



Campus Safety and Security Report

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Jeanne Clery Disclosure of Campus Security Policy and Campus
Crime Statistics Act Compliance

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TABLE OF CONTENTS

INTRODUCTION	3
WHO IS JEANNE CLERY?.....	3
REPORTING POLICY FOR ANNUAL CRIME STATISTICS	3
REPORTING PROCEDURES	3
PRIVACY AND CONFIDENTIALITY.....	4
TIMELY WARNINGS.....	5
EMERGENCY & DISASTER RESPONSES.....	5
AWARENESS/ SECURITY TIPS	5
ONGOING CRIME PREVENTION	6
DRUG-FREE AWARENESS AND DRUG AND ALCOHOL ABUSE PREVENTION PROGRAMS	7
TITLE IX, SEXUAL MISCONDUCT EDUCATION AND PREVENTION	12
REPORTING ASSAULT	16
THE INSTITUTION RESPONSES TO REPORTS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING	16
IMPORTANT SERVICES & RESOURCES	17
DISCIPLINARY ACTIONS	17
MEGAN’S LAW—SEX OFFENDER REGISTRATION.....	18
DEFINITIONS & TERMS	18
SECURITY AND CRIME STATISTICS REPORT	20
CRIME STATISTICS 2013 THROUGH 2015	21
HATE CRIME STATISTICS 2013 THROUGH 2015	22
END NOTES AND RESOURCES	24

INTRODUCTION

This brochure is published in compliance with the “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” including the Implementation of Changes to the Clery Act made by the Violence Against Women Reauthorization Act of 2013 (VAWA). The Clery Act requires U.S. colleges and universities that participate in federal student financial aid programs to disclose information concerning crime, domestic violence, dating violence, sexual assault, and stalking involving a student, both on and off campus. Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the Family Educational Rights and Privacy Act of 1974 (FERPA).

Hard copy of the report is available at the Admission Office, Financial Aid Office or can be downloaded at http://pic.edu/pdf/PIC_Crime_Statistics.pdf. Prospective employees and students are afforded the same information at the time they obtain an application for employment or admission. Any person may have access to this report.

WHO IS JEANNE CLERY?

Jeanne Ann Clery was a 19-year-old Lehigh University freshman who was raped and murdered in her dorm room on April 5, 1986. Her parents later found out about 38 violent crimes on the Lehigh campus in the three years before her murder. They joined with other victims of campus crime and persuaded Congress to enact this law, which was originally known as the “Crime Awareness and Campus Security Act of 1990.”

REPORTING POLICY FOR ANNUAL CRIME STATISTICS

Campus crime, arrest and referral statistics include those reported to the school officials (including but limited to directors, instructors, administrative staff), and local law enforcement agencies. To comply with the act, the institution collects crime statistics from local police agencies, by providing the addresses property either owned by the Palomar Institute of Cosmetology, or public property immediately adjacent to the Institution. All local police agencies, where the Institution’s property is located or is nearby, provide automated statistics for the property and a radius around the property requested. These statistics may also include crimes that have occurred in private residences or businesses and is not required by law.

Crime and arrest statistics are compiled by the **San Marcos Police Department**¹ for crimes occurring on campus or within a one-tenth mile radius or immediately adjacent to the Institution. The information is included under the “Public Property” section of the Palomar Institute of Cosmetology crime statistics.

REPORTING PROCEDURES

The Institution encourages both its employees and students to immediately report suspected criminal activity or other emergencies to the security officer, institutional official and/or in the event of emergency to directly contact local law enforcement or other emergency response agencies by dialing (911). The prosecution of all criminal offenses, both felony and misdemeanor, are conducted through the San Diego County District Attorney’s Office.

The San Marcos Sheriff Department is the primary responding law enforcement agency to on and off campus crimes surrounding Palomar Institute of Cosmetology. The Institution does not own any non-campus building. Crime statistics for those locations are not included in the non-campus building or property section of the Institution crime statistics.

The reporting of crimes is vital in achieving the goal of providing a safe learning environment for the school community. As either a victim or a witness, you have the responsibility to report a crime. If a crime occurs on or near campus, report it immediately to the police. Whenever possible the actual victim or witness of the crime should call the Police Department directly. If someone relays the information to you and leaves, please include this information.

To report a crime, please call **Mr. Raymond Stainback**, the President/Owner, at **(760) 744-7900**, ext. **115** or **(760) 802-2500**. In the event that you have either witnessed or been a victim of crime, or have information that a crime has, or is about to occur, please contact the local Police Department. All information entered is kept in strict confidentiality.

- *Dialing 9-1-1 on a cell phone connects you directly to the California Highway Patrol.*
- *Dialing 9-1-1 on a pay phone connects you directly to the San Diego County Sheriff's Department*

When calling to report a crime or incident, please be ready to give information as **complete and accurate** as possible such as:

- A brief description of what occurred
- Where and when the incident occurred
- Did the suspect(s) have a weapon?
- Where and when was the suspect(s) last seen?
- What did the suspect(s) look like (gender, race, age, height, weight, hair color/length, clothing, facial hair, tattoos/scars)?
- Any other relevant information
- Do not hang up! Let the person providing assistance end the call. More information may be requested.

