

# **Annual Security Report**

## **Campus Security**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes Statistics Act (Clery Act), in addition to the Campus Security Act, requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime on and near their respective campuses. The Violence Against Women Reauthorization Act (VAWA) amended the Clery Act to require institutions to compile statistics for a number of incidents of dating violence, domestic violence, sexual assault, and stalking as well as to include certain policies, procedures and programs pertaining to these incidents in this report.

Campuses are not permitted to take retaliatory action against anyone with respect to the implementation of any provision of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or Violence Against Women Act.

Nuvo College of Cosmetology has no dorms on campus and does not recognize any off campus student organizations that would be covered under this act.

Anyone may obtain a paper copy of the Annual Security Report through the Campus Director. There is no fee charged for this report. This report is kept in the Campus Director's office. Nuvo College will update this report annually and will post on bulletin board in the breakroom to notify that the updated report is available and how to obtain a copy. This report will also be available online at [www.nuvocollege.com](http://www.nuvocollege.com).

Nuvo College of Cosmetology urges everyone to be aware of their environment and to strive to maintain the highest level of safety within our community.

## **Security Contacts**

Campus Security Authority  
Rachelle Hufnagel  
Phone Number: 231-799-1500 ext. 701  
Email: [rhufnagel@nuvocollege.com](mailto:rhufnagel@nuvocollege.com)

Title IX Coordinator  
Denise Suttorp  
Phone Number: 231-799-1500  
Email: [dsuttorp@nuvocollege.com](mailto:dsuttorp@nuvocollege.com)

## **Emergency Response & Evacuation Plan**

Nuvo College of Cosmetology is required to maintain an Emergency Response and Evacuation Plan (EREP) which includes plans and instructions to be followed by campus administration, faculty, staff, students and guests in the event of emergencies and evacuations. Nuvo College has a Campus Security Authority (CSA), who is responsible for reporting and ensuring the evacuation of the campus in the case of an emergency. The CSA is the Campus Director. The EREP includes:

- 1) A provision for immediate notification of the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students or staff occurring on campus.
- 2) Procedures for testing and publishing the plan on an annual basis.
- 3) Procedures for disseminating updated emergency information, which explain how this information will be communicated to the campus and relevant members of the community on a regular basis.

### **Security & Access To Facilities**

- Nuvo College of Cosmetology limits access to the facility to authorized personnel, students and visitors. Unauthorized persons will be considered “trespassers” and will be dealt with accordingly.
- Adequate lighting is provided, especially outside areas. Certain school staff and faculty are always on campus during business hours.
- Only authorized vehicles are allowed to park in the designated parking areas.
- The Campus Security Authority represents the campus and is responsible to enforce campus security policies.
- Security personnel is defined as any individual who is responsible for monitoring entrance into campus property, and any individual specified in a campus security policy as an individual to whom students and employees should report criminal offenses. This individual may have significant responsibility for student and campus activities but is limited to enforcement of campus rules and regulations. Incidents that go beyond the scope of campus personnel are referred to and investigated by local law enforcement agencies.
- Security personnel have the authority to evict unauthorized persons from the campus premises and will notify local authorities of all actual or suspected criminal activities, including trespassing.
- The campus will maintain relationships with local police through campus in-services and collection of statistical in-services. In addition, the campuses work with local law enforcements as necessary to report or investigate crimes.

### **Crime Awareness & Prevention**

- All new campus employees and students are instructed on crime awareness during the orientation process at Nuvo College of Cosmetology. This includes the description of campus security measures and procedures for reporting any criminal activity or emergency. Students are required to follow campus security guidelines to protect their own personal property, and are encouraged to report any suspicious activity.
- Prospective students and employees are provided with a summary of campus measures to prevent crime on campus, with details for acquiring the complete policies and procedures package for the campus via catalog, online or at the campus location. This information on crime awareness is readily available upon request and will be updated and re-distributed to all existing students and staff on an annual basis.
- Nuvo College of Cosmetology does not maintain any off-campus student organizations.

### **Information About Registered Sex Offenders**

The Campus Sex Crimes Prevention act requires colleges and universities to disclose to its students the location of sex offender registries and the campus community where state law enforcement agency information concerning registered sex offenders may be obtained. The act also requires registered sex offenders to provide a notice of any campus or higher education in which the offender is employed, carries on a vocation, or is a student to state officials.

Students who are subject to an involuntary civil commitment, after completing a period of incarceration for a forcible or non-forcible sexual offense, are ineligible to receive a Federal Pell Grant.

Any member of the campus community who wishes to obtain further information regarding sexual offenders in the area may refer to [www.sexoffender.com](http://www.sexoffender.com) for the national registry.

Information can also be obtained on registered sex offenders of the campus community at [www.familywatchdog.us](http://www.familywatchdog.us).

### **Crime Prevention & Risk Reduction**

Often people contribute to crimes of opportunity by needlessly placing themselves or their property at risk. Prevention efforts can be effective in reducing the opportunities for criminal activity. The following list is a compilation of tips devoted to crime prevention and risk reduction:

- Do not leave books or personal property unattended in the school.
- Report suspicious individuals to campus security.
- At night or when dark, always walk in groups of at least two.
- Stay on main walkways, avoid secluded streets, pathways or alleys.
- Keep your vehicle in good condition and park in well lighted areas.
- Always lock your vehicle and secure your valuables.
- Check the interior of your vehicle before entering it.
- If you believe you are being followed, DO NOT DRIVE HOME! Stay on busy streets and drive to the police department.
- Keep lockers locked at all times.
- Always carry your picture ID.
- Do not carry large amounts of cash.
- Be aware of your surroundings and what is going on around you.
- Let someone know where you are and when you will be finished.
- Avoid dangerous situations.
- Always keep your keys in your possession as keys can be duplicated.
- Report all thefts immediately.
- If you observe an individual in an improper restroom, leave immediately and call police and/or let campus security authority know as soon as possible.

### **Crime Log**

The campus maintains a Crime Log that records, by the date the alleged crime was reported, any crime that occurred on campus, on a non-campus building or property, on public property, or within the patrol jurisdiction of the Campus Security Authority.

The log includes:

- Date of entry
- Incident report date
- Date/time of crime
- Nature/type of the crime/complaint
- General location of the crime

The campus must make an entry or an addition to an entry on the log within two business days of the report of the information to the campus security authority, unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim.

### **Reporting Crimes**

- 1) During school hours students should report alleged criminal acts to the Campus Director or a member of Campus Management staff.
- 2) Reporting crimes is on a voluntary, confidential basis. Victims will be assisted upon request.
- 3) The Campus Director is responsible to document any criminal acts, as well as reporting crimes to the local authorities as required by law.
- 4) The campus is required to make timely warnings to members of the campus community regarding the occurrence of crimes. The campus community includes the campus building and grounds and all adjacent public property.
- 5) If there is an ongoing investigation of a crime that occurred in, at, or on Nuvo College of Cosmetology's campus that would jeopardize, cause the suspect to flee, risk the safety of an

individual, or result in the destruction of evidence, the campus may delay the timely warning until any adverse effect is no longer likely to occur.

