



Phagans' Beauty College (Phagans' Cosmetology Colleges)  
Phagans' Central Oregon Beauty College (Phagans' Cosmetology Colleges)  
Phagans' Grants Pass College of Beauty (Phagans' Cosmetology Colleges)  
Phagans' Medford Beauty School (Phagans' Cosmetology Colleges)  
Phagans' School of Beauty (Phagans' Cosmetology Colleges)

## Annual Campus Security and Title IX Policy September 2021

Phagans' Cosmetology Colleges (known hereafter as the school) is required to publish and distribute an annual security report by October 1 to all enrolled students and all employees. The availability of the report is made known to all prospective students and employees. This report, safety policies, title ix information is always available on the schools website in the consumer information and/or safety sections: <https://www.phagans-schools.com/consumer-information/> and/or on the safety resources page: <https://www.phagans-schools.com/safety-resources/>

This report contains crime statistics and various policy statements. These statements accurately reflect how the school's policies are currently implemented.

### **POLICY STATEMENTS:**

#### **Procedures for Reporting**

As states in the student catalog & handbook under the safety section, any person witnessing some form of criminal action or other emergency should report it to the director on duty at the school. The School Director will investigate the incident and report it to the local Police Department if appropriate. In addition, they will report the incident to at least one member of the corporate support team (VP/Director of Team Development & Director of Quality Assurance).

Community members, students, educators, staff, and visitors are encouraged to report all crimes, emergencies, and safety concerns to the School Director in a timely manner.

#### **Timely Warning Reports Regarding the Occurrence of *Clery Act* Crimes**

A timely warning will be issued by the School Director when a situation arises that in the judgment of the School Director constitutes an ongoing or continuing threat regarding the occurrence of *Clery Act* crimes. The warning will be issued in one or more of the following manner, depending upon the circumstances of the incident:

- By announcing it verbally in the school
- By text to student and staff
- By e-mail to educators and staff through their personal e-mail account

A timely warning will include the reported offense, the location of the reported offense, the date of the reported offense if known, a description of suspects if available, and any other information that would promote safety.

#### **Preparing the Annual Disclosure of Crime Statistics**

Each year before the Department of Education reporting website opens for registration, the VP requests that the schools admin requests the crime statistics information from the police and/or sheriff's departments for the geographical jurisdictions in which the schools are located. The information is compiled into the Annual Security Report Statistics section and entered appropriately into the Department's website for each school location. The report is distributed on or before October 1 each year, during the school's annual campus safety in-person meeting, posted on the school's student and team bulletin board, via announcement in LAB and via email, to current students and employees. It is also announced in person to new students and employees at Orientation sessions that are mandatory for new enrollees before starting class and new hires

before starting work.

These Annual Security Reports are posted on the institution's website at <https://www.phagans-schools.com/consumer-information/>

Lastly, the exact website to access any years report is posted online and throughout the campus on student and team bulletin boards: [www.ope.ed.gov/security](http://www.ope.ed.gov/security). This ensures any student, staff, and/or member of the public knows how to access the security reports for any school required to report for at least the prior three years.

### **Documenting Crimes and VAWA Violations**

Crimes occurring on campus are to be documented and logged on the Campus Crime Incident form (daily log) with a brief narrative sent to the corporate support team. VAWA (Violence Against Women Act) Crimes occurring on campus must be documented on the Campus Crime Incident form and have the complaint submitted to the Title IX Deputy to begin investigating the crime incident.

### **A crime, emergency, or safety concern may also be reported to the following campus officials:**

- School Director – Salem – email [salem@phagans-schools.com](mailto:salem@phagans-schools.com)
- School Director – Bend – email [bend@phagans-schools.com](mailto:bend@phagans-schools.com)
- School Director – Medford – email [medford@phagans-schools.com](mailto:medford@phagans-schools.com)
- School Director – Corvallis – email [corvallis@phagans-schools.com](mailto:corvallis@phagans-schools.com)
- School Director- Grants Pass - email [g\\_pass@phagans-schools.com](mailto:g_pass@phagans-schools.com)
- Corporate Support Team – all schools – email [comments@phagans-schools.com](mailto:comments@phagans-schools.com)
- If an emergency or imminent threat arises, call 911.
  
- Other crimes and safety concerns at the Salem campus should also be reported to the Marion County Sheriff's Department at 503-588-5094.
- Other crimes and safety concerns at the Bend campus should also be reported to the Bend Police Department at 541-322-2960.
- Other crimes and safety concerns at the Medford campus should also be reported to the Medford Police Department at 541-774-2250.
- Other crimes and safety concerns at the Corvallis campus should also be reported to the Corvallis Police Department at 541-766-6924.
- Other crimes and safety concerns at the Grants Pass campus should also be reported to the Grants Pass Department at 541-450-6260.
- Reports may also be made by calling 911 for any of the campus locations.

