

2016

The Headquarters Academy of Hair Design Annual Safety and Security Report

Including Clery Act Disclosures of Campus Security
Policy and Crime Statistics

To maintain compliance with Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (“Clery Act”), Higher Education Act (“HEA”) requirements, and related statutes and regulations, and in an effort to continuously promote and improve safety and security measures on campus, the Headquarters Academy of Hair Design collects and publishes information regarding this school’s security policies, services and crime statistics. Once collected, the information is presented annually in this Annual Safety and Security Report to provide current students, faculty and staff and to the public by the school’s Campus Security Survey Administrator. Any questions about this report should be directed to the Campus Security Survey Administrator, Floyd Roll, 108 South Main Street, Minot, ND 58701; hahd@srt.com at (701) 852-8329.



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The Clery Act

Choosing a postsecondary institution is a major decision for students and their families. Along with academic, financial and geographic considerations, the issue of campus safety is a vital concern. In 1990, Congress enacted the *Crime Awareness and Campus Security Act of 1990* (Title II of Public Law 101-542), which amended the *Higher Education Act of 1965* (HEA). This act required all postsecondary institutions participating in HEA's Title IV student financial assistance programs to disclose campus crime statistics and security information. The act was amended in 1992, 1998 and 2000. The 1998 amendments renamed the law the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* in memory of a student who was slain in her dorm room in 1986. It is generally referred to as the *Clery Act*.

On Aug. 14, 2008, the *Higher Education Opportunity Act* or *HEOA* (Public Law 110-315) reauthorized and expanded the *Higher Education Act of 1965*, as amended. *HEOA* amended the *Clery Act* and created additional safety- and security-related requirements for institutions. Specifically, it added:

- New categories to the list of hate crimes all institutions must disclose (Clery amendment);
- A new disclosure regarding the relationship of campus security personnel with state and local law enforcement agencies (Clery amendment);
- Implementation and disclosure of emergency notification and evacuation procedures for all institutions (Clery amendment);
- Implementation and disclosure of missing student notification procedures for institutions with on-campus student housing facilities (*HEOA*);
- Fire safety reporting requirements for institutions with on-campus student housing facilities (*HEOA*);
- Text clarifying the definition of an on-campus student housing facility (Clery and *HEOA*); and

- A Program Participation Agreement (PPA) requirement concerning disclosure of the results of disciplinary proceedings to the alleged victim of any crime of violence or a non-forcible sex offense (*HEOA*).

Although *HEA*, as amended, is the law that governs the administration of all federal higher education programs, as used in this handbook, *HEA* refers only to the *Clery Act* and *HEOA* safety- and security-related requirements.

Compliance with the Clery Act

The Clery Act requires The Headquarters Academy of Hair Design (**HAHD**) to provide timely warnings of crimes that represent a threat to the safety of students or employees and to make their campus security policies available to the public. The act also requires HAHD to collect, report, and disseminate crime data to everyone on-campus and to the Department of Education annually.

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

1. Publish and distribute an Annual Security Report to current and prospective students and employees by October 1 of each year. The report must provide crime statistics for the past three years, detail campus and community policies about safety and security measures, describe campus crime prevention programs, and list procedures to be followed in the investigation and prosecution of alleged sex offenses.
2. Provide students and employees with timely warnings of crimes that represent a threat to their safety. The Office of Safety and Security (OSS) must also keep a detailed public crime log of all crimes reported to them in the past 60 days. Crime logs must be kept for seven years, and logs older than 60 days must be

made available within two business days upon request.

3. Keep the past three years of crime statistics detailing crimes that have occurred: on-campus; in School residential facilities; in public areas on or near campus; and in certain non-campus buildings, such as fraternities/sororities and remote classrooms. HAHD must also report liquor and drug law violations and illegal weapons possession if they result in a disciplinary referral or arrest.
4. Disclose missing student notification procedures that pertain to students residing in any on-campus student housing facilities.
5. Disclose fire safety information related to any on-campus student housing facilities. This includes maintaining a fire log that is open to public inspection; and publishing an Annual Fire Safety Report containing policy statements and fire statistics associated with each on-campus student housing facility. These statistics must include the location, cause, injuries, deaths and property damage of each fire.
6. Submit the collected crime and fire statistics to the Department of Education each fall.
7. Inform prospective students and employees about the availability of the Annual Fire Safety Report.

While the Headquarters Academy of Hair Design does not have any student housing facilities, it has a vested interest in campus security and the personal safety of its students and employees. The following pages compile specific information, including crime prevention, fire safety, law enforcement authority, crime reporting policies, disciplinary procedures and other matters of importance related to security and safety on campus. This report also contains information about campus crime statistics.

The Clery Act also requires that “Campus Security Advisors” are required to report a variety of campus related crimes to law enforcement. Faculty advisors are considered

Campus Security Advisors because they fall under “significant responsibility for student and campus activities”. They are thereby required to report incidents of sexual assault among other crimes. However, faculty members who do not have any responsibility for student and campus activity beyond the class room do not meet the CSA criteria.

Every member of HAHD receives an e-mail that describes the report and provides its website address. Members of the campus community are encouraged to use this report as a guide for safe practices on and off-campus. The HAHD Clery Report can be found at:

www.hqacademyofhair.com/safety/pdf/annual-security-report.pdf

Paper copies will be provided to prospective students, students and employees upon request as well as to these same individuals who do not have an email address.

Additional safety and security information can be found at www.hqacademyofhair.com/safety.

Violence and Crime Prevention

HAHD is committed to preventing workplace violence and to maintaining a safe and secure campus. Given the increasing violence in society in general, we have adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited in the school building. Employees and students becoming aware of the presence of these items in the building should report it to their instructor, or another member of management immediately. All employees and students should be treated with courtesy and respect at all times. Employees and students are expected to refrain from fighting, “horseplay”, or other conduct that may be dangerous.

Conduct that threatens intimidates or coerces another employee, student, or member of the public at any time, including off-duty periods,

will not be tolerated. This prohibition includes all acts of harassment, including, but not limited to harassment that is based on an individual's sex, race, national origin, gender identity, age, or any characteristic protected by federal, state, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to the immediate supervisor, instructor or any other member of management (ultimately to be brought to the attention of the school owner). This includes threats by employees, students, visitors or other members of the public. When reporting a threat of violence, be as specific and detailed as possible.

All suspicious individuals or activities should be reported as soon as possible to a supervisor, instructor or another member of management. HAHD will promptly and thoroughly investigate all reported threats of (or actual) violence, suspicious individuals and activities of concern. The identity of the individual making the report will be protected as much as is practical.

In order to maintain employee and student safety and the integrity of its investigation, HAHD may suspend the employees or students allegedly involved, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment or expulsion from school.

HAHD encourages employees and students to bring their disputes or differences with others to the attention of their supervisors, their instructor or another staff member before the situation escalates into potential violence. HAHD is eager to assist in the resolution of employee and students disputes, and will not discipline employees or students for raising such issues.

It is the policy of The Headquarters Academy of Hair Design to report all criminal activity to the Minot Police Department by reporting incidents directly to their office. It is also the school's position that all campus community members

are responsible for reporting any criminal activity when they become aware of it.

Minot Police Department: 701-852-0111
(emergency 911)

In order to maintain the security of the Headquarters Academy of Hair Design's facility, all employees, and students must follow security standards.

Reporting a Crime Procedures

This school does not have a campus police force. All crimes are reported to the local police department for investigation and action. Students and staff members who need to report a crime should notify the school owner or front desk personnel as soon as possible after the occurrence of the suspected crime.