- 6) The statistics are collected on a monthly basis and reported to the Department of Education annually.
- 7) If a crime occurs during non-school hours and no faculty or staff member is available, notify the police department immediately and Nuvo College of Cosmetology's Director as soon as possible during normal business hours.

**Remember: Preserving evidence for proof of a criminal offense is very important.**

### **Sexual Misconduct Policies & Procedures**

Members of Nuvo College of Cosmetology community and visitors have the right to be free from all forms of gender and sex-based discrimination, examples of which include acts of sexual assault, sexual harassment, domestic violence, dating violence, sexual exploitation and stalking. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others.

### **Scope of the Policy**

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

### **Prohibited Conduct**

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

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

### **Title IX Coordinator**

The Campus Title IX Coordinator is responsible for monitoring and overseeing the school's compliance with Title IX and the prevention of sex harassment, sexual misconduct and discrimination. The Campus Title IX Coordinator is:

- Is knowledgeable and trained in Nuvo College of Cosmetology's policies and procedures and relevant state and federal laws;
- Available to advise any individual, including a complainant, respondent, or a third party, about campus and community resources and reporting options;
- Available to provide any assistance to any school employee regarding how to respond appropriately to a report of Title IX-related prohibited conduct and related retaliation;

- Participates in ensuring the effective implementation of this Policy, including monitoring compliance with all procedural requirements, record keeping, and time frames; and
- Responsible for overseeing training, prevention, and education efforts and annual reviews of climate and culture.

Inquiries or concerns about Title IX may be referred to the Campus Title IX Coordinator. The Title IX Coordinator contact information is set forth below, and is also published in the Student Catalog.

Denise Suttorp  
231-799-1500  
dsuttorp@nuvocollege.com

### **Education & Prevention Programs**

Nuvo College of Cosmetology will provide appropriate programming to promote awareness of sexual misconduct for all employees and students on an ongoing basis. This program will include information regarding safe and positive options for bystander intervention and information on risk reduction.

Nuvo College of Cosmetology is committed to offering educational programs to promote awareness and prevention of Prohibited Conduct. Educational programs include an overview of the schools' policies and procedures; relevant definitions, including prohibited conduct; discussion of the impact of alcohol and illegal drug use; consent; safe and positive options for bystander intervention; review of resources and reporting options available for students, faculty, and staff; and information about risk reduction. Incoming students and new employees will receive primary prevention and awareness programming as part of their orientation. The Title IX Coordinator maintains an education and prevention calendar and tailors programming to campus needs and climate.

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

The Title IX Coordinator, hearing panel members, and anyone else who is involved in responding to, investigating, or adjudicating sexual misconduct will receive annual training from experts in the field. In addition to training on how the adjudicatory process works, the training will include specific instruction about how to approach students about sensitive issues that may arise in the context of sexual misconduct.

### **Bystander Intervention**

Nuvo College of Cosmetology's primary prevention and awareness program includes a description of safe and positive options for bystander intervention. Active bystanders take the initiative to help someone who may be targeted for sexual assault. They do this in ways that are intended to avoid verbal or physical conflict. Active bystanders also take the initiative to help friends, who are not thinking clearly, from becoming offenders of crime. Intervention does not mean that you directly intervene to stop a crime in progress; rather, these steps are "early intervention"- before a crime begins to occur. There are three important components to consider before taking action that we refer to as the ABCs:

- **A**ssess safety. Ensure that all parties are safe, and whether the situation requires calling authorities. When deciding to intervene, your personal safety should be your #1 priority. When in doubt, call for help.
- **B**e with others. If it is safe to intervene, you are likely to have a greater influence on the parties involved when you work together with someone or several people. Your safety is increased when you stay with a group of friends that you know well.
- **C**are for the person. Ask if the target of the unwanted sexual advance/attention/behavior is okay- does he or she need medical care? Ask if someone they trust can help them get home

safely. *Information on bystander intervention was provided by the Department of Defense Sexual Assault Prevention and Response Office from: [www.sapr.mil](http://www.sapr.mil)*

## Risk Reduction

Nuvo College of Cosmetology's primary prevention and awareness program includes information on risk reduction. This includes:

*Avoiding dangerous situations.* While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted:

- Be aware of your surroundings. Knowing where you are and who is around you may help you find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cash money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.

*Safety Planning.* Things to think about:

- How to get away if there is an emergency? Be conscious of exits or other escape routes. Think about options for transportation (car, bus, subway, etc.)
- Who can help? Friends and/or family, or support centers in your area.
- Where to go? Options may include a friend's house or relative's house, or you may consider going to a domestic violence or homeless shelter. You may also go to the police. **Important safety note:** If the dangerous situation involves a partner, go to the police or a shelter first.
- What to bring? This may include important papers and documents such as birth certificate, social security card, license, passport, medical records, lease, bills, etc. This will also include house keys, car keys, cash, credit cards, medicine, important phone numbers, and your cell phone. If you are bringing children with you, remember to bring their important papers and legal documents. You can keep all of these things in an emergency bag. You should hide the bag- it is best if it is not in your house or car. If the bag is discovered, you can call it a "tornado" or "fire" bag.

*Protecting Your Friends.*

You have a crucial role to play in keeping your friends safe. No matter what the setting, if you see something that doesn't feel quite right or see someone who might be in trouble, there are some simple things you can do to help out a friend:

- Distract. If you see a friend in a situation that doesn't feel quite right, create a distraction to get your friend to safety. This can be as simple as joining or redirecting the conversation: suggest to your friend that you leave the party, or ask them to walk you home. Try asking questions like: "Do you want to head to the bathroom with me?" or "Do you want to head to another party- or grab pizza?"
- Step in. If you see someone who looks uncomfortable or is at risk, step in. If you feel safe, find a way to de-escalate the situation and separate all parties involved. Don't be shy about directly asking the person if they need help or if they feel uncomfortable.
- Enlist others. You don't have to go it alone. Call in friends or other people in the area for reinforcements to help defuse a dangerous situation and get the at-risk person home safely. There is safety in numbers.

- Keep an eye out. Use your eyes and ears to observe your surroundings. If you see someone who has had too much to drink or could be vulnerable, try to get them to a safe place. Enlist friends to help you. Even if you weren't around when the assault occurred, you can still support a friend in the aftermath.

### *Social Situations.*

While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted in social situations:

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

### **Reporting Policies & Protocols**

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

### **Reporting to the Institute**

An incident of sexual misconduct may be reported directly to the Campus Title IX Coordinator. If the Campus Title IX Coordinator is the alleged perpetrator of the sexual misconduct, the report should be submitted to the Owner of Nuvo College of Cosmetology. Filing a report with a school official will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers.

An individual who has experienced an incident of sexual misconduct may report the incident at any time, regardless of how much time has elapsed since the incident occurred. Nuvo College is committed to supporting the rights of a person reporting an incident of sexual misconduct to make an informed choice among options and services available.

