



## Campus Safety, Security and VAWA Annual Report Table of Contents

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## **INTRODUCTORY STATEMENT**

The Nicholas Jay Salon & Spa Academy 2015 Annual Campus Security Report is provided to students, faculty, staff, and the public as part of Nicholas Jay Salon & Spa Academy's commitment to safety and security on campus, and in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This report is prepared in cooperation with various Nicholas Jay Academy departments, who provide annual updated information on their educational programs and efforts to comply with the law. Campus crime, arrests, and referral statistics includes those reported to the designated "campus security authorities" and Nampa Police Department. Nicholas Jay Salon & Spa Academy requests the crime statistics from the Nampa Police Department to include in our annual report.

The information contained in this report is intended to educate you about the policies, procedures, and programs that exist to assist you in protecting your safety and wellbeing.

Please familiarize yourself with the contents of this report and if you have any questions about your possible future enrollment and/or employment with Nicholas Jay Salon & Spa Academy, please do not hesitate to contact the President of the school.

**Nicholas Jay Salon & Spa Academy prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking.**

## **GEOGRAPHY**

Nicholas Jay Salon & Spa Academy (formerly known as Razzle Dazzle College of Hair Design) was established in 1985 and offers complete courses in cosmetology, esthetics, nail technology, and instructor training. Nicholas Jay Salon & Spa Academy's campus is located at: 120 Holly Street Nampa, ID 83686. This is the only location in the On-Campus geography category and includes a parking lot with spaces assigned to our campus as well as parking directly behind our building for staff. For our public property we have a sidewalk directly in front of our campus that surrounds the plaza we are located in.

Nicholas Jay Salon & Spa Academy is located in the Holly Shopping Plaza in Nampa, Idaho. We are located between a radio station and market place.

## **POLICY FOR PREPARING ANNUAL DISCLOSURE OF CRIME STATISTICS**

Nicholas Jay Salon & Spa Academy uses crime statistics reported to Campus Security Authorities and documented in the Daily Crime Log as well as crime statistics provided by our local Nampa Police Department. We request these statistics through Nampa Police Department by going to <https://id-nampa.civicplus.com/FormCenter/Police-14/Records-Request-Form-75>

Once we have the statistics, we include them in our annual security report. The report is then provided to students and staff members. We provide a paper copy of the report located by the student and employee time clocks and in the student break room. We also include the annual security report on our website and provide students, staff, and prospective students with the website address.

## **CAMPUS STATISTICS OF CRIMINAL OFFENSE 2013/2014/2015**

Offense	Year	On-campus Property	Non-campus property	Public Property
Murder/Non-Negligent manslaughter	2015	0	0	0
	2014	0	0	0
	2013	0	0	0
Negligent manslaughter	2015	0	0	0
	2014	0	0	0
	2013	0	0	0
Sex Offenses, Forcible	2015	0	0	0
	2014	0	0	0

	2013	0	0	0
Rape	2015	0	0	0
	2014	0	0	0
	2013	0	0	0
Fondling	2015	0	0	0
	2014	0	0	0
	2013	0	0	0
Sex Offenses, Non-forcible	2015	0	0	0
	2014	0	0	0
	2013	0	0	0
Incest	2015	0	0	0
	2014	0	0	0
	2013	0	0	0
Statutory Rape	2015	0	0	0
	2014	0	0	0
	2013	0	0	0
Robbery	2015	0	0	0
	2014	0	0	0
	2013	0	0	0
Aggravated Assault	2015	0	0	0
	2014	0	0	0
	2013	0	0	0
Burglary	2015	0	0	0
	2014	0	0	0
	2013	0	0	0
Motor Vehicle Theft	2015	0	0	0
	2014	0	0	0
	2013	0	0	0
Arson	2015	0	0	0
	2014	0	0	0
	2013	0	0	0
Arrest: Weapons: Carrying, Possessing, Etc.	2015	0	0	0
	2014	0	0	0
	2013	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, Etc.	2015	0	0	0
	2014	0	0	0
	2013	0	0	0
Arrest: Drug Abuse Violations	2015	0	0	0
	2014	0	0	0
	2013	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2015	0	0	0
	2014	0	0	0
	2013	0	0	0
Arrests: Liquor Law Violations	2015	0	0	0
	2014	0	0	0
	2013	0	0	0
Disciplinary Referrals: Liquor Law Violations	2015	0	0	0
	2014	0	0	0
	2013	0	0	0

		On –Campus	Non-Campus	Public Property
<b>VAWA- Domestic Violence</b>	<b>2015</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2014</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2013</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>VAWA- Dating Violence</b>	<b>2015</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2014</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2013</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>VAWA- Stalking</b>	<b>2015</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2014</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2013</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>VAWA- Totals</b>		<b>0</b>	<b>0</b>	<b>0</b>
<b>Unfounded Crimes</b>	<b>2015</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2014</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>2013</b>	<b>0</b>	<b>0</b>	<b>0</b>

### **OFF CAMPUS CRIME STATISTICS**

Crime statistics for Nampa, Meridian and, Caldwell can be found at the following web sites:

- <http://www.city-data.com/crime/crime-nampa-idaho.html>
- <http://www.city-data.com/crime/crime-meridian-idaho.html>
- <http://www.city-data.com/crime/crime-caldwell-idaho.html>

### **CAMPUS SECURITY AUTHORITIES & LAW ENFORCEMENT RELATIONSHIPS**

Nicholas Jay Salon & Spa Academy Campus Security operates when the institution is open. Campus Security is faculty that is trained to handle various functions of safety and security. Primary functions include, but are not limited to, citizen assistance, emergency response, and building monitoring. Campus Security does not have the authority to make arrests. Campus crime, arrest, and referral statistics include those reported to Nicholas Jay Salon & Spa Academy Campus Security, Nampa Police Department (NPD), and local law enforcement agencies surrounding campus and public property. Students and employees should report criminal offenses described in the law for the purpose of making timely warning reports and the annual statistical disclosure to the Campus Security personnel listed below. Nicholas Jay Salon & Spa Academy keeps a Daily Crime Log that only includes sections for the date and time crime was reported, the date and time the crime occurred, the nature of the crime, the general location of the crime, the case number (if applicable), and the disposition of the incident. This allows victims or witnesses to report crimes on a voluntary and confidential basis for inclusion in the annual security report.

The Nampa Police Department is liable for law enforcement. Crime prevention programs, reporting criminal activity, crime related problems, and emergency responses on the Nicholas Jay Salon & Spa Academy campus will be reported to Nampa PD. Police officers have full law enforcement authority on all property owned or controlled by Nicholas Jay Salon & Spa Academy. Police officers are skilled in emergency first aid, criminal law, firearms, crisis intervention, arrest procedures, victim response, etc. All police officers are trained as crime prevention officers. Nicholas Jay Salon & Spa Academy maintains a close working relationship with city, county, and state law enforcement agencies, as well as all appropriate elements of the Criminal Justice System. There is no written memorandum of understanding between Nicholas Jay Salon & Spa Academy and Nampa PD.

