ANNUAL SECURITY REPORT

JOHN JAY BEAUTY COLLEGE

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Published September 21, 2026

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JOHN JAY BEAUTY COLLEGE
SAFETY & SECURITY INFORMATION

Campus safety and security are important issues at John Jay Beauty College. 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 provide students and families with the information they need to make informed decisions. The following policies and procedures are established to comply with the Clery Act.

A. Timely Warnings & Emergency Notifications

In the event that a situation arises, either on or off campus, that, in the judgment of the School Director constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued. The School Director will immediately notify the School community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring at the School, unless issuing a notification will compromise efforts to contain the emergency. The warning will be issued through the School's text message system and/or School email system to students, faculty, and staff. Depending on the circumstances of the threat, especially in all situations that could pose an immediate threat to the community and individuals, the School may also post a notice on the social media providing the School's community with more immediate notification. Notices may also be posted in the common areas throughout the School. The information shall be disseminated by the School Director, or by supporting staff members in a manner that aids the prevention of similar crimes. Anyone with information warranting a timely warning or emergency notification should report the circumstances to the School Director by phone at 504-467-2774 or in person at the School.

B. Reporting the Annual Disclosure of Crime Statistics

The School prepares this report to comply with the Clery Act. The full text of this report can be located on our web site at johnjaybeautycollege.com under Consumer Disclosure. This report is prepared in cooperation with the local law enforcement agencies around our campus.

Campus crime, arrest and referral statistics include those reported to the Kenner Police, designated campus officials (including but not limited to the School Director), and other law enforcement agencies.

Each year notification is made to all enrolled students and employees that provides the web site to access this report. Copies of the report may also be obtained in person from the School Director or by calling 504-467-2774. All prospective employees may obtain a copy online or from the School Director.

C. Reporting of Criminal Offenses

John Jay Beauty College encourages anyone who is the victim or witness to any crime or other emergency to report the incident as soon as possible. Contact the School Director at 504-467-2774 (non-emergencies) or dial 9-1-1 (emergencies only). Any suspicious activity or person seen loitering inside or around the School buildings should be reported to the School Director.

Reports may also be made to the School's Campus Security Authorities, or CSAs. Under Federal law, the definition of CSAs includes individuals/offices designated by the School as those to whom crimes should be reported, and officials with significant responsibility for student and campus activities. If a School staff member has "significant responsibility" for students and campus activities outside of the classroom, and students potentially could report a crime / incident to that staff member, then they are a CSA. CSAs are defined by function, not title. For the John Jay Beauty College, CSAs include the School's Owner, School Director, Controller, and Financial Aid Director.

For off campus options you may contact the Kenner Police Department at (504) 712-2200 for non-emergencies. You should always dial 9-1-1 for emergency situations.

The Kenner Police Department encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the Kenner Police Department cannot hold reports of crime in confidence.

D. Confidential Reporting

John Jay Beauty College encourages anyone who is the victim or witness to any crime to report the incident as soon as possible. All reports will be investigated. Violations of the law will be referred to the Kenner Police Department. When a potentially dangerous threat to the School community arises, timely reports or warnings will be issued through email messages, text messages, the posting of flyers in the School buildings, in-class announcements, or other appropriate means.

If you are the victim of a crime and do not want to pursue action within the campus or criminal justice systems, you may still want to consider making a confidential report. With your permission, the School Director can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the School can keep an accurate record of the number of incidents occurring on campus properties. In addition, this will determine where there is a pattern of crime regarding a location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the School.

E. Access Policy

During business hours, the School will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours, access to all facilities is by key, if issued, or by admittance via the School Director. For periods of extended closing, the School will admit only those with prior approval to all facilities. Maintenance personnel are also subject to the above restrictions.

F. Campus Security Authority and Jurisdiction

The School's administration attempts to provide a safe, secure educational environment for all students and employees. The School does not provide security guards on its campus premises. The ultimate authority for law enforcement at the School is the local police department. The School does not have any written agreements with local police departments for the investigation of alleged criminal offenses. School officials have the authority to contact the local police to request assistance in preventing or reacting to crime within or in the immediate vicinity of school facilities. The School Director is the School's coordinator of security issues. The School Director is not authorized to arrest individuals but does have the authority to detain suspected criminal offenders if it is deemed safe to do so. If possible, the School Director shall attempt to non-violently deal with the crime or emergency with the appropriate agency. Individual discretion must be used, as undue risk should not be taken. The administration at the John Jay Beauty College has a working relationship with the local police and work in partnership to offer students and employees the safest possible environment.

G. Security Awareness and Prevention Programs

Prior to enrollment, all prospective students are provided a school catalog containing policies, procedures, and practices. At orientation, students will again review the catalog in full, including campus security policies, procedures, and practices. All active students and employees receive updated campus crime data and information on campus security procedures and practices annually no later than October 1st as part of the school's annual security report and crime disclosure.

For information on crime prevention programs and tips, students and employees are encouraged to contact the local police department's crime prevention unit. John Jay Beauty College does not offer on-campus crime prevention programs.

John Jay Beauty College does not officially recognize any off-campus student organizations.

H. Criminal Activity Off Campus
The John Jay Beauty College does not provide law enforcement services to off-campus activities on behalf of the School.

I. Emergency Response Preparation and Evacuation
The School Director has overall responsibility for coordinating and implementing the Emergency Response Preparation and Evacuation Plan. The School will conduct fire drills annually which may be both announced and unannounced. Feedback from these drills will be used to determine the modifications necessary to the evacuation plans.

Evacuation Procedure. Evacuation should take place if it is determined that it is safer outside than inside the building (fire, explosion, intruder) and staff, students and visitors can safely reach the evacuation location without danger.

The School Director will call or designate another to immediately call public safety (911) (police, fire and emergency responders) to give notice the School has been evacuated. The School Director will communicate the need to evacuate the building to the occupants by activating the fire alarm or by in-class announcements. The School Director will determine evacuation routes based on location of the incident and type of emergency, and communicate changes in evacuation routes based on location and type of emergency. The School Director will communicate when it is safe to re-enter the building.

School employee responsibilities:
- Instruct students and guests to exit the building using the designated emergency exit routes or as directed by the School Director. Emergency exit routes should be diagramed on the school floor plan drawing posted near the light switch inside each room.
- Use a secondary route if the primary route is blocked or hazardous.
- Help those needing special assistance.
- Do not lock classroom doors when leaving, close door and turn off lights.
- Do not stop for student or staff belongings.
- Take class roster, phone lists, first-aid kit and other emergency supplies with you. Check the bathrooms, hallways and common areas for visitors, staff or students while exiting.
- Go to designated evacuation assembly area.
- When outside the building, check for injuries.
- Account for all students. Immediately report any missing or injured students to the School Director.
- Wait for additional instructions.

Lockdown Procedure. Lockdown is the initial physical response to provide a time barrier during an active shooter/intruder event. Lockdown is not a stand-alone defensive strategy. When securing in place, this procedure should involve barricading the door and readying a plan of evacuation or counter tactics should the need arise.

The School Director will make an announcement that the School is experiencing an emergency situation and that it is now under lockdown. The School Director will designate staff to call 9-1-1, identify the name and address of the School, describe the emergency, state the School is locking down, and provide intruder description and weapon(s) if known. The School Director will instruct staff to stay on the phone to provide updates and additional information.

School employee responsibilities:
- Clear the hallway and bathrooms by your room, moving everyone into the classroom.
- Lock your doors.

- Move any large objects in front of the door to barricade door. All moveable items such as chairs should be used as well.
- Take attendance and be prepared to notify the School Director or local law enforcement of missing students or additional students, staff or guests sheltered in your classroom.
- Do not place students in one location within the room. In the event that entry is gained by a shooter or intruder, students should consider exiting by running past the shooter/intruder.
- Staff and students may utilize methods to distract the shooter/intruder's ability to accurately shoot or cause harm, such as loud noises or aiming and throwing objects at the shooter/intruder's face or person.
- Allow no one outside of the classroom until the School Director or local law enforcement gives the "All Clear" signal unless a life-threatening situation exists and a means to safe exit is available (through a window or other safe passage).
- If students and School personnel are outside of the school building at the time of a lockdown, School personnel will move students to the designated off-site assembly location.

Shelter-In-Place Procedure. The shelter-in-place procedure provides a refuge for students, staff and the public inside the school building during an emergency. Shelters are located in areas of the building that maximize the safety of occupants. Shelter-in-place is used when evacuation would place people at risk. Shelters may change depending on the emergency.

The School Director will announce that the School is experiencing an emergency situation and needs to implement shelter-in-place procedures. Students, guests and staff will be directed to move to the designated shelter locations in the School. All students, guests and staff outside will be directed to immediately move to an inside room.

The School Director will designate staff to monitor radio, Internet, and other media for information on incident conditions that caused the shelter-in-place. The School Director will contact and consult with public safety officials as appropriate, and be prepared to announce additional procedures due to changing conditions of the incident, or to announce an "All Clear."

School employee responsibilities:

- Move students into designated safe areas such as inside rooms with no windows, bathrooms, utility closets or hallways without large windows or doors.
- Close classroom doors and windows when leaving.
- Have everyone kneel down and be ready to cover their heads to protect from debris, if appropriate.
- All persons must remain in the shelter until notified by the School Director or public safety official that it is safe to exit.

Fire Response Procedure.
Any staff discovering fire or smoke will activate the fire alarm, and report the fire to the School Director, or call 911 if conditions require and/or injured are in need of medical assistance. Staff, students, and visitors will immediately evacuate the building using prescribed routes or alternate routes to the assembly areas.