The school owner or the receptionist will immediately convey important information related to the crime to appropriate authorities.

Students needing immediate assistance should first report to the reception desk. At the earliest possible opportunity the school owner should be notified.

HAHD does not have licensed counselors or pastoral counselors on staff. Any information that would be reported to a HAHD official would be held in confidence at the victim's or witness' request.

A record of all reported crimes will be maintained in the office. This record will appear in later editions of this document.

If you are the victim of a crime, and do not wish to pursue action within the criminal justice systems, you should still consider making a confidential report. With your permission, the school owner may file a report that documents the details of your incident without revealing your identity. With this information, the school can keep accurate records of incidents and better identify crime trends. Reports filed in this matter are counted and disclosed in the annual crime statistics for the institution, but again are entirely confidential.

Law Enforcement Authority

The ultimate authority for law enforcement on campus is the local police department. HAHD officials have the authority to contact the local police to request assistance in preventing or reacting to crime within or in the immediate vicinity of school facilities. The school owner is the campus coordinator of security issues but is not authorized to arrest individuals. The officials at HAHD have a working relationship with city law enforcement and work in partnership to offer students and employees the safest possible environment. In addition to helping to provide a safe environment, other reasons to maintain a working relationship with the local police is to ensure that the statistics disclosed to students and employees are accurate and to ensure that should there be a risk to the campus community; HAHD can issue timely warning reports to the campus community.

Crime Prevention

Students and school employees are encouraged to be aware that they are responsible for their own security and the security of others. School officials, and local Police officers are available to discourage crime on campus and assist crime victims but individuals should be aware that the best prevention for crime is to avoid at-risk situations. The following simple guidelines can help individuals decrease the potential of being victimized:

- 1) Do not leave personal items unattended or out of sight.
- 2) Do not bring expensive items or larger than necessary amounts of money to school.
- 3) Minimize time spent alone in isolated areas.
- 4) Know where and how to obtain assistance if you need it.
- 5) Safety in numbers-If you have a concern for your personal safety while on campus, see the receptionist and an escort will be provided for you.
- 6) Report suspicious and unusual activity to a school administrator or the receptionist. The

receptionist will immediately pass along the information to the appropriate authorities.

- 7) Lock your car and take the keys with you.

Monitoring and Recording of Criminal Activity

All reported crimes and other security problems are directed to the administrator's office for entry into the official school crime log. Statistics are gathered on an annual basis from the local Police Department to ensure the statistics are accurate and the information is provided on a timely basis to the campus community. The timely reporting requirement is to provide the information to the campus community should there be some degree of risk to the campus community this information is first passed on to instructors and staff, announced in class and posted on the "Student" bulletin board. The school owner is the person responsible for collecting and disseminating this information. In addition, information is compiled annually in compliance with definitions used in the Federal Bureau of Investigation's Uniform Crime Reporting System, Hate Crime Data Collection Guidelines and the Training Guide for Hate Crime Collection. The information is reported electronically to the Department of Education in the annual security report which is due October 1st of each year in which the report is disclosed.

Emergency Response and Evacuation

In the event of an emergency or dangerous situation, the school owner or a staff member may direct students, faculty, staff, and guests to evacuate the building. The campus community will be asked to follow building evacuation protocols and to obey directions from HAHD staff and/or on-scene emergency responders.

The Headquarters Academy of Hair Design conducts drills and exercises throughout the year for the purpose of promoting safety on campus in numerous different situations. Fire drills are conducted annually.

Communication in an Emergency

Decisions concerning whether to issue a notification to evacuate will be made on a case-by-case basis using the following criteria:

- Nature of the situation
- Continuing danger to the campus community
- Possible risk of compromising law enforcement efforts

Staff personnel, taking into account the safety of the campus community and determining what information should be released about the situation, will immediately notify the campus community upon confirmation of an emergency or dangerous situation involving an imminent or impending threat. The only reason an immediate notification would not occur during an emergency situation is if doing so would compromise efforts to assist a victim, contain the emergency, respond to the emergency, or otherwise mitigate the emergency.

A committee consisting of representatives from the local law enforcement/emergency services and the school owner determines what content to include in notifications on a case-by-case basis, and the committee can also use pre-drafted notifications if applicable. Individuals responsible for putting out emergency notifications to the campus community include, but are not limited to:

- School Owner or designee
- Local law enforcement/emergency services

Safety instructions for students, faculty and staff will be made available through any or all of the following methods:

- Verbally
- E-mail
- Text Messaging
- Phone Call or Voice Message
- Official HAHD Website

Once an emergency is deemed a threat to campus and the decision to put out an emergency notification is made, the content is

decided by one or all of the above listed individuals and sent out using one or more of the above listed methods of delivery. Initial notifications may be brief, and follow up information will be sent out as needed. A final notification will be sent to the campus community when there is no longer a threat to campus.

In a similar manner, tests of the emergency notification system(s) will take place periodically. An appropriate emergency will be simulated, either by tabletop exercise or a full-scale simulation on campus, and appropriate notifications and procedures will be taken in response to the simulated emergency.

Emergency Phone List

You can reach the Minot Police, at 911, directly from any school phone without having to dial 9 for an outside line first. Be prepared to give your location, name and problem.

Police: 911 or 701-852-0111

General Evacuation Tips

To be prepared for an emergency, you should:

1. Know at least two ways out of the building.
2. Know the predetermined meeting location for your unit.

When you are verbally instructed to begin evacuating the building:

1. Try to make sure that all class members, clients and visitors are/have evacuated the area you are at by quickly checking the nearby restrooms, facial room, dispensary, etc. as you exit.
2. Evacuate the building by way of the safest closest exit and/or stairway.
3. Accompany and assist those with disabilities.
4. Shut all doors behind you as you go.
5. Evacuate as quickly as possible but in an orderly manner. Do not push or shove.
6. Once outside, move at least 100 feet from the building or follow the instructions of emergency personnel on the scene. Stay away from building entrances.

7. Meet at a predetermined location to account for all members of your group. Return to the building only when given the “all clear” by police or other proper emergency personnel.

The following information provides basic guidelines for emergency evacuation.

Ground Floor

Persons with physical disabilities should exit the building along with other building occupants.

Below-Ground Floor

Visually Impaired

Tell the person with the visual impairment the nature of the emergency and offer to guide the person to the nearest exit. Have the person take your elbow and escort him/her out of the building. As you walk, advise the person of any obstacles. When you reach safety, orient the person to where he/she is and ask if any further assistance is necessary.

Hearing Impaired

Alert the person that there is an emergency situation by using hand gestures or by turning the light switch on and off. Verbalize or mouth instructions or provide the individual with a short note containing instructions. Offer assistance as you leave the building.

Mobility Impaired

Individuals who can walk may be able to evacuate themselves. Walk with the person to provide assistance if necessary. Evacuating individuals who are not able to walk is much more complicated. If there is no immediate danger, take the individual to a safe place to await emergency personnel. Whenever possible, someone should remain with the person while another individual exits the building and notifies emergency personnel of the mobility person’s exact location.

Only in situations of extreme and immediate danger should you try to evacuate a wheelchair user yourself. The person with the disability is the best authority on how he/she should be moved. Ask before you move someone. While it is best to let professional emergency personnel

conduct the evacuation, a person with mobility impairment can be carried by two people who have interlocked arms to form a “chair” or by carrying the person in a sturdy office chair.

