually become more aggressive and controlling as the relationship continues. Abuse may begin with behaviors that may easily be dismissed or downplayed such as name-calling, threats, possessiveness, or distrust. Abusers may apologize profusely for their actions or try to convince the person they are abusing that they do these things out of love or care.

However, violence and control always intensifies over time with an abuser, despite the apologies. What may start out as something that was first believed to be harmless (e.g., wanting the victim to spend all their time only with them because they love them so much) escalates into extreme control and abuse (e.g., threatening to kill or hurt the victim or others if they speak to family, friends, etc.).

Need help?

 Phone: (303) 839-1852  Fax: (303) 831-9251  Email: mainoffice@ncadv.org

For anonymous, confidential help, 24/7, please call THE NATIONAL DOMESTIC VIOLENCE HOTLINE 1.800.799.SAFE (7233) 1.800.787.3224 (TTY)

Penalties for Domestic Violence Crimes

Domestic violence crimes are punishable in Texas as follows:

Class A misdemeanor – up to one year in jail or a fine up to \$4,000, or both

3rd degree felony – from 2 to 10 years in prison and a fine up to \$10,000

2nd degree felony – from 2 to 20 years in prison and a fine of up to \$10,000, and

1st degree felony -- from 5 to 99 years in prison and a fine up to \$10,000.

Dating Violence

Dating violence is controlling, abusive, and aggressive behavior in a romantic relationship. It can happen in straight or gay relationships. It can include verbal, emotional, physical, or sexual abuse, or a combination.

Controlling behavior may include:

- Not letting you hang out with your friends
- Calling or paging you frequently to find out where you are, whom you're with, and what you're doing
- Telling you what to wear
- Having to be with you all the time

Verbal and emotional abuse may include:

- Calling you names
- Jealousy
- Belittling you (cutting you down)
- Threatening to hurt you, someone in your family, or himself or herself if you don't do what he or she wants.

Physical abuse may include:

- Shoving
- Punching
- Slapping
- Pinching
- Hitting
- Kicking
- Hair pulling
- Strangling

Anyone can be a victim of dating violence. Both boys and girls are victims, but boys and girls abuse their partners in different ways. Girls are more likely to yell, threaten to hurt themselves, pinch, slap, scratch, or kick. Boys injure girls more and are more likely to punch their partner and force them to participate in

unwanted sexual activity. Some teen victims experience physical violence only occasionally; others, more often.

If You Are a Victim of Dating Violence, You Might...

- Think it's your fault.
- Feel angry, sad, lonely, depressed, or confused.
- Feel helpless to stop the abuse.
- Feel threatened or humiliated.
- Feel anxious.
- Not know what might happen next.
- Feel like you can't talk to family and friends.
- Be afraid of getting hurt more seriously.
- Feel protective of your boyfriend or girlfriend.

<https://www.victimsofcrime.org/help-for-crime-victims/get-help-bulletins-for-crime-victims/bulletins-for-teens/dating-violence>

Need help?

1-800-273-TALK (8255) [24/7 hotline]

1-888-628-9454 (Spanish)

1-800-799-4889 (TTY)

Penalties for Domestic Violence Crimes

Domestic violence crimes are punishable in Texas as follows:

Class A misdemeanor – up to one year in jail or a fine up to \$4,000, or both

3rd degree felony – from 2 to 10 years in prison and a fine up to \$10,000

2nd degree felony – from 2 to 20 years in prison and a fine of up to \$10,000, and

1st degree felony -- from 5 to 99 years in prison and a fine up to \$10,000.

Stalking

While legal definitions of stalking vary from one jurisdiction to another, a good working definition of stalking is ***a course of conduct directed at a specific person that would cause a reasonable person to feel fear.***

Stalking is serious, often violent, and can escalate over time. Stalking occurrences of two (2) or more instances are considered reportable.

Some things stalkers do:

- Follow you and show up wherever you are.
- Send unwanted gifts, letters, cards, or e-mails.
- Damage your home, car, or other property.

