

ANNUAL SECURITY REPORT 2023-2024

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Welcome to UCAS University of Cosmetology Arts & Sciences.

UCAS University of Cosmetology Arts & Sciences committed to the safety and secure environment of our students, staff, and visitors to work and further their educational goals. We are committed to preserving the peace and reduce risk crime.

The Annual Security Report and its policies contains current security and safety-related policy statements, emergency preparedness information, crime, sexual assault and drug and alcohol prevention information. In compliance with the requirements set forth by Department of Education, a copy of this report is provided to you.

The institution's goal is to reduce risk, by providing 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 our institution's concern.

The purpose of this manual is to provide prevention and awareness and promote safety to our staff, students, visitors, and the institution's community. UCAS University of Cosmetology Arts & Sciences hopes that these policies will work towards that goal. As a campus community we can be united to wipe out crime!

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

Annual Security Report (ASR)

Disclosure

The Crime Awareness and Campus Security Act.

Was signed into law in 1990 by George H.W. Bush, the 41st President of the United States. The Higher Education Act of 1998 and the subsequent amendments of the implementing regulation (34 C.F.R. 668.46) significantly expanded institutions' obligations under the Act.

Title IX

Title IX of the Education Amendments of 1972 (Title IX) prohibits sex (including pregnancy, sexual orientation, and gender identity) discrimination in any education program or activity receiving federal financial assistance.

Clery Act

Was signed into law in 1990. In 2008, the Higher Education Opportunity Act (HEOA) reauthorized and expanded the Higher Education Act of 1965. The HEOA amended the Clery Act and created additional safety and security related requirements for institutions.

Violence Against Women Act (VAWA),

In 2013, Barack H. Obama, the 44th President of the United States, signed into law a reauthorization of the law and included in the reauthorization the Campus Sexual Violence Elimination Act (Campus SaVE Act). These additional measures amended and strengthened the Clery Act and provided additional rights to victims of sexual assault,

The Safety and Well-Being

The safety and well-being of our students, staff, and visitors are our foremost concern. The best protections against campus crime are a strong awareness, informed, alert and a commitment to reporting suspicious activities and using common sense when carrying out daily activities.

UCAS University of Cosmetology Arts & Sciences works diligently to reduce risk and the potential for crime on campus. However, despite our best efforts, crimes may occur. Safety and security are a shared responsibility, and we expect all current students, staff, visitors, and prospective students to contribute to the safety and security of our campus.

Annual Security Report (ASR)

Preparation

UCAS University of Cosmetology Arts & Sciences prepares the information contained in this report annually. The report is solicited by the school Executive Director every year by July 31st. The report is requested from the local police forces for the purpose of identifying crimes that occurred on campus and on public property (property adjacent to UCAS 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:

<http://ucastx.com/courses-admission/>

This report will also outline the school's policies regarding:

- Clery Act
- Title IX Equity and Diversity
- 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.
- Bystander Intervention.
- Campus Safety

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.

The school maintains records of the ASR for 3 years within its premises. This report is made available to all current and prospective students and current and prospective employees.

The Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) is a federal mandate requiring all institutions of higher education (IHEs) that participate in the federal student financial aid program to disclose information about crime on their campuses and in the surrounding communities. The Clery Act affects virtually all public and private IHEs and is enforced by the U.S. Department of Education.

The Clery Act, formerly known as the Crime Awareness and Campus Security Act, was signed in 1990 and is named after 19-year-old Jeanne Clery, who was raped and murdered in her Lehigh University residence hall in 1986. Clery's parents lobbied Congress to enact the law when they discovered students at Lehigh hadn't been notified about 38 violent crimes that had occurred on campus in the three years prior to Clery's murder.

When the Higher Education Opportunity Act (HEOA) was signed into law in 2008, it amended the Clery Act by adding several safety- and security-related requirements to the Higher Education Act of 1965. To be in full compliance with the law.

1. Publish and distribute an Annual Security Report to current and prospective students and employees; by September 1 of each year.
2. Provide students and employees with timely warnings of crimes that represent a threat to their safety.
3. Keep the past three years of crime statistics crimes that have occurred: on-campus and near public areas on or near campus.
4. Inform prospective students and employees about the availability of the Annual Fire Safety Report. Printed copy, visit the school's Executive Director's office.
5. UCAS University of Cosmetology Arts & Sciences submits the collected crime report statistics to the Department of Education, which posts the information to their website at:
<https://ope.ed.gov/campusafety/#/>

Clery Geography

Clery geography includes buildings and property that are part of the institution's on-campus, non-campus buildings or property, and public property within or immediately adjacent to and accessible from the institution.