No one may re-enter building(s) until it is declared safe by the fire department.

Once the fire department arrives, it is critical to follow the instructions of, and cooperate with, the fire department personnel who have jurisdiction at the scene.

The School Director will call or direct staff to call 911 to confirm the alarm is active, identify the school name and location, provide exact location of the fire or smoke, if any staff or students are injured, and state the building is being evacuated. The School Director will ensure that staff, students, and visitors immediately evacuate the building using prescribed routes or alternate routes due to building debris to the

assembly areas. Assembly areas may need to be relocated because of the building collapse or unsafe areas from the fire. The School Director will designate staff to obtain student roll from instructors and identify any missing students.

The School Director will not allow staff, students or guests to return to the building until the fire department with jurisdiction over the scene has determined that it is safe to do so and given the “All Clear”.

School employee responsibilities:

- Take the class roster and first-aid kit and any other supplies or resources relevant to the incident and lead students as quickly and quietly as possible out of the building to the designated assembly area.
- Use alternate escape routes if the regular route is blocked or there is a safety hazard.
- Assist or designate others to assist students with functional needs.
- Close the classroom door and turn out the lights upon exiting and confirm all students and personnel are out of the classroom.
- Take attendance at the assembly area. Report any missing students or staff members and/or any injuries to the School Director or the emergency response personnel at the scene.
- Keep class together and wait for further instructions.
- Remain in safe area until the “All Clear” signal has been issued.

No one may re-enter building(s) until it is declared safe by the fire department.

Medical Emergency Procedure. These procedures are in place to assist staff, students, and guests in the event of a medical emergency.

The School’s staff should:

- Quickly assess the situation. Make sure the situation is safe for you to approach (i.e., live electric wires, gas leak, building damage, etc.).
- Immediately notify the School Director.
- Assess the seriousness of the injury or illness.
- Call or have someone call 9-1-1 immediately. Be prepared to provide the school name and address, exact location (floor, room number); describe illness or type of injury; and age of the victim(s).
- Protect yourself against contact with body fluids (blood borne pathogens).
- Administer appropriate first aid according to your level of training until help arrives.
- Comfort and reassure the injured person. Do Not Move an injured person unless the scene is unsafe.

The School Director will direct staff to call 9-1-1, if necessary, and provide appropriate information to emergency responders. The School Director will assign a staff member to meet emergency medical service responders and lead them to the injured person and assign a staff member to remain with the injured person if they are transported to the hospital. If the injured person is a member of School personnel or a student, the School Director will notify that person’s emergency contact of the situation, include type of injury or illness, medical care given and location where the injured person has been transported. The School Director will ensure that student or staff medical information from administrative records is sent to the hospital. The School Director will develop and maintain written documentation of the incident.

J. Fire Prevention and Workplace Hazards

It is the responsibility of all faculty and staff to alert the School Director of any and all conditions that could potentially pose a fire hazard or other unsafe condition in or around the building. No smoking is permitted in the building and flammable chemicals are confined and stored in a locked area, meeting all OSHA

requirements. Good housekeeping practices will be the responsibility of all faculty, staff, and students. Waste materials are to be discarded in their proper places and all aisles, doorways, hallways and exit doors are to be kept clear at all times.

K. Alcoholic Beverages or Controlled Substances

It is the policy of John Jay Beauty College that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol is prohibited while in the workplace, on School premises, or as part of any School sponsored activities. Any employee or student violating this policy will be subject to disciplinary action up to and including termination or expulsion and referral for prosecution. The specifics of this policy can be found in the Drug and Alcohol Prevention Policy.

L. Alcohol and Substance Abuse Education

The School has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The program provides services related to drug use and abuse including dissemination of information materials, referrals, and School disciplinary actions.

A violation of any law regarding drugs or alcohol is also a violation of the School's Drug and Alcohol Prevention Policy and will be treated as a separate disciplinary matter by the School.

Please see the School's Drug and Alcohol Prevention Policy, which is part of this Annual Security Report, for contact information to local mental health and substance abuse services.

M. Sexual Harassment Policies & Grievance Procedures

The John Jay Beauty College is committed to providing a working and educational environment for all students, faculty and staff that is free from sex discrimination, including sexual harassment. Every member of the school community should be aware that the School is strongly opposed to sexual harassment, and that such behavior is prohibited by state and federal laws.

The School's Sexual Harassment Policies & Grievance Procedures are part of this Annual Security Report. It describes the School's programs to prevent sexual harassment, and the procedures that the School will follow once an incident of sexual harassment has been reported. This Policy is disseminated widely to the School community through publications, the School website, new employee orientations, student orientations, and other appropriate channels of communication. Copies of the Policy can be obtained from the School Director, or downloading from the School's website at johnjaybeautycollege.com. The School provides training to key staff members to enable the School to handle any allegations of sexual misconduct promptly and effectively. The School will respond promptly to all reports of sexual harassment, and will take appropriate action to prevent, to correct, and if necessary, to discipline behavior that violates this policy.

The School's Sexual Harassment Policies & Grievance Procedures govern sexual harassment that occurs in the School's education programs or activities. This Policy applies to all students, employees, and third parties conducting business with the School, regardless of the person's gender, gender identity, sexual orientation, age, race, nationality, class status, ability, religion or other protected status. The School encourages victims of sexual harassment 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, the School will seek to respect a victim's request for confidentiality to the extent possible, while remaining ever mindful of the victim's well-being.

N. Sexual Offender Registration

In accordance to the Campus Sex Crimes Prevention Act of 2000, the Clery Act, and the Family Rights and Privacy Act of 1974, the Institute is providing information for where students and employees may obtain information regarding registered sex offenders. The Louisiana Sex Offenders Registry may be found at https://lsp.org/community-outreach/sex-offender-registry/. The Campus Sex Crimes Prevention Act requires institutions of higher education to provide a statement advising the campus community where law enforcement information provided by a state concerning registered sex offenders can be obtained.

O. Anti-Hazing Policy

The School is committed to maintain a safe, inclusive, and respectful learning environment. Hazing is strictly prohibited and is inconsistent with the values of professionalism and mutual respect that define our school community.

This Policy applies to all students, faculty, staff, student organizations, and affiliated groups at the School. It covers activities on and off campus, including events, social gatherings, and online interactions.

Hazing is defined as any intentional, knowing, or reckless act – whether physical, emotional, or psychological – committed against another person in connection with joining, maintaining membership in, or participating in any group or organization, regardless of the victim's willingness to participate.

Examples include:

- Physical harm (e.g., paddling, forced physical exertion, exposure to elements)
- Emotional harm (e.g., sleep deprivation, humiliation, exclusion)
- Coerced consumption of substances (e.g., alcohol, drugs, or non-edible items)
- Intimidation or degradation
- Illegal or unethical tasks

Hazing does not include legitimate educational or training activities that are part of the curriculum or professional development.

The following actions are strictly prohibited:

- Planning, encouraging, or participating in hazing activities
- Failing to report or intervene when aware of hazing
- Retaliating against individuals who report hazing

Anyone who witnesses or experiences hazing should report it immediately to the School Director. Anonymous reports are accepted but may limit the School's ability to investigate.

All reports will be investigated promptly and confidentially. Interim measures may be taken to protect individuals during the investigation. Findings may result in disciplinary actions including suspension, expulsion, or revocation of organizational recognition.

Violations of this Policy may result in:

- Students: Suspension, expulsion, loss of privileges, or referral to law enforcement.
- Organizations: Loss of recognition, suspension of activities, mandatory training.
- Staff/faculty: Disciplinary action per employee handbook, up to termination.

The School has implemented an education program for students, staff, and faculty to prevent and promote the awareness of hazing which shall include primary prevention and awareness programs for incoming students and new employees, as well as ongoing prevention awareness program for students and faculty, that includes, but is not limited to the following:

- Hazing Prevention and Awareness Training (presented at time of student's enrollment with the School).

- National recognized handouts available on awareness and prevention of hazing.
- Widespread distribution and publication of the School's Anti-Hazing Policy.

This Police will be reviewed annually to ensure compliance with federal and state laws, including the Stop Campus Hazing Act and the Clery Act.

Additionally, you should also be aware that Louisiana's anti-hazing laws, (Louisiana Revised Statutes §§ 14:40.8 (Criminal Hazing) and 17:1801 (Hazing Prohibited; Reporting; Documentation)), apply to all students, employees, and volunteers at education institutions in Louisiana. Louisiana law strictly prohibits hazing at postsecondary institutions, regardless of whether the activity occurs on or off campus and regardless of a participant's willingness to take part. Under Louisiana law, consent is not a defense to hazing. Hazing may result in institutional discipline, criminal prosecution, and organizational sanctions.

Louisiana law generally defines hazing as any intentional, knowing, or reckless act, occurring on or off the property of an educational institution, by one person acting alone or with others, that is directed against another person for the purpose of initiation into, affiliation with, continued membership in, or holding office in any organization, and that endangers the physical or mental health or safety of the person. Hazing may include acts involving physical brutality, forced consumption of alcohol or drugs, intimidation, humiliation, sleep deprivation, exposure to dangerous conditions, or any conduct that causes physical, emotional, or psychological harm.

The following conduct is prohibited:
- Committing or participating in hazing activities.
- Encouraging, directing, ordering, soliciting, or aiding another person to engage in hazing.
- Retaliating against an individual who reports hazing or participates in an investigation.
- Failing to report known hazing incidents when reporting is required by law or institutional policy.