Nuvo College will respond to all reports in a manner that treats each individual with dignity and respect and will take prompt responsive action to end any misconduct, prevent its recurrence, and address its effects.

### **Reporting to Law Enforcement**

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

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests.

- Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam).
- Assure the victim has a referral to confidential counseling from counselors specifically trained in the area of sexual assault.

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

### **Evidence Preservation**

Victims of sexual assault, domestic violence or dating violence should consider seeking medical attention as soon as possible. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen where they were assaulted so that evidence necessary to prove criminal activity may be preserved. In circumstances where the victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address health concerns. Victims of sexual misconduct are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful in connection with a school or police investigation.

### **Reporting of Crimes & Annual Security Reports**

Campus safety and security are important issues at Nuvo College of Cosmetology. Our goal is to provide students with a safe environment in which to learn and to keep students, parents, and employees well informed about campus security. The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or Clery Act, requires institutions of higher education to record and report certain information about campus safety, including the number of incidents of certain crimes on or near campus, some of which constitute sexual misconduct under this Policy.

Each year Nuvo College of Cosmetology prepares this report to comply with the Clery Act. The full text of this report can be located on the school's website [www.nuvocollege.com](http://www.nuvocollege.com). This report is prepared in cooperation with law enforcement agencies around our campus. Each year notification is made to all enrolled students and employees that provides the website to access this report. Copies of the report may also be obtained in person from or by calling the Campus Director. All prospective employees may obtain a copy from the Campus Director.

### **Third-Party & Anonymous Reporting**

In cases where sexual misconduct is reported to the Title IX Coordinator by someone other than the complainant (by an instructor, classmate or friend, for example), the Title IX Coordinator will promptly notify the complainant that a report has been received. This Policy and the Procedures will apply in the same manner as if the complainant had made the initial report. The Title IX Coordinator will make every effort to meet with the complainant to discuss available options and resources. Reports from an anonymous source will be treated in a similar fashion.

### **No Retaliation**

Nuvo College of Cosmetology prohibits retaliation against those who file a complaint or third-party report, or otherwise participate in the investigative and/or disciplinary process (e.g., as a witness). The school will take string responsive action if retaliation occurs. Any incident of retaliation should be promptly reported to the Campus Title IX Coordinator or the Owner of Nuvo College of Cosmetology.



### **Coordination With Drug Free School Policy**

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

### **Key Definitions**

For purposes of this policy and these procedures, the term "complainant" means the person making the allegation(s) of sexual misconduct, and the term "respondent" means the person alleged to have committed sexual misconduct.

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

Nuvo College of Cosmetology strongly encourages any victim of sexual misconduct to seek immediate assistance. Seeking prompt assistance may be important to ensure a victim's physical safety or to obtain medical care. Nuvo College strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation.

### **Support Services Available**

Counseling, advocacy and support services are available for victims of sexual misconduct, whether or not a victim chooses to make an official report or participate in the school's disciplinary or criminal process. Nuvo College of Cosmetology does not provide counseling or health care services. Personal counseling offered by Nuvo College will be limited to initial crisis assessment and referral. Sexual misconduct crisis and counseling options are available locally and nationally through a number of agencies. Information about the appropriate agencies for each campus is published at the end of this report.

### **School Policy on Confidentiality**

Nuvo College of Cosmetology encourages victims of sexual misconduct to talk to somebody about what happened- so victims can get the support they need, and so the school can respond appropriately.

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

### **Privileged & Confidential Communications- Professional & Pastoral Counselors**

Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX Coordinator without a victim's permission. Nuvo College of Cosmetology does not provide professional or pastoral counseling, but can assist a victim of sexual misconduct in obtaining support services from these groups or agencies. Contact information for the support organizations is published at the end of this report.

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

**NOTE:** While these professional and pastoral counselors and advocates may maintain a victim's confidentiality in relation to Nuvo College, they may have reporting or other obligations under state law.

**ALSO NOTE:** If Nuvo College determines that the alleged perpetrator(s) pose a serious and immediate threat to the school community, the Campus Director may be called upon to issue a timely warning to the community. Any such warning should not include any information that identifies the victim.

### **Reporting to Title IX Coordinator**

When a victim tells the Title IX Coordinator about an incident of sexual misconduct, the victim has the right to expect Nuvo College of Cosmetology to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

To the extent possible, information reported to the Title IX Coordinator will be shared only with people responsible for handling the school's response to the report. The Title IX Coordinator should not share information with law enforcement without the victim's consent or unless the victim has also reported the incident to law enforcement.

Before a victim reveals any information to the Title IX Coordinator, the Coordinator should ensure that the victim understands the Coordinator's reporting obligations- and, if the victim wants to maintain confidentiality, direct the victim to confidential resources. If the victim wants to tell the Title IX Coordinator what happened but also maintain confidentiality, the Coordinator should tell the victim that Nuvo College will consider the request, but cannot guarantee that the school will be able to honor it.

The Title IX Coordinator will not pressure a victim to request confidentiality, but will honor and support the victim's wishes, including for Nuvo College to fully investigate an incident. By the same token, the Title IX Coordinator will not pressure the victim to make a full report if the victim is not ready to.

### **Reporting Confidentiality: How the School will Weigh the Request and Respond**

If a victim discloses an incident to the Title IX Coordinator but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, Nuvo College of Cosmetology must weigh the request against the school's obligation to provide a safe, non-discriminatory environment for all students, including the victim.

### **If Nuvo College of Cosmetology honors the request for confidentiality, a victim must understand that the school's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited.**

Although rare, there are times when Nuvo College may not be able to honor a victim's request in order to provide a safe, non-discriminatory environment for all students.

The Title IX Coordinator will evaluate requests for confidentiality. When weighing a victim's request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator will consider a range of factors, including the following:

- The increased risk that the alleged perpetrator will commit additional acts of sexual misconduct or other violence, such as:
  - Whether there have been other sexual misconduct complaints about the same alleged perpetrator;
  - Whether the alleged perpetrator has a history of arrests or records from prior school indicating a history of violence;
  - Whether the alleged perpetrator threatened further sexual misconduct or other violence against the victim or others;
  - Whether the sexual misconduct was committed by multiple perpetrators;
- Whether the sexual misconduct was perpetrated with a weapon;
- Whether the victim is a minor;
- Whether Nuvo College possesses other means to obtain relevant evidence of the sexual misconduct (e.g. security cameras or personnel, physical evidence);

- Whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead Nuvo College of Cosmetology to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the school will likely respect the victim's request for confidentiality.

**If Nuvo College of Cosmetology determines that it cannot maintain a victim's confidentiality,** the school will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the school's response. Nuvo College will remain ever mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students or school employees, will not be tolerated. Nuvo College will also:

- Assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance;
- Provide other security and support, which could include issuing a no-contact order, helping arrange a change of course schedules (including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests; and
- Inform the victim of the right to report a crime to local law enforcement- and provide the victim with assistance if the victim wishes to do so.

