Paul Mitchell the School Memphis
2025 Annual Security Report
and
Statement of Campus Safety and Security Policies and Procedures

For Reporting Years: 2022, 2023, 2024

Issued on October 1, 2025

This Report is for the Paul Mitchell the School Memphis Main Campus located at 3419 Plaza Ave, Memphis, TN 38111

Paul Mitchell the School Memphis will be referenced as School or The School throughout this document.

I. Introduction

This document has been designed to inform all students, employees, prospective students, prospective employees, and others about The School's safety and security policies and procedures. This also discloses the annual required crime statistics. A copy of this policy is available on The School's website, and a hard copy may be obtained from the Operations Leader without charge:

Alyson Hemann

3419 Plaza Ave

Memphis, TN 38111

901-377-1701

alysonhemann@pmtsmemphis.com

The safety of our students and employees is an important concern of The School's administration. This document explains this School's policies regarding crime and accident prevention, public safety, and criminal and accident reporting procedures.

II. Annual Security Report General Information

A. Preparation of this Document and the Disclosure of Crime Statistics:

Each year, The School publishes this Annual Security Report and Statement of Campus Safety and Security Policies and Procedures on or before October 1, in compliance with the Jeanne Clery Campus Safety Act. This document and these policies and procedures are compiled and reviewed annually by the Operations Leader. This document, policies, and procedures were reviewed by Alyson Hemann, Operations Leader and published by The School.

The procedure for preparing this document and annual disclosure of crime statistics for each year includes the review of policies and procedures, as well as the request and collection of annual crime statistics. These statistics are obtained primarily from the following sources: local police department and/or building management, as well as Campus Security Authorities (including the Title IX Coordinator).

All crimes are reported based on the calendar year in which the crime was reported. All of the statistics are gathered, compiled, and reported to the school community throughout this report and through the required federal reporting system. The statistical information gathered by the Department of Education is available to the public at https://ope.ed.gov/campussafety/#/.

Copies of this report are available online, and a hard copy is available upon request, without charge, from Alyson Hemann, Operations Leader alysonhemann@pmtsmemphis.com, 901-377-1701 x116.

B. Policy and Procedure and Annual Security Report Dissemination Statement

During the enrollment process, at orientation for new employees, as well as by October 1 of each year, each student and employee is informed of The School's campus security report, procedures, and safety practices.

All job postings contain a copy of the Annual Security Report, and the report is publicly available on our website.

In addition, annually, students and employees will receive a written notice of the updated Annual Security Report and Safety and Security Policies and Procedures that will include:

1) A statement of the report's availability;
2) A statement that a paper copy will be provided upon request and how to obtain one;
3) A brief description of the contents; and
4) The exact electronic address of the report.

We also review with students and employees the need for all individuals to be responsible for their own security and safety at all times. The orientation includes training on emergency

procedures; preventing crime; and an introduction to the Title IX Coordinator and Nondiscrimination Policly and online training on how to protect oneself and others from sexual assault, the Violence Against Women Act, and Title IX.

Each year, we bring a local law enforcement official into The School to review how to protect yourself against crime, how to be responsible for your own safety, and how to protect yourself against sexual assault.

III. Information About the School's Clery Geography

A. Clery Geography Definition

As referenced in this document, the school is using the following definitions to define its Clery geography as set forth in the Clery Act and its implementing regulations:

A school's **Campus** is defined as "(i) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (ii) any building or property that is within or reasonably contiguous to the area identified in (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes."

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

Non-Campus is defined as "any building or property owned or controlled by a student organization recognized by the institution; and any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution."

B. Non-Campus Geography Statement

The School does not have any Non-Campus geography.

C. Statements on Crimes Involving Student Organizations at Non-Campus Locations

The School does not have any student organizations who own or control any buildings or property.

D. On-Campus Student Housing Statement

The School does not own or maintain any on-campus student housing (residence halls, dormitories or other residential facilities on campus) and, as such, does not (1) report statistics for an on-campus student housing area, (2) provide information about security and access to on-campus student housing, (3) have missing student notification policies and procedures, or (4) compile a fire safety report and statistics.

E. Description of the School's Campus Clery Geography

The School's Campus geography is located at 3419 Plaza Ave Memphis, TN. The Campus Clery geography is the School's interior to the leased space.

IV. Clery Act Crimes and Information

A. Federal Definitions for Reportable Clery Act Crimes

The criminal offenses that are listed below as reportable crimes are defined as outlined by the US Department of Justice FBI National Incident Based Reporting System (NIBRS). For the purposes of complying with the Clery Act and its implementing regulations at 34 C.F.R. 66841, an incident that is reported meeting the definitions below is considered a crime for the purposes of Clery Act reporting.

- Murder and Non-Negligent Manslaughter: The willful (nonnegligent) killing of one human being by another.
- Manslaughter by Negligence: The killing of another person through gross negligence.
- Sex Offenses (Sexual Assault): Any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of giving consent.
    - Rape: 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, or by a sex-related object. This definition also includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (including due to the influence of drugs or alcohol) or

because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.
    - Fondling (Criminal Sexual Contact): The intentional touching of the clothed or unclothed body parts without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation; or the forced touching by the victim of the actor's clothed or unclothed body parts, without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation.[1]
    - Incest: Sexual intercourse between persons who are related within the degree wherein marriage is prohibited by law.
    - Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.
- Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force, threat of force, violence, and/or putting the victim in fear.
- Aggravated Assault: The unlawful attack of one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used, which could probably and would result in serious personal injury if the crime were successfully completed.)
- Burglary: The unlawful entry of a structure to commit a felony or theft. For reporting purposes, this definition includes unlawful entry with intent to commit a larceny or a felony; breaking and entering with the intent to commit a larceny; housebreaking; safe cracking; and all attempts to commit any of the aforementioned.
- Motor-Vehicle Theft: The theft or attempted theft of a motor vehicle.
- Arson: Any willful or malicious burning or attempt to burn—with or without intent to defraud—a dwelling house, public building, motor vehicle, aircraft, personal property of another, etc.
- Domestic Violence: Any felony or misdemeanor crime of violence committed:
    - By a current or former spouse or intimate partner of the victim;
    - By a person with whom the victim shares a child in common;
    - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
    - 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

[1] Fondling was changed to Criminal Sexual Contact under the June 2025 Updates to the NIBRS User Manual.

    - 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 interactions between the persons involved in the relationship.
- Stalking: Engaging in a course of conduct directed toward 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. *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim. *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily require, medical or other professional treatment or counseling.
- Liquor Law Violations: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.
- Drug-Law Violations: The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, and/or importation of any controlled drug or narcotic substance. Arrests for state violations of state and local laws—specifically those related to the unlawful possession, sale, use, growing, manufacturing, and or making of narcotic drugs.
- Weapons-Law Violations: The violation of laws prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

B. Categories of Bias for Hate Crime Reporting

A *hate crime* is defined as a crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

Bias is defined as a preformed or preexisting negative opinion or attitude toward a person or group of persons based on one of the categories of bias listed above.

For Clery Act reporting purposes, hate crimes include any offense in the following list that is motivated by bias:

- The above-listed Clery Crimes, or:
- Destruction/Damage/Vandalism to Property: To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.
- Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.
- Larceny/Theft: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.
- Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

C. Hierarchy Rule

For purposes of reporting crimes, when more than one criminal offense was reported in a single incident, under the FBI's Uniform Crime Reporting (UCR) program rules, only the most serious offense is counted. An exception to this rule is arson. If arson is committed, the school must always record arson in its statistics, even if it occurs in the same incident as another crime. Similarly, if rape, fondling, incest, or statutory rape occur in the same incident as murder, the school must record both the sex offense and the murder in its statistics.

V. Emergency Notifications and Timely Warnings

A. Timely Warnings Policy

In accordance with the Clery Act, schools must provide timely warnings in response to Clery crimes reported to a campus security authority that occur within The School's Clery geography[2] and that pose a continuing threat to The School campus.

[2] In certain circumstances, The School may issue a timely warning for crimes that occur off-campus if the crime occurred in an area that is frequently utilized by The School's community.

One of the purposes of the timely warning is to aid in the prevention of similar crimes. Under the regulations, schools must not disclose the names and personally identifying information of victims when issuing a timely warning. However, in some cases to provide an effective timely warning, a school may need to provide information from which an individual might deduce the identity of the victim. The School will take each incident on a case-by- case basis and will take all necessary steps to protect the identity of the victim whenever possible.

The School has designated the Director as the responsible individual for issuing timely warnings. In the event that the Director is unavailable, the Operations Leader is responsible for issuing timely warnings. The Clery Coordinator and/or School Director, and under certain circumstances in consultation with relevant agencies and others as needed, will generally make the determination if a timely warning is required. There may be times when The School decided to issue a timely warning for crimes that occur on property that is not Clery geography (also known as off-campus), if the crime occurred in a location used and frequented by The School community.

The School may disseminate these warnings in a variety of ways, text message, school designated apps, use of walkie talkies to communicate through school.