Louisiana's criminal hazing statute makes it unlawful for any person to commit an act of hazing. Violators may be subject to fines, imprisonment, or both. Enhanced penalties apply when hazing results in serious bodily injury or death, or when hazing involves compelled alcohol consumption causing severe intoxication.

Louisiana law requires organizations and institutions to report alleged hazing incidents. When a postsecondary institution receives a report of hazing, it must report the matter to the appropriate law enforcement agency and maintain documentation regarding the institution's handling and resolution of the incident.

The School will take swift disciplinary action against individuals and/or groups who are involved in hazing activities. In addition, the School will make appropriate referrals to state and local authorities for possible criminal prosecution.

JOHN JAY BEAUTY COLLEGE
CAMPUS CRIME REPORT

The School Director prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The report is prepared in cooperation with the local law enforcement agencies surrounding our campus.

Campus crime, arrest, and referral statistics include those reported to the School Director and local law enforcement agencies. Copies of the report may be obtained in the School Director's Office or by calling 504-467-2774. All prospective employees may obtain a copy from the School Director or by calling 504-467-2774.

To Report A Crime: Contact the School Director at 504-467-2774 (non-emergencies) or dial 9-1-1 (emergencies only). Any suspicious activity or person seen loitering inside or around the School buildings should be reported to the School Director.

Offense	On Campus			Non Campus			Public Property		
	2023	2024	2025	2023	2024	2025	202	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	2	0	0	0
Motor Vehicle Theft	0	0	0	0	0	3	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Hazing	N/A	N/A	0	N/A	N/A	0	N/A	N/A	0
VAWA Offenses									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Arrests & Disciplinary Referrals									
Liquor Law Arrests	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	0	0
Drug Law Arrests Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Arrests	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0

Hate Crimes – There were no reported hate crimes for the years 2023, 2024, or 2025.

JOHN JAY BEAUTY COLLEGE
DRUG AND ALCOHOL PREVENTION POLICY

John Jay Beauty College believes that it is very important to provide a safe environment for all of its students and employees. Substance abuse, while at work, school or otherwise, seriously endangers the safety of students and employees, as well as the general public, and creates a variety of problems including increased theft, decreased morale, decreased productivity, and a decline in the quality of services provided. It is also our Policy to prevent the use and/or presence of these substances in the school. John Jay Beauty College will strive to provide an environment conducive to making conscientious and healthy decisions when students are faced with difficult choices associated with the use of legal and illegal drugs.

It is a violation of school policy for any student to:

- Use illegal drugs or misuse prescription drugs;
- Misuse alcohol;
- Possess, trade, manufacture, distribute, dispense, buy, or offer for sale alcohol, illegal and/or prescription drugs while on duty, during break periods, or on school property;
- Arrive or return to school intoxicated from use of illegal drugs, misused prescription drugs or alcohol;
- Engage in the use of illegal drugs, misuse of prescription drugs or alcohol during school hours or while on school property (including parking lots); or
- Use prescription drugs or non-prescription drugs that may affect the safety of the student or fellow students, and members of the public.

No employee or student is to report to work, attend class, or participate in any activity while under the influence of one or more illegal drugs or alcohol.

Any student who is taking any prescription or non-prescription drug which might impair safety, performance, or any motor functions must advise his/her Instructor or the School Director before providing services under such medication.

The possession and use of alcoholic beverages by employees, students, and guest of the School are always subject to applicable state alcoholic beverage laws, as well as city ordinances within our service area, and the School's policy. Students are individually responsible for being aware of applicable laws, regulations, ordinances, and the School's policy for complying with them. John Jay Beauty College will assist in that endeavor by providing current information on an ongoing basis to all students.

Drug & Alcohol Health Risks

Alcohol: People drink to socialize, celebrate, and relax. Alcohol often has a strong effect on people—and throughout history, people have struggled to understand and manage alcohol's power. Why does alcohol cause people to act and feel differently? How much is too much? Why do some people become addicted while others do not?

Alcohol's effects vary from person to person, depending on a variety of factors, including:

- How much you drink
- How often you drink
- Your age
- Your health status
- Your family history

While drinking alcohol is itself not necessarily a problem—drinking too much can cause a range of consequences and increase your risk for a variety of problems.

Cocaine: Cocaine is a powerfully addictive stimulant drug. Cocaine increases levels of the natural chemical messenger *dopamine* in brain circuits controlling pleasure and movement. This flood of dopamine ultimately disrupts normal brain communication and causes cocaine's high.

Short-term effects include constricted blood vessels, nausea, faster heartbeat, extreme happiness and energy, irritability, and paranoia. Long-term effects include nosebleeds, severe bowel decay, higher risk of contracting HIV, hepatitis C, and other bloodborne diseases, malnourishment, restlessness, and severe paranoia with auditory hallucinations. A person can overdose on cocaine, which can lead to death.

Marijuana: Marijuana contains the mind-altering chemical THC and other related compounds. THC over-activates certain brain cell receptors, resulting in effects such as altered senses, changes in mood, impaired body movement, difficulty with thinking and problem-solving, and impaired memory and learning. Marijuana use can have a wide range of health effects, including hallucinations and paranoia, breathing problems, and possible harm to a fetus's brain in pregnant women. Marijuana use can cause some very uncomfortable side effects, such as anxiety and paranoia and, in rare cases, extreme psychotic reactions. Marijuana use can lead to a substance use disorder, which can develop into an addiction in severe cases.

Marijuana in Louisiana is legal only for medicinal use. Recreational possession of 14 grams or less is punishable by a fine of no more than $100. All marijuana use is still a criminal act under federal law. Use of marijuana by adults that might otherwise be permissible under Louisiana law may be subject to criminal penalty under applicable federal laws.

Hallucinogens and Dissociative Drugs: Hallucinogens and dissociative drugs—which have street names like acid, angel dust, and vitamin K—distort the way a user perceives time, motion, colors, sounds, and self. These drugs can disrupt a person’s ability to think and communicate rationally, or even to recognize reality, sometimes resulting in bizarre or dangerous behavior. Hallucinogens such as LSD, psilocybin, peyote, DMT, and ayahuasca cause emotions to swing wildly and real-world sensations to appear unreal, sometimes frightening. Dissociative drugs like PCP, ketamine, dextromethorphan, and *Salvia divinorum* may make a user feel out of control and disconnected from their body and environment. In addition to their short-term effects on perception and mood, hallucinogenic drugs are associated with psychotic-like episodes that can occur long after a person has taken the drug, and dissociative drugs can cause respiratory depression, heart rate abnormalities, and a withdrawal syndrome.

Methamphetamine: The abuse of methamphetamine—a potent and highly addictive stimulant—remains an extremely serious problem in the United States. The consequences of methamphetamine abuse are terrible for the individual—psychologically, medically, and socially. Abusing the drug can cause memory loss, aggression, psychotic behavior, damage to the cardiovascular system, malnutrition, and severe dental problems. Methamphetamine abuse has also been shown to contribute to increased transmission of infectious diseases, such as hepatitis and HIV/AIDS.

Reasonable Search:
To ensure that illegal drugs and alcohol do not enter or affect the school, John Jay Beauty College reserves the right to search all vehicles, containers, lockers, or other items on school property in furtherance of this Policy. Individuals may be requested to display personal property for visual inspection upon the School’s request. Searches will be conducted only where John Jay Beauty College has reason to believe that the student has violated the School’s Policy. Failure to consent to a search or display of

personal property for visual inspection will be grounds for discipline, up to and including termination from the program or denial of access to school premises. Searches of a student's personal property will take place only in the student's presence. All searches under this Policy will occur with the utmost discretion and consideration for the student involved. Individuals may be required to empty their pockets, but under no circumstances will a student be required to remove articles of clothing to be physically searched.

Student Assistance:
John Jay Beauty College holds all students accountable in terms of substance use but also supports getting help for students. Students who come forward voluntarily to identify that they have a substance problem will not be reprimanded. It is important for the student to come to an understanding regarding the extent of the problem in order to correct the problem and be able to avoid future usage in violation of the School's Policy. This is required in order to correct the problem and be able to avoid violating the School's Policy in the future. If the student is willing to actively engage in resolving the substance use problem, the School will refer the student to a Substance Abuse Professional for an assessment and possible outpatient counseling at the student's expense. If a leave of absence is requested, it must follow the Leave of Absence Policy as stipulated in the catalog. This leave will be conditioned upon receipt of reports from the treatment providers that the student is cooperating and making reasonable progress in the treatment program. The student will be permitted to return to school only if (s)he passes a drug /alcohol test and has satisfactory medical evidence that (s)he is fit for attendance.

This protection does not cover a student who confesses a problem after an incident or accident that requires a substance use test, or after being notified that a reasonable suspicion test is required.

Alcohol & Drug Prevention & Treatment

Treatment Options
If you're seeking treatment, you can call the Substance Abuse and Mental Health Services Administration's (SAMHSA's) National Helpline at 1-800-662-HELP (1-800-662-4357) or go to www.findtreatment.samhsa.gov for information on hotlines, counseling services, or treatment options in the state of Louisiana.