- Monitor your phone calls or computer use.
- Use technology, like hidden cameras or global positioning systems (GPS), to track where you go.
- Drive by or hang out at your home, school, or work.
- Threaten to hurt you, your family, friends, or pets.
- Find out about you by using public records or online search services, hiring investigators, going through your garbage, or contacting friends, family, neighbors, or co-workers.
- Posting information or spreading rumors about you on the Internet, in a public place, or by word of mouth.
- Other actions that control, track, or frighten you.

You are not to blame for a stalker's behavior.

Stalkers- A stalker can be someone you know well or not at all. Most have dated or been involved with the people they stalk. Most stalking cases involve men stalking women, but men do stalk men, women do stalk women, and women do stalk men.

<https://www.victimsofcrime.org/our-programs/stalking-resource-center>

<https://www.texasattorneygeneral.gov/cvs/information-on-stalking>

<http://www.safehorizon.org/page/stalking-12.html>

Need help?

Crime Victims Hotline: 866.689.HELP (4357)

Penalties for Stalking

Stalking is treated as a 3rd degree felony, which means that it is often punishable with a prison sentence. If convicted of another charge of stalking, it is considered to be a 2nd degree felony.

Part 5

Bystander Intervention Program

Bystander Intervention Program

STAGE ONE: Notice when a situation can lead to violence.

While some situations are intrinsically violent in nature and easily noticeable, many other situations are better characterized as problematic or high-risk behaviors that are likely to escalate to violence, including: offensive comments, possessiveness, extreme jealousy, and aggression. Sometimes, a person's gut instinct or intuition can be the best cue that violence is about to occur.

STAGE TWO: Identify when it's appropriate to intervene.

At the point when there is enough information to interpret a situation as dangerous, because it appears to be escalating, or it does not appear the behavior will stop on its own, bystanders tend to feel a sense of urgency and recognize that intervention is necessary. The actual timing for the intervention, (the "when") can vary among individuals.

STAGE THREE: Recognize personal responsibility for intervention.

It can be easy to assume that others will intervene so you don't have to, particularly, if other individuals or departments are charged with keeping the community safe (e.g. police/P-Safe, SHARE, deans, bouncers). We are more likely to recognize the situation as requiring our help if 1) no one else is around; or 2) we can relate to the issue on a personal level (our friend/family member is in danger; we would want help if we were in that position; we understand impact that violence can have on survivors).

STAGE FOUR: Know how to intervene.

Knowing how to intervene safely and comfortably, improves our willingness to intervene. This step involves acquiring skills and developing strategies that lead to effective interventions.

STAGE FIVE: Take action to intervene.

Bystander intervention can take a variety of forms and techniques are available to fit any personality style and comfort level:

Distract: Create a distraction or redirect the focus of either party to ensure he or she can get out of the situation. If it is appropriate, use humor or an excuse to divert the attention of the perpetrator, creating an opportunity to extricate the potential victim from the situation.

Direct: Confront the harmful behavior directly, so the potential victim is empowered to leave the situation or the perpetrator can make the choice to stop. This can include stepping in to separate the individuals and using assertive language.

Delegate: Ask others to get involved to help take charge of the situation (e.g. a friend, supervisor, bouncer, police officer). Familiarize yourself with the full range of resources available to you in an emergency and during business hours.

Bystander intervention resources:

Step Up: <http://www.stepupprogram.org>

Bringing in the Bystander: <http://cola.unh.edu/prevention-innovations/bystander>
<http://www.nsvrc.org/projects/engaging-bystanders-sexual-violence-prevention/bystander-intervention-resources>

Part 6

Reporting Crime

Institution's Crime Reporting Policy

A School Security Force has been appointed to enhance the safety of both the students and the employees. All Students and employees are encouraged to report any crime or suspected criminal activities or other security problems to the proper authorities at the school as soon as it occurs (***See List of Reportable Violence Crimes***).

The procedure listed below will be followed to address reports or complaints made to School Security Force:

Students and Staff are encouraged to meet privately with a school official to report crimes at any time during normal business hours. In instances where the victim requires immediate medical or counseling care, victims and witnesses are encouraged to seek medical assistance by calling 911 and/ or local authorities. In all cases it is important to preserve evidence.