1. **On-Campus:** Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to the institutions' education purposes.
2. **Non-campus Building or Property:** Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students and is not within the same reasonably contiguous geographic area of the institution. "Short Stay-Away trips" or school-sponsored trip(s) are included in this geographic category as well.
3. **Public Property:** All public property, including streets and sidewalks that are immediately adjacent to and accessible from the campus.

Campus Safety

This report contains emergency management information, campus crime statistics and critical campus safety information such as policies, crime prevention, crime reporting, and resources to aid you in becoming more safety minded.

Notice of Non-Discrimination

UCAS University of Cosmetology Arts & Science is committed to the principle of equal opportunity in education and employment. The institution does not discriminate based on race, color, national origin, religion, sex, age, disability, sexual orientation, gender identity, genetic information, creed, marital status, veteran's status, political belief or affiliation or any other status protected by law. Pursuant to Title IX of the Education Amendments of 1972, UCAS University of Cosmetology Arts & Science does not discriminate based on sex in its educational programs and activities, employment, and admission.

The institution will promptly and equitably investigate reports of discrimination or harassment and take disciplinary action as appropriate. Retaliation in any form against a person who reports discrimination or participates in the investigation of discrimination is strictly prohibited and will be grounds for separate disciplinary action.

Accurate and Timely Reporting

Prompt and accurate reporting of criminal offenses or suspicious activities aids in providing a timely response and timely warning notices to staff, students, and visitors when appropriate, and assists in compiling accurate crime statistics. Students, staff, and visitors are encouraged to report all crimes and public safety related incidents in an accurate and timely manner to UCAS University of Cosmetology Arts & Sciences.

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 & Employees are encouraged to be responsible for their own security and the 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 disclose 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.

How to Report an Emergency

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 ASR. 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.

Emergency Notifications

The Institution will issue an emergency notification **without delay** and considering 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.

Access to and Security of Campus Facilities

UCAS University of Cosmetology Arts & Sciences is a public institution and, except for restricted and security areas, is accessible to the public during normal building hours (time, place, and manner restrictions apply). Except for essential personnel and services, and others as designated, buildings are locked and access, after normal building hours, is permitted only with proper authorization.

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

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.

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.

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**.

Drug & Alcohol-Free Compliance

UCAS University of Cosmetology Arts & Sciences is committed to protecting the safety, health and well-being of all employees, students, and other individuals in its workplace. The institution recognizes that alcohol abuse and drug use pose a significant threat to its goals and has established an alcohol- and drug-free workplace program that balances respect for individuals with the need to maintain an alcohol- and drug-free environment. UCAS University of Cosmetology Arts & Sciences encourages employees to voluntarily seek help with drug and alcohol problems.

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 of a driver's license 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 several 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 members 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 ensure that persons involved with the illegal dealing of drugs or excessive use of alcohol can be adequately punished. For example, a small number 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, receive 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 are 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 have 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 will 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 are 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

Do not 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 cannot 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 do not complete the Alcohol Education program.
- 90 days of license suspension if your judge gives you community service. This means you will 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 to obtain alcohol.
- Presenting a falsified document stating that you are 21 years old 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 are 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 are convicted, you will have a 3rd degree felony.**

Intoxication Manslaughter

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

****If you are convicted, you will 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 driving under the influence.

If you are 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 have 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 do not request a hearing, your license suspension kicks in 40 days after the arrest. (Sometimes, missing, or delayed paperwork is taken into consideration.)
- You will 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 are 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 is right for you. We have 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 have 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 have 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 must get an ignition interlock device (IID); if so, the court will send a notice to the TX DPS. You will 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 is not suspended or revoked.
- You have 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 is all said and done, you might still experience "penalties" in the form of higher car insurance rates. Once your provider looks at your driving report and sees the conviction, they will 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 several 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 a 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.
- **Injury:** 599,000 students between the ages of 18 and 24 are unintentionally injured under the influence of alcohol.
- **Assaults:** 696,000 students between the ages of 18 and 24 are assaulted by another student who has been drinking.
- **Sexual Abuse:** Each year an estimated 97,000 students between the ages of 18 and 24 are victims of alcohol related sexual assault or date rape.
- **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.
- **Academic Consequences:** About one quarter of college students report having academic consequences because of their drinking, including missing class, falling behind, doing poorly on exams or papers, and receiving lower grades overall.
- **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.
- **Drunk Driving:** 3,360,000 students between the ages of 18 and 24 drive under the influence of alcohol.
- **Vandalism:** About 11 percent of college student drinkers report that they have damaged property while under the influence of alcohol.
- **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.
- **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.
- **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.