Important Contact Information
Louisiana's Addiction Hotlines: 1-866-210-1303

Hotlines:
Alcoholics Anonymous: 1-800-356-9996
American Council on Alcoholism Help Line: 1-800-527-5344
National Academy on Drug Abuse Hotline: 1-800-662-HELP (4357)
Cocaine Hotline: 1-800-COCAINE
National Council on Alcoholism 1-800-NCA-CALL

Additional information about drug and alcohol abuse, health risks, addiction and prevention can be accessed at the National Academy on Alcohol Abuse and Alcoholism (www.Academydrinkingprevention.gov) as well as the National Academy on Drug Abuse (www.drugabuse.gov/DrugPages/DrugsofAbuse.html).

Disciplinary Action:
Violation of the policy and laws referenced above by an employee or student will be grounds for disciplinary action up to and including termination or expulsion in accordance with applicable School policies. Violators may also be subject to local, state, and federal criminal laws. Disciplinary action taken against a student or employee of the School does not preclude the possibility of criminal charges being filed against that individual. The filing of criminal charges similarly does not preclude disciplinary action by

the School. Students or employees who believe disciplinary action was taken in error should follow the grievance procedures outlined in the student or employee handbook as appropriate.

Confidentiality:
All information, interviews, reports, statement memoranda and drug test results, written or otherwise, received by the John Jay Beauty College as part of this Drug and Alcohol Prevention Policy are confidential communications. Unless authorized by state laws, rules or regulations, the School will not release such information without a written consent form signed voluntarily by the person tested. Information on drug testing results will not be released unless such information or records are compelled by a court or a professional or occupational licensing board.

Biennial Review:
The School will review the drug and alcohol prevention program every two years on the odd number year. Any recommendations/data and or assistance available to substance abusers will be updated and distributed to all students and staff of John Jay Beauty College.

Overview of Federal Controlled Substance Penalties
The Controlled Substances Act (CSA) places all substances which were in some manner regulated under existing federal law into one of five schedules. This placement is based upon the substance's medical use, potential for abuse, and safety or dependence liability. The Act also provides a mechanism for substances to be controlled (added to or transferred between schedules) or decontrolled (removed from control). The procedure for these actions is found in Section 201 of the Act (21U.S.C. §811).

The CSA provides penalties for unlawful manufacturing, distribution, and dispensing of controlled substances. The penalties are basically determined by the schedule of the drug or other substance, and sometimes are specified by drug name, as in the case of marijuana. As the statute has been amended since its initial passage in 1970, the penalties have been altered by Congress. The following charts are an overview of the penalties for trafficking or unlawful distribution of controlled substances.

FEDERAL TRAFFICKING PENALTIES

<table>
<tr><th>DRUG/SCHEDULE</th><th>QUANTITY</th><th>PENALTIES</th><th>QUANTITY</th><th>PENALTIES</th></tr>
<tr><td>Cocaine (Schedule II)</td><td>500–4999 grams mixture</td><td rowspan="8">First Offense: Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual.

Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than $8 million if an individual, $50 million if not an individual.</td><td>5 kgs or more mixture</td><td rowspan="8">First Offense: Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than $10 million if an individual, $50 million if not an individual.

Second Offense: Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than $20 million if an individual, $75 million if not an individual.

2 or More Prior Offenses: Life imprisonment. Fine of not more than $20 million if an individual, $75 million if not an individual.</td></tr>
<tr><td>Cocaine Base (Schedule II)</td><td>28–279 grams mixture</td><td>280 grams or more mixture</td></tr>
<tr><td>Fentanyl (Schedule II)</td><td>40–399 grams mixture</td><td>400 grams or more mixture</td></tr>
<tr><td>Fentanyl Analogue (Schedule I)</td><td>10–99 grams mixture</td><td>100 grams or more mixture</td></tr>
<tr><td>Heroin (Schedule I)</td><td>100–999 grams mixture</td><td>1 kg or more mixture</td></tr>
<tr><td>LSD (Schedule I)</td><td>1–9 grams mixture</td><td>10 grams or more mixture</td></tr>
<tr><td>Methamphetamine (Schedule II)</td><td>5–49 grams pure or 50–499 grams mixture</td><td>50 grams or more pure or 500 grams or more mixture</td></tr>
<tr><td>PCP (Schedule II)</td><td>10–99 grams pure or 100–999 grams mixture</td><td>100 gm or more pure or 1 kg or more mixture</td></tr>
<tr><td colspan="5">PENALTIES</td></tr>
</table>

Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid) Flunitrazepam (Schedule IV)	Any amount 1 gram	First Offense: Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine $1 million if an individual, $5 million if not an individual. Second Offense: Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine $2 million if an individual, $10 million if not an individual.
Other Schedule III drugs	Any amount	First Offense: Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than $500,000 if an individual, $2.5 million if not an individual. Second Offense: Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than $1 million if an individual, $5 million if not an individual.
All other Schedule IV drugs	Any amount	First Offense: Not more than 5 yrs. Fine not more than $250,000 if an individual, $1 million if not an individual.
Flunitrazepam (Schedule IV)	Other than 1 gram or more	Second Offense: Not more than 10 yrs. Fine not more than $500,000 if an individual, $2 million if other than an individual.
All Schedule V drugs	Any amount	First Offense: Not more than 1 yr. Fine not more than $100,000 if an individual, $250,000 if not an individual. Second Offense: Not more than 4 yrs. Fine not more than $200,000 if an individual, $500,000 if not an individual.

FEDERAL TRAFFICKING PENALTIES—MARIJUANA

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than $10 million if an individual, $50 million if other than an individual.	Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than $20 million if an individual, $75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than $5 million if an individual, $25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than $20 million if an individual, $75million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine $1 million if an individual, $5 million if other than an individual.	Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine $2 million if an individual, $10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regard-less of weight) 1 to 49 marijuana plants;	Not more than 5 yrs. Fine not more than $250,000, $1 million if other than an individual.	Not more than 10 yrs. Fine $500,000 if an individual, $2 million if other than individual.
Hashish (Schedule I)	10 kg or less		
Hashish Oil (Schedule I)	1 kg or less		

*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to $20 million if an individual and $75 million if other than an individual.

Key Provisions of Louisiana Drug & Alcohol Laws

Louisiana State Law prohibits the consumption, possession, distribution, possession with intent to distribute, or manufacture of drugs described as controlled dangerous substances in the Louisiana Revised Statutes 40:964 Penalties for the distribution or possession with intent to distribute controlled dangerous subjects include imprisonment and/or monetary fines.

It is unlawful to sell alcoholic beverages to a person under twenty-one, and it is unlawful for any person under twenty-one to purchase or have public possession of any alcoholic beverage. It is also unlawful for any person, other than a parent, spouse, or legal guardian to purchase on behalf of a person under twenty-one any alcoholic beverage. A person under twenty-one who is convicted of purchasing or public possession of alcoholic beverages, or for purchasing alcoholic beverages on behalf of a minor, may have their driver's license restricted or suspended.

Notice of Federal Student Aid (FSA) Penalties for Drug Law Violations:
The Higher Education Opportunity Act (HEA) requires institutions to provide to every student upon enrollment a separate, clear and conspicuous written notice with information on the penalties associated with drug-related offenses under existing section 484(r) of the HEA. It also requires an institution to provide a timely notice to each student who has lost eligibility for any grant, loan, or work-study assistance as a result of penalties under 484(r)(1) of the HEA a separate clear, and conspicuous written notice that notifies the student of the loss of eligibility and advises the student of the ways in which to regain eligibility under section 484(r)(2) of the HEA. Students are hereby notified that federal guidelines mandate that a federal or state drug conviction can disqualify a student for Federal Student Aid funds. Convictions only count if they were for an offense that occurred during a period of enrollment for which the student was receiving Title IV aid—they do not count if the offense was not during such a period. Also, a conviction that was reversed, set aside, or removed from the student's record does not count, nor does one received when he/she was a juvenile, unless the student was tried as an adult.

The Higher Education Act of 1965 as amended (HEA) suspends aid eligibility for students who have been convicted under federal or state law of the sale or possession of drugs, if the offense occurred during a period of enrollment for which the student was receiving federal student aid (grants, loans, and/or work-study). If you have a conviction(s) for these offenses, call the Federal Student Aid Information Center at 1-800-4-FED-AID (1-800-433-3243) to complete the "Student Aid Eligibility Worksheet" to find out how this law applies to you.

If you have lost federal student aid eligibility due to a drug conviction, you can regain eligibility if you pass two unannounced drug tests conducted by a drug rehabilitation program that complies with criteria established by the U.S. Department of Education.

By completing the FAFSA, you may be eligible for nonfederal aid from states and private institutions even if ineligible for Federal Aid. If you regain eligibility during the award year, notify your financial aid administrator immediately. If you are convicted of a drug-related offense after you submit the FAFSA, you might lose eligibility for federal student aid, and you may be liable for returning any financial aid you received during a period of ineligibility.

School Flexibility:
John Jay Beauty College reserves the right to alter or amend any portion of this policy at any time without prior notice. The School reserves the right to alter or modify this policy in a given situation depending on the totality of the circumstances. Time periods stated herein for the performance of any act or provision of any notice by the School are for guidance only and failure of John Jay Beauty College to strictly meet any time frame provided herein shall not preclude the School from taking any action provided herein. Under no circumstances shall failure to perform any act within the time frames herein excuse or relieve any

student from his or her obligations or relieve any student from the consequences of any violation of this Policy.

JOHN JAY BEAUTY COLLEGE
SEXUAL HARASSMENT POLICIES & GRIEVANCE PROCEDURES

1. Introduction

John Jay Beauty College (the "School") is committed to providing a working and educational environment for all students, faculty and staff that is free from sex discrimination, including sexual harassment. Every member of the School community should be aware that the School is strongly opposed to sexual harassment, and that such behavior is prohibited by state and federal laws.