Violence Incident Reporting Forms are available upon request from any staff member. The School Security Force does not have the authority to make arrests, but rather will report the incident to the local authorities. The School's Security Force will cooperate with local authorities to the extent necessary. The School Security Force has the authority to enforce the school's policies and procedures outlined in this manual. The School's Security Force at this school consists of:

- * School Executive Director
- * School Student Salon Director
- * School's Instructors & Staff

School's Security Force will make a written report, listing the following:

- Date of Report
- Time of Report
- Name of Person Making Report (Confidential)
- Name of Persons Involved
- Nature of Incident of Violence
- Action taken by Complainant and School

The written report, plus any evidence provided is kept confidential at the school for purposes of the investigation. The Victim/ Witness may seek assistance from school officials to notify local authorities.

A copy of the report, plus any evidence gathered, may be provided to local authorities for further investigation, unless the Victim/ Witness requests that the report and evidence not be provided to local authorities. The Victim/ Witness may also request his/ her name remain confidential.

The School's Security Force may determine, after gathering the facts and based on the severity of the offense or alleged crime and for the safety of the victim or of others to decline such request.

Rights of Victims/ Witnesses After Reporting a Crime

When a student or an employee reports to the institution that he/ she has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether it occurred on or off- campus, the institution will provide the student or employee a written explanation of the student's or employee's rights and options.

Victims/ Witnesses must exercise the following rights and responsibilities after reporting a crime:

You have the right to:

- Report crime to local authorities
- Request/ Decline Medical Assistance
- Request/ Decline Counseling
- Request/ Decline Protective Order
- Request/ Decline an altered school/ work schedule
- Request a copy of report, resolution, proceedings and disciplinary action taken by school towards employees or students

You have the responsibility to:

- Be truthful
- Maintain evidence
- Meet with School's Security Force
- Comply with school authorities during investigation
- Comply with local authorities

- Notify School's Security Force of additional crimes occurred

Options:

- You may request a Leave of Absence
- You may request a Change of Schedule
- You may request to be Transferred to another University of Cosmetology Arts & Sciences' location

Disciplinary Proceedings

The institution will conduct a prompt, fair, and impartial process from the initial investigation to the final result when a crime report is filed. Disciplinary Proceedings and Hearings are handled by Officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, stalking and how to conduct a fair and impartial investigation and hearing process that protects the safety of victims and promotes accountability.

Both the accuser and accused have the same opportunities to have others present during an institutional disciplinary hearing, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice, nevertheless, one person must be appointed by both parties to speak and answer questions pertaining to the hearing.

A hearing will be scheduled within ten (10) business days. Evidence provided such as Police Reports, Recording of the Crime, Text messages, Social Media or emails may be used to support the report of crime. Witnesses may be present at the time of the hearing.

Both the accuser and the accused shall be simultaneously informed, in writing, of the time and date of the hearing, the outcome of any institutional disciplinary proceeding, and any changes to the report (if any) that arises from the report. The results of the institutional hearing are final and without appeal. Results of final proceedings will be made available ten (10) business days from the last day of the institutional disciplinary hearing.

Upon the final determination, any information about the accused and accuser is kept confidential, to the extent permissible by law. Upon request, the institution will disclose the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of any crime of violence or a non-forcible sex offense (statutory rape, incest) to the alleged victim, or next of kin, if the victim is deceased.

Reasonable options and assistance are made available for changing academic, living, transportation, and working situations, to the extent of the institution's capability, if so requested by the victim.

Disciplinary Actions

Employees found violating the school's VAWA policies and procedures are subject to disciplinary action, such as suspension without pay while an investigation is conducted, and possible termination of employment, without an appeal, when found at fault. Employees are expected to collaborate throughout the investigation process and with local authorities. During the investigation process, the institution may alter the employee's schedule to protect the alleged victim. The school has the responsibility to report admitted, reported or alleged violation to the local authorities. Employees are prohibited from fraternizing with students, dating students, having any sexual contact, and provoking sexual insinuation to others, refrain from sexual innuendo towards students and other employees.

Students found violating the school's VAWA policies and procedures are subject to disciplinary action, suspension and possible termination from school, without appeal. The school has the responsibility to report admitted, reported or alleged violation to the local authorities. During the investigation process, the institution may alter the student's schedule to protect the alleged victim. Students are encouraged not to date other students, not to have any sexual contact with other students, not to provoke sexual insinuation to others, refrain from sexual innuendo towards other students and employees.