Communication about Campus Crime

Timely Warnings

HAHD will issue a timely safety alert when it receives a report of a crime that represents a serious or ongoing threat to the safety of members of the campus community. HAHD may also issue an alert to the campus community when other instances pose a safety concern. Timely warnings will be located on the HAHD website, and may be disseminated through e-mail, text message, and/or phone calls.

First responders and essential HAHD personnel are primarily responsible for initiating timely warnings. Those responsible include, but are not limited to:

- School Owner or designee
- Local law enforcement/emergency services

The Headquarters Academy of Hair Design will distribute timely warning announcements when there appears to be a threat to the safety and security of persons on campus for the following crimes or events:

- Aggravated assault
- Arson
- Manslaughter (negligent and non-negligent)
- Murder
- Robbery
- Sexual offenses (forcible and non-forcible)
- Unattended death or suicide
- Any other crime involving bodily injury in which the victim was chosen on the basis of race, gender, religion, sexual orientation, ethnicity, or disability.

Decisions concerning whether to issue a timely warning will be made on case-by-case basis using the following criteria:

- Nature of the crime

- Continuing danger to the campus community
- Possible risk of compromising law enforcement efforts

If the threat is sudden and serious, a warning will be issued immediately and will be continually updated until the threat is contained or neutralized. If a threat is less immediate, the warning will be fully developed and distributed after that point in time.

Crimes that could constitute a continuing threat include, but are not limited to:

- Serial crimes that target certain campus populations such as sex crimes or race-based crimes in which the perpetrator has not been apprehended, and
- Ongoing criminal activity in which there is no apparent connection between perpetrator and victim.

Crimes that would not constitute a continuing threat include, but are not limited to:

- Crimes in which the perpetrator has been apprehended, thereby eliminating the threat, and
- Crimes in which an identified perpetrator targets specific individuals to the exclusion of others, such as domestic violence.

The warning contains sufficient information about the nature of the threat to allow members of the campus to take protective action:

- A succinct statement of the incident
- Possible connection to previous incidents if applicable
- Date and time of the warning
- Description and drawing of the suspect, if available
- Other relevant and important information

In some cases, HAHD may need to keep some facts confidential to avoid compromising an ongoing investigation.

The following methods may be used to notify the campus community of various emergencies that may affect the campus community:

- Phone

- Text message
- E-mail
- Official HAHD website
- Local media
- Targeted communication

Crime Reporting

HAHD encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, HAHD cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can generally be made to the school owner. Victims of a crime who do not want to pursue action within the criminal justice system or to the school owner may still consider making a confidential report by:

- Pursuing medical treatment,
- Pursuing counseling services with appropriate agencies, or
- Making a blind report to the police.

Victims and witnesses may report a crime through the HAHD system or criminal justice system at a later date.

Preparation and Disclosure of Crime Statistics

The HAHD School Owner is responsible for preparing and disclosing crime statistics in compliance with the Jeanne Clery Act, 20 U.S.C. Section 1092. This federal mandate requires the disclosure of certain crime statistics so students, employees, and families can be knowledgeable about the safety of college campuses. HAHD, with input and information from law enforcement agencies, collects and prepares criminal statistical information for the inclusion in the school's Annual Security Report (ASR). Relevant crime data received from local law enforcement agencies are included in submission to the Department of Education, as well as distributed and posted on-campus. Clery reporting covers

the preceding (3) calendar years, January 1, 2012 to December 31, 2014.

Criminal Offenses and Definitions

Aggravated Assault

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. Simple assaults are excluded.

Arson

Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Bias

A preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation, or ethnicity/national origin.

Bias types and definitions:

a. Race Bias

A preformed negative opinion or attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).

b. Gender Bias

A preformed negative opinion or attitude toward a person or a group of persons based on their actual or perceived gender, e.g. male or female.

- Gender – Term used synonymously with sex to denote whether a newborn is male or female at birth, e.g., “it’s a boy” or “it’s a girl.”

c. Gender Identity Bias

A preformed negative opinion or attitude toward a person or group of persons based on

their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.

- Gender Identity –

A person’s internal sense of being male, female, or a combination of both; that internal sense of a person’s gender may be different from the person’s gender as assigned by birth.

- Gender Non-Conforming –

Describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup.

- Transgender –

Of or relating to a person who identifies as a different gender from their gender as assigned at birth

d. Religious Bias

A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).

e. Sexual Orientation Bias

A preformed negative opinion or attitude toward a person or a group of persons based on their actual or perceived sexual orientation.

f. Ethnicity/National Origin Bias

A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.

g. Disability Bias

A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Burglary

The unlawful entry of a structure to commit a felony or a theft. Forcible entry, unlawful entry with no force, and attempted forcible entry are all included.

Criminal Homicide

a. Murder and Nonnegligent Manslaughter

The willful (nonnegligent) killing of one human being by another. Deaths caused by negligence, attempts to kill, assaults to kill, suicides, and accidental deaths are excluded. The program classifies justifiable homicides separately and limits the definition to: (1) the killing of a felon by a law enforcement officer in the line of duty; or (2) the killing of a felon, during the commission of a felony, by a private citizen.

b. Manslaughter by Negligence

The killing of another person through gross negligence. Deaths of persons due to their own negligence, accidental deaths not resulting from gross negligence, and traffic fatalities are not included in the category Manslaughter by Negligence.

Drug Law Violations

The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Hate Crimes

Criminal offenses committed against a person or property which is motivated, in whole or in part, by the offender's bias.

Hate crimes include any offense in the following two groups:

Group A

- Murder and Non-Negligent Manslaughter
- Forcible Sex Offenses

- Non-forcible Sex Offenses
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson

Group B

- Larceny-Theft
- Simple Assault
- Intimidation
- Destruction/Damage/Vandalism of Property

Intimidation

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

Larceny-Theft

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Liquor Law Violations

The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Federal violations are excluded.

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on land surface and not on rails. Motorboats, construction equipment, airplanes, and farming equipment are specifically excluded from this category.

Robbery

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Sex Offenses

a. Forcible

- **Rape (except Statutory Rape)**

The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

- **Sodomy**

Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

- **Sexual Assault with an Object**

To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.

- **Fondling**

The touching of the private body parts of another person for the purpose of sexual gratification without consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or temporary or permanent mental or physical incapacity.

b. Non-Forcible

- **Incest**

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

- **Statutory Rape**

Non-forcible sexual intercourse with a person who is under the statutory age of consent.

c. Date Rape Drugs

If determined through investigation that a case involved the administration of a date-rape drug

in an unsuccessful attempt to incapacitate and sexually assault the victim, and it is believed that the perpetrator's intent was to commit a sex offense, the incident should be classified as a forcible sex offense. If there is no knowledge of the intent of the perpetrator, the incident should be classified as an aggravated assault.

Simple Assault

An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness

Vandalism

To willfully or maliciously destroy, injure, disfigure, or deface and public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

Weapons Law Violations

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. Attempts are included.

Violence Against Women Act (VAWA)

Crime Definitions

Domestic Violence

Domestic violence can be defined as a pattern of abusive behavior that is used by an intimate partner to gain or maintain power and control over the other intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

Dating Violence

Dating violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:

1. The length of the relationship
2. The type of relationship
3. The frequency of interaction between the persons involved in the relationship

Stalking

Stalking can be defined as a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear

Sexual Assault

Sexual assault can be defined as any type of sexual contact or behavior that occurs by force or without consent of the recipient of the unwanted sexual activity. Falling under the definition of sexual assault is sexual activity such as forced sexual intercourse, sodomy, child molestation, incest, fondling, and attempted rape. It includes sexual acts against people who are unable to consent either due to age or lack of capacity

Disclosure to Victims

HAHD adheres to standard disciplinary procedures when students are involved in any violent crime or non-forcible sex offense. HAHD will, upon written request, disclose to the victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by HAHD against the student who is the perpetrator of the crime or offense. If the victim is deceased as a result of the crime of offense, HAHD will provide the results of the disciplinary hearing to the victim's next of kin, if so requested. In an incident of violence, the victim may be informed verbally of the outcome of a hearing by the HAHD School Owner. The records of deceased students may be released or disclosed at the request of a parent, personal

representative or other qualified representative of the student's estate, or pursuant to a court order or subpoena.