Nicholas Jay Salon & Spa Academy does not employ security personnel to monitor activities inside the building or in various parking areas. We do however have security cameras throughout the school. **Each student and employee is encouraged to be conscientious of criminal activity and report any such activity to the local law enforcement agency immediately and to alert Campus Security officials of the activity.**

**The Campus Security personnel consists of the following:**

- **Campus Security Director = Margarita Castellanos, President**
- **Campus Security Communicator = Criss Castellanos, Business Administrator**
- **Campus Security Personnel = Laurie Rowen, Financial Aid Coordinator**

## **ACCESS TO CAMPUS FACILITIES**

The Nicholas Jay Salon & Spa Academy Campus is available to the students, employees, guests, and visitors during normal business hours. All facilities are locked during non-business hours. Students, employees, guests, and visitors may obtain access to the campus during non-business hours, only by authorized personnel, who are permitted to lock and unlock the facility. Administration will unlock the premises each morning. At the end of the day one of the same individuals will lock up and set the alarm at closing time.

## **CAMPUS MAINTENANCE & SECURITY**

Nicholas Jay Salon & Spa Academy maintains a strong commitment to campus safety and security. Exterior lighting is an important part of this commitment. Motor vehicle parking lots, pedestrian walkways, and building exteriors are well lit. Formal surveys of exterior lighting on campus are conducted by property managers on a continuing basis, and a discrepancy is addressed in a timely manner. Campus Security and other members of the campus community are encouraged to report any exterior lighting deficiencies to the administration. Nicholas Jay Salon & Spa Academy also has video cameras inside the building that are looked at daily.

A cooperative effort by Campus Security, building property managers, and building occupants is used in surveying exterior doors. The purpose of this program is to ensure that each exterior door and its locking mechanism are working properly. Exterior doors on campus building are locked and secured each evening by Nicholas Jay Salon & Spa Academy staff.

The maintenance and security of campus buildings for safety of users spans the areas of camera's, maintenance of door hardware, replacement of broken windows, fire protection, fire drills, hazardous waste policy, ventilation, life safety items, etc.

Campus Security and personnel continually survey the grounds of the campus to ensure that a safe environment exists.

## **THREAT ASSESSMENTS**

Threat assessments are conducted by Campus Security. Threat assessments assess an individual's behavior, if it has been reported as a potential threat to campus community safety. Campus Security shall work with appropriate Campus Security personnel, law enforcement, and mental health agencies to expedite assessment and intervention. The team will also develop comprehensive fact-based assessment of students, employees, or other individuals who may present a threat to the campus. The Campus Security Director may enlist the expertise and assistance of outside resources, as needed.

## **REPORTING OF CRIMINAL ACTIONS AND/OR EMERGENCIES**

We strongly encourage any persons witnessing criminal action and/or other emergency to report it to the Campus Security Director immediately. The Campus Security Director will determine how to notify the appropriate community and/or report it to the Nampa Police Department (NPD), if appropriate. When situations arise that require joint investigative efforts, resources, crime related reports and exchanges of information, Nampa PD and Campus Security will work closely together. Again, there is no written memorandum of understanding between Nicholas Jay Salon & Spa Academy and Nampa PD.

To report a crime or suspicious activity, feel free to contact directly the following Campus Security Authorities:

**Nampa Police Department** (208) 465-2257

**Nicholas Jay Salon & Spa Academy:** (208) 465-7660 ex. 102

**Emergencies: 9-1-1.**

Nicholas Jay Salon & Spa Academy acknowledges the importance of officially reporting all crimes in a timely manner and will provide assistance with reporting. As required by federal law, Nicholas Jay Salon & Spa Academy requires third-party reporting as well as anonymous reporting of crimes for date gathering purposes. We stress the importance of supporting victims in whatever decision they make with regards to pressing charges. Services are available to help victims whether or not they choose to press charges. When a student, staff, or a guest reports a crime in confidence to a designated Campus Security Authority or other campus individuals, it may be reported to the Campus Security by a third party or anonymously. Professional and religious counselors are exempt from these reporting requirements. However, the staff

should, if and when they deem it appropriate, encourage persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crimes statistics.

There are a number of telephones located throughout the Nicholas Jay Salon & Spa Academy Campus. These telephones may be used at any time for emergency purposes. These telephones can be used to report a criminal incident, a fire, and any other type of emergency and suspicious activities. **(Dial 8, then 9-1-1)**

In the event that a situation arises, either on or off campus, that, in the judgment of the Campus Security Director, constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued. The warning will be issued by the Campus Security Communicator, via **REMIND**.

Depending on the particular situation and circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Campus Security Director may also determine to have the Campus Security Communicator post a notice on the Nicholas Jay Salon & Spa Academy website, [www.nicholasjayacademy.com](http://www.nicholasjayacademy.com) and/or social media accounts, providing the community with more immediate notification.

Anyone with information warranting a timely warning should report the situation and/or circumstances to the Campus Security personnel by phone or in person at 120 Holly Street Nampa, ID 83686

## **CRIME REPORTING**

Efforts are made to advise the campus community in a timely manner about campus crime and crime-related problems including Clery Act crimes.

These efforts include the following:

A comprehensive annual report of crime related information is compiled, published, and distributed. This annual report is available to the media, any member of the campus community, and to the general public.

Campus Security receives campus criminal activity information from the Campus Security Director. The Campus Security Communicator will publish essential security information to the Nicholas Jay Salon & Spa Academy community. Campus Security will be the school's point of contact for outside media. They will ensure full disclosure while protecting victim's privacy and confidential or sensitive information. Students are encouraged, but not required to communicate with Nicholas Jay Salon & Spa Academy regarding communications with the media regarding issues.

When circumstances warrant it, special crime notifications are prepared and distributed either selectively or throughout campus by the Campus Security Communicator via the Remind system. The Remind System is a notification system that delivers information to the students & faculty via mass text messages.

A public Daily Crime Log is available for inspection upon request on Campus. The Daily Crime Log contains all criminal incidents and alleged criminal incidents that are reported to the Campus Security.

The Daily Crime Log will include, for each incident, the following information:

- \* Nature/Type of incident
- \* Case Number, if any
- \* Date & Time incident was reported
- \* Date & Time incident occurred
- \* General location of the incident
- \* Disposition of the incident, if known

In most cases the Daily Crime Log will be updated and available to the public within two business days after any criminal incident is reported to the Campus Security. The only exceptions to this would be any of the following:

- \* If the disclosure is prohibited by law
- \* If the disclosure would jeopardize the confidentiality of the victim
- \* If the disclosure would jeopardize an ongoing investigation
- \* If the disclosure would jeopardize the safety of an individual
- \* If the disclosure would cause a suspect to flee or evade detection
- \* If the disclosure would result in the destruction of evidence

Once the adverse effect(s) are no longer likely to occur, the disclosures will be updated in the Daily Crime Log.

## **INFORMATION SHARING AND REPORTING**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, codified at 20 USC 1092 (f) as a part of the Higher Education Act of 1965, is a federal law that requires colleges and universities to disclose certain timely and annual information about campus crime and security policies. All public and private institutions of postsecondary education participating in federal student aid programs subject to it. Violators can be fined up to \$35,000 by the U.S. Department of Education, the agency charged with enforcement of the act and where complaints of alleged violations should be made, or face other enforcement action. The Clery Act, originally enacted by the Congress and signed into law by President George Bush in 1990 as the Crime Awareness and Campus Security act of 1990, was championed by Howard & Connie Clery after their daughter Jeanne Clery.