Nuvo College of Cosmetology may not require a victim to participate in any investigation or disciplinary proceeding.

Nuvo College of Cosmetology is under a continuing obligation to address the issue of sexual violence campus-wide. Reports of sexual violence (including non-identifying reports) will also prompt the school to consider broader remedial action- such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revisiting its policies and practices.

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

### **Off-Campus Counselors & Advocates**

Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with Nuvo College of Cosmetology unless the victim requests disclosure and signs a consent or waiver form. Contact information for these off-campus resources can be found at the end of this report.

### **Investigation Procedures & Protocols**

The Title IX Coordinator oversees the institutes' investigation, response to, and resolution of all reports of prohibited sexual misconduct, and of related retaliation, involving students, faculty and staff. The Title IX Coordinator will designate a specially trained investigator (or team of investigators) to interview the complainant, respondent and any witnesses. The investigator will also gather pertinent documentary materials (if any) and other information.

### **Notice of Investigation**

The Title IX Coordinator will inform the complainant before starting an investigation. The complainant may request that an investigation not be undertaken. The Title IX Coordinator will consider such a request in light of Nuvo College of Cosmetology's commitment to provide a safe and non-discriminatory environment for all students. If the Title IX Coordinator determines not to investigate, she will notify the complainant in writing, including that the determination was made at the complainant's request. At the

complainant's request, the Title IX Coordinator will also notify the respondent in writing, including that the complainant asked Nuvo College not to investigate.

The investigator will direct the complainant, respondent, witnesses and other interested individuals to preserve any relevant evidence.

If an investigation proceeds, Nuvo College will notify the respondent in writing that a report has been filed. The notice will describe the allegations in the report. The complainant and respondent will be given the opportunity to meet separately with the Title IX Coordinator to review the Policy and these Procedures.

### **Investigation Process**

Nuvo College of Cosmetology's process for responding to, investigating and adjudicating sexual misconduct reports will continue during law enforcement proceeding. The investigator may need to temporarily delay an investigation while police are gathering evidence but will resume the investigation after learning that the police department has completed its evidence-gathering and will generally not wait for the conclusion of any related criminal proceeding.

The investigator will interview the complainant, respondent, and any witnesses. They will also gather pertinent documentary materials (if any) and other information.

### **Investigation Report**

The investigator will prepare a report detailing the relevant content from the interviews and the documentation gathered. The report will include the assessment of individual credibility and recommended findings of responsibility.

The respondent and complainant will each have the opportunity to review a copy of the investigative report and any other information that will be used during the disciplinary proceedings. The names and other identifying information of other students will be redacted from such materials in accordance with the Family Educational Rights and Privacy Act (FERPA), except to the extent that doing so would interfere with the purpose of Title IX to eliminate sex-based discrimination. The Title IX Coordinator will supervise this review and ensure that reasonable time is afforded for review prior to the hearing.

### **Time Frame for Investigation**

Consistent with the goal to maximize educational opportunities and minimize disruptive nature of the investigation and resolution, the Title IX Coordinator seeks to resolve all reports in a timely manner. In general, an investigation may last up to 30 days, from receipt of written notice from the complainant of the intent to proceed with an investigation. Adjudication will generally take up to 30 days from the date the investigative report is provided both to the complainant and the respondent. The Title IX Coordinator may set reasonable time frames for required actions under the Policy. Those time frames may be extended for good cause as necessary to ensure the integrity and completeness of the investigation, comply with a request by external law enforcement, accommodate the availability of witnesses, accommodate delays by the parties, account for school breaks and vacations, or address other legitimate reasons including the complexity of the investigation (including the number of witnesses and volume of information provided by the parties) and the severity and extent of the alleged conduct. Any extension of the time frames, and the reason for the extension, will be shared with the parties in writing. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.

Where necessary, Nuvo College of Cosmetology will take immediate steps to protect complainants pending the final outcome of an investigation, including academic accommodations and other interim measures. These steps may include the ability to change class schedules; withdraw from/retake a class without penalty; access academic support such as tutoring; issue no contact orders; and change the alleged perpetrator's class schedule.

### **Impact of Victim's Confidentiality Request**

A victim's request for confidentiality will likely limit Nuvo College of Cosmetology's ability to investigate a particular matter. The school may take steps to limit the effects of the alleged sexual misconduct and prevent its recurrence without initiating formal action against the alleged perpetrator or revealing the identity of the student complainant. Examples include: providing increased monitoring, supervision, or security at locations or activities where misconduct occurred; providing training and education materials for students and employees; revising and publicizing Nuvo College's policies on sexual misconduct; and conducting climate surveys regarding sexual misconduct.

### **Voluntary Resolution**

Voluntary resolution, when selected by the complainant and deemed appropriate by the Title IX Coordinator, is a path designed to eliminate the conduct at issue, prevent its recurrence, and remedy its effects in a manner that meets the expressed preference of the complainant and the safety and welfare of Nuvo College of Cosmetology's community. Voluntary resolution is not appropriate for all forms of conduct under the Policy.

Nuvo College retains the discretion to determine, when selected by the complainant, which cases are appropriate for voluntary resolution. If a complainant requests voluntary resolution, and the Title IX Coordinator concludes that voluntary resolution is appropriate, then the Title IX Coordinator will take appropriate action by imposing remedies designed to maximize the complainant's access to all employment, educational, and extracurricular opportunities and benefits at the school and to pursue voluntary resolution at any time. In those cases in which the voluntary resolution involves either the notification to or participation by the respondent, it is the respondent's decision whether to accept voluntary resolution.

Voluntary resolution may include: conducting targeted or broad-based educational programming or training for relevant individuals or groups; providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; facilitating a meeting with the respondent with the complainant present (in cases that do not involve sexual assault); and any other remedy that can be tailored to the involved individuals to achieve the goals of the Policy. In some forms of voluntary resolution, the remedies imposed will focus on supporting the complainant with no participation or involvement by the respondent. In other forms of voluntary resolution, the respondent may agree to participate. Depending on the remedy used, it may be possible for a complainant to maintain anonymity.

Voluntary resolution may also include restorative principles that are designed to allow a respondent to accept responsibility for misconduct and acknowledge harm to the complainant or to Nuvo College's community. Restorative models will be used only with the consent of both parties, and following a determination by the Title IX Coordinator that the matter is appropriate for a restorative approach.

Nuvo College will not compel a complainant to engage in mediation, to confront directly the respondent, or to participate in any form of informal resolution. Mediation, even if voluntary, is never appropriate in sexual misconduct cases and will not be used in such cases. As the title implies, participation in voluntary resolution is a choice, and either party can request to end this manner of resolution and pursue an investigation and adjudication at any time, including if voluntary resolution is unsuccessful at resolving the report. Similarly, a complainant can request to end an investigation and pursue voluntary resolution.