Unfounded Crimes: An institution may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situations where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report for purposes of reporting under this section. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report.

PRIVACY AND CONFIDENTIALITY

The Institution shall protect and maintain the identity of any alleged victim or witness of domestic violence, dating violence, sexual assault, or stalking in confidence. If you are the victim of a crime and do not want to pursue action within the court system, you are encouraged to make a confidential report to the security authorities. Reporting of such offenses by victims or witnesses may be done voluntarily

on a confidential basis. Privileges of confidentiality in criminal matters that are referred for prosecution in a court of law may be subject to exposure. Confidential reports are important because they provide valuable aggregate /statistical crime information that will enhance public safety at Palomar Institute of Cosmetology. Reports filed in this manner which are Clery classified crimes are counted and listed in the statistical section of the Annual Security Report.

TIMELY WARNINGS

In the event that a situation arises, either on or off campus, constitutes an ongoing or continuing threat, the President/Owner will determine how much information is appropriate to issue a Timely Warning notice. These Warnings notices will be distributed if the incident is reported either directly to the security authority at the Palomar Institute of Cosmetology or indirectly from an allied police agency.

Timely Warnings can be distributed electronically via mass e-mail, texting, voice mail or posting notice on the Institution web site at www.pic.edu, on bulletin boards, or on the exterior doors of campus buildings. Once all the relevant information is received, these notices will be posted as soon as possible. Anyone with information warranting a timely warning should report the circumstances to the San Marcos Sheriff's Dispatch by calling (760-510-5292) or 911, or in person at the San Marcos Sheriff located at 182 Santar Place, San Marcos, CA 92069.

EMERGENCY & DISASTER RESPONSES

In the event of an emergency, President/CEO and/or School Director have the responsibility to give instructions to students and staff, close and lock doors, and provide other required safety and first aid measures unless otherwise directed by the Police Department or other properly identified emergency personnel. All staff members and students are instructed to do the following in the event of:

- **Fire:** Call 9-1-1 and quickly gather at the most South Eastern corner of the property near the institution's outdoor sign to report for roll call. The institution holds fire drills once every 6 months.
- **Earthquake:** Stay away from the large glass windows and protect yourself under a desk or door frame.

Contact Personnel:

The following personnel may be contacted by calling **(760) 744-7900** and their extensions listed below.

School Director – All programs..... Ext. 120 or cell phone (760) 216-8979
President/ Owner.....Ext. 115 or cell phone (760) 802-2500

AWARENESS/ SECURITY TIPS

The Institution's facilities are open to the public during the day and evening hours when classes are in session. During the times that the Institution is officially closed, Institution buildings are generally locked and only faculty, staff, and some students with proper keys are admitted. School officials report the need for replacement of lights and any other physical hazards they notice. Lighting improvements are constantly being evaluated. Improvements have included the placement of high

intensity sodium vapor lights in buildings, in parking lot areas, in areas with heavy landscaping and trees, and along pathways frequently traveled by students.

The institution has designed and implemented a series of crime awareness guidelines for students, staff and faculty as follow:

- Lock your office whenever you leave, even if you will only be gone for a minute.
- Keep your purse, wallet and other valuables in a secure location, such as a locked desk or filing cabinet.
- Immediately report to the local police any suspicious person loitering in your area.
- Report all crimes, no matter how minor they may seem, to the local police.
- If you receive an annoying or obscene phone call, hang up. Write down the time of the call, what the caller said, and note any background noises you may have heard. Call the local police.
- If you work at night, avoid working alone. Keep all outside doors locked. Walk with other employees to and from your car.
- If you are entrusted with a key to a specific area, never loan it to anyone.
- Always be aware of your surroundings.
- If you observe a crime situation or witness a person in trouble, use any legal options you deem appropriate and safe (i.e. run, contact, yell, call the school officials, etc.)
- Always park in well-lighted areas, never in the dark.
- Always lock your car.
- Always lock your doors while driving.
- Always keep your car in gear while stopped at traffic signals or stop signs.
- If threatened, simply drive away.
- Always write down license numbers of suspicious vehicles.
- When arriving home, always leave your headlights on until you have opened the garage door or unlocked your front door.

ONGOING CRIME PREVENTION

The Institution encourages faculty, staff, students and visitors to take responsibility for their safety, by taking proactive steps to reduce the likelihood of crime. The following are the best prevention methods to deter attacks:

- Interior/Exterior lighting
- Try not to go out at night alone. Walk with a friend.
- Don't walk on deserted streets or in alleys.
- Don't go into strange or poorly lighted areas.
- Use caution in parking lots.
- Don't take shortcuts.
- Don't hitchhike or accept rides with strangers.
- Walk facing on-coming traffic.
- Walk near the curb. Don't walk near dark doorways or shrubbery.
- Carry your purse securely in your grasp.
- Look around when getting off a bus.
- Cross the street if you see someone suspicious following you.
- Call the police if you feel that someone is following you or acting suspiciously.