Timely warnings are issued on a case-by-case basis as a way to notify The School community of the incident and to provide information that may enable members of The School community to take steps needed to protect themselves from similar incidents. The School considers the following criteria in determining if a timely warning will be issued:

1. Is the reported crime a Clery crime? These statutorily designated crimes are:
    a. Criminal Homicide (including murder, nonnegligent manslaughter, and negligent manslaughter)
    b. Sex Offenses (including rape, fondling, incest, and statutory rape)
    c. Robbery
    d. Aggravated Assault
    e. Burglary
    f. Motor Vehicle Theft
    g. Arson
    h. Dating Violence
    i. Domestic Violence

j. Stalking
k. Hate Crimes
    i. Bias Categories: disability, ethnicity, gender, gender identity, national origin, race, religion, sexual orientation
    ii. Hate Crime Additional Categories: larceny-theft, simple assault, intimidation, destruction/ damage/vandalism of property

2. Did the Clery crime occur at a Clery reportable location?
3. Was the Clery crime reported to a campus security authority?
4. Is there a serious and ongoing threat to The School community?
5. Is the perpetrator known to the victim?
6. Is the perpetrator in custody?
7. Is the crime specifically targeting one person?
8. Is there a pattern of similar reported crimes?
9. Has violence been threatened?
10. The possible risk of compromising law enforcement efforts.

Statement on the possible risk of compromising law enforcement efforts.

Any records of the reported incident will be maintained by the Clery Coordinator. Only staff members who need to know will be apprised of the name(s) of the victim(s). The School is required annually to publish statistics for certain crimes that are reported to The School authorities or local police agencies each year, including incidents of sexual assault, domestic violence, dating violence, and stalking; however, the report only includes incidents and not the names or identifiable information about the victim(s).

B. Emergency Notification Policy

Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of employees or students on campus, The School will immediately notify The School community as set forth below:

1. <u>How The School confirms the existence of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees:</u>

“Confirms the existence” means that School officials or other responsible School authorities have become aware of a significant emergency or dangerous situation that possibly affects the

health or safety of the campus community, and they have verified that the significant emergency is occurring or may soon occur on the campus.

Based on the circumstances of the event, the Clery Coordinator or on-duty designee may consult with law enforcement, Franchise Owners, or other individuals with information to confirm the existence of the significant emergency or dangerous situation. Upon confirmation that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the school community, The School will notify local law enforcement.

Depending on the situation, the Clery Coordinator or designee may utilize local law enforcement resources (where available) to assist in assessing the significant emergency or dangerous situation. For example, the Clery Coordinator may not consult the police before issuing an emergency notification for a weather-related event but may rely on law enforcement assistance in the case of a suspicious package or anonymous or unverified bomb/explosives threat. In addition to notifying law enforcement, The School will—without delay, and taking into account the safety of The School community—determine the content of the emergency notification and send the emergency notification, unless, in the judgment of The School authorities and/or law enforcement, the notification will compromise The School's efforts to assist a victim or contain, respond to, or mitigate the emergency.

While it is impossible to predict every possible significant emergency or dangerous situation that may occur at The School, the following situations are examples of when The School may issue an emergency notification after confirmation: active shooter, hostage situations, riot, suspicious package, structural damage to The School, biological threats like anthrax, gas leaks, bomb threats, communicable disease outbreaks, severe weather, natural disasters, hazardous materials incident, and/or fires at The School.

2. <u>Reporting an emergency or dangerous situation:</u>

In the event of a general emergency within The School's premises, please notify The School's Clery Coordinator or other CSA immediately and remain calm. The School personnel are trained in emergency response and evacuation procedures. The Clery Coordinator or on-duty designee will determine whether a significant emergency exists by evaluating the situation and, if necessary, consulting with appropriate additional resources that may include local police

authorities. If the Clery Coordinator is not available, contact the Director. If the Director is not available, contact the Future Professional Advisor. If the Future Professional Advisor is not available, contact the Education, Marketing Leader or Financial Leader. If any of those individuals are not available, please contact a Learning Leader.

3. Ensuring access to Emergency Notifications:

Emergency Notifications are provided to the contact information provided to The School or through CourseKey, intercoms, and other means. As long as the individual has not blocked the communication line, and has up-to-date information, they will have access to the emergency notifications. Notifications are also disseminated on a case-by-case basis through other means, like The School's social media or website, if deemed appropriate.

4. Process for determining the appropriate segment or segments of The School community that will receive an Emergency Notification:

Our School community is very small; however, there may be times when only certain segments of The School community may need to receive an emergency notification. The Clery Coordinator, School Director, or on-duty designee—in conjunction with other necessary parties which may include law enforcement—will determine the appropriate segments to notify and what method to use for communication. Generally, School community members in the immediate area of the dangerous situation (i.e., those known to be in the building or immediate area) will receive the notification first—if it is determined to segment the emergency notification. As situations change or emerge, The School may assess the need to notify additional segments of the campus population.

5. Process for initiation of the Emergency Notification system:

Upon receipt and confirmation of a report of a significant emergency or dangerous situation as described above, the Clery Coordinator; on-duty designee; or, in certain situations, any leadership team member may initiate the notification process should the circumstances warrant it.

In certain circumstances, law enforcement personnel may be notified of the significant emergency or dangerous situation before The School community based on the facts of the situation for their assistance, response, or expertise depending on the facts of any situation.

6. Process to determine the contents of the Emergency Notification:

In an emergency situation, speed and accuracy of information provided are very important factors, but this must be balanced with the need for appropriate content of an emergency notification. The content of an emergency notification may depend on the situation and/or notification method (e.g., text message character limits).

The Clery Coordinator or on-duty designee will draft the emergency notification in coordination with others as needed. The following information will be included in all initial emergency notifications, regardless of the situation or method:

- A description of the situation
- Location of the situation (if known)
- Relevant safety instructions (like shelter-in-place directives or information on safety procedures)

Follow-up information may be provided as deemed necessary by the Clery Coordinator or designee. An "all-clear" message may be distributed at the conclusion of a significant emergency or dangerous situation. Any follow-up notification(s) will be sent using some or all of the same methods used to send the initial emergency notification. These follow-up notifications will include The School's operating status, if relevant.

7. Officials responsible for Emergency Notification decisions and actions:

The Clery Coordinator or on-duty designee is the individual responsible for emergency notification decisions. Depending on the circumstances of each situation, local law enforcement or emergency personnel may respond on behalf of the school. Please see subsection (2) in this Emergency Notifications Policy for more information on the chain of command for responsible individuals for the individuals who may be responsible and in what order based on who is present in the school. While the Clery Coordinator is the ultimate individual responsible for compliance with emergency notifications, in the event that they are not on duty, the designee may act in their place, based on the speed with which a situation emerges or develops.

8. Procedures used to notify The School community:

The emergency notification and/or follow-up communications may be issued through mechanisms like:

- The School's website
- Official School social media sites
- Email via The School's email system

- Communication via text message in the CRM
- Verbally via in school announcements
- Physical posting of information on entrances or exits.

9. Procedures for disseminating Emergency Notification information to the larger community (i.e., individuals and organizations outside The School community):

Members of the larger community are encouraged to follow us on social media or our websites, as this is the method used to disseminate emergency information to the larger community. The Clery Coordinator will use the procedures and processes listed above in making these postings/notifications.

When available, The School may call upon local law enforcement or emergency responders to report information and provide assistance with certain situations. The School will provide the information needed or requested in these situations to facilitate the prompt and safe handling of the emergency situation.

10. Emergency Procedures for response and evacuation:

Please see the below section with the same title for information.

VI. Emergency Procedures for Response and Evacuation

This section of the Annual Security Report and Statement of Campus Safety and Security Policies and Procedures document outlines possible emergency procedures for The School. These are provided for compliance with the requirement that all Title IV institutions have and disclose emergency procedures in response to a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees on The School's premises. While we have provided information about many possible scenarios, it is impossible to anticipate every possible scenario that may occur. In the event that an unanticipated scenario occurs that is not listed, the below procedures are informative on how to respond to similar incidents.

In an emergency, evacuation of the school should proceed as rapidly and safely as possible. The plan accounts for two scenarios of evacuation, which are:

1. In-place evacuation (also known as shelter-in-place): keeping students and staff members in place but securing the location for the emergency at hand.

2. On-site evacuation: movement of students and staff members out of the building affected and relocation to another area near the school.

In the event of a verbal notification of an emergency, do not exit the building unless you have been directly instructed to do so. It may be safer to stay in The School premises in a lockdown mode. Please listen to all announcements from The School staff, law enforcement, and/or emergency responders and follow the directions given over the intercom, text messaging, communication apps, or other means of communication.

While it may be difficult, it is essential to remain calm. The staff or law enforcement will direct you where to go in the event of an emergency in order to ensure your safety.

A. Procedures by Occurrence:

1. **FIRE**
   a) Evacuate the area of the fire. (Always stay low, as smoke and heated gasses collect near the ceiling first.)
   b) Activate the fire alarm (if so equipped).
   c) Call 911, indicating the need for assistance from the fire department and law enforcement. Other communication networks should be identified and utilized in the event that the fire has caused the telephone system to become out of order.
   d) Evaluate the situation; determine quickly—if possible—the size, nature, and location of the fire within the facility.
   e) Upon the arrival of the fire department, the manager on duty shall establish contact with the senior fire department official and coordinate subsequent activities with him or her.
   f) Make certain that all students and staff members are accounted for and safe. Move to another location as required. A fire deemed in any way to be a threat to the safety of the students or the staff calls for evacuation to the outside area, away from the building.
   g) Any of the steps above may be done simultaneously as the number of staff members on duty permits. The decision not to follow any of these steps is justifiable only when there is certainty that there is no imminent danger.

h) If the fire is small, any of the facility's fire extinguishers may be used to extinguish it if the staff member has received proper training. Although there should be no hesitation regarding the use of fire extinguishers, the fighting of any fire by staff members should be undertaken only if there is no imminent danger.