Sexual Misconduct and Title IX Compliance

1. Introduction

The Headquarters Academy of Hair Design (HAHD) strives to create a campus community free from interpersonal abuse including sexual misconduct. In working to achieve this intent, HAHD commits to:

- a. Taking action to stop sexual misconduct;
- b. Taking action to remedy its effects by providing advocacy, support and appropriate referral services for recipients of the behavior;
- c. Taking action to prevent recurrences;
- d. Educating individuals and promoting discussions on interpersonal abuse and violence; and
- e. Conducting impartial investigation of all reports/ notices of sexual misconduct through fair, equitable and prompt procedures. Investigations will be independent of and separate from law enforcement investigations of criminal activity.

2. Policy

This policy is required by federal law (Title IX, Education Amendments of 1972) and implementation of this policy is guided by the U.S. Department of Education, Office of Civil Rights.

- a. In accordance with Title IX, The Headquarters Academy of Hair Design does not discriminate on the basis of sex or gender identity in The Headquarters Academy of Hair Design's educational program and activities.
- b. Sexual misconduct and discrimination are prohibited in all forms, regardless of intent to harm. This includes sexual violence, sexual assault, sexual exploitation,

coercion and sexual harassment. All of these are examples of sexual discrimination and sexual misconduct, and all are prohibited.

- c. Also prohibited under Title IX is any rule violated on the basis of the recipient's sex/gender which is severe enough to cause a discriminatory effect. (Examples of this may include but are not limited to bullying, cyber-bullying, relationship violence, and stalking.)

3. Definitions

For the purpose of this policy and related procedures, the following definitions apply:

a. Consent:

1. Words or actions showing a clear, knowing and voluntary agreement to engage in mutually agreed upon sexual act; or
2. An affirmative decision given by clear actions or words.
3. Consent may not be inferred from:
 - Silence, passivity, or lack of active resistance alone.
 - A current or previous dating or sexual relationship.

NOTE: It is important to obtain explicit consent from any sexual partner and not to make assumptions. If confusion or ambiguity on the issue of consent arises anytime during the sexual interaction, it is essential that each participant stops and clarifies, verbally, willingness to continue. Consent to one form of sexual act does not imply consent to other forms of sexual act(s).

- b. Coercion:** Unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

- c. **Hearing:** A conference in which opposing viewpoints are considered by a committee or panel that has a responsibility to make a recommendation after hearing the matter.

- d. **Incapacitation:** A state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the "who, what, when, where why, or how" of their sexual interaction). Incapacitation may be caused by the effects of drugs and alcohol or by intellectual or other disability.

- e. **Intimidation:** Implied threats or acts that cause an unreasonable fear of physical or emotional harm to another person.

- f. **Investigation:** Any inquiry into a complaint conducted by an appointed investigator

g. Responsible employees:

1. Those with authority to address and remedy sex and gender-based discrimination and harassment;
2. Those with responsibility to report sexual misconduct to a supervisor, and/or
3. Those who a student would reasonably believe to have such authority or obligation.

- h. **Retaliation:** Any adverse action taken against a person because of their participation in a protected activity. Retaliation against an individual for alleged sexual misconduct, supporting a complainant or for assisting in providing information relevant to a claim of sexual misconduct will be treated as another possible instance of harassment or discrimination. Any acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. The Headquarters Academy of Hair Design is prepared to take appropriate steps to protect individuals who fear that they may have been subjected to retaliation.

- i. **Sanction:** An educational, training, or punitive action determined for an individual found to have violated School policies. Such actions are described in this policy and in other related student and human resource policies and procedures.
- j. **Sexual Acts** include, but are not limited to the following actions:
 1. Sexual intercourse;
 2. Sodomy (oral and/or anal);
 3. Sexual penetration with any object;
 4. Sexual touching of a person's intimate parts (genitalia, groin, breasts, buttocks, mouth or other bodily orifice or the clothing covering them); or
 5. Compelling a person to touch his or her own or another person's intimate parts.
- k. **Sexual Assault:** Any sexual act between two or more people to which one person does not or cannot consent. This includes sexual acts or contacts with others that can involve:
 1. Compelling a person to submit to sexual acts or contacts by force, threat of force, or intimidation;
 2. Use of intoxicants to substantially impair the person's power to give consent;
 3. Engaging in such acts when the person suffers from a mental state that renders him or her incapable of understanding the nature of the contact. This includes, but is not limited to, situations when an individual is intoxicated, "high", scared, physically or psychologically pressured or forced, passed out, unconscious, intimidated, coerced, mentally or physically impaired, beaten, isolated, or confined; or
 4. A victim under fifteen (15) years of age.
Note: the age of consent may vary depending on the ages of the individuals involved in the act.
- l. **Sexual Discrimination:** The unfavorable treatment of an individual because of that individual's sex, gender, or gender identity.
- m. **Sexual Exploitation:** Taking sexual advantage of another person without consent. Examples include but are not limited to:
 1. Causing the incapacitation of another in order to take sexual advantage of the person;
 2. Distributing or publishing sexual information;
 3. Engaging in indecent exposure;
 4. Engaging in voyeurism (the viewing of another for sexual gratification);
 5. Invasion of sexual privacy; 6. Knowingly exposing another to an STD or HIV;
 7. Prostituting another person; or
 8. Recording, photographing, or relaying sexual sounds or images.
- n. **Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:
 1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic achievement;
 2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions or academic decisions affecting such individual; or
 3. Such conduct has the effect of unreasonably interfering with an individual's work or academic performance or creating an intimidation, hostile, or offensive environment.
- o. **Sexual Misconduct:** Any non-consensual behavior of a sexual nature that is committed by force, intimidation, or is otherwise unwelcome that is sufficiently

severe, persistent, or pervasive so as to limit a student's ability to participate in or benefit from a The Headquarters Academy of Hair Design program or activity. Depending on the circumstances, a single incident of sexual misconduct may be sufficient to limit a student's ability to participate in or benefit from a The Headquarters Academy of Hair Design program or activity.

4. Coordinator

The school owner is the coordinator that is appointed to ensure compliance with Title IX of the Education Act of 1972. Specifically, the Coordinator oversees all matters related to sexual discrimination against students and employees of the The Headquarters Academy of Hair Design campus. Such matters include:

- a. The development of policies and procedures to prohibit and prevent sexual discrimination and the policies and procedures to follow when allegations of sexual discrimination are made.
- b. The development of education, training, and orientation materials and delivery methods to ensure students and employees are made aware of HAHD's commitment to Title IX of policies and procedures regarding Title IX.
- c. The development of education, training, and orientation materials and delivery methods to ensure students and employees are made aware of avenues of reporting either as a victim of discrimination or as a witness thereof.
- d. The oversight of investigations of complaints of sexual discrimination, violence, harassment, and other forms of sexual misconduct.
- e. The review of complaints and investigation in order to identify patterns or systematic problems that might otherwise go unnoticed.

- f. The protection and safety of those reporting violations.
- g. The accurate and timely reporting of incidents required by the Clergy Act.