A description of specific drug and alcohol sanctions, up to and including expulsion or termination of employment and referral for prosecution for violations of the standards of conduct are the following:

(1). Sale of Controlled Substances No student shall sell, give or deliver to another person, any controlled substance as defined by Art. 4475-15 Section 1.02 (4) (24) (27) (28) (29) (35) V.A.T.S.

Consequence: Immediate expulsion and referral to a law enforcement agency.

(2) Use of Controlled Substance. No student shall possess, use or be under the influence of any controlled substance as defined by Art. 4476-15 section 1.02 (4) (24) (27) (28) (29) (35), V.A.T.S.

(3). Sale of abuse Substances No student shall sell, give or deliver to another person possess, use or be under the influence of any abuse glue or aerosol paint as defined by Art. 4476-15 section 4.13 (e), V.A.T.S.

Consequence: Immediate expulsion.

(4) Sale of Alcoholic Beverages No student shall sell, give or deliver to another person alcoholic beverage as defined by Section 1.04 (1), Tex. Al. Bev Code, V.A.T.S.

Consequence: Immediate expulsion

(5) Use of Alcoholic Beverages No student shall possess, defined by Section 1.04 (1), Tex. Al. Bev code, V.A.T.S.

Consequence: Counseling Conference
Disciplinary probation, Suspension, and/or Expulsion

(6) Use of Tobacco. No student shall possess or use tobacco product, including but not limited to cigarettes, cigars, pipes, snuff, or chewing tobacco in the classrooms or inside school building.

Consequence: Counseling Conference
Suspension, and/or Expulsion

(7) Off Campus Crime Involving Matters Described in (1), (2), (3), or (4) above. Any student will be expelled if convicted of a crime, no matter where the location of the criminal activity, which would otherwise be an act in violation of this policy (1), (2), (3), or (4) above had it occurred on school campus or at an institution sanction event.

(8) Enforcement of Policy

- a. Authority. The Director of the Institution and/or his delegates shall have the authority and the responsibility of implementing and enforcing this policy.
- b. Testing. Students may be tested for controlled substances if, in the opinion of the Direction or his delegate, there is reasonable cause to suspect drug, alcohol, or tobacco possession or use.
- c. Search. The student's persons and/or personal effects may be searched. At any time the entire Institution campus to include vehicles on the campus may be searched at the discretion of the Directors or his delegates.
- d. Notice. All students at the beginning of each school year, or when they are admitted, will be informed of this policy in person. Students will give their written approval and permission for the full implementation of this policy. The failure of students to cooperate with the Director or any of his delegates in the implementation of this policy can result in expulsion from the Institution.

(9) Instructions. The Institution shall have an on-going curriculum of instruction which emphasizes that inappropriate drug use is illegal, wrong, harmful, and unacceptable. This curriculum should include a clear message of no use/zero tolerance that is age-appropriate, and all courses shall be medically accurate and indicate that illegal drug use, abuse of legal drugs, and alcohol abuse are not simply a matter of personal choice, but have dire social consequences.

(10) Prescribed Drugs All students are required to register with the school any prescribed medication or "over the counter" drugs brought onto the Institution campus. Failure to register prescribed medication or "over the Counter" drugs with the Director or his delegate can result in any of the following consequences: Counseling Conference, Disciplinary probation, suspension and/or expulsion.

(10) Captions The captions of the various subdivisions of this policy are for convenience only and shall not define, limit or in any way affect the meaning of construction of any provision of this policy.

Disciplinary procedures are designed to promote accountability and provide safety to the victim(s).

Institution's Responsibilities for Order of Protection

The institution will comply, to the extent of its capability, with orders of protection, such as, "No Contact" orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

Regardless if the victim reports the crime to local law enforcement, the institution, to the extent of its capability, and in accordance with the victim's confidentiality accommodations, may provide options such as:

- **Student may be moved to a different classroom**
- **Student may be taught separately from perpetrator**
- **Student may request a Leave of Absence**
- **Student may request a Change of Schedule**
- **Student may request to be transferred to another University of Cosmetology Arts & Sciences**

Part 7

Reducing Risk & Available Resources

Safety Precautions/ Reducing Risk

The institution promotes the reduction of crime by promoting ongoing literature regarding safety precautions, through its annual Crime Prevention Program. Additionally, the following suggestions are examples of things you can do to *lessen* your risk of being a victim of a violent crime.