2. ILLNESS OR INJURY

a) MINOR
   (1) Treat with medical supplies on hand.
   (2) Evaluate periodically to see if further medical attention is required.

b) MAJOR
   (1) Employ first aid techniques as trained, if needed.
   (2) Contact 911 if immediate medical attention is required.
   (3) If an illness or an injury requires a doctor's care, but emergency services are not required, the staff members should then arrange for transportation to the emergency room, clinic, or hospital.

c) BOMB THREATS

(1) Any bomb threat should be treated as real until proven otherwise.
(2) Unidentified or suspicious objects should be reported to the authorities.
(3) Evacuation should be to an outdoor area as far from the building as safely possible. The area to be evacuated should be searched quickly before evacuation. In certain circumstances, based on the location of the threat, the school may be directed to shelter in place by first responders and/or law enforcement. All directions of first responders/law enforcement are to be followed, including the direction to shelter in place.
(4) Upon arrival of law enforcement authorities, the facility director, or designee, will assist with the search (e.g.., unlocking doors, identifying strange or suspicious objects, etc.)
(5) The appropriate authorities should be consulted prior to reentry into the building.

d) ACTIVE SHOOTER

While the likelihood of an active shooter event occurring at The School is extremely low, it is important that The School community understand how to respond if they find themselves in

this situation. The FBI defines an active shooter as one or more individuals actively engaged in killing or attempting to kill people in a populated area. In most cases, firearms are used, and there is not a pattern or method to selecting victims. Situations like this are unpredictable and evolve quickly. If you hear shots fired or witness an armed person shooting or threatening to shoot people, immediately choose the best way to protect your life.

Please note that individuals must use their own discretion during an active shooter event regarding their actions to survive the incident. Best practices in line with current training are listed below.

Remember:

- The role of law enforcement will be to confront and disable the threat upon arrival.
- The below list of RUN, HIDE, FIGHT is not linear, depending on your proximity to the threat. These can be used in any order or repeatedly based on your situation and location in relation to the active shooter.
- Violent attacks may involve any type of weapon, not just a gun. Knives, blunt force objects, physical force, or explosives may be just as deadly. The suggested actions provided here may be applied in any violent encounter.
- Plan ahead. Think through and visualize possible escape routes. This includes physically accessible routes for those with disabilities or limited mobility.

RUN: Can you safely escape? If there is considerable distance between you and the gunfire/armed person, quickly move away from the sound of gunfire or armed person. Flee the building/area as quickly and quietly as possible. Do not stop for anything as you escape. Leave your belongings behind. Take others with you, but do not stay because others will not leave. Call 911 once it is safe to do so. Do not assume someone else has reported the incident. The information you have may be essential to law enforcement, like the number of shooters, their physical description or identification, number and types of weapons, and/or location of the shooter.

HIDE: If running is not an option, hide in an area out of the armed person's view. If you are in a room, lock doors and barricade with furniture if possible. Turn off the lights. Silence your phone and electronics. Close windows, shades, and/or blinds if possible. If you cannot find a room, hide behind a large solid object that blocks you completely from view. If possible and safe to do

so, call 911 and alert dispatch to the last known location of the shooter; if you are unable to talk, keep the line open so the dispatcher can track the situation.

FIGHT: As a last resort, fight. In certain situations, when running or hiding are not possible and your life is in imminent danger, take action. If possible, prepare to use heavy or pointed objects to aid in your defense; items like fire extinguishers and chairs may be used. Engaging with the shooter as a group is always more effective. Once the decision is made to engage, you should not hesitate. Attempt to incapacitate or disrupt the actions of the shooter. You may also throw items at the shooter. Call 911 when you are able to do so.

Immediately after an incident, wait for law enforcement officers to assist you out of the building if inside. When law enforcement arrives, they may be trying to determine who is the threat, so you may need to show your hands.

More information about active shooter safety resources are available here:
https://www.fbi.gov/how-we-can-help- you/safety-resources/active-shooter-safety-resources

e) UTILITIES AND MAINTENANCE EMERGENCIES

(1) GAS LEAK

(a) If any staff member or student smells gas, act quickly.

(b) Open windows immediately.

(c) Call 911 and report the possible gas leak.

(d) Do not turn any electrical switches on OR off. Eliminate all flames.

(e) Check all gas taps and turn them off.

(f) If necessary, turn off the gas main. The shutoff valve is next to the meter.

(g) If the gas odor remains strong, evacuate the area immediately.

(2) Do not return to the building until the fire department, gas company, or other authority announces it is safe.

f) **EMERGENCY EVACUATION**

(1) In the event of a fire, bomb threat, active shooter, electrical, chemical, or other emergency that would require the evacuation of the building, all staff members should adhere to the following:

(a) Call 911, indicating the need for assistance from the local fire department and law enforcement as soon as possible.

(b) Make certain all students and staff members are accounted for and are safe.

(c) Evacuate all students and staff members to an area as far from the building as safely practical.

(i) Adhere to predetermined evacuation routes, if possible; however, do not hesitate to adjust these routes to avoid dangerous areas.

(ii) All students and staff members with special needs are to be assisted as needed.

(iii) In certain circumstances, based on the location of the threat, The School may be directed to shelter in place by first responders and/or law enforcement. All directions of first responders/law enforcement are to be followed, including the direction to shelter in place.

(d) Conduct a second head count for students and staff members.

(e) Notify the Clery Coordinator and/or School Leadership as soon as possible.

(f) Do not approach or reenter the building until consultation with the proper authorities.

g) TORNADO/SEVERE WEATHER WATCHES AND WARNING PROCEDURES

(1) The safe place designated by the Clery Coordinator to shelter in place is interior hallways or restrooms.

(a) All students and staff will be moved to the designated location.

(b) Maintain flashlight and voice contact among staff members at all times.

(c) Make sure to conduct a head count before moving to a safe place, after arriving at a safe place, and after leaving the designated area.

(2) After there is absolute certainty that the storm has passed, staff members should:

(a) Conduct a head count.

(b) Provide any necessary first aid and call 911 for any necessary response agencies.

(c) Check the entire building for any damages such as fire, water, or structural.

(d) Turn on and test utilities.

(3) Notify the School Director as soon as possible with an update of conditions.

(4) Notify any agents that services are needed.

h) BURGLARY OR ROBBERY

(1) Remain calm and agreeable with the culprit(s).
(2) Do not attempt any heroic measures.
(3) Report all burglaries to the local police.
(4) When reporting a burglary or robbery:
    (a) Indicate the name of The School.
    (b) Indicate your name.
    (c) Indicate the date and time of the incident.
    (d) Indicate any injuries, if known.
    (e) Indicate the number of suspects involved.
    (f) Indicate any descriptive information.

i) LARCENY

(1) Remain calm and agreeable with those involved.
(2) Do not attempt to determine if any person is innocent or guilty.
(3) Report all larceny to the local police department for investigation.
    (a) Indicate the name and address of The School.
    (b) Indicate your name.
    (c) Indicate the date and time of the incident.
    (d) Indicate any injuries, if known.
    (e) Indicate the name(s) of those involved or any witnesses.
    (f) Indicate any descriptive information.

j) ACCIDENTS

(1) Report the event to the Clery Coordinator, Director or manager on duty.
(2) The Clery Coordinator, the Director, or manager on duty may do the following (based on the circumstances of the situation, additional or additional action may occur):
    (a) Determine if emergency help is needed. If so, he or she will call the appropriate agency.
    (b) Complete an accident report. Include the cause, the name(s) of those involved, the date, the time, the circumstances, and the explanation of any witnesses.

VII. Civil Demonstrations and/or Disturbance Action Plan

This action plan is intended to assist team members, Future Professionals, and guests in preparing for and responding to civil demonstrations and/or disturbances.

Definitions

Civil demonstrations or protests may involve organized or ad hoc groups who have a difference of opinion with a governing body regarding a variety of issues.

Civil disturbance is an activity arising from a mass act of civil disobedience in which the participants can become hostile toward authority, and authorities incur difficulties in maintaining public safety and order over the disorderly crowd.

Action Plan

Most demonstrations are peaceful, and people not involved should attempt to carry on business as usual. Avoid provoking or obstructing demonstrators.

Planned or Unplanned Demonstrations

Demonstrations within 20 miles of the campus will be monitored closely. If necessary, The School may make the decision to close the facility for the day; release the staff and students early or delay the start of work/school; and/or have students and staff shelter in place.

If the demonstration turns confrontational or heated and starts to escalate, please call the police department at and provide the following information:

- The name of the group, if known
- The exact location
- The size of the group
- Weapons involved
- What the group is doing:
  - Damaging property
  - Making threats
  - Holding signs
- Do they have shouting/chanting amplification devices?

General Safety Guidance

- Remain calm.
- Follow directions of authorities.

- Do not become a spectator; remove yourself from the area.
- Lock and avoid all windows and doors.
- Close all blinds to prevent flying glass/debris.
- Do not argue or enter into the debate with demonstrators.
- Do not commit or become involved in any crimes.

VIII. Reporting Policy and Procedures for Crimes, Accidents, and Other Emergencies

Crime prevention is the responsibility of everyone in our campus community. The School does not have individual campus- or School-based security. The School does not have commissioned law enforcement (police). There are a number of ways for campus community members and visitors to report crimes, serious incidents, and other emergencies to law enforcement or School officials.

Under the lease for the School's facility, the plaza has hired security personnel. We do not control or employ these individuals. However, they may come into the school to assist as needed for safety and security purposes.

A. Reporting Clery Crimes to the police:

The School encourages prompt reporting of crimes and emergency situations. Generally, crimes are reported to the local police department; however, the department retains control of the discretion for investigation and action.