The School does not discriminate on the basis of sex in its educational, extracurricular, or other programs or in the context of employment. Sex discrimination is prohibited by Title IX of the Education Amendments of 1972, a federal law that provides:

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.

As part of the School's commitment to providing a working and learning environment free from sexual harassment, this Policy shall be disseminated widely to the School community through publications, the School website, new employee orientations, student orientations, and other appropriate channels of communication. The School provides training to key staff members to enable the School to handle any allegations of sexual harassment promptly and effectively. The School will respond promptly to all reports of sexual harassment, and will take appropriate action to prevent, to correct, and if necessary, to discipline behavior that violates this policy.

2. Scope of the Policy

This Policy governs sexual harassment that occurs in the School's education programs or activities. This Policy applies to all students, employees, and third parties conducting business with the School, regardless of the person's gender, gender identity, sexual orientation, age, race, nationality, class status, ability, religion or other protected status. The School encourages victims of sexual harassment 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, the School will seek to respect a victim's request for confidentiality to the extent possible, while remaining ever mindful of the victim's well-being.

3. Prohibited Conduct

Sexual harassment comprises a broad range of behaviors focused on sex that may or may not be sexual in nature. Sexual harassment includes a School employee conditioning the provision of a School aid, benefit, or service on an individual's participation in unwelcome sexual conduct. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School's education programs or activities also constitutes sexual harassment. Sexual assault, stalking, domestic violence, and dating violence are all forms of sexual harassment. Retaliation following an incident of alleged sexual harassment or attempted sexual harassment is strictly prohibited. The definitions for specific acts of sexual harassment can be found in the Definitions of Key Terms at the end of this Policy statement.

Sexual harassment 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 harassment.**

4. Options for Assistance Following an Incident of Sexual Harassment

The School strongly encourages any victim of sexual harassment to seek immediate assistance. Seeking prompt assistance may be important to ensure a victim's physical safety or to obtain medical care. The

School strongly advocates that a victim of sexual harassment report the incident in a timely manner. Time is a critical factor for evidence collection and preservation.

Reporting Incidents of Sexual Harassment.
Victims of sexual harassment may file a report with the Kenner Police Department. Victims may also file a report with the School's Title IX Coordinator. More information about reporting an incident of sexual harassment can be found in Section 6 of this Policy, below.

The School will respond promptly when it has actual knowledge of sexual harassment in its education programs or activities. The Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures as described below, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. The School will also provide the complainant with written notification about assistance available both within the School community and without.

A complainant may choose for the investigation to be pursued through the criminal justice system and/or through the School's disciplinary procedures by filing a formal complaint as describe in this Policy. 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 Title IX Coordinator will guide the complainant through the available options and support the complainant in his or her decision.

Supportive Measures.
The School's Title IX Coordinator will work with all students affected by sexual harassment to ensure their safety and support their wellbeing. This assistance may include providing supportive measures to support or protect a student after an incident of sexual harassment and while an investigation or disciplinary proceeding is pending. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the School's education programs and activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the School's educational environment, or deter sexual harassment.

Supportive measures may include:
- counseling,
- extensions of deadlines or other course-related adjustments,
- modifications of work or class schedules,
- campus escort services,
- mutual restrictions on contact between the parties,
- changes in work locations,
- leaves of absence,
- increased security and monitoring of certain areas of the campus, and
- other similar measures.

The School will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the School to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The measures needed by each student may change over time, and the Title IX Coordinator will communicate with each student throughout any investigation to ensure that any supportive measures are necessary and effective based on the students' evolving needs. Students who report an incident of sexual harassment may also be able to obtain a formal protection order from a civil or criminal court. The School

will work with the student and the applicable court to assist in the enforcement of any such protective orders.

Support Services Available.
Counseling, advocacy, and support services are available for complainants, whether or not a complainant chooses to make an official report or participate in the School's disciplinary or criminal process. *John Jay Beauty College does not provide counseling or health care services. Personal counseling offered by the School will be limited to initial crisis assessment and referral.*

Sexual harassment crisis and counseling options are available locally and nationally through a number of agencies, including:

National Resources:

National Sexual Assault Hotline: 800-656-4673
National Domestic Violence Hotline: 800-799-7233
National Institute of Mental Health: www.nimh.nih.gov
Substance Abuse and Mental Health Administration: www.samhsa.gov/find-help/national-helpline, 1-800-662-HELP (4357)

Local Resources:

New Orleans Family Justice Center: 504-266-9554

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 harassment 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 an School or police investigation.

5. Title IX Coordinator
The School's Title IX Coordinator is responsible for monitoring and overseeing the School's compliance with Title IX and the prevention of sexual harassment and discrimination. The Title IX Coordinator is:

- Knowledgeable and trained in School policies and procedures and relevant state and federal laws;
- Available to advise any individual, including a complainant, respondent, or a third party, about School and community resources and reporting options;
- Available to provide 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 timeframes; 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 School's Title IX Coordinator:

Shelly Laiche, Comptroller
2844 Tennessee Ave.
Kenner, LA 70062
Phone: (504) 467-2774 ext. 12
Email: sclaiche@johnjaybeauty.com

6. Reporting Policies and Protocols

John Jay Beauty College strongly encourages all members of the School community to report information about any incident of sexual harassment as soon as possible. Reports can be made either to the School and/or to law enforcement.

Reporting to the School

An incident of sexual harassment may be reported to the School's Title IX Coordinator, the School's Owner, or to the School Director. No other School officials or employees have the authority to institute corrective measures under these Policies and Procedures on behalf of the School. The School will not be deemed to have actual knowledge of alleged sexual harassment unless the School's Title IX Coordinator, Owner, or School Director possess such knowledge. Reports of sexual harassment to School officials or employees other than the Title IX Coordinator, Owner, or the School Director will not confer actual knowledge to the School of such allegations, unless the Title IX Coordinator, Owner, or School Director subsequently obtain such actual knowledge.

If the School's Title IX Coordinator is the alleged perpetrator of the sexual harassment, the report should be submitted to the School Director and vice versa. 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.

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed in Section 6 for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator or the School Director receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator.

While there is no time limit for reporting, reports of sex discrimination or harassment should be brought forward as soon as possible. All incidents should be reported even if significant time has elapsed, but prompt reporting will better enable the School to respond, investigate, provide an appropriate remedy, and impose discipline if appropriate. Note that if a complainant seeks to file a formal complaint for the School to initiate an investigation into allegations of sexual harassment, the complainant must be participating in or attempting to participate in the School's education programs or activities at the time of filing such formal complaint. The School is committed to supporting the rights of a person reporting an incident of sexual harassment to make an informed choice among options and services available.

The School 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 harassment, prevent its recurrence, and address its effects.

Reporting to Law Enforcement

An incident of sexual harassment 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, the School 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)

Reporting of Crimes & Annual Security Reports

Campus safety and security are important issues at John Jay Beauty College. 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 harassment under this Policy.

Each year the School prepares this report to comply with the Clery Act. The full text of this report can be located on the School's web site at johnjaybeautycollege.com. his report is prepared in cooperation with the local law enforcement agencies around our campus. Each year notification is made to all enrolled students and employees that provides the web site to access this report. Copies of the report may also be obtained in person from the School Director or by calling 504-467-2774. All prospective employees may also obtain a copy from the School Director.

Timely Warnings & Emergency Notifications
In the event that a situation arises, either on or off campus, that, in the judgment of the School Director constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued. The School Director will immediately notify the School community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring at the School, unless issuing a notification will compromise efforts to contain the emergency. The warning will be issued through the most effective and efficient means available and may include instant messaging to students and School employees. Notices may also be posted in the common areas throughout the School. Anyone with information warranting a timely warning or emergency notification should report the circumstances to the School Director by phone at 504-467-2774 or in person at the School. The School will provide adequate follow-up information to the community as needed.

Third-Party and Anonymous Reporting
In cases where sexual harassment is reported to the Title IX Coordinator or School Director 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
The School prohibits retaliation against any individual for the purpose of interfering with any right or privilege secured by Title IX or, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation, proceeding, or hearing. The School will take strong responsive action if retaliation occurs. Any incident of retaliation should be promptly reported to the Title IX Coordinator or the School Director.

Except as may otherwise be required by law, the School will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness.

Charging an individual with a violation of the School's code of conduct for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Coordination With Drug Free School Policy
Students may be reluctant to report instances of sexual harassment because they fear being disciplined pursuant to the School's alcohol or drug policies. The School encourages students to report all instances of sexual harassment and will take into consideration the importance of reporting sexual harassment in addressing violations of the School's alcohol and drug policies. This means that, whenever possible, the

School will respond educationally rather than punitively to student alcohol or drug policy violations associated with reported sexual harassment.

7. School Policy on Confidentiality
The School encourages victims of sexual harassment 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 harassment. The School encourages victims to talk to someone identified in one or more of these groups.

Privileged and 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. *The School does not provide professional or pastoral counseling, but can assist a victim of sexual harassment in obtaining support services from these groups or agencies*. Contact information for these support organizations is listed in Section 4 of this Policy.

NOTE: While these professional and pastoral counselors and advocates may maintain a victim's confidentiality vis-à-vis the School, they may have reporting or other obligations under state law.