### **AS PROVIDED UNDER FEDERAL LAW, NICHOLAS JAY SALON & SPA ACADEMY REQUIRES ALL NICHOLAS JAY SALON & SPA ACADEMY ADMINISTRATORS, OFFICIALS, EMPLOYEES, AND FACULTY TO REPORT ANY AND ALL CRIMES THAT STUDENTS MAY REPORT TO THEM.**

When the student reports a crime in confidence it may be reported anonymously to Campus Security and Police Services. Professional and religious counselors are exempt from these reporting requirements. Nicholas Jay Salon & Spa Academy stresses the importance of supporting victims in whatever decision they make with regard to pressing charges. Services are available to help victims whether or not they choose to press charges. The following are sexual misconduct crimes that Nicholas Jay Salon & Spa Academy is required to report:

Sex Offenses (Forcible) – Forcible rape, Forcible sodomy, Sexual assault with an object, Forcible fondling; Sex Offenses (Non-Forcible) – Incest, Statutory Rape

## **RESPONSE GUARANTEE FROM CAMPUS SECURITY**

To report a sexual assault, domestic violence, dating violence or stalking that occur on campus, call Campus Security at 208-465-7660. In an emergency situation, always dial 9-1-1. Individuals who have been victimized can be guaranteed of quality service. What victims can expect:

- \* We will meet with you privately or at a place of your choice to file a complaint report.
- \* We will not release your name to the public or press. Crime statistics and incidents are made public record (including *Clery Act* reporting and disclosures), but any identifying information will be withheld. The daily crime logs used to take reports do not have sections for any identifying information. Crime statistics and incidents are made public through the annual security report but do not include any identifying information.
- \* You will not be judged, and you will not be blamed for what occurred.
- \* We will treat you and your particular case with courtesy, sensitivity, dignity, understanding, and professionalism.
- \* We will assist in and provide you (both students and employees) written notification about receiving hospital, medical, counseling, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other support services that are available both within the institution and in the community.
- \* We will provide a prompt, fair and impartial investigation and resolution of your case and will help you to achieve the best outcome. This may involve the arrest and full prosecution of the suspect(s). You will be kept informed of the progress of the investigation and/or prosecution.
- \* The investigation will be conducted by officials who receive annual training on issues related to domestic violence, dating violence, sexual assault, and stalking, and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability
- \* We will consider your case serious, regardless of your gender and sexual orientation, and regardless of the gender and sexual orientation of the suspect(s), and sexual orientation of the suspect(s).
- \* We will maintain any accommodations or protective measures provided to the victim as confidential and only discuss these accommodations with the victim or anyone they have specifically given permission to speak to about it, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.
- \* We will provide written notification to you about options for, available assistance in, and how to request changes to academic, living, transportation and working situations or protective measures if you request them and if they are reasonably available, regardless of whether you choose to report the crime to Campus Security Authorities or local law enforcement.

## **TIMELY WARNING & CAMPUS COMMUNITY NOTIFICATIONS**

In the event that a situation arises, either on or off campus, that, in the judgment of the Campus Security Director, constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued. The warning will be issued by the Campus Security Communicator through the Remind, social media and local media.

Depending on the particular situation and circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Campus Security Director may also determine to have the Campus Security Communicator notify the local law enforcement and/or emergency professionals and post a notice on the web site at <http://www.nicholasjayacademy.com>

Campus Security Communicator will provide notifications (emergency and non-emergency).

Timely warnings are not limited to violent crimes or crimes against persons; they should be issued for any continuing danger to the campus community. The following incidents will be reported by Campus Security as timely warning incidents, but is not all-inclusive:

- \* Criminal Homicide
- \* Aggravated assault (cases involving assaults among known parties)
- \* Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a timely warning, but will be assessed on a case by case basis)
- \* Sexual Assault (considered on a case by case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount information known by Campus Security)
- \* Major incidents of arson
- \* Other crimes as determined necessary by the Campus Security Director, or her designee in her absence.

The description of subject(s) in a case will only be included in the alert if there is a sufficient amount of detail to describe the individual. If the only known descriptors are sex and race, that will not be included in the alert. Campus Security will draft an email containing the proposed alert and forward it to Campus Security Communicator. The alert will then be transmitted via text/email to students, faculty, and staff. Updates to the Nicholas Jay Salon & Spa Academy community about any particular case resulting in a crime alert also may be distributed electronically via Remind. Timely warnings may also be posted on campus, when deemed necessary. When an alert is posted on campus, it should be printed on colored paper and be posted in the lobby/entrance area and all designated bulletins.

Campus Security may not issue a timely warning for the above mentioned crimes if:

- \* The department apprehends the subject(s) and the threat of imminent danger for members of the community has been mitigated by the apprehension.
- \* If a report was not filed with Campus Security in a manner that would allow the department to post a "timely" warning for the community.
  - A general guideline will include any report that is filed more than five days after the date of the alleged incident.
  - This type of situation will be evaluated on a case-by-case basis.

Campus Security also maintains a daily crime log, which is updated and available to the public within two business days after any criminal incident reported to Campus Security.

Anyone with information warranting a timely warning should report the situation and/or circumstances to the Campus Security personnel by phone (208-465-7660) or in person at the campus.

## **BYSTANDER INTERVENTION**

Bystanders play an important role in the prevention of sexual assault, dating and domestic violence and abuse, and stalking. Bystander intervention is a way for the whole community to ensure the safety of all its members. This means we can all make a difference by choosing to speak out, intervene, or do something when we hear disrespectful jokes or comments or witness disrespectful or harmful actions. Intervening is as simple as saying, "That's not funny," or as urgent as dialing 911 if you or someone else is in danger. Below is a list of some other ways you can look out for your community members through being an active bystander.

- Watch out for your friends and fellow Nicholas Jay Academy community members. If you see someone who appears as if they are in trouble or need help, ask them if they are ok.
- Confront people who seclude, make sexual advances towards, or try to have sex with people who are incapacitated by drugs or alcohol or due to a disability.

- Speak out if you hear someone talking about plans for taking advantage of, threatening, or otherwise causing harm to another person.
- If someone discloses being the victim of sexual assault, relationship violence or stalking, believe them.
- Point people to the resources and offices listed in this report for support in health, counseling, and advocacy.
- Report any crimes or concerns to any of the Campus Security personnel listed in this report, contact local authorities, or call 911.

## **EMERGENCY RESPONSE AND EVACUATION PLAN**

In the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus it is the responsibility of the President of the Academy or designated member of the campus security team to confirm the scope of the emergency or dangerous situation and the response to the emergency.

The Emergency Response Plan is designed to effectively coordinate the use of community resources to protect health and safety and/or property immediately following a significant emergency or dangerous situation (i.e. outbreak of serious illness, natural disasters, gas leak, armed intruder, bomb threat, explosion, etc). The plan will be activated whenever there is confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus and whenever an emergency affecting the campus cannot be controlled through normal circumstances.

The President/Campus Security member will determine if the campus community requires notification. This notification will take place, without delay, in a vocal announcement, a text message alert notification, and by fire alarm, if required.

Notification will be sent unless it is determined by the responsible campus authorities that such a notice will compromise efforts to deal with the emergency or rescue a victim. Members of the Emergency Response Team will notify the community at large as it is deemed appropriate.

In the event of an emergency the first actions at the scene will be to care for the injured and isolate the area to protect others from being exposed to known or suspected hazards, remaining individuals will be directed to a safe location. The plan will be to take into account the safety of the campus community, determine the information to release about the situation, and begin the notification process. The only reasons the institution would not immediately issue a notification for a confirmed emergency or dangerous situation is if doing so would compromise efforts to assist the victim, contain the emergency, respond to the emergency, or mitigate the emergency.

### Initiation of Evacuation Procedure

When the Emergency Coordinator or his designate determines the need to evacuate a given building or buildings for the safety of the campus community, notification that an "Evacuation" has been ordered will be communicated through the Emergency Notification System and by other appropriate means.