You may also independently report to local law enforcement. Their contact information is:
Agency Name:
Non-Emergency Number:

IN CASE OF EMERGENCY, DIAL 911.

You may also contact the above agency for accident and other emergency reporting procedures.

B. Reporting crimes, including Clery Crimes, to Signal Security's dispatch number is 901-667-1700

C. Reporting to Campus Security Authorities:

While The School encourages the prompt reporting of crimes directly to the law enforcement agency listed above, we also recognize that some may prefer to report to other individuals or School officials.

Campus Security Authorities are also known as CSAs for Clery purposes. The Clery regulations define a CSA to include individuals who are responsible for monitoring the entrance onto School property, anyone The School specifically designates, and an official who has significant responsibility for student and campus activities which include, but are not limited to, student discipline and School judicial proceedings.

CSAs must report Clery Crimes to the Campus Safety Coordinator/Clery Coordinator. All crimes reported to CSAs will be included in the annual statistics that are found later in this report.

While The School has others who meet the definition of CSAs, The School officially designates the following individual as having significant responsibility for student and campus activities and as the person to whom school community members should report crimes for the purposes of inclusion in the annual statistical report and consideration for timely warnings:

Official	School Address	Phone Number
Campus Safety Coordinator Alyson Hemann	3419 Plaza Ave Memphis, TN 38111	901-377-1701

D. Policy to encourage accurate and prompt reporting:

When crime is **not** reported, others in the community may also be victimized, as The School and local law enforcement authorities did not have information to take action. We strongly encourage members of The School community to promptly and accurately report crimes to law enforcement with proper jurisdiction when the victim of the crime would like to report or is unable to report. We also encourage the campus community to participate in and support crime prevention efforts. The School also encourages community members to report crimes when the victim is

unable to report. When all community members participate in safety and security measures, the community is safer.

As a reminder, The School does not have a security department. The School does not have commissioned law enforcement or a police department.

All reported Clery crimes are reported to the local police department for investigation and action. We encourage all students and employees to timely report all crimes to the Clery Coordinator, who will promptly contact the local authorities to address the issue.

E. Statement on pastoral and professional counselors:

The school encourages the use of pastoral counselors and professional counselors in instances where the student may need assistance in dealing with a particular situation, when appropriate. However, The School does not employ any individuals in the role of a pastoral or professional counselor and, as such, no school employee is a confidential resource operating in this capacity for Clery Act purposes.

F. Voluntary confidential reporting statement:

The School does **not employ professional or pastoral counselors** or have a confidential reporting policy or procedure for victims or witnesses to report crimes confidentially for inclusion in the annual disclosure of crime statistics.

There are times when The School may receive information about possible Clery crimes anonymously. The School will not try to determine the origin of the person who submits information anonymously, unless the information indicates that there is an immediate health and safety emergency. The School will include the reported information in the annual security report if it meets the reporting requirements; however, The School and law enforcement response may be limited based on the information provided in the anonymous report. You may also submit anonymous tips to the local police through https://crimestopmem.org/tips/ or call or text 528-CASH (2274). Please understand that information provided to the local police tipline will most likely not be available to The School, so if you have a concern, please bring that to the Campus Safety Coordinator.

Information provided anonymously may or may not be included on the annual statistics, based on the information provided to that entity and their internal procedures and documentation.

Reporting crimes is solely voluntary; however, victims and witnesses are encouraged to report crimes. Sometimes a victim or witness needs to seek assistance. If you would like to pursue professional help that is not reported to The School after having been a victim of or witness to a crime, contact the following counseling center or other resources listed later in this document:

Crime Victims & Rape Crisis Center

1060 Madison Avenue
Memphis, TN 38104

Phone Numbers
Office: (901) 222-3950
Fax: (901) 222-3951

G. Accessing counseling resources for victims of crimes:

We encourage students who may have been the victim of a crime to seek help. If you would like referral information to obtain assistance as the result of being a victim of a crime, please reach out to the Clery Coordinator or a campus security authority for assistance in obtaining help.

Please note that referrals to counselors and other assistance are voluntary, and matters disclosed to external individuals, like counselors, are confidential because the counselor is not employed by The School. This means that things reported to these external confidential resources will not be included in the annual disclosure of statistics.

To access this list of resources, you do not need to disclose the reason for requesting the list of referral information. You may ask the School Director for the referral list and receive it without providing information about your experience.

IX. Emergency Response Tests, Drills, and Exercises

In the last reporting period, The School conducted 1 announced and 1 unannounced emergency response and evacuation tests, drills, or exercises in order to ensure that students and staff are aware of the procedures to be used in case of a real emergency.

Each test, drill, or exercise will be conducted by the Clery Coordinator with the assistance of The School's staff and/or outside agencies at a minimum of once per calendar year. The test, drill, or exercise will be designed for the assessment and evaluation of emergency plans and capabilities and will be documented in The School's permanent records. The record kept will include an indication of whether the test was announced or unannounced, the date, the time, and the duration of the test. The School conducts an after-action review of each emergency management test, drill, or exercise to assess and evaluate the emergency plans and capabilities. In addition to the annual disclosure of the campus safety and security policy to The School community on or before October 1 of each year, the school will also publicize the Annual

Security Report and Statement of Campus Safety and Security Policies and Procedures that contain The school's emergency procedures in conjunction with at least one of these tests. The testing of this system and publicity of Annual Security Report and Statement of Campus Safety and Security Policies and Procedures will typically be announced through internal School emails.

X. General Crime Prevention and Awareness Programming

A. Security Awareness Programs: Review of Plans with Students and Employees

In an effort to promote safety awareness, The School offers safety and security programs as discussed below. The School will review its evacuation plans and procedures during the orientation on the first day of class or hire, as well as yearly with the student body and staff. The School will also conduct announced and/or unannounced emergency response and evacuation tests annually in order for the staff and students to clearly understand the procedures. Students and staff are expected to be present on days when these programs are reviewed or tests involving response are completed. Each test will be documented in The School's records as to the date, time, and whether it was an announced or unannounced test. For more information, please see the section above.

Both student and employee orientation include training on emergency procedures, preventing crime, how to protect oneself and others from sexual assault, the Violence Against Women Act, and Title IX. In December of each year, we bring a local law enforcement official into The School to review how to protect yourself against crime, how to be responsible for your own safety, and how to protect yourself against sexual assault.

Additionally, on October 1 of each year via electronic communication, each student and employee is informed of The School's campus security report, procedures, and safety practices. In addition, students and employees will receive a written notice that will include 1) a statement of the report's availability; 2) a statement that a paper copy will be provided upon request and how to obtain one; 3) a brief description of the contents; and 4) the exact electronic address of the report.

We also review with students and employees the need to be responsible for their own security and safety at all times.

B. Employee Educational Offerings

In addition to the above orientation training, The School provides a variety of safety and security education through a variety of online and in person educational opportunities. Programs and presentations available annually include:

- ALICE Training for Active Shooter Protocol
- Bloodborne Pathogens
- FERPA
- Cybersecurity
- Clery Act
- Preventing Discrimination and Harassment (Title IX and Clery Act)
- Mental Wellbeing
- Anti-Hazing
- Bystander Intervention
- Other trainings (available upon request or offered upon an identified need)

The School employees also have access to a variety of additional safety and security trainings, including drug and alcohol awareness programming on demand via an online platform.

C. Crime and Accident Prevention

The School does not assume liability for stolen property. Therefore, students and employees should always keep their personal belongings locked in the student lockers or employee offices or in their custody. The School encourages students and staff not to bring expensive jewelry, money, or other valuables to The School. Such items should be left at home in order to reduce the chance of theft.

The School reserves the right to submit for prosecution any student or employee to the full extent of state and United States federal law for any criminal violation committed on the school premises. The School will take into consideration the specifics of any student who may be accused of a crime on a case-by-case basis, which may include suspension or termination from The School. Criminal violations may include, but may not be limited to, the following:

- Murder
- Rape
- Forcible sex offenses
- Non-forcible sex offenses

- Robbery/theft
- Simple or aggravated assault
- Unlawful consumption or possession of alcohol or other controlled or illegal substance
- Hate crime, including larceny-theft, simple assault, intimidation, or vandalism
- Burglary There must be evidence of both trespass and intent to commit a felony or theft.)
- Larceny (Larceny is the illegal taking and carrying away of personal property belonging to another with the purpose of depriving the owner of its possession.)

Further preventative measures include:

- Students and/or employees shall not be permitted to consume illegal or controlled substances, including alcoholic beverages, during School hours or at School functions.
- Students and/or employees shall not be permitted to have any illegal or otherwise dangerous weapons in their possession or on School property. Such a violation will result in the confiscation of the weapon, possible prosecution, and possible termination from enrollment or employment.
- Students and/or employees must keep their property securely locked in the designated areas in order to prevent theft.
- Students and/or employees must park in the designated areas and should keep their cars securely locked and valuables hidden. Students and/or employees must never remain alone within the facility after closing without administrative approval. If approval has been given, the outside door must remain locked at ALL times, and the student/ employee must not allow any unauthorized individual entrance.
- All employees should make certain that the offices remain securely locked at all times. When leaving the office, employees must always check the door to ensure it is secure.
- Employees should never lock the facility alone. Two people must always be present during locking procedures. The individuals should check to ensure that both have entered their vehicles safely upon leaving the school premises.
- Students and/or employees shall report hazardous conditions (e.g., faulty or broken equipment, water leaks, chemical spills, exposed electrical wires, etc.) to the Clery Coordinator for immediate attention.
- The Clery Coordinator shall handle all such hazards with appropriate caution and expedience. Proper procedures may require the Clery Coordinator to notify the appropriate agencies (e.g., the poison control center, the fire department, the power company, etc.)