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

## **Grievance/Adjudication Procedures**

### **Hearing Panel**

If voluntary resolution is not available, Nuvo College of Cosmetology will convene a hearing panel following the end of the investigation. The hearing panel determines whether the respondent is responsible or not responsible for a violation of the Policy. If the respondent is determined to be responsible, the matter proceeds to the sanctions stage.

The hearing panel will generally include the Title IX Coordinator and two additional members who will be individuals associated with Nuvo College. These additional hearing panel members may include administrators, officers, lawyers or other individuals with relevant experience and special training. Panel members may participate remotely so long as the hearing room is equipped with telephone equipment that allows the panel member to hear all participants and to be heard by all the participants throughout the hearing proceedings. All panelists will receive training from experts in the field at least once a year. In addition to training on how the adjudicatory process works, the training will include specific instruction about how to approach students about sensitive issues that may arise in the context of sexual misconduct. The complainant and respondent will be informed of the panel's membership before the hearing process begins.

### **Advisors**

Both the complainant and the respondent are entitled to be accompanied to any meeting or proceeding relating to the allegation of sexual misconduct by an advisor or support person of their choice, provided the involvement of such advisor or support person does not result in the postponement or delay of such meeting as scheduled.

### **Written Submission**

Both the complainant and the respondent will have the opportunity to submit written responses to the investigation report and other relevant information to the hearing panel. Each the complainant and the respondent will have the opportunity to review any written submissions by the other. The hearing panel may set reasonable parameters for these written submissions. The hearing panel will review the investigation report and written submission.

### **Hearing Procedures**

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

In general, hearings will proceed as follows:

- The Title IX Coordinator may set reasonable time limits for any part of the hearing. Each of the complainant and respondent will have the opportunity to present witnesses and other information consistent with the Policy of these Procedures. The panel may determine the relevance of, place restrictions on, or exclude any witnesses or information. When the complainant and respondent are not able to be present for the hearing panel, arrangements will be made for participation via alternate means.
- In cases where either the complainant or the respondent opts not to participate in the hearing, the panel may still hear from the other.
- Additional hearing rules include:
  - Questioning. Only the panel may ask questions of the complainant and respondent and any witnesses. Both the complainant and the respondent will have the opportunity to suggest questions of the other and the witnesses by submitting suggested questions to the panel in writing. The panel may revise or not ask any of the submitted questions.

- Information Regarding Romantic or Sexual History. The panel will not consider the romantic or sexual history of either the complainant or respondent in cases involving allegations of sexual misconduct, except for testimony offered by one or the other about the complainant's and respondent's shared sexual history that the panel deems relevant. If such information is offered by the complainant or respondent, the other has the right to respond. The existence of a prior consensual dating or sexual relationship between the complainant and the respondent by itself does not support an interference of consent to alleged sexual misconduct.
- Prior Conduct Violations. The hearing panel will not consider the respondent's prior conduct violations, unless the investigator provided that information to the hearing panel because the respondent was previously found to be responsible, and the previous incident was substantially similar to the present allegation(s) and/or the information indicates a pattern of behavior by the respondent.

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

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

The panel will use "preponderance of the evidence" as the standard of proof to determine whether a violation of the Policy occurred. Preponderance of the evidence means that a panel must be convinced based on the information it considers that the respondent was more likely than not to have engaged in conduct at issue in order to find the respondent responsible for violating the Policy. The panel will find a student responsible, or not responsible, based on a majority vote. The panel will generally render a decision within 10 days after the conclusion of a hearing. The panel's decision will include an explanation of the basis for the decision. If the panel finds the respondent responsible, the matter will proceed to the sanctions stage.

### **Sanctions & Other Remedies**

The Title IX Coordinator, with the advice and counsel of the other hearing panel members, shall be responsible for imposing sanctions that are:

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

The Title IX Coordinator will consider relevant factors, including if applicable: (1) the specific sexual misconduct at issue (such as penetration, touching under clothing, touching over clothing, unauthorized recording, etc.); (2) the circumstances accompanying the lack of consent (such as force, threat, coercion, intentional incapacitation, etc.); (3) the respondent's state of mind (intentional, knowing, bias-motivated, reckless, negligent, etc.); (4) the impact of the offense on the complainant; (5) the respondent's prior disciplinary history; (6) the safety of Nuvo College of Cosmetology's community; and (7) the respondent's conduct during the disciplinary process.

The Title IX Coordinator will render a sanctioning decision within five days following the receipt of the panel's determination. The sanctioning decision will be communicated in writing to the complainant and the respondent.

Nuvo College of Cosmetology may impose any one or more of the following sanctions on a student determined to have violated the Policy:

- Reprimand/warning
- Changing the respondent's academic schedule

- Disciplinary probation
- Restricting access to Nuvo College of Cosmetology facilities or activities
- Community service
- Issuing a “no contact” order to the respondent or requiring that such an order remain in place
- Dismissal or restriction from Nuvo College’s employment
- Suspension (limited time or indefinite)
- Expulsion

In addition to any other sanction (except where the sanction is expulsion), Nuvo College of Cosmetology may require any student determined to be responsible for a violation of the Policy to receive appropriate education and/or training related to the sexual misconduct violation at issue. Nuvo College may also recommend counseling or other support services for the student.

Whatever the outcome of the hearing process, a complainant may request ongoing or additional accommodations and the Title IX Coordinator will determine whether such measures are appropriate. Potential ongoing accommodations include:

- Providing an escort for the complainant
- Changing the complainant’s academic schedule
- Allowing the complainant to withdraw from or re-take a class without penalty
- Providing access to tutoring or other academic support, such as extra time to complete or re-take a class

Nuvo College of Cosmetology may also determine that additional measures are appropriate to respond to the effects of the incident on the school community. Additional responses for the benefit of Nuvo College community may include:

- Increased monitoring, supervision, or security at locations or activities where the misconduct occurred
- Additional training and educational materials for students and employees
- Revision of Nuvo College of Cosmetology policies relating to sexual misconduct
- Climate surveys regarding sexual misconduct

### **Appeals**

Either the respondent or the complainant or both may appeal the determination of the hearing panel and/or the sanctions. Appeals are decided by the President of Nuvo College of Cosmetology. The three grounds for appeals are:

1. A procedural error effecting the determination or sanction;
2. New information that was not available at the time of the investigation or hearing and that may change the determination or sanction; and
3. Excessiveness or insufficiency of the sanction.

Disagreement with the findings or sanctions is not, by itself, grounds for appeals.

The appealing student must submit the appeal in writing to the Owner of Nuvo College of Cosmetology within five days after receiving the sanctioning notice. If either the complainant or respondent submits an appeal, the Title IX Coordinator will notify the other that an appeal has been filed and the grounds of the appeal. The non-appealing student may submit a written response within five days after notice of an appeal.

If the owner concludes that a change in the hearing panel's determination is warranted, the Owner may enter a revised determination, reconvene the panel to reconsider the determination, or return the matter for additional investigation. After consultation with the Title IX Coordinator, the Owner may also change the sanction. If both the complainant and respondent appeal, the appeals will be considered concurrently.