### **Voluntary and Confidential Reporting Procedures**

If you are the victim of a crime and do not want to pursue action through the School or the criminal justice system, you may still want to consider making a voluntary, 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 involving students, educators, staff, and visitors; determine where there is a pattern of crime with regard to a particular 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.

### **Security of and Access to Campus Facilities**

The School operates no on- or off-campus housing facilities.

During business hours, the School is open to students, parents, employees, prospective students,

clients, and guests. All facilities are locked during non-business hours. During these hours, only authorized personnel are permitted on the premises. During non-business hours, access to the School is by key and security code password if issued to an individual. The School Director, or authorized team member will unlock the premises and terminate the alarm each morning. Academic and administrative areas on campus are normally locked after business hours unless they are being used for legitimate evening or educational purposes. Each school facility is secured according to the schedule of the school (unless a weather or other event impacts the operations of the school hours). At least two employees assist with the school closure in the evening. The alarm system is a motion system alarm. If the system is activated, the police are summoned automatically.

### **Maintenance of Campus Facilities**

Throughout the year, maintenance (as part of the building landlord's common area maintenance) is performed daily/weekly/monthly at the schools. The maintenance crew and administrators survey the security issues such as parking lots, landscaping, lighting, security patrols and communications to make necessary changes when needed.

### **Campus Law Enforcement**

The School does not employ any private security personnel or have a campus police department. The individual schools work with their local law enforcement agency if an issue arises at the school. All incident reports involving students are forwarded to the School Director of each campus for review and potential disciplinary action. If assistance is required from other law enforcement, local fire departments, or other emergency agencies, the School Director will contact the appropriate unit.

No written MOUs are in place with local law enforcement agencies. Assistance is requested on an as-needed basis.

### **Accurate and Prompt Reporting of all Crimes**

Community members, students, educators, staff, and visitors are encouraged to report all crimes, emergencies, and safety concerns to the School Director in a timely manner.

### **Pastoral and Professional Counselors**

The School does not employ any pastoral or professional counselors. If deemed appropriate, students and staff are referred to outside professional agencies. A list of these agencies is available in the on the student bulletin boards in the school, as well as on the website under Assistance Resources: <https://www.phagans-schools.com/safety-resources/> and/or by calling 211, visiting 211info.org or texting your zip code to 898211.

The school, during orientation and during the annual campus safety meeting, reviews how to recognize signs of domestic abuse, and sexual violence. In addition, the school has an entire section on the website dedicated to safety resources > 'Organization to get help': <https://www.phagans-schools.com/safety-resources/>

### **Programs to inform students and employees about campus security procedures and practices for the prevention of crimes and to encourage students and employees to be responsible for their own security and the security of others**

The School has programs in place to inform students and employees about campus security procedures and practices. During monthly new-student orientation, new employee on-boarding and regular staff meetings as well as periodically in student assemblies, students and employees are informed about the importance of maintaining secure premises, including the following safety tips:

- Never walk alone to your car at night
- Don't let Technology make you unaware of your surroundings

- Always have emergency contacts on your device
- Carry a whistle and take a self-defense class
- If you see something, say something
- Be mindful of the image you project on social media platforms

**These are also outlined in the 'Safety Policies' section of the student catalog & handbook.**

*The purpose of these policies is to assure a safe college environment for students, staff and the public. Every campus Director will maintain an orderly school that adheres to these policies. Therefore, anyone who creates a situation that is deemed "unsafe," by a member of the college staff could face immediate expulsion from school. Students should immediately report any criminal activity or emergency situation to the nearest school employee. In many emergency situations, common sense must come into play. Emergency action plans and fire evacuation procedures are reviewed and practiced annually. School officials will make an immediate announcement and/or notify all students in attendance if a significant emergency arises that threatens personal safety. While each emergency situation would have its own procedures to best assure a safe environment there are some basic recommendations from law enforcement that are as follows:*

- 1. Call 911, at the same time, an announcement should be given by the school personnel if possible*
- 2. If the threat is outside the school, lock all doors and stay away from all windows.*
- 3. If the threat is inside the school, attempt to leave the threatened area, leave the building and/or retreat to a safe location, like an office or classroom. Lock and barricade the doors, stay away from all windows.*
- 4. Attempt to remain calm and wait for emergency services to arrive.*

*We encourage all students to be aware of their surroundings when walking to and from their chosen form of transportation when arriving to and departing from school. We encourage all of our students to walk in pairs/groups. Please inform the school Director if you have been a victim of a crime on or near the school premises. Many student safety resources can be found on our website at:*

<https://www.phagans-schools.com/safety-resources/>

Staff is also reminded that they can assist in crime prevention by ensuring that all doors are locked at the appropriate times. Also, they must report any suspicious situation to the Director on duty.