- Walk into an open business if you become suspicious of someone while walking.
- When you are arriving home by private auto or taxi, ask the driver to wait until you are inside.
- Have your keys in your hand so you can open your door immediately.
- Be suspicious. Look behind you. It may discourage an attacker.
- Never allow another vehicle to follow you home. Drive past your house to the nearest open business and call the police.
- Never leave your keys in the car.
- Always check in the back seat of your car before getting in.
- If you stop to aid others, don't get out of your car. Ask what you can do to help, then drive to the nearest phone and call the police.
- Never leave your purse in sight. Hide it under your seat or in your glove box.

DRUG-FREE AWARENESS AND DRUG AND ALCOHOL ABUSE PREVENTION PROGRAMS

(a) The institution's Drug-Free Awareness and Alcohol Abuse Prevention Programs are published in the institution's Campus Safety and Security Report. Annually, each October, the institution distributes in writing to each employee and to each student the Campus Safety and Security Report. In addition to the annual distribution, the institution also distributes the Campus Safety and Security Report to each new student enrolled and new employee hired.

(1) Palomar Institute of Cosmetology prohibits, at minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities.

(2) Below is a description of the applicable legal sanctions under State, and Federal law for the unlawful possession or distribution of illicit drugs and alcohol.

https://my.lls.edu/system/files/student_affairs/2016_fed_state_sanctions_for_drugs.pdf

A. Federal Laws

1. Possession of Illicit Drugs

a. Federal laws prohibit illegal possession of controlled substances (U.S. Department of Justice and Drug Enforcement Administration)

- First offense: prison sentences up to one year and a minimum fine of \$1,000.
- Second offense: prison sentences up to two years and fined a minimum of \$2,500.
- Third offense: prison sentences up to three years and fined a minimum of \$5,000.
- Special sentencing provisions apply for possession of flunitrazepam, including imprisonment of three years as well as the fine schedule referenced above.

2. Trafficking of Illicit Drugs

a. Under federal law, the manufacture, distribution, dispensation or possession with intent to manufacture, distribute or dispense of all Schedule I and II illicit drugs (e.g., cocaine, ecgonine, methamphetamines, heroin, PCP, LSD and all mixtures containing such substances) is a felony.

- i. First offense: (dependent upon the amount and type of substance) prison sentences of ten years to life (20 years to life if death or serious bodily injury is involved) and fines of up to \$10,000,000 for offenses by individuals (\$50,000,000 for other than individuals).
- b. Federal law also prohibits trafficking in marijuana, hashish, hashish oil and mixtures containing such substances.
 - i. First offense: prison sentence up to five years and fines of up to \$250,000 for offenses by individuals (\$1,000,000 for other than individuals). Penalties vary depending upon the quantity of drugs involved.
 - ii. Second offense: prison sentence up to ten years and fines of up to \$500,000 for offenses by individuals (\$2,000,000 for other than individuals).
- c. The trafficking of medically useful drugs (e.g., prescription and over-the-counter drugs) is illegal. Outcomes for trafficking of such drugs is dependent upon which Schedule the substance falls under according to the Controlled Substances Act (CSA).

B. State of California Law

1. Alcohol

- a. It is a crime to sell, furnish or give alcoholic beverages to a person under age 21 or to any obviously intoxicated person (California Business & Professions Code 25658 & 25602).
- b. It is a crime for a person under the age of 21 to purchase or possess alcoholic beverages (California Business & Professions Code 25658 & 25662).
- c. It is a crime to sell alcohol without a valid liquor license or permit (California Business & Professions Code 23301).
- d. It is a crime for any person to drink while driving, to have an open container of alcohol in a motor vehicle or to drive under the influence of alcohol (California Vehicle Code 23220, 23222 & 23152).
- e. It is a crime to be intoxicated in a public place (California Penal Code 647(f))
- f. Intoxication is presumed at blood levels of .08% or higher (California Vehicle Code 23152).

2. Penalties for Drunk Driving Offenses

- a. First offense: fines up to \$1,000, imprisonment up to six months, driver's license suspension up to ten months and interlock ignition device required in some counties.
- b. Second offense: fines up to \$1,800, imprisonment up to one year, driver's license suspension up to two years and interlock ignition device required.
- c. Third offense: fines up to \$1,800, imprisonment up to one year driver's license suspension up to three years and interlock ignition device required.
- d. Refusal to submit to a blood alcohol content test: driving privileges are suspended for one year, for two years if there is a prior offense within 10 years and for three years with three or more offenses within 10 years.
- e. Drivers under the age of 21 found with any measurable amount of blood alcohol (.01% or more) will have their driver's license suspended for one

year and will be required to attend DUI school. If the driver does not have a license, there will be a one-year delay in obtaining one.