### Evacuation Procedure

Once the notice to "Evacuate" has been issued take the following action:

- Activate the fire alarm;
- Immediately obey evacuation alarms and orders. Tell others to evacuate. Communicate using a bullhorn for maximum effectiveness.
- Classes in session must evacuate. No one may remain inside a building when an evacuation is in progress.
- Evacuate as soon as possible.
- When you evacuate, take keys, coat, purse and any other critical personal items with you to the emergency assembly area (EAA).
- Close doors as rooms are vacated.
- Assist those who need help, but do not put yourself at risk attempting to rescue trapped or injured victims. Note the location of trapped and injured victims and notify emergency responders.
- Walk calmly but quickly to the nearest emergency exit.

- Exit the building and proceed directly to designated emergency assembly area. Stay away from the immediate area near the building you evacuated. Do not congregate at the entrance of the building.
- Remain in emergency assembly area (EAA) until roll is taken and instructions are given. Relocate to alternate sheltering site(s) if necessary due to weather or the amount of time the building must remain vacant.
- Do not reenter the building until authorized Fire, Police or Security Department personnel give the “All Clear” instruction.

Scheduled evacuation procedure drills are performed at least once a year to test the emergency response effectiveness (i.e. exercises, follow-through, assessments and evaluations). Each test will be documented with the date, description, time the test started and ended and whether it was an announced or unannounced drill.

### **MONITORING AND RECORDING OF OFF-CAMPUS LOCATIONS AND HOUSING**

Nicholas Jay Salon & Spa Academy does not currently have a policy concerning the monitoring and recording, through local police agencies, of criminal activity in which students engaged at off-campus locations of student organizations officially recognized by the institution, including student organizations with off-campus housing facilities as we do not have any off-campus locations officially recognized by the institution nor do we offer off-campus housing.

### **ALCOHOL AND DRUG POLICIES**

Nicholas Jay Salon & Spa Academy is determined to maintain a chemical free school for its students, employees, and guests. All employees and Students are hereby notified that the unlawful manufacture, distribution, dispensing, possession or use of controlled substances (drugs and alcohol) is prohibited in this institution. Policies and procedures regarding a drug-free workplace are to create awareness regarding alcohol abuse and the risks associated with the use of illicit drugs.

By instituting this policy, we intend to be in compliance with the “**Drug-Free Workplace Act**” passed by Congress in 1988, Federal regulation 34CFR Part 86, Idaho state laws. In the continued interest of the personal health and safety of the campus community, Illegal manufacture, distribution, dispensation, or possession of a controlled substance on campus owned or controlled property will not be tolerated. Nicholas Jay Salon & Spa Academy will assist members of the campus community who are experiencing problems with alcohol or other drugs in making informed decisions about appropriate use, as well as the adverse consequences of alcohol or drug abuse on one’s health and behavior. Any individual that violates the policies stated in the code of conduct in the student handbook may be subject to any or all of the following: expulsion, suspension, conduct probation, and/or referral to authorities.

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited on campus. (owned or controlled property by students, employees and guests). If this policy is violated, the individual will be subject to disciplinary action (i.e. up to and including suspension, suspension without pay, and termination/expulsion), and may be required to satisfactorily participate in a drug abuse assistance or rehabilitation program as agreed upon between the individual and Campus Security personnel.

In compliance with the Drug Free Workplace Act of 1988, this institution’s “workplace” consists of the following location:

The entire campus facility, any location used for an off-site school sponsored function, i.e. competition, hair show, graduation, etc.

Non Compliance with the terms will result in one or all the following actions being taken by this institution.

- a. Referral to civil authorities for prosecution.
- b. Mandatory counseling and/or rehabilitation, and successful completion of such programs given by a Federal, State or local health, law enforcement, or another appropriate agency which is approved for purposes of chemical abuse counseling and rehabilitation. (“Successful completion” will be acknowledged when appropriate documentation is provided to the institution.)
- c. Termination of the employment for employees, or expulsion from school for students.

All employees and students must read and understand the following statements:

Applicable legal sanctions for the unlawful possession or distribution of illicit drugs and alcohol:

1. Illicit drugs include, but are not necessarily limited to, LSD, mescaline, crack, cocaine, speed, marijuana, heroin, peyote, and those controlled substances listed in Idaho State Code Title 37, Chapter 27.

2. Penalties for the use, unlawful possession, or distribution of illicit drugs are both serious and complex. They range from a misdemeanor penalty of a \$300 fine or 6 months in jail to a life term in the Idaho Penitentiary for previous offenders and certain categories of drug dealers. Idaho judges are required in many cases to perform mandatory sentencing of convicted persons. The penalty for which may be incarceration in a state penitentiary and/or \$25,000 fine, or both. The penalties for use and/or distribution may be found in Idaho State Code Title 37, Chapter 27. Federal penalties for the use, possession, or distribution of illicit drugs are similarly severe and complex. Federal judges are empowered to sentence offenders to a federal penitentiary, or to serve up substantial fines, depending on the offense, drug classification, and other factors.

3. The abuse or illegal possession of alcohol is proscribed under Idaho Law. You must be 21 years of age or older in Idaho in order to purchase, possess, or consume an alcoholic beverage. If a person's blood alcohol content exceeds 0.08, it is unlawful to drive any motor vehicle, and a first offense can result in penalties of 6 months in jail and/or a fine of \$1,000. Driving privileges can also be suspended or revoked. There are also laws prohibiting public intoxication or possession of alcohol by a person less than 21 years of age.

As part of Nicholas Jay Salon & Spa Academy's efforts to maintain a drug free environment we offer drug and alcohol abuse education programs as required Section 120 (a) through (d) of the HEA. Once a year we have a presentation during All School on the negative effects of drug abuse as well as discuss our open door policy if students or staff are experiencing any issues with drug or alcohol abuse. We also give resources to local programs and refer them to The Center for Substance Abuse Treatment and Referral Hotline. There are pamphlets and a list of local resources provided in the student and staff break room.

Please refer to Campus Security for any questions concerning policies, procedures, disciplinary actions, and educational information. Below are some helpful hotlines and Substance Information and numbers:

**The Center for Substance Abuse Treatment and Referral Hotline (800)662-HELP**

**The Drug Free Workplace Helpline (800)967-5752**

**The National Clearinghouse for Alcohol and Drug Information (301)468-2600**

At a minimum, a biennial review will be done and documented to comply with Section 120(a) through (d) of HEA. The following is a summary of what the biennial review will encompass:

- a) Determine the program's effectiveness and implement changes, if needed
- b) Determine the number of drug and alcohol related violations and fatalities that occurred on campus and/or were reported to campus officials
- c) Determine the number and type of sanctions, if any, which were imposed

### **FIREARMS/WEAPONS POSSESSION POLICY**

A safe and secure environment is a fundamental requirement for fulfilling the Nicholas Jay Salon & Spa Academy mission. Nicholas Jay Salon & Spa Academy is committed to maintaining an environment that is free of violence. This obligation includes eliminating recognized hazards from the campus community that contribute to violence or serious harm. The possession, wearing, carrying, transporting, or use of a firearm or other dangerous weapon, incendiary device or explosive, is strictly forbidden on campus. Violation of this regulation will result in disciplinary action and sanctions up to and including expulsion, in the case of student, or dismissal from employment, in the case of faculty or staff, or charges of trespass in the case of the public. Questions should be addressed to the Campus Security personnel.