ALSO NOTE: If the School determines that the alleged perpetrator(s) pose a serious and immediate threat to the School community, the School's School 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 a Designated School Official
A "designated School official" is a School employee who has the authority to School corrective measures on behalf of the School upon actual notice of sexual harassment.

A designated School official will report to the Title IX coordinator all relevant details about the alleged sexual harassment shared by the complainant – including the names of the complainant and respondent, any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

To the extent possible, information reported to a designated School official will be shared only with people responsible for handling the School's response to the report. Designated School officials should not share information with law enforcement without the complainant's consent or unless the complainant has also reported the incident to law enforcement.

In addition to the Title IX Coordinator, the School's designated School officials include the School Owner and the School Director.

Before a complainant reveals any information to a designated School official, the official should ensure that the complainant understands the official's reporting obligations – and, if the complainant wants to maintain confidentiality, direct the complainant to confidential resources.

If the complainant wants to tell the designated School official what happened but also maintain confidentiality, the official should tell the complainant that the School will consider the request but cannot guarantee that the School will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the official will also inform the Coordinator of the complainant's request for confidentiality.

Designated School officials will not pressure a complainant to request confidentiality, but will honor and support the complainant's wishes, including for the School to fully investigate an incident. By the same token, designated School officials will not pressure a complainant to make a formal complaint and initiate a School investigation if the complainant is not ready to do so.

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

Reporting to Title IX Coordinator
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 complainant's consent or unless the complainant has also reported the incident to law enforcement.

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

The Title IX Coordinator will not pressure a complainant to request confidentiality, but will honor and support the complainant's wishes, including for the School to fully investigate an incident. By the same token, the Title IX Coordinator will not pressure a complainant to make a formal complaint and initiate a School investigation if the complainant is not ready to do so.

Requesting Confidentiality: How the School Will Weigh the Request and Respond.
If a complainant 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, the School must weigh that request against the School's obligation to provide a safe, non-discriminatory environment for all students, including the complainant.

If the School honors the request for confidentiality, a complainant must understand that the School's ability to investigate the incident and pursue disciplinary action against the respondent will be limited. A complainant may provide the Title IX Coordinator with confidential knowledge of alleged sexual harassment and receive supportive measures from the School without the complainant filing a formal complaint and initiating an investigation. Although rare, there are times when the School may not be able to honor a complainant'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 complainant'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 respondent will commit additional acts of sexual harassment or other violence, such as:
    - whether there have been other sexual harassment complaints about the same respondent;
    - whether the respondent has a history of arrests or records from a prior School indicating a history of violence;
    - whether the respondent threatened further sexual harassment or other violence against the complainant or others;
    - whether the sexual harassment was committed by multiple respondents;

- Whether the sexual harassment was perpetrated with a weapon;
- Whether the complainant is a minor;
- Whether the School possesses other means to obtain relevant evidence of the sexual harassment (e.g., security cameras or personnel, physical evidence);
- Whether the complainant'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 the Title IX Coordinator to file a formal complaint to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the School will likely respect the complainant's request for confidentiality.

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

- assist the complainant 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 respondent pending the outcome of an investigation) or adjustments for assignments or tests; and
- inform the complainant of the right to report a crime to local law enforcement – and provide the complainant with assistance if the complainant wishes to do so.

The School may not require a complainant to participate in any investigation or disciplinary proceeding.

Because the School is under a continuing obligation to address the issue of sexual harassment campus-wide, reports of sexual harassment (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 harassment occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/ victimization surveys; and/or revisiting its policies and practices.

If the School determines that it can respect a complainant's request for confidentiality, the School will also take action as necessary to protect and assist the complainant. This includes the Title IX Coordinator promptly contacting the complainant to discuss the availability of supportive measures. A complainant's request for confidentiality will limit the School's ability to investigate a particular matter. The School may take steps to limit the effects of the alleged sexual harassment and prevent its recurrence without initiating formal action against the respondent or revealing the identity of the student complainant. Examples include: providing increased monitoring, supervision, or security at locations or activities where the harassment occurred; providing training and education materials for students and employees; revising and publicizing the School's policies on sexual harassment; and conducting climate surveys regarding sexual harassment.

Off-campus Counselors and Advocates. Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with the School unless the complainant requests the disclosure and signs a consent or waiver form. Contact information for these off-campus resources can be found in Section 4 of this Policy.

8. Formal Complaint Investigation Procedures and Protocols

The School will investigate all formal complaints of sexual harassment. A formal complaint must be in writing filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the School investigate the allegation of sexual harassment. A formal complaint form may be obtained from the Title IX Coordinator, although no particular form is required to submit a formal complaint so long as the complaint is in writing, signed by a complainant, alleges sexual harassment against a respondent, and requests an investigation. The School's Title IX Coordinator oversees the School's investigation, response to, and resolution of all reports of prohibited sexual harassment, and of related retaliation, involving students, faculty, and staff.

As soon as practicable after receiving a formal complaint, the Title IX Coordinator will make an initial assessment of the formal complaint to determine whether the formal complaint, on its face, alleges an act prohibited by this Policy. If the Title IX Coordinator determines the formal complaint states facts which, if true, could constitute sexual harassment in violation of this Policy, the Title IX Coordinator will proceed through the formal investigation process (see below). If the Title IX Coordinator determines the complainant's report does not state facts that, if true, could constitute a violation of this Policy, the Title IX Coordinator will communicate this determination in writing to the complainant. In such circumstances the complainant may still file a report with the federal Office for Civil Rights, the police, or seek available civil remedies through the judicial system. The complainant may also re-file the report with the School upon discovery of additional facts.

The School will dismiss a formal complaint if the conduct alleged in the formal complaint would not constitute sexual harassment under Title IX even if proved, did not occur in the School's education program or activity, or did not occur against a person in the United States. ***Such dismissal does not preclude action under another provision of the School's code of conduct***. The School may dismiss the formal complaint if a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint; the respondent is no longer enrolled or employed by the School; or specific circumstances prevent the School from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. The School will promptly send written notice of the dismissal and reasons therefor simultaneously to the parties.

Notice

Upon receipt of a formal complaint, the School will provide written notice of the School's grievance process to the parties who are known. The School will also provide the parties with notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice will include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice will inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence that is submitted to and/or collected by the School in connection with the investigation. The written notice will also inform the parties of any provision in the School's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the School decides to investigate allegations about the complainant or respondent that are not included in a prior notice provided to the parties, the School will provide notice of the additional allegations to the parties whose identities are known.

Voluntary Resolution

Voluntary resolution, when selected by all parties 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 safety and welfare of the School community. If all parties voluntarily agree to participate in an informal resolution that does not involve a full investigation and adjudication after receiving notice of a formal complaint and if the School determines that the particular formal complaint is appropriate for such a process, the School will facilitate an informal resolution to assist the parties in reaching a voluntary resolution. The School retains the discretion to determine which cases are appropriate for 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 harassment occurred; facilitating a meeting with the respondent with the complainant present; and any other remedy that can be tailored to the involved individuals to achieve the goals of the Policy.

Voluntary resolution may also include restorative principles that are designed to allow a respondent to accept responsibility for harassment and acknowledge harm to the complainant or to the School 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.

The School will not compel parties to engage in mediation or to participate in any particular form of informal resolution. 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 complaint.

In connection with any informal resolution process, the School will provide written notice to the parties disclosing the allegations and the requirements of the informal resolution process. The School will notify the parties that any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint. The School must obtain the parties' voluntary, written consent to the informal resolution process. The informal resolution process may not be utilized to resolve allegations that a School employee sexually harassed a student.

The time frame for completion of voluntary resolution may vary, but the School will seek to complete the process within 15 days of all the parties' request for voluntary resolution.

Formal Investigation Process
The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the School and not on the parties. The Title IX Coordinator is responsible for the investigation of a formal complaint. The Title IX Coordinator may designate a specially trained investigator (or team of investigators) to conduct the investigation.

The School's process for responding to, investigating, and adjudicating sexual harassment reports will continue during any law enforcement proceeding. The investigator may need to temporarily delay an investigation while the 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. The School will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate. Each party shall have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. The School will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

Time Frame for Investigation
Consistent with the goal to maximize educational opportunities and minimize the 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 a formal complaint from the complainant or the Title IX Coordinator of the request to proceed with an investigation. Adjudication will generally take up to 30 days from the date the investigative report is provided to both 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 absences or delays by the parties, the need for language assistance or accommodation of disabilities, account for School breaks or 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 timeframes, and the reason for the extension, will be shared simultaneously 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, the School will take prompt steps to protect complainants pending the final outcome of an investigation, including the provision of supportive measures to the complainant and/or the respondent. The School may remove a respondent from the School's education programs or activities on an emergency basis, provided that the School undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. The School may place a non-student employee respondent on administrative leave during the pendency of a grievance process.

The School will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the School does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the School will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report. The School will make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination

Investigation Report
The investigator will prepare an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to a hearing, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. Such report will include a statement of the allegations and issues, the positions of the complainant and respondent, a summary of the evidence (including from interviews and documentation gathered), an explanation why any proffered evidence was not investigated, assessment of individual credibility, and findings of fact and an analysis of whether a violation of the Policy has occurred. The investigator 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 the investigator must be convinced based on the information it considers that the respondent was more likely than not to have engaged in the conduct at issue in order to find the respondent responsible for violating the Policy. The complainant and respondent will be simultaneously notified of the completion of the investigation and provided with the investigator's report.

9. Grievance/Adjudication Procedures

Hearing Panel
The School 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.