3. Illicit Drugs

a. Under California law, first offenses involving the sale or possession for sale of amphetamines, codeine, cocaine, heroin, LSD, mescaline, methadone, methamphetamine, morphine, PCP, peyote, psilocybin and marijuana (among others) are felonies carrying prison terms of up to four years (California Health & Safety Code 11054, 11055 & 11351).

b. Penalties are more severe for offenses involving heroin, cocaine, cocaine base, or any analog of these substances and occurred upon the grounds of, or within, a church or synagogue, a playground, a public or private youth center, a child day care facility, or a public swimming pool, during hours in which the facility is open for business, classes, or school-related programs, or at any time when minors are using the facility (California Health & Safety Code 11353.1).

c. It is unlawful to possess any device, contrivance, instrument or paraphernalia used for unlawfully injecting or smoking a controlled substance from Section IV, Letter C, Number 1 (California Health & Safety Code 11364).

d. Personal property may be subject to forfeiture if it contains drugs or was used in a drug manufacture, distribution, dispensation or acquired in violation of this division (California Health & Safety Code 11470).

e. The illegal possession of most of the above-mentioned drugs may be felonies or misdemeanors depending upon amounts involved.

f. The California Legislature declares that the dispensing and furnishing of prescription drugs, controlled substances and dangerous drugs or dangerous devices without a license poses a significant threat to the health, safety and welfare of all persons residing in the state and shall be guilty of a crime (California Health & Safety Code 11352.1).

(3) Below is a description of the health risks associated with the use of illicit drugs and the abuse of alcohol by drug type. The list includes acute effects/health risks as found on the National Institute of Drug Abuse website: <http://www.drugabuse.gov>

A. Alcohol—affects every organ in the drinker's body, impairs brain function and motor skills and may cause, fetal damage (in pregnant women), heavy use can damage the heart, liver and pancreas, increase risk of certain cancers, stroke and liver disease and weaken the immune system.

B. Amphetamines/Methamphetamines—increased heart rate, blood pressure, body temperature and breathing, reduced appetite, irregular heartbeat, anxiety, confusion, mood problems, paranoia, violent behavior, hallucinations, weight loss, insomnia, severe dental problems, intense itching leading to skin sores from scratching, risk of HIV, hepatitis and other infectious diseases from shared needles, addiction.

C. Cocaine—increased heart rate, blood pressure, body temperature, reduced appetite, headache, abdominal pain and nausea, restlessness, anxiety, panic attacks, paranoia, violent behavior, psychosis, nasal damage, weight loss, insomnia, heart rhythm problems, infection and death of bowel tissue, heart attack, stroke, seizures, coma, addiction.

D. Dissociative Drugs (Ketamine, PCP, Salvia divinorum, DXM)—impaired motor function, anxiety, paranoia, numbness, memory loss, nausea, vomiting, depression, violence, slurred speech, hallucinations, dizziness, distorted visual perceptions, suicidal thoughts, seizures, coma, death.

E. GHB—drowsiness, nausea, vomiting, confusion, hallucinations, aggressive behavior, memory loss, unconsciousness, seizures, slowed heart rate and breathing, lower body temperature, coma, death.

F. Hallucinogens (LSD, mescaline, psilocybin)—hallucinations, increased body temperature, heart rate and blood pressure, loss of appetite, sweating, sleeplessness, numbness, dizziness, weakness, tremors, ongoing visual disturbances, disorganized thinking, rapid shifts in emotion, flashbacks, hallucinogen Persisting Perception Disorder, paranoia.

G. Heroin/Opium—itching, dry mouth, clouded thinking, nausea, vomiting, feelings of heaviness in the body, slowed heart rate and breathing, collapsed veins, abscesses, infection of the lining and valves of the heart, constipation and stomach cramps, liver or kidney disease, pneumonia, fatal overdose.

H. Inhalants—confusion, loss of inhibition, headache, nausea, slurred speech, loss of motor coordination, dizziness, drowsiness, lightheadedness, hallucinations/delusions, liver and kidney damage, bone marrow damage, brain damage, convulsions, seizures, coma, sudden death from heart failure or asphyxiation.

I. Marijuana/Hashish—slowed reaction time, impaired balance and coordination, increased heart rate and appetite, impaired learning and memory, hallucinations, anxiety, panic attacks, psychosis, cough, frequent respiratory infections, possible mental health decline, addiction.

J. MDMA—lowered inhibition, confusion, anxiety, chills, sweating, increased heart rate and blood pressure, teeth clenching, muscle tension, sleep disturbances, depression, nausea, blurred vision, faintness, impaired memory, liver, kidney or heart failure, addiction, death.

K. Nicotine—increased blood pressure, breathing and heart rate, increased risk of cancer (both lung and oral), chronic bronchitis, emphysema, heart disease, leukemia, cataracts, pneumonia, adverse pregnancy outcomes, addiction.