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 oneself. People tend to lose their sense of responsibility and co-ordination. 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, but drug also used 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 years old. Appendix B provides a description of controlled substance and their effects.

There are drugs 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 are 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 instance, 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 pay! 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 its own, possession of Marijuana has its 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") 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 around 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 varies 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 years in jail and fines of up to \$250,000.00.

Definitions:

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

Depressants 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.

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 UCAS 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

UCAS 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, to easily identify them.
- Avoid isolated or unsupervised area, particularly when alone.
- Do not let others use your locker key.
- Never give personal information to a stranger.
- 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.

Title IX

Scope of Title IX

Prohibits discrimination based on sexual orientation and gender identity in education programs that receive federal funding from Department of Education.

UCAS University of Cosmetology Arts & Sciences does not discriminate based on sex in the education program or activity that it operates and does not discriminate based on race, color, national origin, sex, sexual orientation, gender identity, disability, or age.

Some key issue areas in which recipients have Title IX obligations are recruitment, admissions, and counseling; financial assistance; sex-based harassment, which encompasses sexual assault and other forms of sexual violence; treatment of pregnant and parenting students; treatment of LGBTQI+ students; discipline; single-sex education; and employment.

A recipient or other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in a proceeding under Title IX.

For a recipient to retaliate in any way is considered a violation of Title IX. The Department's [Title IX regulations](#) (Volume 34, Code of Federal Regulations, Part 106) provide additional information about the forms of discrimination prohibited by Title IX.

Title IX's primary function is to protect individuals from discrimination based on sex in activities that receive federal financial assistance. To determine if allegations fall within the scope of Title IX, schools must determine the following:

- Do the allegations meet the definition of sexual harassment even if proved, as defined in Title IX.
- Did the conduct occur in an UCAS University of Cosmetology Arts & Sciences education program or activity; and
- Did the allegations occur against a person in the United States.

The scope of liability extends to any student, organization that postsecondary institutions officially recognize. Under Title IX, any person may report sex discrimination at any time.

A school's education program or activity includes locations, events, or circumstances over which UCAS University of Cosmetology Arts & Sciences exercised substantial control over both the respondent, and the context in which the sexual harassment occurred.

If the allegation(s) falls within the scope of Title IX, the complaint will follow the Title IX grievance process. Sexual harassment means conduct based on sex that satisfies one or more of the following:

- a) A UCAS University of Cosmetology Arts & Sciences employee conditioning the provision of an aid, benefit, or service of the school on an individual's participation in unwelcome sexual conduct.

- b) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
- c) Sexual assault as defined in 20 USC 1092(f)(6)(A)(v), "dating violence" as defined in 34 USC 12291(a)(10), "domestic violence" as defined in 34 USC 12291(a)(8), or "stalking" as defined in 34 USC 12291(a)(30).

Title IX Coordinator and Designee

Title IX Coordinator: is responsible for the oversees the investigation of its protocol and resolution any procedures related to it. Provides education training to employees regarding to the most current regulations and monitors full compliance with procedural requirements.

Title IX Coordinators designee are responsible for tracking, reporting, and investigating student and employee complaints under this protocol, providing training and education and may serve as the decision maker in student matter regarding alleged violation of this protocol.

Title IX Coordinator Contacts

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Title IX Coordinators Designee Contacts

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Reporting Sexual Harassment

Any person may report sexual harassment regardless of whether the reporting person is the alleged victim of the conduct. These reports may be made at any time, including non-business hours, or can be made in person, by mail, telephone, or electronic mail, using the contact information for the Title IX Coordinator or school- based Title IX Coordinator. Any person with knowledge of sexual harassment is strongly encouraged to report the incident(s).

Reports should be made as soon as possible after the alleged incident, as a formal complaint must be filed within ten (10) school days. UCAS University of Cosmetology Arts & Sciences is responsible for responding to complaints once it has notice even if notice is not received within the time frame.