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

### **Records Disclosure**

Disciplinary proceedings conducted by Nuvo College of Cosmetology are subject to the Family Educational Rights and Privacy Act (FERPA), a federal law governing the privacy of student information. FERPA generally limits disclosure of student information outside of Nuvo College without the student's consent, but it does provide for release of student disciplinary information without a student's consent in certain circumstances.

Any information gathered in the course of an investigation may be subpoenaed by law enforcement authorities as part of a parallel investigation into the same conduct, or required to be produced through other compulsory legal process.

### **Amendments**

Nuvo College of Cosmetology may amend its Sexual Misconduct Policies & Procedures from time to time. Nothing in such policies or procedures shall affect the inherent authority of the school to take such actions as it deems appropriate to further the educational mission or to protect the safety and security of the school community.

### **Drug-Free Campus & Workplace Alcohol & Drug Policy**

Nuvo College of Cosmetology is in compliance with the Drug Free Schools and Communities Act of 1989 (Public Law 101-226). All students and employees should refer to the "Notice of a Drug/Alcohol/Tobacco Free Campus/Workplace" given to each student at orientation for information concerning the campus policies and individual responsibilities required under the act.

The campus will provide to each student upon enrollment a clear written notice with information on the penalties associated with drug-related offenses. This information is stated in our school catalog. The National Minimum Drinking Age Act of 1984 required of all states to raise the minimum purchase and public possession of alcohol to age 21.

### **Standard of Conduct for a Drug Free Campus**

1. Nuvo College of Cosmetology, hereafter referred to as "this institution", has a policy of maintain a Drug-Free Workplace. All students and employees are hereby notified that unlawful manufacture, distribution, dispensing, possession or use of controlled substances (drugs and alcohol) is prohibited in the institution's campus/workplace.
2. In compliance with the Drug-Free Workplace Act of 1988, this institution's "Campus/Workplace" consists of the following locations of the campus:
  - a. The entire college/salon facility and its parking lot.
  - b. Any location used for an off-site school function, i.e., competition, hair show, salon visit, etc.
  - c. Students and employees must comply with the policy while off-site if they are participating in any activities with or on behalf of this institution in any capacity.
3. Non-compliance with the terms of Paragraph 1 (above) will result in the following actions being taken by this institution.
  - a. Notification of the proper law enforcement authorities.
  - b. Termination of enrollment/employment.
4. All students and employees must read and understand the following statement:
  - a. I understand that Nuvo College of Cosmetology, by participating in the Title IV Federal Aid, must establish a policy of Drug-Free Campus/Workplace, and as a student/employee of Nuvo College, I must acknowledge and agree to abide by the terms of Paragraph 1 (above).
  - b. I must notify the School Director/Owner of any criminal drug statute conviction of a violation occurring on the campus/workplace within five calendar days after such conviction.
  - c. I understand that this institution has established a Drug-Free Awareness Program to inform students and employees about:

- The dangers of drug use in the campus/workplace.
- This institution's policy of maintaining a Drug-Free Campus/Workplace.
- Any available drug counseling, rehabilitation, and student/employee assistance programs.
- The penalties that may be imposed upon student/employees for drug abuse violation occurring in the campus/workplace (see paragraph 3 above).

If a student is convicted of any criminal drug activities, enrollment will be terminated at that time. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any activity with Nuvo College of Cosmetology, the student must report the conviction, in writing, within 5 calendar days of the conviction to the management of Nuvo College.

## **Drug & Alcohol Awareness**

### **Description of Health Risks Associated With Alcohol**

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgement and coordination required to drive a car safely, increasing the likelihood of an accident. Low-to-moderate doses of alcohol may also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate-to-high doses of alcohol may cause marked impairments to higher mental functions, severely altering a person's ability to learn and remember information. Very high doses may cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicated that children of alcoholic parents are at a greater risk of becoming alcoholics than other youngsters.

## **Sanction Violating Drug & Alcohol Laws**

### **Federal Penalties & Sanctions for Illegal Possession of a Controlled Substance**

- 1st Conviction: Up to 1 year imprisonment and fined at least \$1,000 but no more than \$100,000 or both
- After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years, and fined at least \$2,500 but no more than \$250,000 or both
- After 2 or more drug convictions: At least 90 days in prison not to exceed 3 years, and fined at least \$5,000 but no more than \$250,000 or both
- Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years, and fined up to \$250,000, or both if:
  - 1st conviction and amount of crack possessed exceeds 5 grams.
  - 2<sup>nd</sup> crack conviction and the amount of crack exceeds 3 grams.
  - 3<sup>rd</sup> or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.
- Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year of imprisonment. (See special sentencing provisions re: crack).
- Forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance.
- Civil fine up to \$10,000 (pending adoption of final regulations)
- Denial of federal benefits such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense and up to 5 years for second subsequent offenses.

- Ineligible to receive or purchase a firearm.
- Revocation of certain federal licenses and benefits (e.g. pilot licenses, public housing tenancy, etc.) are vested within the authorities of individual federal agencies.

### **Federal Trafficking Penalties for Illegal Distribution of a Controlled Substance**

- Methamphetamine (10-99 gm, or 100-199 gm mixture)
- Heroin (100-999 gm mixture)
- Cocaine/Cocaine Base (500-4,999 gm mixture (Cocaine)/5-49 gm mixture (Cocaine Base))
- Phencyclidine (PCP) (10-99 gm or 100-999 gm mixture)
- LSD (1-10 gm mixture)
- Fentanyl/Fentanyl Analogue (40-399 gm mixture (Fentanyl)/10-99 gm mixture (Fentanyl Analogue))
- Marijuana (Mixture containing detectable quantity) (100-1,000kg; or 100-999 plants)
  1. First Offense: Not less than 5 years; not more than 40 years. If death or serious injury, not less than 20 years; not more than life. Fine of not more than \$2 million individual, \$5 million other than individual.
  2. Second Offense: Not less than 10 years; not more than life. If death or serious injury, not less than life. Fine of not more than \$4 million individual, \$10 million other than individual.
- Methamphetamine (100 gm or more, or 1 kg or more mixture)
- Heroin (1 kg or more mixture)
- Cocaine/Cocaine Base (5 kg or more mixture (Cocaine)/50 gm or more mixture (Cocaine Base))
- Phencyclidine (PCP) (100 gm or more, or 1 kg or more mixture)
- LSD (10 gm or more mixture)
- Fentanyl/Fentanyl Analogue (400gm or more mixture (Fentanyl)/100 gm or more mixture (Fentanyl Analogue))
- Marijuana (Mixture containing detectable quantity) (1,000 kg or more; or 1,000 or more plants)
  1. First Offense: Not less than 10 years; not more than life. If death or serious injury, not less than 20 years; not more than life. Fine of not more than \$4 million individual, \$10 million other than individual
  2. Second Offense: Not less than 20 years; not more than life. If death or serious injury, not less than life. Fine of not more than \$8 million individual, \$20 million other than individual.
- Marijuana (Less than 50 kg)
- Hashish/Hashish Oil (Less than 10 kg (Hashish)/less than 1 kg (Hashish Oil))
  1. First Offense: Not more than 5 years. Fine of not more than \$250,000 individual, \$1 million other than individual.
  2. Second Offense: Not more than 10 years. Fine of not more than \$500,000 individual, \$2 million other than individual.
- Marijuana (50-100 kg; or 50-99 plants)
- Hashish/Hashish Oil (10-100 kg (Hashish)/1-100 kg (Hashish Oil))
  1. First Offense: Not more than 20 years. If death or serious injury, not less than 20 years; not more than life. Fine of no more than \$1 million individual, \$5 million other than individual.
  2. Second Offense: Not more than 30 years. If death or serious injury, not less than life. Fine of no more than \$2 million individual, \$10 million other than individual.