**Monitoring Criminal Activity at Off-Campus Locations**

The School operates no off-campus housing and does not recognize any off-campus student organizations.

**Possession, use and sale of alcoholic beverages and illegal drugs and enforcement of state and federal underage drinking and drug laws & Description of Drug or Alcohol Abuse Education Programs (this policy is also outlined in our Student Catalog & Handbook)**

The sale or use of alcohol and illegal drugs are not permitted at the school or its adjacent parking facilities. Anyone observed using illegal drugs and any underage alcoholic consumption should be reported to the School Director and will be referred to local police authorities. Drug and Alcohol Abuse Policy Our schools are committed to providing an environment that fosters excellence in learning for its students and in work performance for all of its employees. The misuse and illegal use of alcohol and/or other illegal drugs is contrary to this effort. In keeping with State and/or Federal laws and statutes, the illegal use, possession, distribution, manufacture or sale of alcohol and/or other drugs and/or being under the influence of alcohol and/or other drugs, including prescription drugs, that impair one's ability to function properly are not permitted on school grounds, on college controlled property or while representing the college on business or other college sponsored activities. This is also true for individuals with State issued medical marijuana cards. The use of tobacco products inside the college building is prohibited. Smoking tobacco is only allowed in outside designated smoking areas, in accordance with state law, 10 feet away from any public building. There shall be no consumption of alcohol on the premises. Any paraphernalia resembling alcohol, tobacco or drug use will be treated as such and is not allowed anywhere near the school premises as described above. In accordance with the

Drug-Free Workplace Act of 1988 (P.L. 100-69), the Drug-Free Schools and Communities Act of 1989 (P.L. 101226) and 34 code of Federal regulation Part 85, Subpart F, this institution is committed to maintaining a drug-free college and workplace. To the extent allowed by local, state and federal laws, this institution will impose disciplinary action against students and employees for violating these standards of conduct. These actions may include suspension, expulsion, termination of employment (for employees), referral for prosecution and/or required completion of a drug or alcohol rehabilitation or similar program. Students, be it known for your safety, that this institution, as required by federal regulation (34 CFR 85.635 and Appendix C), will report all employees convicted of a criminal drug offense occurring in the workplace to the US Dept. of Education. Consistent with these regulations, employees, as a condition of employment, are required to provide written notice to this institution of the conviction of or a criminal drug offense occurring at the workplace within five (5) days after that conviction. In addition to institution sanctions, students and employees convicted of the unlawful possession or distribution of illicit drugs or alcohol could face local, state and federal legal penalties, fines, imprisonment and the seizure of drug related assets.

Drug prevention and awareness programs, counseling, treatment, rehabilitation and other related services are available to students and employees through a number of national hot-lines as well as local agencies. Students and employees seeking assistance in overcoming a drug or alcohol related problems are encouraged to contact one of these organizations. You can also search the internet to receive additional information. Speaking with your family doctor, your church leader, and/or reaching out to your local chapter of Alcoholics Anonymous or Narcotics Anonymous is suggested for gathering treatment or referral information. The physical effects of drug abuse are extremely harmful to the user's health. For example, health problems associated with alcohol and drug abuse/addiction include, but are not limited to, a decrease in mental abilities, damage to vital organs, memory loss, social issues, loss of consciousness, respiratory arrest, as well as death. For additional information regarding referrals, please see a school administrator: Where you can find assistance:

- Alcohol & Drug Help Line 206-722-3700 or [www.adhl.org](http://www.adhl.org)
- Substance Abuse and Mental Health Services Administration 1-800-662-4357  
[www.samhsa.gov](http://www.samhsa.gov) or [www.findtreatment.samhsa.gov](http://www.findtreatment.samhsa.gov)
- Suicide Prevention Lifeline 1-800-273-8255 [www.suicidepreventionlifeline.org](http://www.suicidepreventionlifeline.org)

Oregon Health Authority Crisis Lines:

- Alcohol and Drug Help Line 1-800-923-4357
- Crisis Text Line: Text **OREGON** to **741741**

Because the access is web based, the students are assured that the information is always current.

**Disclosure to the complainant, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the respondent of the crime or offense**

The School will, upon written request, disclose to the complainant of a crime of violence (as that term is defined in 18 U.S.C. § 16), the results of any disciplinary proceeding against a student who is a respondent of such crime or offense. If the complainant of such crime or offense is deceased as a result of such crime or offense, the next of kin of such complainant will be treated as the complainant.