5. Reporting/Confidentiality

Students are encouraged to report incidents or information related to sexual misconduct as soon as possible. If criminal activity is involved, students are encouraged to contact the Minot Police Department or the school owner. Headquarters Academy of Hair Design employees who became aware of a complaint or violation of this policy and have the authority to take action on the complaint or violation, shall report the complaint or violation either to a local law enforcement officer.

The guiding principle in accepting reports of sexual misconduct is to avoid re-victimizing the recipient of the behavior by forcing them into any plan of action. The Headquarters Academy of Hair Design will make every attempt to safeguard the privacy of the complainant and/or recipient of the behavior; however, it is important that complainants recognize that The Headquarters Academy of Hair Design cannot ensure confidentiality in all cases. The Headquarters Academy of Hair Design must weigh the request for confidentiality against its obligation to protect the safety and security of the entire campus. Depending on the circumstances of the offense (the severity of the offense, the number of victims involved, etc.), The Headquarters Academy of Hair Design may be required to respond to an incident, even if confidentiality has been requested. Therefore, The Headquarters Academy of Hair Design employees cannot guarantee absolute confidentiality. Individuals desiring confidentiality should be encouraged to contact one of the following:

Domestic Violence Crisis Center:
Office: 701-852-2258

Nationwide RAINN National Rape Crisis
Hotline - 800-656-4673 • 24/7 •
www.rainn.org

Domestic Violence Hotline - 800-829-1122 •
24/7 • <http://www.thehotline.org/help/>

Sexually Transmitted Disease and AIDS/HIV
Information Hotline - 800-332-2437

6. Formal/Informal Resolution

The Headquarters Academy of Hair Design offers both formal and informal resolution of sexual misconduct complaints involving The Headquarters Academy of Hair Design students, faculty or staff. Regardless of the path chosen by the recipient of the behavior, The Headquarters Academy of Hair Design will conduct an impartial, fair, and prompt investigation into the allegations, and ensure that actions will be taken to prevent similar complaints in the future. Typically, investigation/resolution of the complaint will occur within 60 days. The sexual orientation and/or gender identity of individuals engaging in sexual activity is not relevant to allegations under this policy. Investigation/resolution of the allegations shall include:

- a. The complainant and the accused having equal opportunities to present relevant witnesses and other evidence;
- b. Providing both sides with similar and timely access to any information that will be used during the process;
- c. Equal opportunity to have a support person present, and equal restrictions on how a support person may participate during the process;
- d. The right of the complainant and the accused to be informed of the outcome of the investigation/resolution, and the right of either party to appeal; and
- e. The right of the complainant and the accused to receive periodic status updates throughout the investigation/resolution process.

7. Formal Resolution

Formal resolution of sexual misconduct complaints will be resolved as follows:

- a. If the alleged perpetrator is a student, the School will follow the procedure outlined in the HAHD Sexual Misconduct Policy. Should the determination be made that the student did commit the act of sexual misconduct the appropriate sanction may include, but is not limited to, a warning, probation, suspension, and expulsion.
- b. If the alleged perpetrator is a HAHD employee, the School will follow the HAHD Sexual Misconduct Policy regarding discipline/dismissal. Should the determination be made that the employee did commit the act of sexual misconduct, the appropriate sanction may include, but is not limited to a warning (verbal or written), a written reprimand, suspension without pay, a demotion with a lower pay rate, a lower pay rate, and dismissal.
- c. All sexual misconduct cases shall use a “preponderance of the evidence” standard; meaning that in order for the accused to be held responsible, the hearing officer must determine that it is more likely than not that the sexual misconduct occurred.

8. Informal Resolution

Except in cases of sexual assault which always require a formal resolution, complainants may choose to pursue informal resolution of their complaint. Informal resolution is entirely voluntary and the complainant may end informal resolution at any time. Complainants should never attempt to resolve the complaint directly with the accused. In cases of informal resolution, the Title IX Coordinator shall assign a school official with the authority to remedy the alleged to oversee the informal resolution process. Informal resolution provides the complainant with a forum to confront the accused; to express how the alleged behavior has impacted them and those close to them; and to communicate to the accused and the School how this behavior needs to be addressed so that they, or anyone else at

the School, are not victimized again by the behavior.

- a. In cases where the accused acknowledges their involvement in the sexual misconduct, the school official shall impose an appropriate sanction for the misconduct. If the sanction is agreeable to the parties, the informal resolution is complete, and the sanction is imposed. No appeal is allowed.
- b. In cases where the accused does not acknowledge responsibility, the school official may impose a sanction warranted by the information gathered during the informal resolution, and any supporting information known to the School.

The sanction may be appealed either to the Title IX Coordinator, who shall have the final decision on the appropriate sanction.

9. Anonymous Complaints

Anonymous complaints will be accepted by the School. The School's ability to investigate and resolve anonymous complaints will be limited if the information contained in the anonymous complaint cannot be verified by independent facts. Anonymous complaints may be filed by completion of the HAHD Sexual Misconduct Reporting Form.

10. Prevention

The HAHD Sexual Misconduct Policy specifically prohibits sexual harassment and provides separate grievance procedures for violations of that policy. To help ensure that all students and employees understand the nature of sexual harassment and that the school will not tolerate it, this policy is disseminated to all student and staff members.

Any misconduct of a sexual nature should be brought to the coordinator's attention so that it can be addressed before it becomes sufficiently serious as to create a hostile environment. For further information on what types of conduct can cause sexual harassment and how to respond to it, visit:

<http://www2.ed.gov/about/offices/list/ocr/qa-sexharass.html>

11. Intervention

The The Headquarters Academy of Hair Design community actively supports individuals who experience sexual misconduct through a coordinated response system that attends to their physical and emotional well-being. The Headquarters Academy of Hair Design disciplinary efforts respect the personal rights of all parties. All reports/notices of sexual assault and sexual misconduct are handled in a manner designed to respect the privacy of the involved individuals, to the extent permitted by law. Incidents are reported to appropriate agencies in consideration of safety concerns and investigative needs. In addition, The Headquarters Academy of Hair Design publishes and disseminates annual statistics on incidents of sexual assault in the Annual Security and Fire Safety Report. This report is available online (<http://www.hqacademyofhair.com/safety/pdf/annual-security-report.pdf>) and in printed form from the Administrators Office.

12. False Complaints

Knowingly submitting a false report of sexual misconduct is prohibited. Anyone submitting a false report is subject to disciplinary action.

Sex Offender Registry

Public Access to Sex Offender Information

Employment at the HAHD will be denied if an applicant is listed on a sexual offender registry of any state. The North Dakota Sex Offender website identifying all registered sex offenders in the state of North Dakota is available via Internet pursuant to NDCC Section 12.1-32-15. The North Dakota Office of Attorney General is responsible for maintaining this registry. Follow this link to access the North Dakota Sex Offender website:

<http://www.sexoffender.nd.gov/index.shtml>.

Unlawful use of the information for purposes of intimidating or harassing another may be a crime

and punishable by law. This information is provided in compliance with the North Dakota Offender Registration requirements established by NDCC, section 12.1-32-15.

Alcohol, Drugs, and Tobacco on Campus

Drug Free Campus Policy

1. The Headquarters Academy of Hair Design recognizes the serious problems created by the use and abuse of alcohol and other drugs. In response to this awareness The Headquarters Academy of Hair Design is committed to:
 - a. Establishing and enforcing clear campus policies regarding the use of alcohol and other drugs
 - b. Educating members of the campus community for the purpose of preventing alcohol and other drug abuse
 - c. Creating a campus environment that promotes the individual's responsibility to himself/herself and to the campus community
 - d. Providing resources through counseling and referral services for students who experience alcohol and/or drug problems

2. Students concerned about their own alcohol and drug use or about that of others are encouraged to seek services that can be of help. A list of counseling and support services, including local services, which can be obtained later in this publication, IV. Where To Turn For Help.