The hearing panel will consist of any number of one to three members, as determined by the Title IX Coordinator. The Title IX Coordinator will designate the members of the hearing panel but will not serve as a panel member. The investigator responsible for the School's investigation of the formal complaint may not serve as a panel member. The 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 School utilizes technology enabling the panel members and parties to simultaneously see and hear the party or witness answering questions. 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 harassment. The complainant and respondent will be informed of the panel's membership before the hearing process begins. A complainant and/or respondent may challenge the participation of a panel member because of perceived conflict of interest, bias, or prejudice. Such challenges, including rationale, must be made to the Title IX Coordinator at least three days prior to the commencement of the hearing. At its discretion, the Title IX Coordinator will determine whether such a conflict of interest exists and whether a panel member should be replaced. Postponement of a hearing may occur if a replacement panelist cannot be immediately identified.

Advisors
Both the complainant and the respondent are entitled to be accompanied to any meeting or proceeding relating to the allegation of sexual harassment 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 Submissions
Both the complainant and respondent will have the opportunity to submit written responses to the investigation report and other relevant information to the hearing panel. Each of the complainant and 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 submissions.

Hearing Procedures
The Title IX Coordinator will give the complainant and respondent at least 10 days' advance notice of the hearing. The Title IX Coordinator may 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 School personnel may be present during the proceeding. The School Director 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 and 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 virtually, with technology enabling the participants simultaneously to see and hear each other.
- In cases where either the complainant or respondent opts not to participate in the hearing, the panel may still hear from the other.
- Additional hearing rules include:
    - Cross Examination. At the hearing, the hearing panel shall permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally.
    - At the request of either party, the School will provide for the hearing to occur with the parties located in separate rooms with technology enabling the hearing panel members and parties to simultaneously see and hear the party or the witness answering questions.
    - Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the hearing panel must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.
    - If a party does not have an advisor present at the live hearing, the School will provide without fee or charge to that party, an advisor of the School's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.
    - Information Regarding Romantic or Sexual History. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The existence of a prior consensual dating or sexual relationship between the complainant and respondent by itself does not support an inference of consent to alleged sexual harassment.
    - 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.
    - The hearing panel may consider statements made by parties or witnesses, even if those parties or witnesses do not participate in cross-examination at the live hearing, in reaching a determination regarding responsibility.
    - The School will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
    - Live hearings may be conducted with all parties physically present in the same geographic location or, at the School's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

The School will create an audio or audiovisual recording, or transcript, of any hearing and make it available to the parties for inspection and review. The panelists may request a copy or 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 hearing panel will issue a written determination regarding responsibility. 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 the 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 written determination within 10 days after the conclusion of a hearing.

The panel's written determination will include:

a) Identification of the allegations potentially constituting sexual harassment;
b) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
c) Findings of fact supporting the determination;
d) Conclusions regarding the application of the School's code of conduct to the facts;
e) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the School imposes on the respondent, and whether remedies designed to restore or preserve equal access to the School's education program or activity will be provided by the School to the complainant; and
f) The School's procedures and permissible bases for the complainant and respondent to appeal.

The parties will be informed of the results of the adjudication hearing by simultaneous written notice to both parties of the outcome of the formal complaint. The determination regarding responsibility becomes final either on the date that the School provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

10. Sanctions and Other Remedies
The hearing panel shall be responsible for imposing sanctions that are:

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

No disciplinary sanctions or other actions that are not supportive measures will be imposed against a respondent until the completion of the School's grievance procedures, including any applicable appeal.

The hearing panel will consider relevant factors, including if applicable: (1) the specific sexual harassment 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 the School community; and (7) the respondent's conduct during the disciplinary process. The sanctioning decision will be communicated in writing to the complainant and the respondent as part of the hearing panel's written determination.

The School 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 School 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 School employment
- Suspension (limited time or indefinite)
- Expulsion

In addition to any other sanction (except where the sanction is expulsion), the School 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 harassment violation at issue. The School 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 supportive measures and the Title IX Coordinator will determine whether such supportive measures are appropriate. Potential ongoing supportive measures include:

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

The School 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 the School community may include:

- Increased monitoring, supervision, or security at locations or activities where the harassment occurred
- Additional training and educational materials for students and employees
- Revision of the School's policies relating to sexual harassment
- Climate surveys regarding sexual harassment

11. Appeals

Either the respondent or the complainant or both may appeal from a determination regarding responsibility, and from a recipient's dismissal of a formal complaint or any allegations therein, on the following bases:

1. A procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time of the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, investigator(s), or hearing panel member(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

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

The decision maker(s) for the appeal may not be the same person as the hearing panel members, the

investigator(s), or the Title IX Coordinator. The appealing party must submit the appeal in writing to the School within seven days after receiving the written determination regarding responsibility. 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 party may submit a written response within seven days after notice of an appeal.

If the decision-maker concludes that a change in the hearing panel's determination is warranted, the School may enter a revised determination, reconvene the panel to reconsider the determination, or return the matter for additional investigation. If both the complainant and respondent appeal, the appeals will be considered concurrently.

The decision maker will issue a written decision describing the result of the appeal and the rationale for the result, and provide the written decision simultaneously to both parties. Appeals decisions will be rendered within 15 days after the receipt of the written appeal. All appeal decisions are final.

12. Records Disclosure & Recordkeeping

Disciplinary proceedings conducted by the School are subject to the Family Educational Records and Privacy Act (FERPA), a federal law governing the privacy of student information. FERPA generally limits disclosure of student information outside the School 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.

Additional information about FERPA can be found on the School's website at johnjaybeautycollege.com.

The School will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the School against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

The School will maintain for a period of not less than seven years records of –

a) Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript from a hearing conducted in response to a formal complaint, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the School's education programs or activities;
b) Any appeal and the result therefrom;
c) Any informal resolution and the result therefrom; and
d) All materials used to train Title IX Coordinators, investigators, hearing panel members, decision-makers, and any person who facilitates an informal resolution process. The School will make these training materials publicly available on its website.

The School will create and maintain for a period of not less than seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the School will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the School's education program or activity. If a School does not provide a complainant with supportive measures, then the School will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the School in the future from providing additional explanations or detailing

additional measures taken.

13. Education and Prevention Programs

As set forth in Section 3 of this Policy statement, Sexual Assault, Sexual Harassment, Dating Violence, Domestic Violence, and Stalking are all forms of Prohibited Conduct.

The School is committed to offering educational programs to promote awareness and prevention of Prohibited Conduct. Educational programs include an overview of the School's 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.

As part of the School's commitment to provide an educational and work environment free from Prohibited Conduct, this Policy will be disseminated widely to the School community through e-mail communication, publications, websites, new employee orientations, student orientations, and other appropriate channels of communication.

The Title IX Coordinator, investigators, hearing panel members, and anyone else who is involved in responding to, investigating, or adjudicating sexual harassment 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 harassment.

Definitions of Sexual Misconduct under Louisiana Law

Louisiana laws provide the following definitions with respect to incidents of sexual assault:

La. Rev. Stat. Ann. §14.41. Rape; defined
A. Rape is the act of anal, oral, or vaginal sexual intercourse with a male or female person committed without the person's lawful consent.
B. Emission is not necessary, and any sexual penetration, when the rape involves vaginal or anal intercourse, however slight, is sufficient to complete the crime.
C. For purposes of this Subpart, "oral sexual intercourse" means the intentional engaging in any of the following acts with another person:
(1) The touching of the anus or genitals of the victim by the offender using the mouth or tongue of the offender.
(2) The touching of the anus or genitals of the offender by the victim using the mouth or tongue of the victim.

La. Rev. Stat. Ann. §42. First degree rape
A. First degree rape is a rape committed upon a person sixty-five years of age or older or where the anal, oral, or vaginal sexual intercourse is deemed to be without lawful consent of the victim because it is committed under any one or more of the following circumstances:
(1) When the victim resists the act to the utmost, but whose resistance is overcome by force.
(2) When the victim is prevented from resisting the act by threats of great and immediate bodily harm, accompanied by apparent power of execution.
(3) When the victim is prevented from resisting the act because the offender is armed with a dangerous weapon.
(4) When the victim is under the age of thirteen years. Lack of knowledge of the victim's age shall not be a defense.
(5) When two or more offenders participated in the act.
(6) When the victim is prevented from resisting the act because the victim suffers from a physical or mental infirmity preventing such resistance.

La. Rev. Stat. Ann. §42.1. Second degree rape
A. Second degree rape is rape committed when the anal, oral, or vaginal sexual intercourse is deemed to be without the lawful consent of the

victim because it is committed under any one or more of the following circumstances:
(1) When the victim is prevented from resisting the act by force or threats of physical violence under circumstances where the victim reasonably believes that such resistance would not prevent the rape.
(2) When the victim is incapable of resisting or of understanding the nature of the act by reason of stupor or abnormal condition of the mind produced by a narcotic or anesthetic agent or other controlled dangerous substance administered by the offender and without the knowledge of the victim.

La. Rev. Stat. Ann.§43. Third degree rape
A. Third degree rape is a rape committed when the anal, oral, or vaginal sexual intercourse is deemed to be without the lawful consent of a victim because it is committed under any one or more of the following circumstances:
(1) When the victim is incapable of resisting or of understanding the nature of the act by reason of a stupor or abnormal condition of mind produced by an intoxicating agent or any cause and the offender knew or should have known of the victim's incapacity.
(2) When the victim, through unsoundness of mind, is temporarily or permanently incapable of understanding the nature of the act and the offender knew or should have known of the victim's incapacity.
(3) When the victim submits under the belief that the person committing the act is someone known to the victim, other than the offender, and such belief is intentionally induced by any artifice, pretense, or concealment practiced by the offender.
(4) When the offender acts without the consent of the victim.