A weapon is defined as any animate or inanimate device, instrument, material, or substance used for, or is readily capable of, causing death or serious bodily injury. Any device that is "deadly or dangerous" under Idaho Code § 18-3302D(2)(a), as well as replicas or facsimiles that may be perceived as a weapon. Includes incendiary devices and explosives. The following are exceptions to this policy:

\* The lawful possession of weapons by full-time sworn peace officers, reserve officers, and federal law enforcement agents (whether in uniform or off-duty/plain clothes with proper identification). Also included in the exception are on-duty armored transport personnel.

\* The lawful possession of firearms by qualified retired law enforcement officers, as such officers are defined in 18 U.S.C. § 926C.

\* The lawful possession of a weapon by members of the Reserve Officers Training Corps (ROTC) program, when directed by a provision of the program and with permission of the Campus Security and Police Services.

\* Personal protection pepper spray (i.e. Oleoresin Capsicum) may be carried on campus.

## **MISSING STUDENT PROCEDURE**

Nicholas Jay Salon & Spa Academy does not have a policy regarding missing student notification procedures as we do not offer on-campus student housing facilities.

## **SEXUAL ASSAULT, HARASSMENT, AND VIOLENCE AGAINST WOMEN ACT**

It is Nicholas Jay Salon & Spa Academy's intent to provide an environment free from all verbal, physical, and visual forms of harassment. All students and staff are expected to be sensitive to and respectful of their fellow students, coworkers, clients, and others with whom they come into contact with. All forms of harassment are prohibited, whether due to sex, sexual orientation, race, religion, disability or any other reasoning. Actions, words, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, or any other legally protected characteristic will not be tolerated.

Nicholas Jay Salon & Spa Academy is committed to providing workplaces and learning environments that are free from Harassment on the basis of any protected classification including, but not limited to, race, sex, gender, color, religion, sexual orientation, age, national origin, disability, medical condition, marital status, veteran status or on any other basis protected by law. Such conduct is unprofessional, unproductive, illegal, and generally considered bad for business. Consequently, all conduct of this nature is expressly prohibited, regardless of whether it violates any law.

## **DEFINITION OF SEXUAL HARASSMENT**

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature where by submission to such conduct is an explicit or implicit term or condition of admissions or of a person's status in a course program or activity, or in an academic decision; by submission to or rejection of such conduct is used as a basis for an academic decision; or such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive work or educational environment.

Examples of sexual harassment include, but are not limited to, unwanted sexual advances; demands for sexual favors in exchange for favorable treatment; verbal abuse of a sexual nature; graphic commentary about an individual's body, sexual prowess or deficiencies; leering; touching; pinching; assault; coerced sexual acts; suggestive, insulting or obscene comments or gestures; stalking; and displaying sexually suggestive objects or pictures. Nicholas Jay Salon & Spa Academy prohibits all conduct of this nature whether or not such conduct violates any applicable laws.

## **DEFINING SEXUAL MISCONDUCT**

Any sexual act committed against the wishes of another person. It can include force, either physical or psychological, but the use of force is not prerequisite to the finding of sexual misconduct. Sexual misconduct includes a range of behaviors from sexual harassment to rape.

Idaho State Law has specific definitions that you can access at <http://www3.state.id.us/idstat/TOC/idstTOC.html>.

Sexual misconduct includes, but is not limited to the following:

1. **Sexual Harassment:** This includes a pattern of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature when:
  - a. Submission to such conduct or communication is made a term or condition either explicitly or implicitly of employment, services, housing, or education, including status in a course, program, or activity.
  - b. Submission to or rejection of such conduct or communication is used as a factor in decisions affecting an individual's employment, reception of service, housing, or participation in a course, program, or activity.

c. Such conduct or communication has the purpose or effect of substantially interfering with an individual's work, housing, or performance in a job, course, program, or activity, or it creates an intimidating and hostile work, living, or educational environment. The term "sexual misconduct" encompasses the legal definitions of rape contained in Idaho State c. Such conduct or communication has the purpose or effect of substantially interfering with an individual's work, housing, or performance in a job, course, program, or activity, or it creates an intimidating and hostile work, living, or educational environment. It may include, but is not limited to the following:

- \* Threats or insinuations that lead the victim to reasonably believe that granting or denying sexual favors will affect his or her reputation, education, employment, or advancement.
- \* Repeated phone calls, email messages, or text messages from someone who has a crush on you, though you clearly have indicated that you have no interest.
- \* Continuous references to sexual activity and sexual terms that make you uncomfortable.
- \* Unwelcome and persistent sexually explicit statements or stories that are not related to employment duties, course content, research, or other VTA programs or activities.
- \* Repeatedly using sexually degrading words, gestures, or sounds to describe a person.
- \* Recurring comments or questions about an individual's sexual orientation. Sexual harassment can occur with any combination of genders and sexual orientation.

**2. Sexual Battery:** This includes intentionally touching the person's intimate parts (primarily genital area, groin, inner thigh, buttock, or breast) without or against the person's consent. This touching is either directly on the body part or on the clothing covering that body part. It is also sexual battery if the person is forced to touch the intimate areas of another individual. Sexual battery can occur with any combination of genders and sexual orientations.

**3. Sexual Assault:** This includes any sexual act carried out without or against a person's consent, under coercion, with the threat of force, or by using or employing a weapon, through a position of authority, or when the victim/survivor is mentally disabled or physically helpless including by reason of drug or alcohol consumption, sleep, or unconsciousness. Sexual assault includes, but is not limited to, verbal threats that coerce, force, intimidate, threaten, or persuade someone to engage in unwanted sexual activity. Sexual assault can occur with any combination of genders and sexual orientations.

**4. Rape:** This includes attempted or actual penetration, no matter how slight, of the genital, anal, and/or oral openings of a person by any part of another person's body or by the use of an object, without the person's consent or against the person's will. Rape includes sexual contact, consensual or not, with a minor (under 18 years of age). Rape can occur with any combination of genders and sexual orientations.

*The definitions for dating violence, domestic violence, sexual assault, and stalking are provided in the definitions sections located on page 21 of this report.*

## **UNDERSTANDING SEXUAL ASSAULT**

A stranger, an acquaintance, or a family member can commit sexual assaults. According to the Department of Justice report, "Ninety percent of college women who are victims of rape or attempted rape know their assailant. The attacker is usually a classmate, friend, boyfriend, ex-boyfriend, or other acquaintance (in that order)." Victims of sexual assault can be women or men, and sexual assault can occur between individuals of the same gender. While more than 90% of victims are women, men are also sexually assaulted and raped, usually by other men; 98% of men who rape other men identify themselves as heterosexual in consensual sexual relationships. "Acquaintance rape" is a common term used to describe sexual assaults by someone the victim is acquainted with or knows. However, many organizations are challenging this term, recognizing that it may "soften" the reality of the criminal act. Rape is rape, whether it is committed by a stranger or an acquaintance. There are many philosophies about the nature of sexual assaults, but most advocates agree that sexual assault is not about sex, per se. According to Susan Brownmiller in *Against Our Will: Men, Women, and Rape*, rape is a crime of violence, not of passion. Sexual assault is never the fault of the victim. Offenders are always responsible for the choice to assault someone else. The only person that can prevent this crime from occurring is the perpetrator of it.