**Emergency Response and Evacuation Procedures All Campuses** – The school has established procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on a campus. These procedures provide for rapid notice to local law enforcement and administration to evaluate and confirm an emergency or dangerous situation and if confirmed, for school administrators to determine the appropriate campus to be notified and the content of the notification.

The school will, without delay, and taking into account the safety of the community, determine the content of emergency/dangerous situation notifications and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a complainant or to contain, respond to, or otherwise mitigate the emergency.

Fire alarm systems are present and active in all campus facilities. In the event of an emergency and/or fire alarm, occupants must evacuate from the building. It is helpful to have reviewed and practiced the building evacuation procedures prior to an evacuation. As a general guideline, stop working as soon as it is safe to do so and gather personal belongings, such as glasses, keys and purse or handbag. Use the nearest door with an EXIT sign to leave the building. Proceed to your designated assembly area, report for a head count and stay in the area until you receive direction from emergency responders or authorized staff.

Following are the titles of the persons responsible for carrying out the actions/procedures described in the above paragraphs: School Directors, School Administrators, School Educators, Local Law Enforcement Officers, Corporate Support Team.

The dissemination of emergency information to the larger community shall be coordinated by the Vice President and the School Directors in cooperation with local law enforcement agencies.

The School Director is responsible for testing the emergency response and evacuation procedures on at least an annual (calendar year). Documentation for each test shall include a description of the exercise, the date, the time, and whether the test was announced or unannounced. Such testing may include a review of procedures by the School Director and local law enforcement officers, meetings with responsible persons to review and walk-through procedures, and tests of communication equipment.

**Salem Campus** – 622 NE Lancaster Drive Salem, Or 97301 – This campus consists of a one-story building that is part of a strip outdoor shopping mall. Procedures provide for the school Director, educators/staff on site to evaluate and confirm an emergency or dangerous situation and if confirmed, to verbally provide notice to the campus, local law enforcement, and senior administration. The designated assembly area in the front of the school, in the far west section of the parking lot.

**Bend Campus** – 1310 NE Cushing Drive Bend, Or 97701 – This campus consists of a two-story building. Procedures provide for the school Director, educators/staff on site to evaluate and confirm an emergency or dangerous situation and if confirmed, to verbally provide notice to the campus, local law enforcement, and senior administration. The designated assembly area in the front of the school, in the far west or south sections of the parking lot.

**Medford Campus** – 2320 Poplar Drive Medford, Or 97504 – This campus consists of a one-story building that is part of a strip outdoor shopping mall. Procedures provide for the school Director, educators/staff on site to evaluate and confirm an emergency or dangerous situation and if confirmed, to verbally provide notice to the campus, local law enforcement, and senior administration. The designated assembly area in the front of the school, in the far west section of the parking lot.

**Corvallis Campus** – 1565 SW 53<sup>rd</sup> St Corvallis, Or 97333 – This campus consists of a one-story building that is part of a strip outdoor shopping mall. Procedures provide for the school Director, educators/staff on site to evaluate and confirm an emergency or dangerous situation and if confirmed, to verbally provide notice to the campus, local law enforcement, and senior administration. The designated assembly area in the front of the school, in the far north section of the parking lot.

**Grants Pass Campus** – 304 Agness Ave #F Grants Pass, Or 97526 – This campus consists of a one-story building that is part of a strip outdoor shopping mall. Procedures provide for the school Director, educators/staff on site to evaluate and confirm an emergency or dangerous situation and if confirmed, to verbally provide notice to the campus, local law enforcement, and senior administration. The designated assembly area in the front of the school, in the far south section of the parking lot.

### **Missing Student Notification**

The School does not have any on- or off-campus housing facilities. Therefore, we do have a missing student notification system.

### **Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault and Stalking**

The School prohibits the crimes of dating violence, domestic violence, sexual assault and stalking as those terms are defined for purposes of the *Clery Act*. New student orientation, new employee on-boarding programs and regular staff meetings, as well as student assemblies inform students and employees about the importance of maintaining awareness for the prevention of dating violence, domestic violence, sexual assault and stalking. All Directors/Title IX Coordinators receive annual mandatory anti-harassment training director, and Title IX training that includes information on the prevention and awareness of dating violence, domestic violence, sexual assault and stalking.

Student Bulletin boards have safety notices posted regarding dating violence, domestic violence, sexual assault and stalking.

In addition, the programs, definitions and training are always posted on the Consumer Information Title IX Safety Training:

- <https://www.phagans-schools.com/consumer-information/>

And on the Safety Resources section of the website: see Sexual Assault & Sexual Violence Resources

- <https://www.phagans-schools.com/safety-resources/>

## **Definitions**

### **Federal VAWA Definitions**

The following definitions are used for purposes of reporting dating violence, domestic violence, sexual assault and stalking under the *Clery Act* as amended by VAWA.