La. Rev. Stat. Ann. §43.1. Sexual battery
A. Sexual battery is the intentional touching of the anus or genitals of the victim by the offender using any instrumentality or any part of the body of the offender, directly or through clothing, or the touching of the anus or genitals of the offender by the victim using any instrumentality or any part of the body of the victim, directly or through clothing, when any of the following occur:
(1) The offender acts without the consent of the victim.
(2) The victim has not yet attained fifteen years of age and is at least three years younger than the offender.
(3) The offender is seventeen years of age or older and any of the following exist:
(a) The act is without consent of the victim, and the victim is prevented from resisting the act because either of the following conditions exist:
(i) The victim has paraplegia, quadriplegia, or is otherwise physically incapable of preventing the act due to a physical disability.
(ii) The victim is incapable, through unsoundness of mind, of understanding the nature of the act, and the offender knew or should have known of the victim's incapacity.
(b) The act is without consent of the victim, and the victim is sixty-five years of age or older.

Louisiana law provides the following definitions with respect to Stalking:

La. Rev. Stat. Ann. §40.2. Stalking
A. Stalking is the intentional and repeated following or harassing of another person that would cause a reasonable person to feel alarmed or to suffer emotional distress. Stalking shall include but not be limited to the intentional and repeated uninvited presence of the perpetrator at another person's home, workplace, school, or any place which would cause a reasonable person to be alarmed, or to suffer emotional distress as a result of verbal, written, or behaviorally implied threats of death, bodily injury, sexual assault, kidnapping, or any other statutory criminal act to himself or any member of his family or any person with whom he is acquainted.

La. Rev. Stat. Ann. §40.3. Cyberstalking
A. For the purposes of this Section, the following words shall have the following meanings:
(1) "Electronic communication" means any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature, transmitted in whole or in part by wire, radio, computer, electromagnetic, photoelectric, or photo-optical system.
(2) "Electronic mail" means the transmission of information or communication by the use of the Internet, a computer, a facsimile machine, a pager, a cellular telephone, a video recorder, or other electronic means sent to a person

identified by a unique address or address number and received by that person.
B. Cyberstalking is action of any person to accomplish any of the following:
(1) Use in electronic mail or electronic communication of any words or language threatening to inflict bodily harm to any person or to such person's child, sibling, spouse, or dependent, or physical injury to the property of any person, or for the purpose of extorting money or other things of value from any person.
(2) Electronically mail or electronically communicate to another repeatedly, whether or not conversation ensues, for the purpose of threatening, terrifying, or harassing any person.
(3) Electronically mail or electronically communicate to another and to knowingly make any false statement concerning death, injury, illness, disfigurement, indecent conduct, or criminal conduct of the person electronically mailed or of any member of the person's family or household with the intent to threaten, terrify, or harass.
(4) Knowingly permit an electronic communication device under the person's control to be used for the taking of an action in Paragraph (1), (2), or (3) of this Subsection.

Louisiana laws provided the following definitions with respect to Domestic Violence and Dating Violence:

La. Rev. Stat. Ann. §35.3. Domestic abuse battery
A. Domestic abuse battery is the intentional use of force or violence committed by one household member or family member upon the person of another household member or family member.
B. For purposes of this Section:
** * **
(4) "Family member" means spouses, former spouses, parents, children, stepparents, stepchildren, foster parents, and foster children.
(5) "Household member" means any person presently or formerly living in the same residence with the offender and who is involved or has been involved in a sexual or intimate relationship with the offender, or any child presently or formerly living in the same residence with the offender, or any child of the offender regardless of where the child resides.
(6) "Serious bodily injury" means bodily injury that involves unconsciousness, extreme physical pain, or protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty, or a substantial risk of death.

As enacted by the Louisiana State Legislature, the purpose of the Domestic Abuse Assistance Act (La. Rev. Stat. Ann. §46.2131) (hereinafter referred to as the "Act") is to recognize and address the complex legal and social problems created by domestic violence. The legislature finds that existing laws which regulate the dissolution of marriage do not adequately address problems of protecting and assisting the victims of domestic abuse. The legislature further finds that previous societal attitudes have been reflected in the policies and practices of law enforcement agencies and prosecutors which have resulted in different treatment of crimes occurring between family members, household members, or dating partners and those occurring between strangers. It is the intent of the legislature to provide a civil remedy for domestic violence which will afford the victim immediate and easily accessible protection. Furthermore, it is the intent of the legislature that the official response of law enforcement agencies to cases of domestic violence shall stress the enforcement of laws to protect the victim and shall communicate the attitude that violent behavior is not excused or tolerated.

Under the Act:

"Domestic abuse" includes but is not limited to physical or sexual abuse and any offense against the person, physical or non-physical, as defined in the Criminal Code of Louisiana, except negligent injury and defamation, committed by one family member, household member, or dating partner against another. "Domestic abuse" also includes abuse of adults as defined in R.S. 15:1503 when committed by an adult child or adult grandchild. La. Rev. Stat. Ann. §46.2132(3)

"Family members" means spouses, former spouses, parents and children, stepparents, stepchildren, foster parents, and foster children. "Household members" means any person presently or formerly living in the same residence with the defendant and who is involved or has been involved in a sexual or

intimate relationship with the defendant and who is seeking protection under the Act. "Dating partner" means any person protected from violence under R.S. 46:2151 who is seeking protection under the Act. If a parent or grandparent is being abused by an adult child, adult foster child, or adult grandchild, the provisions of the Act shall apply to any proceeding brought in district court. La. Rev. Stat. Ann. §46.2132(4)

"Dating partner" means any person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the following factors:
(1) The length of the relationship.
(2) The type of relationship.
(3) The frequency of interaction between the persons involved in the relationship. La. Rev. Stat. Ann. §46.2151(B)

"Dating violence" includes but is not limited to physical or sexual abuse and any offense against the person as defined in the Criminal Code of Louisiana, except negligent injury and defamation, committed by one dating partner against the other. La. Rev. Stat. Ann. §46.2151(C)

Bystander Intervention
The School'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 a 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 for safety. Ensure that all parties are safe, and whether the situation requires calling authorities. When deciding to intervene, your personal safety should be the #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 safely home.

Risk Reduction
The School'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 to 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 do not know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably is not 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 cab money.
- Do not allow yourself to be isolated with someone you do not trust or someone you do not 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. Please see Section 4 of this Policy for a list of support organizations.
- 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 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 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 does not 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. Do not be shy about directly asking the person if they need help or if they feel uncomfortable.
- Enlist others. You do not have to go it alone. Call in friends or other people in the area as 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 were not 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 a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately.
- Do not leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you have left your drink alone, just get a new one.
- Do not accept drinks from people you do not 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, do not 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 have had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

Information on Risk Reduction was provided by RAINN: Rape, Abuse & Incest National Network: www.rainn.org.

14. Amendments

The School may amend the Policy or the Procedures from time to time. Nothing in the Policy 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.

John Jay Beauty College
Sexual Harassment Policies & Grievance Procedures

Definitions of Key Terms

- Sexual Harassment - means conduct on the basis of sex that satisfies one or more of the following:
  1) An employee of the School conditioning the provision of an aid, benefit, or service of the School on an individual's participation in unwelcome sexual conduct;
  2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School's education programs or activities; or
  3) "Sexual assault," "dating violence," "domestic violence," or "stalking" as defined herein.

- Sexual Assault - An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Unified Crime Reporting ("UCR") program.
  - 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 the consent of the victim.
  - Sex Offenses - Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving 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.

- Domestic Violence - A felony or misdemeanor crime of violence committed (i) by a current or former spouse or intimate partner of the victim; (ii) by a person with whom the victim shares a child in common; (iii) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (iv) by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or (v) by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

- 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.

- "Education program or activity" includes locations, events, or circumstances over which the School exercises substantial control over both the respondent and the context in which the sexual harassment occurs. It includes all of the academic, educational, extra-curricular, and other programs of the School, whether they take place in the facilities of the School, at a class or training program sponsored by the School at another location, or elsewhere. An instructor's alleged sexual harassment of a student would likely constitute sexual harassment in the School's education programs or activities even if the alleged harassment occurs off campus. The School's

education programs and activities may also include computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of, the School.

- Prohibited Conduct – The School prohibits Sexual Assault, Sexual Harassment, Dating Violence, Domestic Violence, and Stalking as defined in these Definitions of Key Terms.

- Stalking - Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or suffer substantial emotional distress. 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 any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

- Retaliation – The School shall not, and no individual shall, intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under Title IX and/or this Policy. The exercise of rights protected under the First Amendment does not constitute retaliation. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation; provided, however, that a determination regarding responsibility alone is not sufficient to conclude that any party made a materially false statement in bad faith.

- Consent is a voluntary agreement to engage in sexual activity.
    - Past consent does not imply future consent.
    - Silence or an absence of resistance does not imply consent.
    - 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.

  Someone who is incapacitated cannot consent. Incapacitation refers to a situation in which a person is not capable of providing consent because the person lacks the ability to understand her or his decision. This situation may occur due to the use of drugs or alcohol, when a person is asleep or unconscious, or because of an intellectual or other disability that prevents the student from having the capacity to give consent.

- Complainant – means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

- Respondent – means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.