I. Standards of Conduct

The School prohibits the use, possession and/or sale of alcoholic beverages in the School building.

1. An alcoholic beverage is any fluid or solid capable of being converted into a fluid, suitable for human consumption, and having

an alcoholic content of more than 1/2 of 1% by volume, including alcohol, beer, lager beer, ale, porter, naturally fermented wine, treated wine, blended wine, fortified wine, sparkling wine, distilled liquors, blended distilled liquors, and any brewed fermented, or distilled liquor fit for use for beverage purposes or any mixture of the same, and fruit juices.

2. The use, consumption, and possessing of any narcotic, dangerous drug, and/or controlled substance by any student or employee of the School for which said student or employee does not have a legal license or valid prescription is strictly prohibited. The unlicensed distribution or sale of any narcotic, dangerous drug, or controlled substance by any student or employee of the School is strictly prohibited. When such activity occurs on campus, the School shall initiate appropriate measures, which may include disciplinary action. When such activity occurs off the premises of the campus, the School nevertheless may consider initiating disciplinary action if the School determines that the activity has a substantial adverse effect upon the School or upon individuals of the School community. Violators will be subject to penalties, which may include separation from the School.

II. The Law

State and Federal law will be regarded as the principal bodies of rules governing the use of alcohol/drugs for HAHD students. Each person will be held responsible for his/her own behavior. While laws vary from town to town and state to state, some regulations govern all American citizens. You should be aware of all federal, and local laws, as well as HAHD drug and alcohol policy. Ignorance does not eliminate your liability.

Alcohol

1. The state of North Dakota requires that individuals be at least 21 years of age to buy, possess, and consume alcoholic beverages.
2. It is illegal to give or sell alcohol to an individual under the age of 21.
3. It is illegal to have an open container of alcohol in any vehicle.
4. It is illegal to serve alcohol to an intoxicated person.
5. It is illegal to sell alcohol of any kind without a license or permit.
6. Driving while intoxicated (.08 blood alcohol content) is a criminal offense.
7. Being intoxicated is not a legal defense for any charge, including assault, rape, vandalism, slander, manslaughter or accident.
8. If an underage person is involved in a drinking/driving crash after leaving a party, the victim(s) of the crash may sue both the person at fault and those who provided the alcohol.

DUI

1. What happens to your operator's license if you're stopped?

Under the current law, if you're stopped for DUI, the arresting officer can take your operator's license ON THE SPOT!

If you refuse to take a BAC test or a preliminary breath test (PBT), your license will be revoked for one to four years, depending on your record of past DUI offenses. A work driving permit can only be issued to first offenders who have served at least 30 days of the 91 days suspension. Work permits cannot be issued to repeat offenders or to those who have refused to take a BAC or PBT test.

2. What happens if you're convicted?

In addition to losing your driver's license, you also face mandatory fines and/or jail sentences:

- a. 1st offense:
 - Class B misdemeanor
 - \$500 fine if below .16
 - Two days imprisonment and \$750 fine if 16 or greater
 - Addiction evaluation
 - 91 day suspension if below .18
 - 180 day suspension if .18 or greater
- b. 2nd offense in 7 years:
 - Class B misdemeanor
 - Ten days imprisonment and \$1,500 fine
 - Addiction evaluation
 - One year in the 24/7 program
 - 365 day suspension if below .18
 - Two year suspension if .18 or greater
- c. 3rd offense in 7 years:
 - Class A misdemeanor
 - 120 days imprisonment and \$2,000 fine
 - Addiction evaluation
 - One year supervised probation
 - One year in the 24/7 program
 - Two year suspension if below .18
 - Three year suspension if .18 or greater
- d. 4th and Subsequent Offenses:
 - Class C Felony
 - One year and one day imprisonment and \$2,000 fine

- Addiction evaluation
- Two years supervised probation
- Two years in the 24/7 program

A first offense DUI with a minor in the vehicle is up to one year imprisonment and/or a \$2,000 fine. If an individual has a previous conviction for a violation of section 39-08-01.4, it is a Class C Felony.

Refusal to submit to blood, breath, urine or on-site test is a crime and will result in a minimum of 180 days up to three years revocation of driving privileges.

Criminal Vehicular Injury • Up to five years imprisonment

Criminal Vehicular Homicide: • Up to 20 years imprisonment

Additional penalties may include a \$100 operator license reinstatement fee, SR-22 filing (high risk insurance), and impoundment of the motor vehicle license plates or seizure of the motor vehicle.

North Dakota has a zero tolerance for anyone under the age of 21 operating a motor vehicle when blood alcohol measures .02 and above.

Drugs

1. Schedule I: Heroin, LSD, Peyote, Mescaline, Psilocybin (Shrooms), Other Hallucinogens, Methaualone (Quaaludes), Pencyclidine (PCP), and MDA.

To possess: Maximum penalty: Class C Felony, for which a maximum penalty of five years imprisonment, a fine of five thousand dollars, or both, may be imposed.

To manufacture, sell, deliver (or have intent): Maximum penalty: Class A felony, for which a maximum penalty of twenty years imprisonment, a fine of ten thousand dollars, or both, may be imposed for narcotics. Class B felony, for which a maximum penalty of ten years imprisonment, a fine of ten thousand

dollars, or both, may be imposed for other Schedule I drugs.

2. Schedule II: Morphine, Demerol, Codeine, Percodan, Percocet, Fentanyl, Dilaudid, Seconal, Nembutal, Cocaine, Amphetamines, and other opium and opium extracts and narcotics.

To possess: Maximum penalty: Class C Felony, for which a maximum penalty of five years imprisonment, a fine of five thousand dollars, or both, may be imposed.

To manufacture, sell, or deliver (or have intent): Maximum penalty: Class A felony, for which a maximum penalty of twenty years imprisonment, a fine of ten thousand dollars, or both, may be imposed for Schedule II narcotics. Class B felony, for which a maximum penalty of ten years imprisonment, a fine of ten thousand dollars, or both, may be imposed for other Schedule II drugs.

3. Schedule III: Certain barbiturates such as amobarbitol and codeine containing medicine such as Fiorinal #3, Doriden, Tylenol #3, Empirim #3, and codeine-based cough suppressants such as Tussionex and Hycomine.

To possess: Maximum penalty: Class C felony, for which a maximum penalty of five years imprisonment, a fine of five thousand dollars, or both, may be imposed.

To manufacture, sell, deliver (or have intent): Maximum penalty: Class B felony, for which a maximum penalty of ten years imprisonment, a fine of ten thousand dollars, or both, may be imposed.

4. Schedule IV: Barbiturates, narcotics and stimulants including Valium, Talwin, Librium Equantil, Darvon, Darvocet, Pacidyl, Tranzene, Serax, Ionamin (yellow jackets).

To possess: Maximum penalty: Class C felony, for which a maximum penalty of five years imprisonment, a fine of five thousand dollars, or both, may be imposed.

5. **Schedule V:** Compounds that contain very limited amounts of codeine, dihydrocodeine, ethylmorphine, opium and atropine, such as terpine Hydrate with codeine, Robitussin AC.

To possess: Maximum penalty: Class C felony, for which a maximum penalty of five years imprisonment, a fine of five thousand dollars, or both, may be imposed.