**Dating Violence** - Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant.

- 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 purposes of this definition –
  - (A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - (B) Dating violence does not include acts covered under the definition of domestic violence.

**Domestic Violence** – A felony or misdemeanor crime of violence committed –

- (A) By a current or former spouse or intimate partner of the complainant;
- (B) By a person with whom the complainant shares a child in common;
- (C) By a person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner;
- (D) By a person similarly situated to a spouse of the complainant under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
- (E) By any other person against an adult or youth complainant 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.

**Sexual Assault** – An offense that meets the definition of rape, fondling, incest, or statutory rape.

- 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 complainant.
- Fondling – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the complainant, including instances where the complainant is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- Incest – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape – Sexual intercourse with a person who is under the statutory age of consent.

**Stalking** – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to –

- (A) Fear for the person's safety or the safety of others; or
- (B) Suffer substantial emotional

distress. For the purposes of this definition –

- (A) "Course of conduct" means two or more acts, including, but not limited to, acts 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.
- (B) "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the complainant.
- (C) "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

### State Definitions

The following definitions reflect Oregon state law and may be different from the federal definitions above. The federal definitions are used for purposes of reporting crime statistics as mandated by the Clery Act as amended by VAWA. It is important to be aware of state law definitions that govern criminal proceedings.

- **Dating Violence** - Included within the definition of domestic violence as set forth in California Penal Code § 13700.
- **Domestic Violence** - The Oregon Revised Statutes define "domestic violence" in ORS 135.230 to mean abuse between family or household members. "Family or household members" means any of the following: Spouses, Former spouses, Adult persons related by blood or marriage, Persons cohabiting with each other, Persons who have cohabited with each other or who have been involved in a sexually intimate relationship, or Unmarried parents of a minor child. In Oregon, there is no single crime of domestic violence. The term is used to describe any number of crimes (assault, murder, burglary, harassment, menacing) that occur between family or household members. "**Abuse**" is defined as the occurrence of one or more of the following acts between family or household members: Attempting to cause or intentionally, knowingly, or recklessly causing bodily injury; Intentionally, knowingly, or recklessly placing another in fear of imminent bodily injury; or Causing another to engage in involuntary sexual relations by force or threat of force.
- **Sexual Assault** (Defined under the Clery Act to be an offense that meets the definition of rape, fondling, incest, or statutory rape): In Oregon these are defined under Oregon Revised Statutes 163.305-163.580 [https://www.oregonlegislature.gov/bills\\_laws/ors/ors163.html](https://www.oregonlegislature.gov/bills_laws/ors/ors163.html)
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Rape – ORS 163.355-163.375

A person who has sexual intercourse with another person commits the crime of rape in the

first degree if: The victim is subjected to forcible compulsion by the person; The victim is under 12 years of age; The victim is under 16 years of age and is the person's sibling, of the whole or half blood, the person's child or the person's spouse's child; or The victim is incapable of consent by reason of mental defect, mental incapacitation or physical helplessness. Rape in the first degree is a Class A felony. [1971 c.743 §111; 1989 c.359 §2; 1991 c.628 §3] The following definitions are relevant to this crime: "Sexual intercourse" has its ordinary meaning and occurs upon any penetration, however slight; emission is not required. "Forcible compulsion" means to compel by: (a) Physical force; or (b) A threat, express or implied, that places a person in fear of immediate or future death or physical injury to self or another person, or in fear that the person or another person will immediately or in the future be kidnapped. "Mentally defective" means that a person suffers from a qualifying mental disorder that renders the person incapable of appraising the nature of the conduct of the person. "Mentally incapacitated" means that a person is rendered incapable of appraising or controlling the conduct of the person at the time of the alleged offense. "Physically helpless" means that a person is unconscious or for any other reason is physically unable Last Updated: March 2020 to communicate unwillingness to an act. "Incapable of consent" means a person is considered incapable of consenting to a sexual act if the person is: (a) under 18; (b) mentally defective; (c) mentally incapacitated; or (d) physically helpless. Lack of verbal or physical resistance does not, by itself, constitute consent but may be considered by the trier of fact along with other relevant evidence. Oregon Revised Statutes further define Sexual Abuse ORS 163.760-163.777, Sexual Misconduct ORS 163.445, Incest ORS 163.525

• **Stalking – ORS 163.730-163.755**

**163.730 Definitions for ORS 30.866 and 163.730 to 163.750.** As used in ORS 30.866 and 163.730 to 163.750, unless the context requires otherwise:

- (1) "Alarm" means to cause apprehension or fear resulting from the perception of danger.
- (2) "Coerce" means to restrain, compel or dominate by force or threat.
- (3) "Contact" includes but is not limited to:
  - (a) Coming into the visual or physical presence of the other person;
  - (b) Following the other person;
  - (c) Waiting outside the home, property, place of work or school of the other person or of a member of that person's family or household;
  - (d) Sending or making written or electronic communications in any form to the other person;
  - (e) Speaking with the other person by any means;
  - (f) Communicating with the other person through a third person;
  - (g) Committing a crime against the other person;
  - (h) Communicating with a third person who has some relationship to the other person with the intent of affecting the third person's relationship with the other person;
  - (i) Communicating with business entities with the intent of affecting some right or interest of the other person;
  - (j) Damaging the other person's home, property, place of work or school;
  - (k) Delivering directly or through a third person any object to the home, property, place of work or school of the other person; or
  - (L) Service of process or other legal documents unless the other person is served as provided in ORCP 7 or 9.
- (4) "Household member" means any person residing in the same residence as the victim.
- (5) "Immediate family" means father, mother, child, sibling, spouse, grandparent, stepparent and stepchild.
- (6) "Law enforcement officer" means:
  - (a) A person employed in this state as a police officer by:
    - (A) A county sheriff, constable or marshal;
    - (B) A police department established by a university under ORS 352.121 or 353.125; or
    - (C) A municipal or state police agency; or
  - (b) An authorized tribal police officer as defined in ORS 181A.680.
- (7) "Repeated" means two or more times.

(8) "School" means a public or private institution of learning or a child care facility.

**163.732 Stalking.** (1) A person commits the crime of stalking if:

(a) The person knowingly alarms or coerces another person or a member of that person's immediate family or household by engaging in repeated and unwanted contact with the other person;

(b) It is objectively reasonable for a person in the victim's situation to have been alarmed or coerced by the contact; and

(c) The repeated and unwanted contact causes the victim reasonable apprehension regarding the personal safety of the victim or a member of the victim's immediate family or household.

(2)(a) Stalking is a Class A misdemeanor.

(b) Notwithstanding paragraph (a) of this subsection, stalking is a Class C felony if the person has a prior conviction for:

(A) Stalking; or

(B) Violating a court's stalking protective order.

(c) When stalking is a Class C felony pursuant to paragraph (b) of this subsection, stalking shall be classified as a person felony and as crime category 8 of the sentencing guidelines grid of the Oregon Criminal Justice Commission. [1993 c.626 §2; 1995 c.353 §2]

### **Bystander Intervention Techniques**

Bystander intervention is when someone chooses to take action when witnessing an uncomfortable situation. It encompasses safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking.

- Directly Interrupt – Step in and address the situation. "Excuse me, That's not cool, Please Stop!" or "Hey! Leave them alone, I'm calling the police!"
- Distract – Draw attention to something else. "Hey, Ms. Educator is looking for you to come back to class!"
- Engage Peers – Involve a friend or someone else around you. "Let's do something."
- Alert Authorities – In some situations, authorities may be the best source for help school administrators, local law enforcement, call 911
- Safety First – Keep your safety and the safety of others in mind and let that determine how you respond.

### **Risk Reduction and Awareness**

The School posts resources, has school assemblies, and advises students individually as necessary throughout the year. Our schools are small and we know our students individually. The students feel comfortable coming to the school administration should they feel they are at risk of the year to bring about awareness to these issues.

### **Procedures to follow in the case of alleged dating violence, domestic violence, sexual assault, or stalking, including:**

#### **Preserving Evidence**

It is important that complainants take steps to preserve and collect evidence; doing so preserves the full range of options available, be it through the school's administrative complaint procedures or criminal prosecution. To preserve evidence:

1. do not wash your face or hands
2. do not shower or bathe
3. do not brush your teeth
4. do not change clothes or straighten up the area where the assault took place
5. do not dispose of clothes or other items that were present during the assault, or use the restroom
6. seek a medical exam immediately

If the complainant has already cleaned up from the assault, he/she can still report the crime, as well as seek medical or counseling treatment.

### **Reporting**

Any person who believes he or she has been the victim of sexual harassment or violence by a student, faculty member, administrator or other school personnel of the School should report the occurrence to any agent or responsible employee of the school. An employee may be required only to report the harassment to other school officials who have the responsibility to take appropriate action or to take the appropriate action themselves if they are a designated Title IX official.

The complainant has the option to notify proper law enforcement authorities, including local police. The complainant has the option to be assisted by campus authorities in notifying law enforcement authorities if the complainant chooses. The complainant also has the option to decline to notify such authorities.