The HEA defines the new crime categories of domestic violence, dating violence, and stalking HEA defines the new crime categories of domestic violence, dating violence, and stalking in accordance with section 40002(a) of the Violence Against Women Act of 1994 as follows:

“Domestic violence” means a “felony or misdemeanor crime of violence committed by  
a current or former spouse or intimate partner of the victim  
a person with whom the victim shares a child in common  
a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner  
a person similarly situated to a spouse of the victim under the domestic or family violence laws of the  
jurisdiction receiving grant monies [under VAWA], or any other person against an adult or youth victim who is  
protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

## **COMPLAINT PROCEDURE**

If at any time you believe you are being subjected to harassment or assault, or if you become aware of such conduct being directed at someone else, you should promptly notify the school Director of Education or President of the school. All reported incidents will be investigated. Promptly after learning of such alleged conduct, the school authorities will conduct an investigation for the purpose of determining whether prohibited harassment and or assault has occurred. Efforts will be made to ensure confidentiality to the extent consistent with the goal of conducting an appropriate investigation. Students who initiate or participate in such investigations in good faith will be protected against school-related retaliation. If an investigation confirms the allegations, the school will take prompt corrective action, which may include discipline, up to and including immediate dismissal and/or notification of the authorities.

On March 7, 2013, President Obama signed the **Violence Against Women Reauthorization Act of 2013 (VAWA)** (Pub. Law 113-4), which, among other provisions, amended section 485(f) of the Higher Education Act of 1965, as amended (HEA), otherwise known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The Clery Act requires institutions of higher education to comply with certain campus safety- and security-related requirements as a condition of participating in the Federal student financial aid programs authorized by Title IV of the HEA. Notably, VAWA amended the Clery Act to require institutions to compile statistics for incidents of domestic violence, dating violence, sexual assault, and stalking and to include certain policies, procedures, and programs pertaining to these incidents in their Annual Security Report (ASR).

Nicholas Jay Salon & Spa Academy is committed to providing an environment that is free from all forms of violence. Crimes of domestic violence, dating violence, sexual assault, and stalking will not be tolerated. All attempts to commit such acts are regarded as serious campus offenses, which may result in suspension or expulsion. Prosecution for these criminal law violations may also take place independently of charges under campus regulations. Sexual Harassment and sexual assault is prohibited and is against the law! All reasonable steps to prevent unwanted harassment from occurring will be taken. Prosecution for this criminal law violation may also take place independently of charges under campus regulations. Many survivors of sexual assault struggle to identify what has happened to them. Sometimes, it takes days or even weeks before a person can think clearly and recognize that they have experienced a sexual assault. It is important to seek help regardless of how long ago a trauma may have occurred. Hopefully, these guidelines here can help you identify what happened to you and the option(s) you have.

## **PROCEDURES FOR REPORTING A SEXUAL ASSAULT**

If sexual assault, domestic violence, dating violence or stalking occurs, safety and medical assistance are the first considerations:

1. Go to a safe place as soon as possible.
2. To receive information and resources in a confidential manner, the Campus Security personnel will meet with you to help provide options about police reporting, medical and counseling services, student conduct option, and other resources available. You can contact the Campus Security personnel by phone, text, email, or by coming into the building and requesting to meet with them at a private location. You can also contact local emergency services by dialing 9-1-1 or contact local authorities.
3. It is important to preserve physical evidence of any assault, especially if the victim seeks to prosecute the offender. Evidence collection is best done within 72 hours of the assault and best collected immediately following an assault. Technological advancements are making it more likely to collect evidence even after 72 hours; however, it is important to remember that the more time passes between the sexual assault and reporting it to the police, the less likely it will be to collect physical evidence that may be very important to the prosecution of a criminal case. Victims of sexual assault should not shower or bathe, wash hands, use the toilet, change clothing, or wash clothing or bedding. If the victim has changed clothes and is at a location other than the crime scene, carefully place all clothing and/or bedding worn at the time into a paper bag for the police.

4. Seek medical attention. They will have response teams specially trained to assist victims of sexual assault. Idaho Code 19-5303 and Idaho Code 72-1019(2) mandates that the cost of sexual assault examinations for the purpose of gathering evidence for the prosecution of the offender shall be paid by the Idaho Crime Victims Compensation Program. Victims of the sexual assault shall not be charged for the cost of the sexual assault examination.
5. When an incident is reported, a police detective will come to the emergency room to talk to you and will be accompanied by a Victim-Witness Coordinator (a female employee of the city/county that works with investigating law enforcement agency and the prosecuting attorney's office to assist you through the judicial process).
6. At the hospital, a "rape kit," or forensic examination, can be administered to gather evidence in the event of prosecution. This procedure includes a physical exam where a doctor collects the evidence of the assault.
7. Students may also file a complaint through Campus Security.
8. A criminal investigation may occur separate from a Campus Security proceeding if the offender is an affiliate of Nicholas Jay Salon & Spa Academy.
9. Seek counseling or other support. There are many services available either on campus or in the community to support students in crisis.
10. Nicholas Jay Salon & Spa Academy campus authorities will assist you in notifying law enforcement authorities if you choose. You can decline to notify such authorities.
11. When applicable, you have the right to orders of protection, "no contact" orders, restraining orders, or similar lawful orders or protection issued by a criminal, civil or tribal court, or by the institution. Those who have applied for or obtained a protective or restraining order that lists campus locations as being protected areas must provide to the Campus Security a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.
12. Whether or not the victim decides to report the incident to Campus Security or to the local law enforcement, the victim will receive information regarding his/her rights and the institution's rights to orders of protection. See Links Below:

**\*National Domestic Violence Hotline (800)799-SAFE(7233)**

**\*National Sexual Assault Hotline (800)656-HOPE(4673)**

### **VICTIM'S BILL OF RIGHTS**

You have the right to...

- \* Be informed of all reporting options.
- \* Be free from pressure to make a criminal report.
- \* Have any allegations of sexual assault investigated and adjudicated by the appropriate campus, civil, and criminal authorities.
- \* Be notified of existing campus and community medical, counseling, and mental health services whether or not the crime is reported to campus or civil authorities.
- \* Receive, when required, the full, prompt cooperation of campus personnel when obtaining, securing, and preserving evidence.
- \*If you (student or employee) have been a victim of dating violence, domestic violence, sexual assault, or stalking, regardless of whether the offense occurred on or off campus, and report it to the institution, we will provide you with a written explanation of your rights and options if requested.

### **RECEIVING REPORTS FROM VICTIMS**

If a victim (Student or Employee) comes to an Academy administrator, faculty member, or staff member and discloses or expresses a desire to disclose an incident of sexual harassment, sexual assault, other forms of sexual violence, dating violence, domestic violence, or stalking you should do the following:

1. Let him or her know right away that you (as a "responsible employee" of the Academy) are required to report the incident to the Academy's Title IX Coordinator or Deputy Title IX Coordinator. It is important that the victim makes an informed decision about what and how much to share with you.
2. Listen to what he or she is telling you without interruption. Allow him or her to lead the conversation and share as little or as much as desired.
3. Believe that what the victim is telling you is what he or she feels has happened. Refrain from asking questions that focus on actions, choices, or appearance.
4. Provide support to the greatest possible extent. Refer and connect him or her to available resources such as the Academy's Title IX Coordinator and the Idaho Care Line.

5. Promptly report the matter to the Title IX Coordinator, Margarita Castellanos, or Campus Security members Criss Castellanos or Laurie Rowen, all may be reached at (208) 465-7660.
6. The Title IX Coordinator will schedule a meeting with the accuser within three business days or the accuser may request a meeting with Campus Security Authorities.
7. The accuser and the accused will be notified of any meetings with the Campus Security Director.
8. Depending on the nature of the allegation, both parties would be invited to attend the meeting. Violent crimes would constitute separate meetings while non-violent crimes would allow for both parties to be in attendance.
9. The Academy will provide the victim with a written explanation of the students or employee's rights and options.
10. For alleged violent crimes Title IX Coordinator would assist the accuser in contacting the local police department and with the formal complaint process.