- Students and/or employees shall not attempt to repair damaged electrical equipment or exposed wires. Instead, such problems should be reported to the administration.
- Damaged or dangerous structural conditions shall be reported to the Clery Coordinator immediately.
- Students and/or employees should handle all equipment within the manufacturer's specifications. The School will not be responsible for accidents caused by the inappropriate or negligent use of any of its equipment.
- Students and/or employees shall not be permitted to use unauthorized equipment. The School will not accept liability for accidents involving unapproved equipment.
- Students and/or employees with unusual or serious health conditions are encouraged to report such conditions upon admission or employment. Arrangements must be made with his or her physician for appropriate preventative measures. All such conditions will be kept confidential, but the nature of any reasonable accommodation through the interactive process may require certain School officials to be notified to implement approved reasonable accommodations. For more information on ADA Accommodations, please see The School's website or contact the ADA Coordinator.
- Employees shall be required to attend a workshop on first-aid care. The workshop will be organized by the administration and will involve accepted professional organizations.

D. Security Considerations and Access to Campus Facilities

Only authorized individuals are permitted on the school premises, which includes students, staff, and clinic classroom models/guests. Individuals who are not a part of The School or receiving a guest service will be considered trespassing and will be reported to the local authorities. All students and staff have name badges that clearly identify who they are and their role. Clinic classroom guests are permitted in the building; however, they must be escorted by either a student or staff member at all times and are limited to the clinic classroom and restroom facilities.

Maintenance personnel wear identification badges or uniforms and have access during normal school hours and in the evening to clean the school or conduct maintenance of the facility. All non-staff service providers must check in at the service desk and have a badge clearly indicating their purpose on school premises.

The School maintains its campus facilities in a manner that minimizes hazardous and unsafe conditions. Security considerations that are used in the maintenance of campus facilities in coordination with the landlord include, but are not limited to:

- Trees and shrubberies are trimmed away from the walkway and buildings.
- The School works closely with the facilities management to address burned out lights promptly, as well as malfunctioning door locks or other physical conditions that are designed to enhance security.

We encourage community members to promptly report any security concern to the Clery Coordinator and/or Director; this includes concerns about lock malfunctions, lighting, or landscaping.

XI. Crime Statistics and Student Right to Know Policy

A. Student Right to Know Policy

While The School is a reasonably safe environment, crimes may occur.

The following annual security report provides crime statistics for selected crimes that have been reported to local police agencies or campus security authorities. The statistics reported for the sub categories on liquor laws, drug laws, and weapons offenses represent the number of people arrested or referred to campus judicial authorities for the respective violations, not the number of offenses documented.

B. Crime Statistics

	2022		**2023**		**2024**	
	On Campus	Public Property	On Campus	Public Property	On Campus	Public Property
Murder/ Non-Negligent Manslaughter	**0**	**0**	**0**	**0**	**0**	**0**
Manslaughter by Negligence	**0**	**0**	**0**	**0**	**0**	**0**
Rape	**0**	**0**	**0**	**0**	**0**	**0**
Fondling	**0**	**0**	**0**	**0**	**0**	**0**

Statutory Rape	**0**	**0**	**0**	**0**	**0**	**0**
Incest	**0**	**0**	**0**	**0**	**0**	**0**
Robbery	**2**	**0**	**0**	**0**	**0**	**0**
Aggravated Assault	**0**	**0**	**0**	**0**	**0**	**0**
Burglary	**0**	**0**	**0**	**0**	**0**	**0**
Motor Vehicle Theft	**0**	**0**	**0***	**0**	**0**	**0**
Arson	**0**	**0**	**0**	**0**	**0**	**0**
Violence Against Women Act (VAWA) Offenses						
Domestic Violence	**0**	**0**	**0**	**0**	**0**	**0**
Dating Violence	**0**	**0**	**0**	**0**	**0**	**0**
Stalking*	**0**	**0**	**0**	**0**	**0**	**0**
Arrests						
Weapons	**0**	**0**	**0**	**0**	**0**	**0**
Drugs	**0**	**0**	**0**	**0**	**0**	**0**
Alcohol	**0**	**0**	**0**	**0**	**0**	**0**
Referrals						
Weapons	**0**	**0**	**0**	**0**	**0**	**0**
Drugs	**0**	**0**	**0**	**0**	**0**	**0**
Alcohol	**0**	**0**	**0**	**0**	**0**	**0**
Stop Campus Hazing Act						
Hazing	N/A**	N/A**	N/A**	N/A**	N/A**	N/A**

*In 2023, the School reported 2 Motor Vehicle Thefts on Campus Clery Geography. The School has determined that the parking lot is not part of the School's campus as they do not own or control that space, and the previously reflected statistic has been updated.

NOTE: The School does not have on-campus student housing or non-campus property; therefore, these categories are excluded from this table.

*Stalking which crosses calendar years will be recorded in each and every year in which the stalking is reported to a campus security authority or local police.

**The Stop Campus Hazing Act was enacted in December 2024, requiring statistical collection and reporting of hazing data meeting the criteria for calendar year 2025. This is included to reflect that, while the policies and procedures are in place, the statistical reporting will begin for calendar year 2025.

HATE CRIMES

Year	Description
2022	No Hate Crimes Reported in 2022.
2023	No Hate Crimes Reported in 2023.
2024	No Hate Crimes Reported in 2024.

NOTE: The school does not have on-campus student housing or non-campus property; therefore, these categories are excluded from this table.

UNFOUNDED CRIMES

Clery Act reporting allows a school not to include (or remove) a reported crime from its statistics when sworn or commissioned law enforcement personnel have fully investigated the reported crime and have made a formal determination that the crime report is false or baseless and, therefore, “unfounded.” In this case, a school must report to the Department of Education and disclose in their annual security report statistics that include the total number of crime reports that were “unfounded” and subsequently withheld from its crime statistics during each of the three most recently completed calendar years. Any crimes listed as unfounded have been identified below, indicating the year the crime was determined to be unfounded and the type of crime.

Year	Description
2022	No unfounded crimes reported

2023	No unfounded crimes reported
2024	No unfounded crimes reported

XII. Drug, Alcohol, and Substance Abuse Policy Statements

Federal law requires The School to notify all employees and students of certain information about the unlawful possession, use, or distribution of illicit drugs and alcohol on its property or as part of the School's activities. The information included in this section of the report complies with the Drug-Free Schools and Communities Act and the Drug-Free Workplace Act of 1988 and all relevant implementing regulations.

A. Drug-Free Workplace Policy

The School prohibits being under the influence of, the unlawful manufacture, distribution, dispensing, possession of, or use of a controlled substance in the workplace, on school property, or as part of any School activity.

The School similarly prohibits being under the influence, the unlawful use, possession, and distribution of alcohol in the workplace, on school property, or as part of any school activity, as well as any other unlawful conduct involving alcohol. This policy applies to individuals of any age.

For sanctions related to drugs and alcohol, please see the below section.

B. Enforcement of State Underage Drinking Laws and the Enforcement of Federal and State Drug Laws

The School does not maintain commissioned law enforcement, but all underage drinking and violations of drug laws will be referred to the appropriate local law enforcement agencies.

C. Federal, State, and Local Legal Sanctions Related to the Unlawful Possession or Distribution of Illicit Drugs and Alcohol

Controlled Substances Act

The Controlled Substances Act classifies regulated substances under existing federal law into one of five categories, known as Schedules. The assigned Schedule is based on substance

characteristics like medical use, potential for abuse, and safety or dependence ability. Below is a description of the five Schedules and examples of substances in each schedule. This is not a comprehensive list.

Please note that a substance need not be listed as a controlled substance to be treated as a Schedule I substance for criminal prosecution. A controlled substance analogue is a substance which is intended for human consumption and is structurally or pharmacologically substantially similar to or is represented as being similar to a Schedule I or Schedule II substance and is not an approved medication in the United States. (See 21 U.S.C. §802(32)(A) for the definition of a controlled substance analogue and 21 U.S.C. §813 for the Schedule.)

Schedule I
Schedule I drugs, substances, or chemicals are defined as drugs with no currently accepted medical use and a high potential for abuse. Some examples of Schedule I drugs are heroin, lysergic acid diethylamide (LSD), marijuana (cannabis), 3,4-methylenedioxymethamphetamine (ecstasy), methaqualone, and peyote.

Schedule II
Schedule II drugs, substances, or chemicals are defined as drugs with a high potential for abuse, with use potentially leading to severe psychological or physical dependence. These drugs are also considered dangerous. Some examples of Schedule II drugs are: combination products with less than 15 milligrams of hydrocodone per dosage unit (Vicodin), cocaine, methamphetamine, methadone, hydromorphone (Dilaudid), meperidine (Demerol), oxycodone (OxyContin), fentanyl, Dexedrine, Adderall, and Ritalin.

Schedule III
Schedule III drugs, substances, or chemicals are defined as drugs with a moderate to low potential for physical and psychological dependence. Schedule III drugs abuse potential is less than Schedule I and Schedule II drugs but more than Schedule IV. Some examples of Schedule III drugs are: products containing less than 90 milligrams of codeine per dosage unit (Tylenol with codeine), ketamine, anabolic steroids, and testosterone.

Schedule IV
Schedule IV drugs, substances, or chemicals are defined as drugs with a low potential for abuse and low risk of dependence. Some examples of Schedule IV drugs are: Xanax, Soma, Darvon, Darvocet, Valium, Ativan, Talwin, Ambien, and Tramadol.