(4) The institution has no on-campus counseling or treatment programs. However, the institution refers students and employees to various available programs (some of the programs listed below may have costs involved for treatment). The following locations are for the local drug or alcohol counseling, treatment, and rehabilitation or re-entry programs that are available to employees or students in San Diego County and its vicinity:

SAMHSA's National Helpline

Phone: 1-800-662-HELP (4357)

Website: <https://www.samhsa.gov/find-help/national-helpline>

North County Center for Change

Phone: (760) 940-1836

Website: <https://www.mhsinc.org/listing/north-county-center-for-change-2/>

Alcoholics Anonymous

Phone: (760) 758-2514 (24 hours)

Website: www.nosdco-aa.org/

Narcotics Anonymous

Phone: (800) 479-0062

Website: www.sandiegona.org

211 San Diego

Phone: Dial 2-1-1

Website: <http://211sandiego.org/resources/highlighted-resources/post-incarceration/re-entry-substance-abuse/>

(5) The institution will impose disciplinary sanctions on students and employees (consistent with local, State, and Federal law). Sanctions are up to and including expulsion or termination of employment and referral for prosecution, for the violations of the standards of conduct required by paragraph (a)(1) of this section.

(6) The institution will conduct a biennial review (every two years) to determine the effectiveness of the program and implement changes to the program if they are needed. The Institution will ensure that the disciplinary sanctions described in paragraph (a)(5) of this section are consistently enforced. In general, institution may review the program more often than biennially if deemed appropriate or necessary. Reviews are generally conducted in August during the preparation of the Crime Statistics Report to be distributed in October to all students and employees.

As part of the biennial review the school will determine:

- The number of drug and alcohol-related violations and fatalities that occur on a school's campus or as part of any of the school's activities and that are reported to campus officials; and
- The number and type of sanctions that are imposed by the school as a result of drug and alcohol-related violations and fatalities on the school's campus or as part of any of the school's activities.

The institution will make available upon request the results of the review as well as the data and methods supporting its conclusions.

(7) Drug Abuse in the Work Place (cited from <https://www.samhsa.gov/sites/default/files/workplace-kit.pdf>)

A. Alcohol and other drug abuse is widespread in our society. It affects us all in many ways. Although national, State, and local efforts have begun to show encouraging results, the problem of alcohol and other drug abuse remains a serious problem. No workplace is immune. According to the 2006 National Survey on Drug Use and Health, 74.9 percent of all adult illicit drug users are employed full or part time. Most binge and heavy alcohol users are employed full or part time.

B. Substance abusing employees often do not make good employees. Studies show that, compared with non-substance abusers, they are more likely:

- To change jobs frequently
- To be late to or absent from work
- To be less productive employees
- To be involved in a workplace accident
- To file a workers' compensation claim

C. Workplace substance abuse can also have a serious effect on people other than the abuser. For example, some studies suggest that working alongside a substance abuser can reduce non-abusers' morale and productivity. It also is quite common for substance abusing workers who are involved in workplace accidents to injure other people (rather than themselves), especially if they work in safety-sensitive industries, such as the transportation or construction industry.

TITLE IX, SEXUAL MISCONDUCT EDUCATION AND PREVENTION

The U.S. Department of Education's Office for Civil Rights (OCR) enforces, among other statutes, Title IX of the Education Amendments of 1972. Title IX protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX states that:

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”

The Violence Against Women Reauthorization Act of 2013 (“VAWA”), including the Campus Sexual Violence Elimination Act (“Campus SaVE Act”), is a federal law that requires colleges and universities to have procedures in place to respond to incidents of sexual assault, domestic violence, dating violence, and stalking.

The institution is committed to provide an up-to-date, quality training, a positive culture and environment for all students, employees and visitors in a nondiscriminatory manner. Sexual misconduct and relationship violence are forms of sex harassment prohibited by the institution, whether the behavior occurred on or off campus. The institution offers education programs that promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking for all incoming students and new employees.

A. The institution of higher education prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking

The institution prohibits domestic violence, dating violence, sexual assault, and stalking against females or males, whether committed by a stranger or by an acquaintance.

B. The definition of domestic violence, dating violence, sexual assault, and stalking in the applicable jurisdiction.

- **Domestic Violence** is defined by the US Department of Justice² as a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This

includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

Domestic violence can happen to anyone regardless of race, age, sexual orientation, religion, or gender. Domestic violence affects people of all socioeconomic backgrounds and education levels. Domestic violence occurs in both opposite-sex and same-sex relationships and can happen to intimate partners who are married, living together, or dating.

- **Dating Violence** is defined by the US Department of Justice² as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim is dating violence. The existence of such a relationship shall be determined based on a consideration of the following factors:
 - the length of the relationship
 - the type of relationship
 - the frequency of interaction between the persons involved in the relationship

- **Sexual assault** is defined by the US Department of Justice² as any type of sexual contact or behavior that occurs without the explicit consent of the recipient. Falling under the definition of sexual assault are sexual activities as forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, and attempted rape.