## **DISCIPLINARY PROCEDURES**

**Nicholas Jay Salon & Spa Academy, upon written request, will disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.**

Retaliation Is Prohibited. Nicholas Jay Academy prohibits retaliation by its administrators, employees, agents, and by its students against any individual who exercises his/her rights or responsibilities under its policy, Title IX of the Education Amendments, the Clery Act, or any other applicable federal or state law, rule, or regulation. The Academy will take steps to prevent retaliation and will also take strong responsive action if it finds that retaliation has occurred.

### *Procedures for Informal Resolution of Non-Violent Crimes:*

The Academy encourages informal resolution when the parties desire to resolve the situation cooperatively. Informal resolution may include inquiries into the facts, but does not typically rise to the level of a formal complaint process. The informal resolution process is designed to resolve complaints quickly, efficiently, and to the mutual satisfaction of all parties involved. Where circumstances allow, the informal process will be initiated as soon as possible after the filing of the complaint or receipt of a report of an alleged violation, absent any unusual circumstances. The estimated time frame for an Informal Resolution is between 10 to 21 days. Written notification will be given to both the accuser and the accused regarding any institutional disciplinary proceedings. Disciplinary actions may include a 3-day suspension for first time offense and expulsion for any following offenses. The accuser and the accused will be provided with the same opportunity to have others present during any institutional disciplinary proceedings, including the opportunity to be accompanied by an advisor of their choice

### *Procedures for Formal Complaint Process (Non-Violent or Violent Crimes):*

If the allegation of alleged violation has not been resolved as a result of the informal process or is not suited for informal efforts, or if either the victim or the respondent request to invoke the formal complaint process, a formal investigation will be referred to the Nampa Police Department. Any evidence that Nicholas Jay Academy possesses will be turned over to Nampa Police Department. During legal proceedings or investigations, we would attempt to keep the alleged victim and accused separated from each other or supervised when in the same location. Written notification will be given to both the accuser and the accused regarding any institutional disciplinary proceedings. The accuser and the accused will be provided with the same opportunity to have others present during any institutional disciplinary proceedings, including the opportunity to be accompanied by an advisor of their choice. The estimated time frame will be based on the length of the legal proceedings and cannot be determined by Nicholas Jay Academy. Any disciplinary action would be handled by Nampa Police Department and the Idaho Court System.

## **SECURITY AWARENESS & CRIME PREVENTION PROGRAMS**

Nicholas Jay Salon & Spa Academy would much rather prevent crimes from occurring than react to them after the fact. A primary means for accomplishing this goal is the Crime Prevention Program. Nicholas Jay Salon & Spa Academy's Crime Prevention Program is based on the concepts of eliminating or minimizing criminal opportunities, whenever possible, and encouraging students and employees to be responsible for their own security and the security of others. The following are crime prevention programs in place.

### ***Emergency Telephones***

Landline phones available to use for emergency purposes. Students are directed to dial (must dial 8 first) 9-1-1 dispatcher in the event of an emergency.

### ***Camera's***

Security surveying of exterior doors, exterior lighting, grounds, and campus facilities are conducted on a regular basis.

### ***Campus Security***

This committee is prepared to participate in the safety and security of the campus community, receive and send out notifications, citizen assistance, and building monitoring.

### ***Sexual Assault Awareness***

Sexual assault crime prevention presentations are given to any on-campus group requesting them. This program is designed to assist males and females in identifying and avoiding potential assault situations. The program offers tips toward avoiding and preventing sexual assaults. Students and employees have access to the Nampa Police Departments Online Crime Reporting System. Criteria for submissions require that the crime is not an emergency, the incident occurred within Nampa city limits and the suspect is unknown. Anyone wishing to report these crimes online should visit:

<http://nampapolice.org/formcenter>

## **PREVENTION AND RISK REDUCTION**

Typically, the term "primary prevention" is used to describe educational efforts directed at trying to prevent crime from occurring.

"Risk reduction" programs typically focus on ways victims can examine the "culture of rape" in our society and identify potentially harmful situations and risks. In this way, it is believed that a potential victim could "reduce the risk" of being sexually assaulted. For example, self-defense classes and safety programs examine the tactics that perpetrators use to compromise situations and force or coerce attacks. These programs allow one to learn and practice physical self-defense tactics to fight off an attacker. However, these methods will not prevent an attacker from committing acts of violence. Some attackers intentionally "feed" victim's drinks to get them drunk in order to rape them. Knowing this, one may try to "reduce the risk" of assault by not accepting multiple drinks to avoid getting drunk and being sober, therefore, more likely to resist an attack. It has been noted in Department of Justice Community Policing report that over 75% of rapes on college campuses, the offender, the victim, or both had been drinking. However, alcohol is not the cause of sexual assault, and the offender who is under the influence is always responsible for behavior that harms another person.

## **CAMPUS AND WORKPLACE VIOLENCE**

Everyone is responsible for reporting threats they have witnessed, received, or have been told that another person has witnessed or received. Minus an actual threat, any witnessed behavior regarded as threatening or violent, when that behavior is school-related or might be carried out on a controlled site, or is connected to Campus employment, should be reported. Those who believe there is immediate danger to the health and safety of a member of the campus community should immediately call 9-1-1. If a member of the campus community is concerned about a threat of violence, they should document the reason for their concern and discuss it with their supervisor, administrator, director, Campus Security personnel as appropriate. Occasionally, an individual's behavior or demeanor may cause fear or concern. In such cases of apprehension, it is important to tell someone in authority so it can be documented, evaluated, and handled appropriately. Unless a privileged relationship exists, this report should be made regardless of the relationship between the individual who demonstrated threatening behavior and the person(s) who were threatened or focus of the threatening behavior.

While Campus Security personnel are the lead unit in conducting investigations and evaluating threats, in some instances, they may promptly refer the matter to another unit as appropriate.

## **Off-Campus Incidents**

The campus should be made aware of threats made off-campus toward a member of the campus community even if by persons not affiliated with the campus. So appropriate measures can be taken, employees must report threats or court-ordered action that may affect the safety of the campus community to their supervisor and Campus Security.

### ***Protective or Restraining Orders***

Those who have applied for or obtained a protective or restraining order that lists campus locations as being protected areas must provide to the Campus Security a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

## **IDAHO STATUTES**

You can access the current Idaho statutes on criminal codes at <http://www3.state.id.us/idstat/TOC/idstTOC.html>. Title 18 is the code that covers sexual misconduct.

## **SEX OFFENDER REGISTRY**

In accordance to the "Campus Sex Crimes Prevention Act" of 2000, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, Campus Security is providing a link to the Idaho State Police Sexual Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community.

- Where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State, to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In Idaho, convicted sex offenders register with a central registry maintained by the Idaho State Police. Follow the link below to access the Idaho State Police Sex Offender Registry website: [http://www.isp.idaho.gov/sor\\_id/](http://www.isp.idaho.gov/sor_id/)

## **COMMUNITY SERVICES AND SUPPORT**

### ***Family Advocacy Center & Education Services (FACES)***

FACES helps victims of adult sexual assault, child abuse, and domestic violence from Boise, Garden City, Meridian, Kuna, Eagle, and surrounding Ada County. Under one roof, more than a dozen agencies have joined to provide legal, social, and health services to victims and their families. Victims can come to one location to talk to an advocate, a police officer, a prosecutor, or receive medical assistance. If you need help or just want to talk about your options, please call (208)577-4400 or just drop in to visit. The staff and volunteers can offer help, answer questions, or provide information about resources available to you at FACES.