Schedule V
Schedule V drugs, substances, or chemicals are defined as drugs with lower potential for abuse than Schedule IV and consist of preparations containing limited quantities of certain

narcotics. Schedule V drugs are generally used for antidiarrheal, antitussive, and analgesic purposes. Some examples of Schedule V drugs are: cough preparations with less than 200 milligrams of codeine or per 100 milliliters (Robitussin AC), Lomotil, Motofen, Lyrica, and Parepectoli.

Federal Drug 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>500–4,999 grams mixture</td><td rowspan="8">First offense: Not less than five years and not more than 40 years. If death or serious injury, not less than 20 years or more than life imprisonment. Fine of not more than $2 million if an individual; $5 million if not an individual.
Second offense: Not less than 10 years and not more than life imprisonment.
If death or serious injury, life imprisonment. Fine of not more than $4 million if an individual; $10 million if not an individual.</td><td>5 kilograms or more mixture</td><td rowspan="8">First offense: Not less than 10 years and not more than life imprisonment. If death or serious injury, not less than 20 years or more than life imprisonment. Fine of not more than $4 million if an individual; $10 million if not an individual.
Second offense: Not less than 20 years and not more than life imprisonment. If death or serious injury, life imprisonment. Fine of not more than $8 million if an individual; $20 million if not an individual.
Two or more prior offenses: Life imprisonment</td></tr>
<tr><td>Cocaine Base (Schedule II)</td><td>28–278 grams mixture</td><td>279 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 kilogram 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 grams or more pure or 1 kilogram or more mixture</td></tr>
<tr><th colspan="3">Penalties</th><th colspan="2"></th></tr>
<tr><td>Other Schedule I and II Drugs (and any drug product containing Gamma Hydroxybutyric Acid)</td><td>Any amount</td><td colspan="3">First offense: Not more than 20 years. If death or serious injury, not less than 20 years or more than life imprisonment. Fine $1 million if an individual; $5 million if not an individual.</td></tr>
</table>

Flunitrazepam (Schedule IV)	1 gram or more	Second offense: Not more than 30 years. If death or serious injury, not less than 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 five years. Fine not more than $250,000 if an individual; $1 million if not an individual. Second offense: Not more than 10 years. Fine not more than $500,000 if an individual; $2 million if not an individual.
All Other Schedule IV Drugs	Any amount	First offense: Not more than three years. Fine not more than $250,000 if an individual; $1 million if not an individual. Second offense: Not more than six years. Fine not more than $500,000 if an individual; $2 million if not an individual.
Flunitrazepam (Schedule IV)	Less than 30 milligrams	
All Schedule V Drugs	Any amount	First offense: Not more than one year. Fine not more than $100,000 if an individual; $250,000 if not an individual. Second offense: Not more than two years. Fine not more than $200,000 if an individual; $500,000 if not an individual.

*From the US Drug Enforcement Agency (DEA)

Federal Drug Trafficking Penalties—Marijuana*

Drug	Quantity	First Offense	Second Offense
Marijuana	1,000 kilograms or more mixture; or 1,000 or more plants	• Not less than 10 years and not more than life imprisonment. • If death or serious injury, not less than 20 years and not more than life imprisonment. • Fine not more than $4 million if an individual; $10 million if other than an individual.	• Not less than 20 years and not more than life imprisonment. • If death or serious injury, mandatory life imprisonment. • Fine not more than $8 million if an individual; $20 million if other than an individual.

Marijuana	100 kilograms to 999 kilograms mixture; or 100 to 999 plants	• Not less than five years and not more than 40 years. • If death or serious injury, not less than 20 years and not more than life imprisonment. • Fine not more than $2 million if an individual; $5 million if other than an individual.	• Not less than 10 years and not more than life imprisonment. • If death or serious injury, mandatory life imprisonment. • Fine not more than $4 million if an individual; $10 million if other than an individual.
Marijuana	More than 10 kilograms hashish; 50 to 99 kilogram mixture More than 1 kilogram of hashish oil; 50 to 99 plants	• Not more than 20 years. • If death or serious injury, not less than 20 years and not more than life imprisonment. • Fine $1 million if an individual; $5 million if other than an individual.	• Not more than 30 years. • If death or serious injury, mandatory life imprisonment. • Fine $2 million if an individual; $10 million if other than an individual.
Marijuana	1 to 49 plants; less than 50 kilogram mixture	• Not more than five years. • Fine not more than $250,000; $1 million if other than an individual.	• Not more than 10 years. • Fine $500,000 if an individual; $2 million if other than an individual.

*From the US Drug Enforcement Agency (DEA)

State and Local Laws

Alcohol:

• Underage Drinking: T.C.A §§ 57-3-412, 57-4-203, 57-5-301]

Under Tennessee law, Underage Possession of Alcohol is a Class A Misdemeanor and may result in some or all of the following consequences:

– A sentence of up to 11 months, 29 days in jail;

– A probationary period;

– A fine of up to $2,500;
– A one-year loss of driver's license; and
– Court costs.

• Carrying a Fake ID: T.C.A. § 57 – 3 – 412 (c)]
– Class A Misdemeanor in TN
– Maximum punishment is 11 months, 29 days in jail
– Mandatory Loss of Driver's License for a period of 1 year
– Fine of $50 – $200; or 5 – 30 days in jail

• Public Drunkenness: T.C.A. § 33-10-407
– A misdemeanor crime in Tennessee. The possible penalty for the crime is up to 30 days in jail,
– A fine of up to $50, or both.
– As noted above, in counties where treatment facilities are available, an individual taken into custody for public intoxication must be offered treatment with no record of arrest.

• Selling or Furnishing Alcohol to Minors: T.C.A. 39-15-404
– A Class A misdemeanor, and in addition to the regular Class A penalties,
–Tthe offender can be sentenced to hundreds of hours of community service.
– The court may send an order for denial of the offender's driving privileges, or suspension of their license.
– Further, if you are found guilty you may lose your ability to serve alcohol or beer for up to 10 years. – Businesses may be subject to an investigation by the TABC or Memphis Beer Board violations.

• Open Container Law:T.C.A.§ 39-17-310]
– A Class C Misdemeanor and may result in some or all of the following consequences:
– A sentence of up to 30 days in jail;
– A probationary period;
– A fine of up to $50;
– Court costs.

• DUI: T.C.A. 55-10-406 & T.C.A. 55-10-407
– 1st conviction: Eleven month and twenty nine day (11/29) sentence, with a minimum service or forty eight (48) hours jail

– A fine between $350.00 to $1,500.00,
– Alcohol safety class, suspension of drivers license for one (1) year. (Eligible for restricted license).
– If your blood or breath sample is .20% or higher the jail time is seven (7) consecutive days.
– For DUI 2nd conviction: Eleven month and twenty nine day (11/29) sentence, with a minimum service of forty five days (45) in jail,
– A fine between $600.00 and $3,500.00,
– Suspension of drivers license for two (2) years. (Eligible for Restricted License with an Ignition Interlock Device).

Drug-Related Offenses:
**Possession of a half ounce of marijuana or less is a misdemeanor punishable by up to one year in jail and maximum fine of $2,500. A $250 fine is required for all first time convictions. A subsequent offense brings a $500 mandatory minimum fine.

Gov. Bill Haslam signed HB 1478 into law, which will eliminate the provision that makes a third conviction for possession of marijuana a felony. The law took effect on July 1, 2016. This change will reduce the penalty for third-time possession from between one and six years of incarceration to less than one year in jail. In addition, having a misdemeanor rather than a felony record will reduce the collateral consequences associated with the conviction.

Tennessee HB 1478 (2016) Web Search
Tenn. Code Ann, §39-17-418 (2015) Web Search
Tenn. Code Ann. §39-17-428 (2015) Web Search

D. Statement on Disciplinary Sanctions

The School will impose disciplinary sanctions on students and employees—or may remove other individuals from the premises—who violate the Drug-Free Workplace Policy or other policies that prohibit the use, possession, manufacture or distribution of drug and alcohol. Individuals found to be in violation of this policy will be subject to sanctions up to and including termination from the educational program via the Future Professional Advisory Policy or the termination of employment and referral to the appropriate agency for prosecution.

The drug-free workplace consists of all locations where The School does business. This includes, but is not limited to, all lecture classrooms, parking lots, administrative offices, corridors, storage rooms, and any space added to the school or school property.

E. Health Risks

The abuse of narcotics, depressants, stimulants, hallucinogens, or alcohol can cause serious detriment to a person's health. The health risks associated with the misuse of the previously mentioned drugs vary but may include, and are not limited to, convulsions, coma, paralysis, irreversible brain damage, tremors, fatigue, paranoia, insomnia, and possible death. Drug and alcohol abuse is extremely harmful to a person's health and interferes with productivity and alertness. Working while under the influence of drugs or alcohol could be a danger to the individual under the influence, coworkers, and students. Described below are additional dangers and symptoms relative to use and/or abuse.

Marijuana

Commonly known as "pot," marijuana is a plant with the botanical name of cannabis sativa. Pot is almost always smoked but can be ingested. Use causes the central nervous system to become disorganized and confused. Most users experience an increase in heart rate, reddening of eyes, and dryness of the throat and mouth.

Studies have proven that marijuana's mental effects include temporary impairment of short-term memory and an altered sense of time. It also reduces the ability to perform tasks requiring concentration, swift reactions, and coordination. Feelings of euphoria, relaxation, and bouts of exaggerated laughter are also commonly reported.