### **State Penalties & Sanctions**

There are legal sanctions under state law for the unlawful possession, use, or distribution of illicit drugs and alcohol. A violation under state law may result in a misdemeanor or felony conviction, depending on the nature of the offense, punishable by imprisonment, payment of fines, confiscation of real and personal property, or a combination of the three.

Description Of Health Risks Associated With Drug Use

Drugs	Physical Dependence	Psychological Dependence	Possible Effects
<b>Narcotics</b>			
Heroin	High	High	<ul style="list-style-type: none"> <li>• Euphoria</li> <li>• Drowsiness</li> <li>• Respiratory Depression</li> <li>• Constricted Pupils</li> <li>• Nausea</li> </ul>
Morphine	High	High	
Codeine	Moderate	Moderate	
Hydrocodone	High	High	
Hydromorphone	High	High	
Oxycodone	High	High	
Methadone & LAAM	High	High	
Fentanyl & Analogs	High	High	
Other Narcotics	High-Low	High-Low	
<b>Depressants</b>			
Chloral Hydrate	Moderate	Moderate	<ul style="list-style-type: none"> <li>• Slurred Speech</li> <li>• Disorientation</li> <li>• Drunken Behavior without Odor of Alcohol</li> </ul>
Barbiturates	High-Moderate	High-Moderate	
Benzodiazepines	Low	Low	
Glutethimide	High	Moderate	
Other Depressants	Moderate	Moderate	
<b>Stimulants</b>			
Cocaine	Possible	High	<ul style="list-style-type: none"> <li>• Increase Alertness</li> <li>• Euphoria</li> <li>• Increased Pulse Rate &amp; Blood Pressure</li> <li>• Excitation</li> <li>• Insomnia</li> <li>• Loss of Appetite</li> </ul>
Amphetamine / Methamphetamine	Possible	High	
Methylphenidate	Possible	High	
Other Stimulants	Possible	High	
Marijuana	Unknown	Moderate	• <i>Euphoria</i>
Tetrahydrocannabinol	Unknown	Moderate	• Relaxed Inhibitions
Hashish & Hashish Oil	Unknown	Moderate	• Disorientation
<b>Hallucinogens</b>			
LSD	None	Unknown	
Mescaline & Peyote	None	Unknown	
Amphetamine Var.	Unknown	Unknown	• Illusions & Hallucinations
Phencyclidine & Analogs	Unknown	High	• Altered perception of Time & Distance
Testosterone Cypionate, Enanthate	Unknown	Unknown	• Virilization • Acne
Nandrolone			• Testicular Atrophy
(Decanoate Phenpropionate)	Unknown	Unknown	• Gynecomastia • Aggressive Behavior
Oxymetholone	Unknown	Unknown	• Edema

## **Emergency Procedures**

### **Emergency Plan**

The Building Emergency Plan establishes the procedure for all students and employees in case of an emergency that occurs at Nuvo College of Cosmetology. This plan is simple and should be followed by everyone in the building to ensure safe evacuation from the building.

#### **Fire or Other Indoor Emergency**

The following steps must be followed in sequence:

1. Alert students, employees and clients that there is a fire or other emergency.
2. The CSA should dial 911 immediately. Confirm and advise them that there is a fire (or other emergency). If time allows, describe the nature and location of the fire within the building. State the location of the building:  
919 W. Norton Ave.  
Norton Shores, MI 49441
3. Make sure ALL students, clients and employees evacuate the building safely, if deemed necessary.
4. If the fire is small, use a portable extinguisher located throughout the building. These are all-purpose "ABC" extinguishers.
5. If the fire is large, and time permits, shut down all electrical equipment and appliances. Close all interior and exterior doors and windows as you exit but do not lock them.
6. Exit the building and move as far away from the building as possible. This allows the CSA to be able to confirm everyone has exited the building safely. The CSA should assign one employee to meet the responding fire department with a master key to allow firefighters quick entry.

#### **Tornado/Storm or Other Outdoor Emergency**

1. Electrical Storm: CSA will make any decisions as to whether electrical equipment and appliances should be turned off and/or unplugged. All persons should stay away from any faucets or plumbing and avoid contact with any electrical equipment appliances.
2. Tornado: Assuming there is sufficient warning, shut off all electrical equipment and appliances and evacuate clients, students and employees. If there is NOT sufficient warning, take shelter immediately in the basement, restrooms, Breakroom or Senior Classroom. Stay away from windows and glass doors to avoid danger of injury from flying glass.

#### **Chemical Spill**

1. Close down all operations and ask all persons to evacuate. Remain calm and do not unnecessarily alarm clients.
2. If time permits (based on the hazard) perform an orderly shutdown of all electrical equipment.

#### **Campus Emergency Notification**

In the event of an emergency the CSA or their designee will post a campus wide emergency notification. The decision to issue an emergency notification and what information to post will be made on a case by case basis by the CSA or their designee. The CSA or their designee will be responsible for confirming the significance, danger and immediate threat to the safety and security of the college community. This emergency notification will be made without delay unless issuing a notification will in the professional judgement of the responsible authorities compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. In such a case the notification may be delayed. Any notifications to the larger community will be authorized by the CSA or their designee. For a dangerous situation and immediate threat the students, faculty, staff, and visitors will be directed to a safe location. Communication of the emergency notification may include any or all of the following options: email, messaging, emergency phone alert system, college website, verbal communication, posted notices in building and/or local media. Regular updates and notifications will be sent in the same and/or additional manner as the original message.

### **Timely Warning**

Timely warnings are required for the crimes specific to the Clery Act including violent crimes as well as any threat to persons or property. Depending on the particular circumstances of the crime a timely warning may be issued. The decision to issue a timely warning will be made on a case by case basis. Nuvo College of Cosmetology will use multiple resources to collect information that may necessitate a timely warning. Information obtained at the campus, or while monitoring police radio transmissions, as well as police incident reports sent to us by our neighboring jurisdictions provides the information we need to determine if there is a threat to our campus requiring a timely warning. The Campus Director or designee will determine what type of information will be included in the timely warning, and will likewise be responsible for issuing the warning. Various methods will be used to communicate with students, faculty, staff and visitors of a timely warning. These methods may include any or all of the following options: email, text messaging, emergency phone alert system, college website, verbal communication, posted notices in the building and/or local media.