<http://www.facesofadacounty.org> FACES is located at 417 S. 6th Street in downtown Boise (at 6th and Myrtle St., next to Dunkley's Music) (208)577-4400

### ***Nampa Family Justice Center***

The Nampa Family Justice Center addresses the needs of victims of domestic violence and child abuse. Clients now have the opportunity to reach needed resources in one centralized location. Advocates, counselors, clergy, legal aid, medical provider, law enforcement, and prosecutors are some of the many service providers located at the Nampa Family Justice Center.

<http://www.nampafamilyjusticecenter.org>. Located at 1305 3rd Street South, Nampa (208)475-5700

### ***Women's and Children's Alliance (WCA), Boise City***

They are in the forefront of protecting women and their children escaping violent circumstances. They also help vulnerable individuals build safer, better lives. The secure residential shelter is devoted exclusively to abused women and their children from Ada, Boise, Elmore and Valley counties. The agency also provides uniquely comprehensive local support services to those affected by domestic and sexual violence. The staff provides counseling and advocacy (both in the hospital and at court).

Awareness support is available upon request.

All discussions are private and confidential and do not commit students to further action. However, if it is determined that an imminent threat to community safety exists, action may be taken to protect community members from further harm; this would be done in consultation with the victim with great sensitivity and discretion. At the request of the student (female or male) staff will contact police, health and counseling services, local women's shelter, and any other appropriate agency, while acting as an advocate in the process. The Women's Center does not investigate or adjudicate complaints of sexual assault or rape; rather the staff works to support a student who has been victimized, at their request, through the system as the investigation occurs.

**<http://www.wcaboise.org> Rape Crisis Advocacy Program – (208)345-7273, 24 hours a day 720 West Washington Street, Boise ID 83702 – [www.wcaboise.org](http://www.wcaboise.org)**

### **PERSONAL SAFETY/RISK REDUCTION TIPS**

The term Campus Crime tends to bring to mind a few obvious crimes. Some examples might be thefts such as bicycle thefts or textbook thefts. Certainly these thefts can and do prove very costly to the victims. Most crimes can be deterred, if not entirely prevented, by developing simple tasks and habits. While following the tips below cannot guarantee that you will not be a victim of a crime, your chances of being victimized can be reduced.

1. Lock your car doors anytime you enter or leave the car.
2. Don't leave obvious valuables in plain view. Sometimes temptation and availability is all that's needed to cause a would-be thief to attempt and/or complete a theft.
3. Check the back seat of your car before you get in. You may have an uninvited passenger.
4. Don't display large sums of cash or expensive jewelry. Again, these actions may provide temptation to a thief. Cash and jewelry are often impossible to trace and easy for a thief to dispose of quickly.
5. Know who is at the door before you open it. Don't readily open the door to your room, apartment, or house without really knowing who is knocking or just what they really want. Know what they want, and if it just doesn't seem right, communicate through the door.
6. Walk with a friend after dark, and walk on designated pathways and in well-lit areas. There is truly safety in numbers.
7. Always pick a designated driver prior to attending festivities.
8. Don't impair your judgment with alcohol or illegal drugs. Avoid accepting a ride from someone whose judgment is impaired by alcohol or drugs. Avoid taking a private walk with someone whose judgment is impaired by alcohol or drugs.
9. Do not leave doors propped open.
10. Engrave valuable possessions with serial numbers or owner recognized numbers.
11. Always know the location of the nearest telephone and how to report emergencies.
12. Keep emergency numbers near your phone.
13. Report any criminal or suspicious activities or other emergencies that occur on campus to Campus Security. Report crime and testify against criminals. Every time a crime is reported, there is a chance to catch the criminal. When a crime goes unreported, the criminal benefits and may commit another crime.
14. In most sexual assaults, the victim and suspect knew each other prior to assault. Knowing someone does not guarantee a sexual assault will not occur.
15. Limit your use of alcohol and be wary of accepting drinks from others, even people you know.

### **DEFINITIONS (via the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program)**

Sexual misconduct can occur with any combination of genders, gender identities/expressions, and sexual orientations. Individuals who wish to engage in any sexual activity must communicate their full intentions and consent actively, clearly and in words. In the absence of clear, active consent (i.e. there have not been any mutually agreed upon words to indicate consent), it is the responsibility of the person initiating sexual contact and/or intercourse to ensure that consent from the other person is present. Furthermore, consent must be obtained by the person initiating activity at every state

of sexual interaction. A person who knows or reasonably should have known that the other person was incapacitated may not engage in sexual contact or intercourse with that person. A violation may include, but is not limited to:

#### **Sex Offenses –**

**Forcible:** Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. There are four categories that are counted as "Sex Offenses – Forcible" for Clery purposes. These include the following:

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

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

**Sexual Assault with an Object:** The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

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

**Sex Offenses – Non-Forcible:** Unlawful, non-forcible sexual intercourse. There are two categories that are counted as "Sex Offenses – Non-Forcible" for Clery purposes. These include the following:

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

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

The term "**consent**" means to freely give agreement to engage in a course of conduct. Consent for sexual activity must be given free of force, threat, intimidation, or coercion. Neither silence nor a prior relationship is sufficient to indicate consent. Someone who is incapacitated in any way cannot give consent. Consent cannot be given by someone who is asleep, intoxicated (including but not limited to being incapacitated by illegal or prescription drugs or alcohol), unconscious, harassed, coerced, threatened, or otherwise forced into sexual activity. Additionally, consent for sexual activity cannot be given by someone under 16 years of age, and Idaho law additionally limits the ability of someone 16 or 17 to consent. For more information, see Idaho Code section 18-1506, 1508, 6101, and 6108.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggressive bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

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

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

**Dating Violence:** 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 relationship shall be determined based on a consideration of the following factors: The length of the relationship, the type of relationship; and, the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

**Domestic Violence:** A felony or misdemeanor crime of violence committed by: A current or former spouse or intimate partner of the victim, a person with whom the victim shares a child in common, a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies (under the Violence Against Women Act); or, any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

For the purposes of this definition: A. Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens or communicates to or about, a person, or interferes with a person's property. B. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. C. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

**Sexual Assault:** This includes any sexual act carried out without or against a person's consent, under coercion, with the threat of force, or by using or employing a weapon, through a position of authority, or when the victim/survivor is mentally disabled or physically helpless including by reason of drug or alcohol consumption, sleep, or unconsciousness. Sexual assault includes, but is not limited to, verbal threats that coerce, force, intimidate, threaten, or persuade someone to engage in unwanted sexual activity. Sexual assault can occur with any combination of genders and sexual orientations.

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

**Manslaughter by Negligence:** The killing of another person through gross negligence.

**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, violence, and/or causing the victim fear.

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

**Vandalism:** To willfully or maliciously destroy, injure, disfigure, or deface any 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 violations of law or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

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

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

Offense Definitions relating to Hate/Bias Related Crime Statistics as per the UCR Hate Crime Reporting Guidelines

**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.

**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.

### **Geography Definitions from the Clery Act**

**On-Campus:** (1) 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 institution's educational purposes.

**Non-Campus Building or Property:** (1) Any building or property not owned or controlled 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.

**Public Property: Sidewalk, street, sidewalk:** Your public property does not include anything beyond the second sidewalk. (If there isn't a second sidewalk, it doesn't include anything beyond the street.)