Smoking "pot" may cause brain chemical changes, an altered reality, physically damaged lungs, emphysema, chronic bronchitis, lung cancer, a weakened immune system, damage to sperm in males, irregular menstrual cycles in females, and reduced fertility and sex drive.

Regardless whether or not the state allows the use of marijuana or medical marijuana, at the federal level, marijuana remains classified as a Schedule I substance under the Controlled Substances Act, in which Schedule I substances are considered to have a high potential for dependency and no accepted medical use, making distribution or use of marijuana a federal

offense. Therefore, regardless of the circumstance, marijuana cannot be brought to or used on The School's campus.

Cocaine/Crack

Cocaine is a stimulant drug, which is derived from the coca plant. Street cocaine is available in the form of a powder or a "rock" of crack and is most commonly inhaled or smoked. Cocaine increases the heart rate and blood pressure and is highly addictive.

Crack is a form of smokable cocaine named for the popping sound it makes when burned. It is a mixture of cocaine, baking soda, and water. It is five to ten times more potent than cocaine and is extremely harmful. It has been reported that addiction can occur with as few as two "hits." Some symptoms of cocaine/crack abuse are personality changes; unexplained weight loss; excess sniffing and coughing; insomnia; depression; irritability; neglect of responsibility toward work, school, family, and friends; and panic attacks.

Alcohol

In small amounts, alcohol has a tranquilizing effect on most people, although it appears to stimulate others. Alcohol first acts on those parts of the brain that affect self-control and other learned behaviors; lowered self-control can lead to aggressive behavior. Alcohol use can also cause dehydration, coordination problems, and blurred vision.

In large amounts, alcohol can dull sensation and impair muscular coordination, memory, and judgment. Taken in larger amounts over a long period of time, alcohol can damage the liver, heart, and brain and cause numerous other health and medical issues.

When anyone under age 21 drinks alcohol, it is considered underage drinking. Underage drinking is against the law, except in special cases, such as when it is part of a religious ceremony. Underage drinking is also dangerous. It can harm the mind and body of a growing adolescent in ways many people don't realize. If caught by the police, you may be arrested, lose your driver's license, or be required to attend an alcohol awareness program. If a student is caught drinking on The School's campus or at a School-sponsored event, the student will be terminated from School.

Hallucinogens

Hallucinogens are also known as psychedelics. The effects vary; a user's reactions can vary by occasion. Most users are affected by changes in time and space perception, delusions, and hallucinations. The effects may be mild or overwhelming, depending on the dose and quantity of the drug.

Physical reactions range from minor changes—such as dilated pupils or an increase in temperature and heartbeat—to major changes—such as tumors. High doses can significantly alter the state of consciousness. After taking a hallucinogenic drug, the user loses control of thought processes. Although many perceptions are benign, others may cause panic or may make the user believe he or she cannot be harmed. Such delusions can be dangerous.

Heroin

Heroin is a narcotic, which relieves pain and induces sleep. Commonly known as "junk" or "smack," heroin is a highly addictive depressant and has been attributed as the cause of many deaths. Symptoms include "pinpoint pupils"; drowsiness, lethargy, and slurred speech; and an inability to concentrate. Related medications used to treat pain include OxyContin and oxycodone, methadone, and codeine. The abuse of painkillers ranks second only to the abuse of marijuana in the United States. Heroin users experience a higher rate of infectious disease due to a weakened immune system and sharing contaminated needles. Children can be born addicted or can become addicted as a result of heroin in the mother's breast milk.

Crystal Methamphetamine

Crystal methamphetamine is a colorless, odorless, powerful, and highly addictive synthetic (man-made) stimulant. Crystal methamphetamine typically resembles small fragments of glass or shiny blue-white "rocks" of various sizes. Like powdered methamphetamine, crystal methamphetamine produces long-lasting euphoric effects. Crystal methamphetamine, however, typically has a higher purity level and may produce even longer-lasting and more intense physiological effects than the powdered form of the drug.

Crystal methamphetamine use is associated with numerous serious physical problems. The drug can cause rapid heart rate, increased blood pressure, and damage to the small blood vessels in the brain, which can lead to stroke. Chronic use of the drug can result in inflammation of the heart lining. Overdoses can cause hyperthermia (elevated body temperature), convulsions, and death.

Crystal methamphetamine users may experience episodes of violent behavior, paranoia, anxiety, confusion, and insomnia. The drug can produce psychotic symptoms that persist for months or years after an individual has stopped using the drug.

Crystal methamphetamine users who inject the drug expose themselves to additional risks, including contracting HIV (human immunodeficiency virus). Methamphetamine users also risk scarred or collapsed veins, infections of the heart lining and valves, abscesses, pneumonia, tuberculosis, and liver or kidney disease.

Depressants

Depressants are highly addictive; they are usually known as “downers.” A user may be drowsy and lethargic, suffer from memory loss, and have slurred speech. Many lawful drugs that have characteristics of depressants are from the family of drugs called barbiturates. More serious effects of the abuse of downers are liver damage, paradoxical anxiety and excited rage, coma, and death.

Ecstasy (MDMA)

Also known as XTC, X, and E, Ecstasy is a mind-altering drug with hallucinogenic and speed-like side effects. Often used at raves, it is taken to promote loss of inhibition, excitability, euphoria, energy, and sexual stimulation. Ecstasy increases the amounts of serotonin and dopamine in the user’s brain, which causes increased energy and euphoria; it also contains anti-coagulative properties, which can cause the user to bleed to death if injured. Ecstasy can also cause serious brain damage in a short time. Side effects of ecstasy include depression, increased heart rate and blood pressure, muscle tension, nausea, blurred vision, faintness, chills, brain damage, organ damage, and death. Similar “designer drugs” include MDEA and MDA (also known as “Adam” and “Eve”).

Ritalin

Methylphenidate (Ritalin) is a medication prescribed for individuals (usually children) who have an abnormally high level of activity or attention-deficit hyperactivity disorder (ADHD). It contains amphetamines and can be abused as a stimulant by those for whom it is not prescribed. When abused, the tablets are either taken orally or crushed and snorted. Some abusers dissolve the tablets in water and inject the mixture; complications can arise from injection as insoluble fillers in the tablets can block small blood vessels.

GHB

Gamma-hydroxybutyrate is an intoxicating chemical with medical, recreational, and potentially dangerous uses. Its use is illegal for any purpose in the United States. Nicknamed the “date rape drug,” it is a clear liquid often mixed in drinks to promote relaxation or increased sociability. When taken, side effects can include drowsiness, dizziness, vomiting, amnesia, decreased motor skills, slurring of speech, un-rouseable sleep (coma), and death.

GHB was used as a dietary supplement until banned by the FDA. GHB is now illegal in the United States. Common slang names for GHB are: G, Liquid X, GBH, Gamma-oh, Blue Verve, Grievous Bodily Harm, Goop, and EZLay.

F. Drug Conviction Notification Requirements and Imposed Sanctions

- Any employee or student must notify the Director of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such a conviction.
- Within 30 days after receiving notice of an employee or student conviction,

The School will impose corrective measures on the employee or student convicted of drug abuse violations in the workplace by:

- Taking appropriate action against the employee or student up to and including expulsion or termination of employment and referral for prosecution.
- Requiring such employee or student to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health; law enforcement; or other appropriate agency.

G. List of Addiction and Alcohol Programs (Counseling Treatment, Rehabilitation, Reentry) Available to Students and Employees

Drug Abuse and Addiction Information and Treatment Centers	
Facility	**Website**
• **Harm Reduction Therapy Clinic**	**https://harmreductiontherapy.org/**
• **National Institute on Drug Abuse**	**https://nida.nih.gov/**
• **Alcohol Abuse**	**https://aa.org**

• **Alcoholics Anonymous World Services**	**https://aa.org**
• **National Institute of Alcohol Abuse and Alcoholism**	**https://www.niaaa.nih.gov/**
• **Rapid Detox Delta Specialty Hospital**	**https://www.deltaspecialtyhospital.com/addiction/opiates/detox/**
• **Treatment Access Services First Step Recovery Centers**	**http://www.firststeprecoverycenters.org/**
• **Alcoholics Anonymous (AA)**	**https://www.memphis-aa.org/meetings**
• **ACOA (Adult Children of Alcoholics)**	**https://memphisareaal-anon.org/product-tag/acoa/**
• **AL-ANON (Family and Friends of Alcoholics)**	**https://memphisareaal-anon.org/product-tag/acoa/**
• **The Center for Substance Abuse Treatment and Referral Hotline**	**https://findtreatment.gov/**

H. A. Materials Used to Provide Drug and Alcohol Abuse Programming to Students and Staff

In addition to the below policy distribution procedures, The School uses the Vector Solutions platform to assign training to students and employees in support of educational programming. Upon enrollment or employment, students and employees are assigned training on the Vector Solutions platform. For students and employees, this includes modules on alcohol and drugs.

I. Policy Distribution Procedures

The School's Drug-Free Workplace Policy will be distributed to all employees and students on an annual basis using the following procedure:

- Students will receive a copy of the Drug-Free Workplace Policy at the time of initial enrollment. The enrollment agreement signed by every student will acknowledge receipt of the Drug-Free Workplace Policy.
- Staff employees will receive a copy of the Drug-Free Workplace Policy with the initial employment agreement. It will be read, and the signature page will be returned with the employment agreement. Annually, The School will be responsible for distributing the policy to current staff employees.

J. Biennial Review

The School conducts a biennial review of its Drug-Free Workplace Policy to determine the program's effectiveness, any needed changes, the number of drug- and alcohol-related violations and fatalities, and the number and type of sanctions imposed. Contact the School Director to request a copy of the biennial review.