### **Rights of Complainants**

Victims of dating violence, domestic violence, sexual assault and stalking have the right to choose whether they want to pursue criminal or civil remedies in court and/or administrative remedies through the school. Complainants also have the right not to pursue a criminal, civil or administrative remedy. When a student or employee complainant reports to the school that they have been a victim of dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off campus, the school will provide the complainant with a written explanation of their rights or options relating to the following:

- Resources for complainants (including resources in the areas of victim advocacy, counseling, health, mental health, legal assistance, visa and immigration assistance, student financial aid and other areas);
- Non-reporting options;
- Understanding confidentiality versus privacy;
- Law enforcement reporting options, including medical exams and the importance of preserving evidence;
- Civil reporting options and protective orders;
- School reporting options, including the investigative and disciplinary process;
- School-issued No Contact Orders; and
- School-facilitated interim measures and remedies.

### **Procedures the Institution Will Follow in Reporting**

The School will protect the confidentiality of complainants and other necessary parties in cases of alleged dating violence, domestic violence, sexual assault, or stalking.

### **Clery Act Reporting**

The School does not publish the names of complainants or other personally identifiable information regarding complainants in Crime Incident Report daily log or in the crime statistics that are disclosed in the Annual Security Report. Furthermore, if a timely warning is issued on the basis of a report of dating violence, domestic violence, sexual assault or stalking, the name of the complainant and other personally identifiable information about the complainant will be withheld.

### **Confidentiality for Accommodations or Protective Measures**

The school will protect the privacy of everyone involved in a report of sexual violence to the greatest degree possible under applicable law and school policy. Personally identifiable information about the complainant and other necessary parties will be shared only on a need-to-

know basis, e.g., to those who are investigating the report or those involved in providing support services to the complainant, including interim measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the school will maintain as confidential any interim measures and remedies provided to the complainant, to the extent that maintaining such confidentiality would not impair the ability of the school to provide interim measures and remedies.

#### **Written Notification Regarding Counseling, Health, Etc.**

The School will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, student financial aid and other services available for complainants, both within the institution and in the community.

#### **Written Notification Regarding Changes to Academics, Living Arrangements, etc.**

The School will provide written notification to complainants about options for available assistance in, and how to request changes to academic, living, transportation and working situations or protective measures. The school will make such accommodations or provide such protective measures if the complainant requests them and if they are reasonably available, regardless of whether the complainant chooses to report the crime to local law enforcement.

#### **Procedures for Disciplinary Action Types of Disciplinary Proceedings**

If you believe that you have experienced or witnessed harassment or sexual violence, notify your Educator, School Director or the Title IX Coordinator, as soon as possible after the incident. Do not allow an inappropriate situation to continue by not reporting it, regardless of who is creating the situation. No employee, contract worker, student, vendor or other person who does business with the school is exempt from the prohibitions in this policy. School team members will refer all harassment complaints to the Title IX Coordinator for student-related complaints and to the Director of Team Development if the complaint involves an employee. In order to facilitate the investigation, your complaint should include details of the incident or incidents, names of the individuals involved and names of any witnesses. The Title IX Coordinator is listed below and has the responsibility of overseeing all Title IX complaints and identifying and addressing any patterns or systemic problems that arise during the review of such complaints.

- Bend: Debbie Patrick 541-382-6171, ext. 3
- Corvallis: Amy Geiger 541-753-6466
- Grants Pass: Tracy Straub 541-479-6678
- Medford: Kindra Willits 541-772-6155
- Salem: Leah Weigand 503-363-6800
- Corporate: comments@phagans-schools.com

The school ensures that its employee(s) designated to serve as Title IX Coordinator(s) have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how the school's grievance procedures operate. Because complaints can also be filed with an employee's director or supervisor, these employees also receive training on the school's grievance procedures and any other procedures used for investigating reports of sexual harassment.

In response to all complaints, the School promises prompt and equitable resolution through a reliable and impartial investigation of complaints, including the opportunity for both parties to present witnesses or other evidence. The time necessary to conduct an investigation will vary based on complexity but will generally be completed within sixty (60) days of receipt of the complaint. The school shall maintain confidentiality for all parties to the extent possible, but absolute confidentiality cannot be guaranteed. In cases where a complainant does not give consent for an investigation, the school will weigh the complainant's request for confidentiality against the impact on school safety to determine whether an investigation must proceed. Complainants should be aware that in a formal investigation due process generally requires that the identity of the charging party and the substance of the complaint be revealed to the person charged with the alleged crime.