Remember—you are never to blame for a crime that was committed against you.

Strategies you can use to minimize risk of sexual assault include:

- Trust your gut instinct. If a situation doesn't feel right, don't worry about offending someone, just leave.
- Notice when someone doesn't respect your boundaries. Don't be afraid to assert your right to have your boundaries respected.
- Most perpetrators of sexual violence will look for vulnerable targets: appear to not be aware of their surroundings, under the influence of alcohol or drugs, isolated from their friends, etc.
- Control access to your home or car by locking your doors and closing windows if they provide easy access
- Travel in groups when possible
- Don't be afraid to ask for help in situations where you feel unsafe: ask for an escort to your car, tell your friends you want to leave the party, ask friends to stay with you, etc.

http://sexualviolence.ucdavis.edu/risk_reduction.html

Resources for Victims in Texas

The Texas Association Against Sexual Assault is committed to ending sexual violence in Texas through education, prevention and advocacy. In the meantime, we desire to support survivors on their paths to hope, healing and justice. TAASA is the voice of the sexual assault movement in Texas. We are a unifying force bringing together parties involved in and affected by sexual assault as a catalyst for change. <http://taasa.org/>

For victim assistance, please call (888) 343-4414 or visit <http://www.hopelaws.org/>
Phone: (512) 474-7190

Fax: (512) 474-6490

Hours: Monday through Friday, 8:00 AM – 5:00 PM

Address: 6200 La Calma Dr. Suite 110 Austin, TX 78752

The Texas Council on Family Violence promotes safe and healthy relationships by supporting service providers, facilitating strategic prevention efforts, and creating opportunities for freedom from domestic violence. <http://www.tcfv.org/>

Texas Council on Family Violence

P.O. Box 163865

Austin, Texas 78716

512.794.1133

Part 8

Exhibits

Exhibit A

List of Reportable Campus Crimes

The following are reportable campus crimes. The following crimes are strictly prohibited at University of Cosmetology Arts & Sciences.

Theft

Graffiti/ Vandalism

Possession of a Weapon

Drug Related

Disorderly Conduct

Assault (simple)

Alcohol

Trespass

Accident of Motor Vehicle

Property Damage Kidnapping

Arson

Exhibit B

List of Reportable Violence Crime

The following are reportable violence crimes and their definitions. The definitions are taken from the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting Handbook (UCR). The following crimes are strictly prohibited at University of Cosmetology Arts & Sciences.

a. Sex Offenses--Forcible: Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

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

c. Forcible Sodomy--is oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly and/or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

d. Sexual Assault With An Object --is the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

e. Forcible Fondling--is the touching of the private parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly and/or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

f. Sex Offenses--Non-Forcible: unlawful, non-forcible sexual intercourse (limited to incest and statutory rape)

i. Incest-- is the non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

j. Statutory Rape--is the non-forcible sexual intercourse with a person who is under the

statutory age of consent.

k. Stalking-- is behavior in which a person repeatedly engages in conduct directed at a specific person that places that person in reasonable fear of his or her safety or the safety.

l. Consent--is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed-upon sexual activity. Consent is voluntary. It must be given without coercion, force, threats, or intimidation. Consent means positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will. Consent is revocable. Consent to some form of sexual activity does not imply consent to other forms of sexual activity. Consent to sexual activity on one occasion is not consent to engage in sexual activity on another occasion. A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, there must be mutual consent to engage in sexual activity. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Once consent is withdrawn, the sexual activity must stop immediately. Consent cannot be given when a person is incapacitated. A person cannot consent if s/he is unconscious or coming in and out of consciousness. A person cannot consent if s/he is under the threat of violence, or other forms of coercion. A person cannot consent if his/her understanding of the act is affected by a physical or mental impairment.