All UCAS University of Cosmetology Arts & Sciences employees must report, in writing, any allegations of sexual harassment. The institution is obligated to respond when a Title IX Coordinator or official with authority to institute corrective measures has knowledge of allegations of sexual harassment.

Response to Knowledge of Sexual Harassment

UCAS University of Cosmetology Arts & Sciences must promptly respond to the knowledge of sexual harassment in the institution's education program or activity against a person in the United States within twenty-four (24) hours or no more than two (2) school days.

Upon knowledge of about sexual harassment, the school-based Title IX Coordinator must:

1. Contact the complainant to discuss the availability of supportive measures.
2. Consider the complainant's wishes concerning supportive measures.
3. Inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
4. Explain the process of filing a formal complaint.

If the alleged sexual harassment might constitute a crime, the school- based Title IX Coordinator shall immediately report the matter to the school director or the appropriate law enforcement agency. Any uncertainty regarding whether the alleged sexual harassment might constitute a crime must be resolved in favor of reporting the incident to law enforcement.

Professional Standards may issue disciplinary action consistent with any applicable collective bargaining agreement provisions or statutory provisions to resolve a complaint of sexual harassment.

Formal Complaints of Sexual Harassment

Formal complaints may be filed by a complainant or signed by the school - based Title IX Coordinator. Once a formal complaint has been filed, the school-based Title IX Coordinator will determine if:

1. The allegation(s) in the complaint meets the definition of sexual harassment.
2. The conduct occurred in the institution's education program or activity; and

3. The allegation(s) occurred against a person in the United States.

The Title IX Coordinator must follow the Title IX grievance process if each of these requirements are met. If any of the requirements are not met, the formal complaint will be dismissed. The matter may be referred to the administration to investigate pursuant to the institution's Code of Student Conduct. UCAS University of Cosmetology Arts & Sciences must provide written notice within two (2) school days of the allegation(s) to all known parties upon receipt of a formal complaint.

Students Rights and Responsibilities

Although UCAS University of Cosmetology Arts & Sciences strongly encourages all community members to report violations of this policy to law enforcement, it is the victim's choice whether to make such a report. The victim has the right to decline involvement with the police. The institution will assist any victim by notifying local police if they so desire.

Any person may report sexual harassment, regardless of whether the reporting person is the alleged victim of the conduct. A report can be made in person, by mail, telephone, or electronic mail, contacting the Title IX Coordinator or school-based Title IX Coordinator. Reports may be made at any time, including during non-business hours. Any person with knowledge of sexual harassment is strongly encouraged to report the incident(s).

UCAS University of Cosmetology Arts & Sciences will provide outside resources to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy.

- Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.
- Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment. In accordance with the Clery Act and the Violence Against Women

Act, the remaining sections will use the term "victim" synonymously to "complainant."

Assistance for Victims: Rights and Options

If a victim elects to pursue a criminal complaint, whether the offense occurred on- or off-campus, UCAS University of Cosmetology will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options.

Rights of Student and Employee Victims of Sexual Misconduct

Sexual misconduct is not tolerated at UCAS University of Cosmetology Arts & Sciences. Reports of sexual violence misconduct, including sexual harassment, sexual assault, dating violence, domestic violence, or stalking, are taken seriously.

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, sexual harassment, 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. <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 certain. At the same time, as bystanders, we have a responsibility to intervene when we can 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 may be ok with this extra responsibility for now. Despite (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 are 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 relate to 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 with the “Campus Sex Crimes Prevention Act” of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offenders Registration Act, the Jeanne Clery Act, and the Family Educational Rights and Privacy Act of 1974, UCAS 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 individual 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 intensify 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

Violence committed by a person who is or has been in a social relationship of romantic or intimate nature with the victim. It can happen in straight or gay relationships.

The existence of such a relationship shall be determined based on the reporting party's statement and consideration of:

- The length of the relationship
- The type of the relationship
- The frequency of interaction between the person involved in the relationship.

Dating violence is controlling, abusive, and aggressive behavior in a romantic relationship. 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 are with, and what you are 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 do not 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 is 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 cannot 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 a 2nd degree felony.

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 is 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>

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 report 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 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.

11. 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 of 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 UCAS University of Cosmetology Arts & Sciences**

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 does not feel right, do not worry about offending someone, just leave.
- Notice when someone does not respect your boundaries. Do not 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