- **Sex Offenses** are defined by Uniform Crime Reporting (UCR) Program as any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
 - **Rape**- the Federal Bureau of Investigation's (FBI) updated definition in the Uniform Crime Reporting (UCR) Summary Reporting System, as 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 the consent of the victim. Most recently in 2011, the definition of rape was updated to allow the reporting of male victims, victims of sodomy, and victims of sexual assaults with objects. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.
 - **Fondling** – The touching of the private body 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/her age or because of his/her temporary or permanent mental incapacity.
 - **Incest** – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - **Statutory Rape** – Sexual intercourse with a person who is under the statutory age of consent.

- **Stalking** is defined by the US Department of Justice² as a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear.

Stalking can include:

- Repeated, unwanted, intrusive, and frightening communications from the perpetrator by phone, mail, and/or email.
- Repeatedly leaving or sending victim unwanted items, presents, or flowers.
- Following or laying in wait for the victim at places such as home, school, work, or recreation place.
- Making direct or indirect threats to harm the victim, the victim's children, relatives, friends, or pets.
- Damaging or threatening to damage the victim's property.
- Harassing victim through the internet.
- Posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth.
- Obtaining personal information about the victim by accessing public records, using internet search services, hiring private investigators, going through the victim's garbage, following the victim, contacting victim's friends, family work, or neighbors, etc.

C. The definition of consent, in reference to sexual activity, in the applicable jurisdiction.

Consent means an informed, affirmative, conscious decision by each participant to engage in mutually agreed-upon sexual activity.

Affirmative consent” means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

- Consent can be *withdrawn or revoked*. Once consent is withdrawn or revoked, the sexual activity must stop immediately.
- Consent cannot be given by a person who is *incapacitated*. For example, a person cannot give consent if s/he is unconscious or coming in and out of consciousness due to the influence of drugs, alcohol or medication, mental or physical disability.
- Sexual intercourse with a minor is **never** consensual when the victim is under 18 years old, because the victim is considered incapable of giving legal consent due to age.

D. Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual.

Bystander is “an individual who observes violence, witnesses the conditions that perpetuate violence or hears the comment can intervene in a way that will help creating a safer environment”. Safety is the key in deciding when and how to respond to sexual violence. Everyone must decide

the safest and most meaningful way to become an engaged bystander. The following are ideas on how one can maintain safety while being an engaged.

- Gather details about the situation.
- Ask for help from other bystanders or friends.
- Be sensitive and understanding.
- Intervene early and in a safe manner.
- Consider multiple options.
- Don't be afraid to call for help!

E. Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks.

According to the **Helpguide.org**³, warning signs and symptoms of emotional abuse and domestic violence can be recognized as listed below.

General warning signs of domestic abuse - People who are being abused may:

- Seem afraid or anxious to please their partner
- Go along with everything their partner says and does
- Check in often with their partner to report where they are and what they're doing
- Receive frequent, harassing phone calls from their partner
- Talk about their partner's temper, jealousy, or possessiveness

Warning signs of physical violence - People who are being physically abused may:

- Have frequent injuries, with the excuse of "accidents"
- Frequently miss work, school, or social occasions, without explanation
- Dress in clothing designed to hide bruises or scars (e.g. wearing long sleeves in the summer or sunglasses indoors)

Warning signs of isolation - People who are being isolated by their abuser may:

- Be restricted from seeing family and friends
- Rarely go out in public without their partner
- Have limited access to money, credit cards, or the car

The psychological warning signs of abuse - People who are being abused may:

- Have very low self-esteem, even if they used to be confident
- Show major personality changes (e.g. an outgoing person becomes withdrawn)
- Be depressed, anxious, or suicidal

To avoid a potential attack, follow the safety tips available from the **Helpguide.org**³ website which can make a difference between life and death.

REPORTING ASSAULT

The nature of domestic violence, dating violence, sexual assault, and stalking, particularly when perpetrated by an acquaintance, makes it difficult for many survivors to report their experience. For this reason, the local Shelters and Women's Service Centers is the primary place where individuals may seek assistance in complete confidentiality.

If you are a victim of domestic violence, dating violence, sexual assault, and stalking

- Get to a safe place
- Call the Police as soon as it is safe to do so by dialing 9-1-1
- Do not shower, bathe, douche, change clothes, or straighten up the area. You may evidence which may be necessary in the successful prosecution of the perpetrator(s)
- Seek medical attention

Individuals who have been raped or sexually assaulted should try to preserve all physical evidence as the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order. They should not wash, use the toilet, or change clothing, if doing so can be avoided. If oral contact took place, one should not smoke, eat, drink, or brush one's teeth. If one changes clothes, all clothing worn at the time of the attack should be placed in a paper bag, not plastic. Medical attention should be sought as soon as possible to assess any physical injuries, prevent sexually transmitted diseases or pregnancy, and collect important evidence in the event legal action is taken.

THE INSTITUTION RESPONSES TO REPORTS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

The Institution does **not** employ campus security personnel. Students and staff members or visitors who believe that they are victims of a domestic violence, dating violence, sexual assault, and stalking should contact the local law enforcement or other emergency response agencies by dialing 911 or the following school officials during business hours:

Monday 5 p.m. – 10:00 p.m.