**Our training summary resources are posted on our website and available here:**

*(copy and paste this link into your google chrome browser)*

chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/viewer.html?pdfurl=https%3A%2F%2Fwww.phagans-schools.com%2Fpdf%2FTIX%2FTIXTrainingFall2021.pdf&chunk=true

The Training summary provides an abundance of information regarding more details of the following. In all cases, the school Title IX coordinator will go over the entire process and options for the complainant to get assistance, file a complaint, filing a formal complaint, how the school responds to a complaint (informal and formal), supportive measures, and resolutions/remedies.

**Standard of Evidence**

The preponderance of the evidence standard will apply to investigations and disciplinary proceedings arising from an allegation of dating violence, domestic violence, sexual assault orstalking, meaning the School will evaluate whether it is more likely than not that the alleged conduct occurred.

**Sanctions**

If a student or a staff member is convicted of a sexual offense, domestic violence, dating violence, sexualassault or stalking regardless of whether or not the action took place on the School campus, that individual is subject to disciplinary actions by the school. Any student or staff member may be subject to sanctions leading up to or including termination if convicted of any domestic violence, sex offense, including rape, acquaintance rape, any other forcible or non-forcible sex offenses or stalking.

**Protective Measures**

During the investigation, the School will provide interim measures, as necessary, to protect the safety and wellbeing of students and/or employees involved. Examples of temporary and permanentmeasures toprotect the complainantasnecessaryare:

- No contact order
- Change academic situations as appropriate with minimum burden on the complainant
- Access to resources such as victim advocacy, support groups, community resources, law enforcement, alternative housing and financial resources.
- Academic support
- Withdraw temporarily without penalty to re-enroll at a later date

**Proceeding Will Accomplish the Following:**

The School will follow a prompt, fair and impartial process from the initial investigation to the final result, conducted by officials who receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of the complainants and promotes accountability.

**Same Opportunities for Complainant and Respondent**

Both the complainant and the respondent have the same opportunities to have others present duringany institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. Neither the accuser nor the accused shall be limited in the choice of advisor or the advisor's presence in any meeting or institutional disciplinary proceeding.

**Simultaneous Notification**

Both the complainant and the respondent will be simultaneously informed in writing of the result of any disciplinary proceeding relating from any allegation of dating violence, domestic violence, sexual assaultor stalking; the procedures for appealing the results of the disciplinary proceeding;

any change to the results that occurs before the results become final; and when such results become final.

**Statement of Complainant's Rights and Options**

When a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or offcampus, the School will provide the student or employee a written explanation of the student's or employee's rights and options.

**Sex Offender Registration**

In accordance to the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Education Rights and Privacy Act of 1974, this institution is required to issue a statement advising the campus community where law enforcement information provided by a State concerning sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice to each institution of higher education in that State at which the person employed, carries a vocation, or is a student.

<b><i>State of Oregon:</i></b>
Oregon Registered Sex Offender Database
<a href="https://sexoffenders.oregon.gov/ConditionsOfUse">https://sexoffenders.oregon.gov/ConditionsOfUse</a>

ANNUAL SECURITY REPORT  
CAMPUS CRIME STATISTICS  
September 2021

Phagans' Cosmetology Colleges provides its students and employees annual campus crime statistics. In accordance with the Crime Awareness and Campus Security Act of 1990, the school has gathered crime statistics for each year of the report. Included below are reportable criminal offenses and violations that occurred on campus and/or public property.

- "On campus" is defined as buildings or property owned or controlled by the institution within the same reasonably contiguous geographic area and used by the institution in a manner related to the institution's educational purpose.
- "Public property" is defined as property that is located within the same reasonably contiguous geographic areas of the campus, like a sidewalk, parking lot, that is adjacent and necessary for the students or employees to utilize in order to access the institution for purposes related to the institution's educational activities.
- The school does not have any non-campus buildings or property.

These reports are:

- reviewed annually at the campus safety student & team safety meeting,
- continuously posted and available in print form on the student bulletin board,
- available on the consumer information page of the website <https://www.phagans-schools.com/consumer-information/>
- directly available by visiting <https://ope.ed.gov/campussafety/#/>

Campus Safety & Security Reports: click the link below to view, download and/or print the report

- Salem Campus: <https://www.phagans-schools.com/pdf/Safety/SalemCampusSafety.pdf>
- Bend Campus: <https://www.phagans-schools.com/pdf/Safety/BendCampusSafety.pdf>
- Medford Campus: <https://www.phagans-schools.com/pdf/Safety/MedfordCampusSafety.pdf>
- Corvallis Campus: <https://www.phagans-schools.com/pdf/Safety/CorvallisCampusSafety.pdf>
- Grants Pass Campus: <https://www.phagans-schools.com/pdf/Safety/GPCampusSafety.pdf>