For purposes of this Policy, the age of consent in **Texas** is 17. The minimum age is 14 with an age differential of 3 years; thus, those who are at least 14 years of age can legally have sex with those less than 3 years older.

m. Murder/ Non-Negligent Manslaughter: the willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicide, accidental deaths, and justifiable homicides are excluded.

n. Negligent Manslaughter- the killing of another person through gross negligence

o. Robbery: the taking or attempting to take anything of value of 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.

p. Aggravated Assault: an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury resulted 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.

q. Burglary: 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 the intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

r. Motor Vehicle Theft: the theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned -including joy riding).

s. Arson: the willful or malicious burning or attempt to burn with or without intent to defraud a dwelling house, public building, motor vehicle or aircraft, or personal property of another kind.

Along with the above listed crimes it is a requirement to report arrests and campus disciplinary referrals for the following offenses:

t. Liquor Law Violations: the violation of laws or ordinances prohibiting the manufacture, sale, transportation, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a 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. (Drunkenness and driving under the influence are not included in this definition.)

u. Drug Abuse Violations: violations of state and local laws relating to the unlawful possession, sale, use, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives; morphine, heroin, codeine; marijuana; synthetic narcotics (Demerol, Methadone); and dangerous non-narcotic drugs (Barbiturates, Benzedrine).

v. Weapon Law Violations: the violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as; manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minor; alien possessing weapons and all attempts of the aforementioned.

Exhibit C

Notice To Employee Drug-Free Work Place Statement

1. University of Cosmetology Arts & Sciences (Hereinafter referred to as this institution) has a policy of maintaining a Drug-Free work place. All employees are hereby notified that the unlawful manufacture, distribution, dispensing, possession or use of controlled substances (drugs and alcohol) is prohibited in this institution's work place. This workplace for this institution is as defined in Paragraph 2. (Below).
2. In compliance with the Drug-Free Work Place Act of 1988, this institution's "work place" consists of the following locations:
 - a. The entire campus facility
 - b. Any location used for an off-site school function, i.e., competition, hair show, graduation, etc.,
 - c. Employees must comply with the policy while off-site if they are in the service of the institutions in any capacity.
3. Non-compliance with the terms in Paragraph 1. (above) will result in the following action being taken by this institution.
 - a. Mandatory counseling, rehabilitation given by a federal, State or local health, law enforcement, or other appropriate agency which is approved for purposes of chemical abuse counseling and rehabilitation.
 - b. Termination of the employment.
4. All employees must read, understand and sign the following statement:

I understand that by participating in Title IV Federal Funds Programs, abolish a policy of a Drug-Free Workplace and as an employee of this Institution I acknowledge and agree to abide by the terms of Paragraph I. (above):

I must notify my employer of any criminal drug statement conviction for a violation occurring in the work place no later than five days after such conviction.

I understand that this institution has established a Drug-Free awareness Program to inform employees about:

 - a. The dangers of drug abuse in the workplace:
 - b. This institution's policy of maintaining a Drug-Free Workplace:
 - c. Any available drug counseling, rehabilitation, and employee assistance program; and
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace (see Paragraph 1. above).

I have read and understand the conditions explained in Paragraph 4. (above) I have received a copy of this statement and I agree to willingly participate in the Drug-Free Workplace Program.

Employee

Date

Exhibit D

Notice To Student Drug-Free Campus Statement

University of Cosmetology Arts and Sciences (hereafter referred to as “this institution”) has established a Drug-Free Awareness Program (DFAP). The DFAP encompasses the following four phases:

PHASE 1 – NOTICE: THIS INSTITUTION HAS POLICY OF MAINTAINING A DRUG-FREE SCHOOL. All students are hereby notified that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in this institution. The student must notify the office of any criminal drug statute conviction for a violation occurring in the workplace, or while participating in any school sponsored activity, not later than five days after such conviction. In compliance with the “Drug-Free Workplace Act of 1988”, this institution’s “campus” consists of the following location:

University of Cosmetology Arts and Sciences

PHASE 2 – WARNING TO ALL STUDENTS OF THE DANGERS OF DRUG ABUSE IN THE CAMPUS. : Drug use impairs memory, alertness and achievement. It erodes the capacity to perform, think and act responsibly. It may be grounds for termination of your enrollment with this institution or other action (see Phase 4)

PHASE 3 – This institution has established a relationship with several drug-counseling centers to provide drug counseling, rehabilitation and students assistance programs. The office at CHD keeps a list of drug counseling, rehabilitation and students assistance programs for students to be referred to. Updated as of August 2015, you may find the complete list on our school website.