Tuesday - Saturday 8 a.m. – 4:30 p.m.

- Title IX Coordinator.....(760) 744 - 7900 Ext. 118 or TitleIXCoordinator@pic.edu
- Security Officer/ President/Owner..... (760) 744 - 7900 Ext 115 or cell phone (760) 802-2500

The nature of domestic violence, dating violence, sexual assault, and stalking, particularly when perpetrated by an acquaintance, makes it difficult for many survivors to report their experience. For this reason, the local Shelters and Women's Service Centers is the primary place where individuals may seek assistance in complete confidentiality.

All incidents shall be recorded in the Institutions daily Incident Log located on campus at the School Director's office. The log includes the date, time, location, incident reported, and disposition of incident and the name of the person who took the report. The report must be entered in the log within two (2) business days after it is reported to the school's official, unless that disclosure is prohibited by law, would endanger the confidentiality of the victim.

The survivor has the right to have their claims treated seriously and to be treated with dignity. The survivor has the right to be informed of their options with regard to notifying law enforcement authorities and to be assisted in notifying such authorities if they so choose. Because the Institution recognizes that domestic violence, dating violence, sexual assault, and stalking are more than an assault on an individual's body, but is also an attack on the individual's dignity and sense of self, the Institution is committed to insuring that the decision to take action against the accused rests solely with the survivor. There may be circumstances, however, depending upon the status of the alleged assailant and the seriousness of the offense, in which the Institution must take action to protect the survivor or the campus community. Federal law requires that the Institution provide the campus community with timely notice of certain reported crimes and/or acts the institution believes represent a threat to members of the campus community.

The Institution currently has no procedures for encouraging or facilitating pastoral or professional counseling (mental health or otherwise). The student or employee is encouraged to seek such aid at the following services and resources.

Important Services & Resources

Women's Resource Center at <http://www.wrcsd.org/information/san-diego-resources/>

Battered Women's Services/ Becky's house (24-hour hotline) (619) 234-3164

Center for Community Solution at www.ccssd.org (24-hour Hotline) (888) 384-4657

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

National Dating Abuse Helpline (866) 331-9474

Hospitals providing Sexual Assault Services

Balboa Naval Medical Center (619) 532-8275

Children's Hospital. (858) 576-5803

Palomar Hospital (760) 739-3800

Pomerado Hospital (858) 613-4457

VillaView Community Hospital (dial "0" when recording heard) (619) 582-3516

Legal Services

Battered Women's Legal Service (619) 239-2341

Victim/Witness Assistance (619) 531-4041

Women's Legal Center (619) 209-6500

Men's Legal Center (619) 239-5100

Student survivors may choose to change academic arrangements, if such changes are reasonably available, without financial or academic penalty. For assistance in exploring options for a change in academic situations, contact should be made with the President/Owner or the School Director.

DISCIPLINARY ACTIONS

Complaints of Sexual Misconduct or Relationship Violence against a student or employee will be addressed pursuant to the Institution's Grievance Policy. The Institution does not employ campus

security personnel. On campus disciplinary action in cases of alleged sexual assault will be based on the findings of the law enforcement agency investigating the facts pertaining to the crime and other mitigating circumstances.

In cases of alleged domestic violence, dating violence, sexual assault, and stalking, the accuser and the accused are entitled to the same opportunities to have others present, including an advisor of their choice, during a campus disciplinary proceeding. Both the accuser and the accused shall receive simultaneous notification, in writing of the outcome of the proceeding and any available appeal procedures. These records are available upon request through the administrative offices.

If a violation can be demonstrated with evidence to support suspensions/probation or dismissal, they will be imposed. If termination of a faculty member is contemplated, applicable rules governing dismissal for serious cause will be followed.

The Institution prohibits retaliation against any person who makes a good faith complaint of an incident of Sexual Misconduct or Relationship Violence or any other person who participates in the investigation of any such complaint. Any incident of retaliation should be promptly reported to the Title IX Coordinator, School Director or the President/CEO.

MEGAN'S LAW—SEX OFFENDER REGISTRATION

You can visit <http://www.crimemapping.com> to view regional crime maps and get automated e-mail alerts of crimes in your neighborhood. For more information, please contact Sheriff's Department Licensing Unit at (858) 974-2020. Additional information on sex offender registration is available at the office of the State of California Attorney general at <http://www.meganslaw.ca.gov>.

DEFINITIONS & TERMS

Campus⁴:

- Any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and
- Property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).

Public property:

All public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purpose.

Programs to prevent dating violence, domestic violence, sexual assault, and stalking⁵:

Comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels

- Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both
 - ✓ primary prevention and awareness programs directed at incoming students and new employees and
 - ✓ ongoing prevention and awareness campaigns directed at students and employees.

Awareness programs: Community-wide or audience specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration

Bystander intervention: Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking Bystander intervention includes:

- Recognizing situations of potential harm
- Understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking actions to intervene

Ongoing prevention and awareness campaigns: Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution

Primary prevention programs: Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe direction.