To manufacture, sell, deliver (or have intent): Maximum penalty: Class A misdemeanor, for which a maximum penalty of one year imprisonment, a fine of one thousand dollars, or both may be imposed.

6. **Schedule VI:** Marijuana, THC, Hashish, Hash Dil, Tetrahydrocannabinol.

To possess: Maximum penalty: Class A felony, (100 lbs. or more), for which a maximum penalty of twenty years' imprisonment, a fine of ten thousand dollars, or both, may be imposed.

Except for: Possession of more than one ounce is a Class B felony, for which a maximum penalty of ten years imprisonment, a fine of ten thousand dollars, or both, may be imposed.

Possession of ½ to one ounce is a Class A misdemeanor for which a maximum penalty of one year imprisonment, a fine of two thousand dollars, or both, may be imposed.

Possession of less than ½ ounce is a Class B misdemeanor for which a maximum penalty of 30 days imprisonment, a fine of one thousand dollars, or both may be imposed. This increases to a Class A misdemeanor if in possession while operating a motor vehicle is automatically a Class A misdemeanor.

To manufacture, sell, deliver (or have intent): Maximum penalty: Class B felony, for which a maximum penalty of ten years imprisonment, a fine of ten thousand dollars, or both, may be imposed.

III. Health Risks

Effects of Alcohol Abuse

1. Physical Effects

- a. Increased heart rate and skin temperature
- b. Loss of simple muscle control leading to slurred speech, poor coordination, etc.
- c. Hangover miseries, fatigue, nausea, headache, etc.

2. Mental Effects

- a. Impaired judgment of space, time, consequences.
- b. Impaired thinking and reasoning process, poor concentration.
- c. Loss of inhibitions: exaggerated feelings of anger, fear, anxiety, etc.

Heavy or frequent drinking to intoxication over an extended period can have serious consequences such as:

- Alcoholism
- Damage to brain cells
- Malnutrition
- Increased risk of cirrhosis, ulcers, heart disease, heart attack and cancers of the liver, mouth, throat and stomach.
- Degeneration of muscle and bone
- Blackouts, memory loss
- Hallucinations
- Poor concentration
- Personality disorders and increased tension, anger, isolation
- DTs or delirium tremens, shaking and hallucinations due to withdrawal from alcohol

Effects Of Drugs

1. Club Drugs

Brief Description: Typically used by teenagers and young adults at bars, clubs, concerts, and parties. The most common club drugs include

Ecstasy (MDMA), GHB, Rohypnol, ketamine, methamphetamine, and acid (LSD).

Street Names: XTC, X (MDMA); Special K, Vitamin K (ketamine); liquid ecstasy, soap (GHB); roofies (Rohypnol).

Effects: Chronic use of MDMA may lead to changes in brain function. GHB abuse can cause coma and seizures. High doses of ketamine can cause delirium, amnesia, and other problems. Mixed with alcohol, Rohypnol can incapacitate users and cause amnesia.

2. Cocaine

Brief Description: A powerfully addictive drug that is snorted, sniffed, injected, or smoked. Crack is cocaine that has been processed from cocaine hydrochloride to a free base for smoking.

Street Names: Coke, snow, flake, blow, and many others.

Effects: A powerfully addictive drug, cocaine usually makes the user feel euphoric and energetic. Common health effects include heart attacks, respiratory failure, strokes, and seizures. Large amounts can cause bizarre and violent behavior. In rare cases, sudden death can occur on the first use of cocaine.

3. Heroin

Brief Description: An addictive drug that is processed from morphine and usually appears as a white or brown powder.

Street Names: Smack, H, ska, junk, and many others.

Effects: Short-term effects include a surge of euphoria followed by alternately wakeful and drowsy states and cloudy mental functioning. Associated with fatal overdose and particularly in users who inject the drug-infectious diseases such as HIV/AIDS and hepatitis.

4. Inhalants

Brief Description: Breathable chemical vapors that users intentionally inhale because of the chemicals' mind-altering effects. The substances inhaled are often common household products that contain volatile solvents or aerosols.

Street Names: Whippets, poppers, snappers.

Effects: Most inhalants produce a rapid high that resembles alcohol intoxication. If sufficient amounts are inhaled, nearly all solvents and gases produce a loss of sensation, and even unconsciousness.

5. LSD (Acid)

Brief Description: One of the strongest mood-changing drugs. It is sold as tablets, capsules, liquid, or on absorbent paper.

Street Names: Acid, blotter, and many others.

Effects: Unpredictable psychological effects. With large enough doses, users experience delusions and visual hallucinations. Physical effects include increased body temperature, heart rate, and blood pressure; sleeplessness; and loss of appetite.

6. Marijuana

Brief Description: The most commonly used illegal drug in the U.S. The main active chemical is THC.

Street Names: Pot, ganga, weed, grass, and many others.

Effects: Short-term effects include memory and learning problems, distorted perception, and difficulty thinking and solving problems.

7. MDMA (Ecstasy)

Brief Description: A drug that has stimulant and psychedelic properties. It is taken orally as a capsule or tablet.

Street Names: XTC, X, Adam, hug, beans, love drug.

Effects: Short-term effects include feelings of mental stimulation, emotional warmth,

enhanced sensory perception, and increased physical energy. Adverse health effects can include nausea, chills, sweating, teeth clenching, muscle cramping, and blurred vision.

8. Methamphetamine

Brief Description: An addictive stimulant that is closely related to amphetamine, but has longer lasting and more toxic effects on the central nervous system. It has a high potential for abuse and addiction.

Street Names: Speed, meth, chalk, ice, crystal, glass.

Effects: Increases wakefulness and physical activity and decreases appetite. Chronic, long-term use can lead to psychotic behavior, hallucinations, and stroke.

9. Tobacco /Nicotine

Brief Description: One of the most heavily used addictive drugs in the U.S.

Effects: Nicotine is highly addictive. The tar in cigarettes increases a smoker's risk of lung cancer, emphysema, and bronchial disorders. The carbon monoxide in smoke increases the chance of cardiovascular diseases.

Secondhand smoke causes lung cancer in adults and greatly increases the risk of respiratory illnesses in children.

10. PCP/Phencyclidine

Brief Description: Illegally manufactured in labs and sold as tablets, capsules, or colored powder. It can be snorted, smoked, or eaten. Developed in the 1950s as an IV anesthetic, PCP was never approved for human use because of problems during clinical studies, including intensely negative psychological effects.

Street Names: Angel dust, ozone, wack, rocket fuel, and many others.

Effects: Many PCP users are brought to emergency

rooms because of overdose or because of the drug's unpleasant psychological effects. In a hospital or detention setting, people high on PCP often become violent or suicidal.

11. Prescription Medications

Brief Description: Prescription drugs that are abused or used for nonmedical reasons can alter brain activity and lead to dependence. Commonly abused classes of prescription drugs include opioids (often prescribed to treat pain), central nervous system depressants (often prescribed to treat anxiety and sleep disorders), and stimulants (prescribed to treat narcolepsy, ADHD, and obesity).

Street Names: Commonly used opioids include oxycodone (OxyContin), propoxyphene (Darvon), hydrocodone (Vicodin), hydromorphone (Dilaudid), meperidine (Demerol), and diphenoxylate (Lomotil). Common central nervous system depressants include barbiturates such as pentobarbital sodium (Nembutal), and benzodiazepines such as diazepam (Valium) and alprazolam (Xanax). Stimulants include dextroamphetamine (Dexedrine) and methylphenidate (Ritalin).