### **Daily Crime Log**

Nuvo College of Cosmetology is required to maintain a Daily Crime Log (DCL). The DCL includes reports of all crimes not just Clery Act crimes. Information is recorded on the log within two days of the crime being reported regardless of how much time has passed since the crime was committed. Information that is prohibited by law or would jeopardize the confidentiality of the victim will not be included in the crime log. The Campus Director is responsible for maintaining the daily crime log.

The DCL includes the type of incident, the date reported, the date and time occurred, the general location and the disposition if known.

The DCL is available for inspection upon request during operational hours of the campus.

### **On Campus Geography**

Please see the campus director for copies of the maps showing the property of the campus and public property that is within our campus or immediately adjacent to and accessible from our campus.

### **Crime Information**

#### **Crime Incidents by Type**

1. Criminal Homicide
  - A) Murder/Non-Negligent
  - B) Negligent
2. Sexual Assault
3. A) Forcible Sex Offenses by Type
  - Forcible Rape
  - Forcible Sodomy
  - Sexual Assault with an Object
  - Forcible FondlingB) Non Forcible Sex Offenses by Type
  - Incest
  - Statutory Rape
4. Consent
5. Bystander Intervention
6. Robbery
7. Aggravated Assault
8. Burglary
9. Motor Vehicle Theft
10. Arson

11. Hate Crimes

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

12. Law Violations

- Weapons Possession
- Drug Law Violation
- Liquor Law Violation

13. Domestic Violence

14. Dating Violence

15. Stalking

## Definitions For Crimes

(Defined by the FBI Uniform Crime Report)

1. **CRIMINAL HOMICIDE:** These offenses are separated into two categories: Murder Non-Negligent Manslaughter and Negligent Manslaughter.
  - A) **Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.
  - B) **Negligent Manslaughter:** Killing of another person through gross negligence.
  
2. **SEXUAL ASSAULT:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.
  
3. **A) FORCIBLE SEX OFFENSES:** Any sexual act directed against another person, forcibly and/or against the person's will; not forcibly or against the person's will when the victim is incapable of giving consent. There are four types of forcible sex offenses:
  - **Forcible Rape** - The penetration, no matter how slight, of the vagina, or anus with any body part, or object, or oral penetration by a sex organ of another person without consent of the victim including instances where the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental incapacity.
  - **Forcible Sodomy** - Oral or anal sexual intercourse with another person, forcibly and or against the person's will.
  - **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 the person's will including instances where the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental incapacity.
  - **Forcible Fondling** - The touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his or her age or because of his or her temporary or permanent mental incapacity.

**B) NON-FORCIBLE SEX OFFENSES:** Unlawful, non-forcible sexual intercourse. There are two types of offenses included in this definition:

  - **Incest** - Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - **Statutory Rape** - A non-forcible sexual intercourse with a person who is under the statutory age of consent.
  
4. **CONSENT:** Consent is a voluntary agreement to engage in sexual activity. The absence of "no" is not consent. Silence or an absence of resistance does not imply consent. A verbalized "yes" that is coerced does not constitute a freely given "yes". Individuals who consent to sex must be able to understand what they are doing. A person may not be able to give consent if: they are under the age of 16, if they are legally mentally incapable, mentally incapacitated or physically helpless. This may include impairment due to drug or alcohol use. Someone who is incapacitated cannot consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity. Consent to one form of sexual activity does not imply consent to any other forms of sexual activity. Previous relationships or prior consent does not imply consent to further sexual acts. Consent to engage in



sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. Coercion, force or threat of either invalidates consent.

5. **BYSTANDER INTERVENTION:** The term bystander intervention refers to safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene in situations of potential harm when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the individual. Effective bystander intervention training prepares participants to recognize situations of potential harm, overcome barriers to intervening, identify safe and effective intervention options, and take action.
6. **ROBBERY:** 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.
7. **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.
8. **BURGLARY:** The unlawful entry of a structure to commit a felony or theft.
9. **MOTOR VEHICLE THEFT:** Motor Vehicle Theft includes the theft or attempted theft of a motor vehicle.
10. **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 or another, etc.
11. **HATE CRIMES:** A hate crime is a criminal offense committed against a person or property which is motivated in whole or in part by the offenders bias. Bias is a performed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation or ethnicity/national origin.
  - **LARCENY/THEFT:** The unlawful taking, carrying, leading, or riding away of property from the possession, or constructive possession of another.
  - **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.
  - **DESTRUCTION/DAMAGE/VANDALISM OF PROPERTY:** 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 of it.
12. **LAW VIOLATIONS:**
  - **WEAPONS: CARRYING, POSSESSING, ETC.:** 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 This classification encompasses weapons offenses that are regulatory in nature.
  - **DRUG ABUSE VIOLATIONS:** The violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their

preparation and/or use. 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 in relation to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

- **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.

**13. DOMESTIC VIOLENCE:** A felony or misdemeanor crime of violence committed by any of the following individuals:

- A current or former spouse or intimate partner of the victim; or
- A person with whom the victim has a child in common; or
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; or
- A similarly situated to a spouse of the victim under the domestic or family laws of the jurisdiction in which the crime of violence occurred; or
- Any other person against an adult or youth victim who is protected under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred

**14. DATING VIOLENCE:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- For the purpose of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

**15. STALKING:** Engaging in a course of conduct directed at a specific person that would cause a reasonable to:

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress

For purposes of this definition:

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

**Nuvo College of Cosmetology**  
**919 W. Norton Ave.**  
**Norton Shores, MI 49441**  
**231-799-1500**  
**www.nuvocollege.com**

**CRIME STATISTICS**

The federal law requires that colleges and universities disclose crime statistics on the previous three years for and contain crime data that may occur on-campus, on non-campus property, or on property adjacent to the campus. For the purpose of the Clery Act, any building that is owned or controlled by the institution or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is classified by the FBI Uniform Crime Report.

CAMPUS CRIME STATISTICS						
Category	On-Campus			Non-Campus/Public Property		
	2017	2018	2019	2017	2018	2019
	<b>Criminal Homicide by Type</b>					
Murder/Non-Negligent	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
	<b>Other Criminal Offenses</b>					
Aggravated Assault	0	0	0	0	0	0
Robbery	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
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
	<b>Forcible Sex Offenses by Type</b>					
Rape	0	0	0	0	0	0
Sodomy	0	0	0	0	0	0
Sexual Assault w/ object	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
	<b>Non-Forcible Sexual Offenses by Type</b>					
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
	<b>Law Violations</b>					
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0
	<b>Arrests on Campus</b>					
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0
	<b>Hate Crimes</b>					
Larceny-Theft	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Destruction/Damage/ Vandalism of Property	0	0	0	0	0	0