Risk reduction: Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

Prompt, fair, and impartial disciplinary proceeding: A proceeding that is completed within reasonably prompt timeframes designated by an institution's policy, including a process that allows for the extension of timeframes for good cause and with written notice to the accuser and the accused of the delay and the reason for the delay. Conducted in a manner that:

- Is consistent with the institution's policies and transparent to the accuser and accused;
- Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
- Provides timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings; and
- Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused

Advisor: Any individual who provides the accuser or accused support, guidance, or advice

Proceeding: All activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact finding investigations, formal or informal meetings, and

hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

Result: Any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution.

SECURITY AND CRIME STATISTICS REPORT

The school officials believe a well-informed community remains a safety conscious. On-going efforts will be made to ensure that the campus community will be informed about public safety and criminal incidents on campus. Campus community Crimes include on campus and off campus sites adjacent to the Institution. Crime statistics for the area surrounding Palomar Institute of Cosmetology are available from the San Diego County Sheriff's Department, San Marcos Station.

The following information is for a three-year period for Palomar Institute of Cosmetology main campus and off campus sites. Public property offenses were reported to the school officials by the local law enforcement agency.

PALOMAR INSTITUTE OF COSMETOLOGY

CRIME STATISTICS 2013 THROUGH 2015

Criminal Offenses	On Campus			Public Property		
	2013	2014	2015	2013	2014	2015
Murder/Non-negligent Manslaughter	0	0	0	0	0	0
Negligence manslaughter	0	0	0	0	0	0
Sex offenses - Forcible	0			0		
Rape		0	0		0	0
Fondling		0	0		0	0
Sex offenses - Non forcible	0			0		
Incest	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravate assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
*Motor vehicle theft	0	0	0	0	0	1
Arson	0	0	0	0	0	0
Total	0	0	0	0	0	1

*Caveat: Motor vehicle theft occurred to a student who left the vehicle on the street between the hours of midnight and 7:45am.

VAWA Offenses	On Campus			Public Property		
	2013	2014	2015	2013	2014	2015
Domestic violence	N/A	0	0	N/A	0	0
Dating violence	N/A	0	0	N/A	0	0
Stalking	N/A	0	0	N/A	0	0
Total		0	0		0	0

Arrests	On Campus			Public Property		
	2013	2014	2015	2013	2014	2015
Weapons: carrying, possessing, etc.	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0
Total	0	0	0	0	0	0

Disciplinary Actions	On Campus			Public Property		
	2013	2014	2015	2013	2014	2015
Weapons: carrying, possessing, etc.	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0
Total	0	0	0	0	0	0

Unfounded Crimes	On Campus			Public Property		
	2013	2014	2015	2013	2014	2015
Total	N/A	N/A	N/A	N/A	N/A	N/A

PALOMAR INSTITUTE OF COSMETOLOGY
HATE CRIME STATISTICS 2013 THROUGH 2015

Main Campus	Category of Bias for crimes reported in 2015																	
	Criminal Offense	2015 Total	Race		Religion		Sexual Orientation		Gender		Gender Identity		Disability		Ethnicity		National Origin	
			OC	PP	OC	PP	OC	PP	OC	PP			OC	PP	OC	PP	OC	PP
Murder/Non negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Lacerny-theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Itimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/damage/vandalism of property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

OC = On Campus, PP = Public Property

Main Campus		Category of Bias for crimes reported in 2014															
Criminal Offense	2014 Total	Race		Religion		Sexual Orientation		Gender		Gender Identity		Disability		Ethnicity		National Origin	
		OC	PP	OC	PP	OC	PP	OC	PP			OC	PP	OC	PP		
Murder/Non negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Lacerny-theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Itimidation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/damage/vandalism of property	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

OC = On Campus, PP = Public Property

Main Campus		Category of Bias for crimes reported in 2013											
Criminal Offense	2013 Total	Race		Religion		Sexual Orientation		Gender		Disability		Ethnicity/ National Origin	
		OC	PP	OC	PP	OC	PP	OC	PP	OC	PP	OC	PP
Murder/Non negligent manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex offenses - Forcible	0	0	0	0	0	0	0	0	0	0	0	0	0
Sex offenses - Non forcible	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0	0	0	0	0	0	0
Lacerny-theft	0	0	0	0	0	0	0	0	0	0	0	0	0
Itimidation	0	0	0	0	0	0	0	0	0	0	0	0	0
Destruction/ damage/ vandalism of property	0	0	0	0	0	0	0	0	0	0	0	0	0

OC = On Campus, PP = Public Property

End Notes and Resources

¹ <https://www.sdsheiff.net/patrolstations/sanmarcos.html>

² <http://www.justice.gov/ovw/domestic-violence>

³ <http://www.helpguide.org/>

⁴ <https://www2.ed.gov/admins/lead/safety/handbook.pdf>

⁵ <http://clerycenter.org/sites/default/files/VAWAChecklist0715.pdf?sid=6198>