PHASE 4 – NON-COMPLIANCE WITH THE TERMS OF THIS INSTITUTION’S “DRUG-FREE CAMPUS STATEMENT – NOTICE TO STUDENTS” will result in the following actions being taken by this institution:

- A. Require said student to satisfactorily participate in a drug/alcohol abuse rehabilitation program approved for such purposes by federal, state, or local health law enforcement or other appropriate agency.
- B. Within 30 days of receiving notice of criminal drug conviction these above actions must be complied with or up to and including termination procedures will be instated.

ACKNOWLEDGEMENT:

I have read and understand the Drug-Free Awareness program explained above. If there is a drug prevention in-school class offered, I agree to attend class.

I understand that I may be requested to submit to drug testing with or without cause. If I am requested to submit to drug testing, I will find the institution harmless for anything that occurs related to having to be tested. If I am found to test positive, I understand that I will be responsible for the cost incurred for the recommended recovery program. I have received a copy of this statement.

Student

Effective: July 26, 2007

Date

Exhibit E

CAMPUS CRIME REPORT

Date: _____ Time: _____

Campus Location: _____

NATURE OF COMPLAINT

PERSONS INVOLVED

NAME OF COMPLAINANT (VOLUNTARY) _____ PH # _____

ACTION TAKEN BY CHIEF SCHOOL OFFICIAL

RECOMMENDATIONS TO HIGHER AUTHORITY-

Agency Name: _____

CHIEF SCHOOL OFFICIAL SIGNATURE

DATE

Revised: 8/26/2015

Exhibit F

VIOLENCE INCIDENT REPORTING FORM

Name & Address of Person Making Report:	Date Reported:
	Telephone Number:

If anonymous, indicate method of notification:

Telephone call	Written document	Other; specify:
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Name of Alleged Threat Maker/Perpetrator:	Race: Ethnicity:	Gender:
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Relationship to Victim/Potential Victim (if any):

Employee	Student	Visitor	Vendor	Contractor
Relationship to Victim/Potential Victim (if any):				

Name of Victim/Potential Victim:	Race: Ethnicity:	Gender:
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When (date) and where (physical location) did alleged threat or act of violence occur?

--

What events occurred immediately prior to the incident?

--

Provide specific details of the alleged threat or act of violence:

--

Describe the conduct and appearance of the Threat Maker/Perpetrator (physically and emotionally):

--

Names of Witnesses:

Telephone Numbers:

#1
#2
#3

What happened to the Threat Maker/Perpetrator after the incident?

--

Names of other students or staff involved and how they responded:

--

Steps that have been taken to ensure the threat will not be carried out or act of violence repeated & prevent future incidents:

--

Was local Law Enforcement notified?

Yes

No

If yes, what action was taken by Law Enforcement?

No action taken

Report written

Suspect escorted from property

Suspect arrested

Name of local Law Enforcement Agency:

Report Prepared by:

Date:

Job Title

Phone No.:

Effective: August 7, 2015

Exhibit J

ASR Checklist
Due September 1st
(School Executive Director)

- 1. Campus Crime Reports
- 2. Violence Incident Reports
- 3. Letter to Police Department (Mailed no later than July 31st)
- 4. Letter from Department of Education
 - Registration, Update Information & Change of Password
 - Surveys Complete Printout
 - Locked Survey Printout
- 5. Sex Offenders List
- 6. Notice to Student of a Drug Free Campus
- 7. Notice to Employee of a Drug Free Workplace
- 8. Employee Sign in Sheet
- 9. Student Sign in Sheet
- 10. Complete Policies and Procedures
- 11. Flyers & Campaign Handouts
- 12. Email to Corporate Financial Aid Director (1-11)

Effective: August 2, 2015