Effects: Long-term use of opioids or central nervous system depressants can lead to physical dependence and addiction. Taken in high doses, stimulants can lead to compulsive use, paranoia, dangerously high body temperatures, and irregular heartbeat.

12. Steroids (Anabolic)

Brief Description: Mostly synthetic substances similar to the male sex hormone testosterone. Some people, especially athletes, abuse anabolic steroids to enhance performance and appearance. Abuse of anabolic steroids can lead to serious health problems, some of which are irreversible.

Effects: Major effects of steroid abuse can occur due to hormone imbalances in the body. In males, adverse effects may include

shrinking of the testicles and breast development. In females, adverse effects may include growth of facial hair, menstrual changes, and deepened voice. In teenagers, growth may be halted prematurely and permanently. Other adverse effects can include severe acne, high blood pressure and jaundice. In some rare cases liver and kidney tumors or even cancer may develop.

IV. Where To Turn For Help

The Headquarters Academy of Hair Design does not offer counseling services. Students may initiate help for themselves or others by contacting any of the agencies listed below. In addition to those listed below others may be found in the yellow pages of the telephone book under "Alcoholism Treatment" and "Drug Abuse Information and Treatment."

Al-Anon (Friends/Family of Alcoholics)

700 16th Ave SW
Minot, ND 58701
701-838-6091 or 701-838 2737
www.ndalanon.com

Alcoholics Anonymous - 700 Group

700 16th Ave SW
Minot, ND 58701
701-839-6091 www.aanorthdakota.org

Alcohol Education/Alcoholic Counseling

North Central Human Service Center
1015 S. Broadway, Suite 18
Minot, ND 58701
Main Office/Crisis Line: 701-857-8500
Toll-free Crisis Line: 1-888-470-6968

Darveaux-Eaton and Associates

1705 4th Ave NW
Minot, ND 58703
701-839-0474

MAFB mental health clinic

10 Missile Ave.
Minot Air Force Base, ND 58705-5000
701-723-5527

Psychological Services

600 22nd Ave NW #10
Minot, ND 58703

701-852-9113

Trinity Mental Health Services

1900 8th Ave SE
Minot, ND 58701
701-857-5998

Village Family Services

20 1st St. SW
Minot, ND 58701
701-852-3328 www.thevillagefamily.org

V. Violation Sanctions for Students

Disciplinary action will be adjudicated as outlined in below for violation of drugs and alcohol policies. Students found in violation of the HAHD policy may be subject to one or more of the following disciplinary actions as well as subject to prosecution by the appropriate civil authorities.

1. **A Warning**—a discussion of misconduct which becomes a matter of at least temporary record.
2. **Probation**—indicates that continued enrollment is conditional upon good behavior during a specified period. It is a matter of temporary record and may include specific restriction of activity.
3. **Suspension**—temporary withdrawal of the privilege of enrolling in the School for a specific period.
4. **Expulsion**—withdrawal of enrollment privileges with no promise of reinstatement at any time and no opportunity for review for at least one year.
5. **Rehabilitation**—requiring such student or employee to participate in a substance abuse rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement or other appropriate agency.
6. **Reporting**—the violation to law enforcement officials.

VI. Awareness and Prevention Programs

Awareness and prevention programs that are available at The Headquarters Academy of Hair Design include the following:

- Educational programs. Topics vary and focus primarily on student wellness.
- HAHD is a tobacco-free campus.

Fire Drills and Inspections

Fire drills are held once at the beginning of fall and spring in order to practice vacating the building in an orderly fashion should an emergency occur. Everyone must vacate the building. Exit procedures are posted on each floor.

Also, an annual fire inspection is completed by Minot Fire Department and the State Fire Marshal's Office. After the inspection, recommendations for improvement are given to Facilities Management for appropriate measures to be taken.

Fire Procedures

Response to Fire or Suspected Fire

Fire is not something that should be taken lightly it can kill and will if the proper safety procedures are not followed.

1. If a burning odor or smoke is present, alert a staff member, if possible and dial 911 if a staff member is unable to respond.
2. If you can help control the fire without personal danger and have received training, take action with any available fire extinguisher. If not, leave the area.
3. Never allow the fire to come between you and an exit.
4. Leave the building, checking as you leave to make sure everyone has left the immediate area. Follow the procedures in the General Evacuation Tips outlined earlier in this document.
5. In an emergency, such as a fire or suspected fire, always dial 911 immediately to initiate an emergency response. When safe to do so, contact a staff member as soon as you are able in the event of a fire or suspected fire.

Clery Crime Statistics for The Headquarters Academy of Hair Design

108 South Main Street, Minot, ND

Calendar Years 2013–2015

The following annual security report provides crime statistics for selected crimes that have been reported to local police agencies or to campus security authorities. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the sub-categories on weapons, drugs, and liquor law violations represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented. This report complies with 20 U.S. Code Section 1092 (f).

| OFFENCES | Total 2013 | | Total 2014 | | Total 2015 | |
|--|------------|-----------------|------------|-----------------|------------|-----------------|
| | On-Campus | Public Property | On-Campus | Public Property | On-Campus | Public Property |
| Murder/Non-Negligent Homicide | 0 | 0 | 0 | 0 | 0 | 0 |
| Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 |
| Sex Offenses (forcible) | 0 | 0 | 0 | 0 | 0 | 0 |
| Sex Offenses (non-forcible) | 0 | 0 | 0 | 0 | 0 | 0 |
| Robbery | 0 | 0 | 0 | 0 | 0 | 0 |
| Simple or Aggravated Assault | 0 | 0 | 0 | 0 | 0 | 0 |
| Burglary | 0 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 0 | 0 | 0 | 0 | 0 | 0 |
| Arson | 0 | 0 | 0 | 0 | 0 | 0 |
| VAWA OFFENCES | | | | | | |
| Domestic Violence | 0 | 0 | 0 | 0 | 0 | 0 |
| Dating Violence | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 0 | 0 | 0 | 0 | 0 | 0 |
| ARRESTS | | | | | | |
| Weapons Violations | 0 | 0 | 0 | 0 | 0 | 0 |
| Drug Abuse Violations | 0 | 0 | 0 | 0 | 0 | 0 |
| Liquor Law Violations | 0 | 0 | 0 | 0 | 0 | 0 |
| REFERRALS | | | | | | |
| Weapons Violations | 0 | 0 | 0 | 0 | 0 | 0 |
| Drug Abuse Violations | 0 | 0 | 0 | 0 | 0 | 0 |
| Liquor Law Violations | 0 | 0 | 0 | 0 | 0 | 0 |
| HATE CRIMES*** | | | | | | |
| Simple Assault | | | | | | |
| Larceny/Theft | | | | | | |
| Intimidation | | | | | | |
| Destruction/Damage/Vandalism of Property | | | | | | |

****None of the crimes reported during the 2013-2015 reporting period qualify as Hate Crimes according to Clery Act definition.****

These statistics are for incidents that occurred anywhere in the Headquarters Academy of Hair Design building, or the adjacent public property.

These statistics reflect incidents that occurred within this school's reportable geography between January 1, 2013 and December 31, 2015.

**These statistics are required due to the Violence Against Women Act (VAWA) reauthorization that was signed into law in March of 2013. Statistics in these three categories were not kept in 2012 as the law had not yet been passed at that time.

***Hate Crimes are crimes that manifest evidence of prejudice based on race, sexual orientation, ethnicity, gender or disability. If a hate crime occurred, it would be linked to a reportable crime category in the above chart, and would be coded appropriately in the Hate Crime column.