XIII. Policies and Programs Addressing Domestic Violence, Dating Violence, Sexual Assault, and Stalking (VAWA Crimes)

This portion of this document has been designed to inform all students and employees of the Violence Against Women Act (VAWA), Title IX, and Clery Act and outlines The School's commitment to the health and safety of its students and employees. Throughout this document, The School uses the term victim to mean anyone who experiences a Clery-reportable crime. The School recognizes that individuals may use different or various terms to describe their experience or themselves.

The School strictly prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act, VAWA, and Title IX Regulations). The School reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of The School community.

The School strictly prohibits any student or staff member from engaging in any crime outlined under the VAWA, Clery Act, and/or Title IX—including the crimes of dating violence, domestic violence, sexual assault, and stalking—and is committed to taking the necessary steps to investigate any allegations of wrongdoing in line with applicable jurisdiction requirements. The School does not discriminate on the basis of sex in its educational programs nor tolerate sexual violence or sexual harassment.

The School maintains programs to prevent and address domestic violence, dating violence, sexual assault/ misconduct, and stalking. Under The School's Protected Class Nondiscrimination Policy and Procedures and Future Professional Advisory Policy, student conduct sets forth the disciplinary procedures for action in cases of alleged domestic violence, dating violence, sexual assault, and/or stalking as outlined. For employees, the disciplinary procedures are outlined in the Protected Class Nondiscrimination Policies and Procedures and employee handbook. The

School's Protected Class Nondiscrimination Policy and Procedure's definition for sexual harassment includes sexual assault, dating violence, domestic violence, and stalking.

The School recognizes that anyone can be impacted by domestic violence, dating violence, sexual assault, and stalking regardless of sex, gender, gender identity, gender expression, and/or sexual orientation. All campus services are available to anyone who experiences these crimes.

Please note that throughout this portion of the report the term "victim" will be used to refer to anyone who experiences a Clery crime. The School recognizes that each person may use other terms to describe themselves and their experiences.

A. Retaliation Is Prohibited

Retaliation is prohibited by School policy (see Protected Class Nondiscrimination Policies and Procedures). The School will not tolerate retaliation in any form against an individual who makes an allegation, files a report, serves as a witness, assists a party to an investigation/adjudication, or participates in related processes. Allegations of retaliation should be reported immediately to the Title IX Coordinator and/or the Director.

B. Reporting Domestic Violence, Dating Violence, Sexual Assault, and/or Stalking

Victims or witnesses to a crime on the School's Clery Geography or premises may report the crime to the Clery Coordinator or Director for inclusion in the annual disclosure of crime statistics.

The School does not have a confidential reporting policy or procedure for victims or witnesses to report crimes confidentially for inclusion in the annual disclosure of crime statistics.

This document explains the institution's policy regarding crime prevention, public safety, and criminal reporting procedures. This document will be provided to all prospective students and staff, as well as be reviewed with all students during orientation and with staff at the time of hire. It is also provided annually on or before October 1 to all currently enrolled students and currently employed staff.

C. VAWA Education and Prevention Programming

The School provides comprehensive educational programming to The School community to prevent domestic violence, dating violence, sexual assault, and stalking. Educational programming consists of primary prevention and awareness for all incoming students and employees and ongoing awareness and prevention campaigns for the campus community that:

- Identifies domestic violence, dating violence, sexual assault, and stalking as prohibited conduct at the School.
- Defines domestic violence, dating violence, sexual assault, and stalking in the School.
- Defines what behavior and actions constitute consent to sexual activity in The School.
- Provides safe and positive options for bystander intervention that may be carried out by the individual to intervene and/or prevent harm when they are a bystander/witness to domestic violence, dating violence, sexual assault, and stalking.
- Provides information on risk reduction to allow students and employees to recognize signs of abusive behavior and minimize the risk of potential attacks.
- Provides an overview of the information contained in the Annual Security Report in October each year after the report is released. The report includes the procedures The School follows when one of the crimes of domestic violence, dating violence, sexual assault, and stalking is reported and the rights within that proceeding.

The School has developed an annual educational plan consisting of presentations that include:

- A presentation during the first week of classes in which the Title IX Coordinator will speak to each new class regarding the Protected Class Nondiscrimination Policy and Procedures, including the prohibition of domestic violence, dating violence, sexual assault, and stalking.
- Training for all new students and employees via the Vector Solutions Platform that includes prevention, risk reduction, and bystander intervention. There are also follow-up modules assigned to provide ongoing components in this training.
- Review of the Protected Class Nondiscrimination Policies and Procedures, including the prohibition of domestic violence, dating violence, sexual assault, and stalking with all new employees.
- Annual training for continuing students in programs over one year and annual training for employees via the Vector Solutions platform including prevention, risk reduction, and bystander intervention.

- Presentations by external groups like local law enforcement and/or the Federal Bureau of Investigation and local advocacy and crisis resources on crime prevention and risk reduction, including for domestic violence, dating violence, sexual assault, and stalking.
- Ongoing education for School officials who conduct or assist with the Protected Class Nondiscrimination Policy and Procedures. This training includes, but is not limited to:
    - Annual training containing information on issues related to dating violence, domestic violence, stalking, sexual assault, and how to conduct an investigation and process (including a hearing if relevant) that protects the safety of victims and promotes accountability
    - The definition of sexual harassment as defined in 34 CFR 106.30(a)
    - The scope of The School's education programs or activities subject to Title IX
    - The investigation and formal grievance/complaint process, including how to conduct an investigation, including hearings, appeals, and informal resolution processes
    - How to write reports that fairly summarize relevant evidence
    - How to serve impartially, avoiding conflicts of interest, bias, and prejudgment
    - Technology to be used during any live hearing
    - Relevance, including how to apply "rape shield" protections
    - Materials that are used cannot rely on sex stereotypes and must promote impartial investigations

The School aims to provide our School community with information about the campus security procedures and practices and with the tools needed to keep themselves and others safe. In addition to the above, The School offers programming on an as-needed basis at the request of The School community and/or as The School identifies the need for additional training. If you would like to request specific or additional training, please contact the Title IX Coordinator and/or School Director.

The School's programming provides information regarding:

- Procedures victims should follow if a crime of sexual assault, dating violence, domestic violence, or stalking occurs (available in this document);
- How The School will protect the confidentiality of victims and other necessary parties (described in this document);

- Existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to victims on campus and in the community (in this document);
- Options available for assistance in and how to request changes to academic, living, transportation, and working situations or protective measures (as described above and in The School's VAWA Brochure); and
- Procedures for School disciplinary action in cases of alleged sexual assault, dating violence, domestic violence or stalking (as described in both the School's Protected Class Nondiscrimination Policy and Procedures and in this document).

New students and employees are provided with copies of the Annual Security Report and Statement of Campus Safety and Security Policies and Procedures and Protected Class Nondiscrimination Policies and Procedures upon enrollment or hire which contain all of the above information.

D. Information on Bystander Intervention

Below are some ways to be an active bystander and some examples of safe and positive options for bystander intervention. If you or someone else is in immediate danger, please dial 911.

- Be mindful and help those around you. If you see someone who looks like they could be in trouble or needs help, ask if they are ok.
- If safe to do so, confront people who seclude, hit on, try to touch/kiss/make out with, or have sex with incapacitated individuals.
- Speak up when someone talks about plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, dating or domestic violence, abusive behaviors, or their experience with stalking.
- Speak up to a friend or someone else who says they had sex with someone who was very intoxicated or couldn't consent.
- Help a friend get home safely if they seem very intoxicated or under the influence of drugs.
- Interrupt a conversation when it looks like one person might be making another person feel uncomfortable or unsafe.
- Talk to a friend suspected of being in a relationship that is abusive or harmful to connect them to supportive resources.
- Express discomfort when someone makes a joke about or minimizes sexual or domestic violence or stalking.

- Call for assistance by law enforcement to intervene in a situation that might be dangerous or unsafe.

E. Information on Risk Reduction

Risk reduction refers to options designed to decrease perpetration and bystander inaction and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. Information provided strives to empower victims, recognize warning signs, avoid potential attacks, and do so without victim-blaming approaches.

No victim is ever to blame for being assaulted or abused. Unfortunately, research shows that individuals who experience sexual or dating violence are more likely to be revictimized. Below are some tips to recognize warning signs of abusive behavior and how to possibly reduce the risk of a potential attack.

F. Warning Signs of Abusive Behavior

Domestic and dating abuse often starts small and then escalates to threats and verbal abuse and/or violence. While physical injury is the most obvious danger, there are emotional and psychological consequences of domestic and dating violence. The emotional and psychological consequences that can be severe warning of dating and domestic violence include:

- Being afraid of your partner;
- Constantly monitoring what you have to say to avoid an argument or “blow up;”
- Feelings of low self-worth and helplessness about your relationship;
- Feeling isolated from family or friends because of your relationship;
- Hiding bruises or other injuries from family friends or others;
- Being prevented from working, studying, going home, and/or using technology, including your cell phone;
- Being monitored by your partner at home, work, or school;
- Being prevented from accessing medical care or financial information; and
- Being forced to do things that you do not want to do.

If you are being abused or suspect that someone you know is being abused, please speak up or intervene in ways that are safe:

- Reach out to advocacy, health/medical, or counseling organizations for assistance and support services.

- Learn to spot “red flags” or warning signs of potentially dangerous behavior.
- Consider making a report to the police and/or The School and seeking out a protective order, or, if relevant, a no-contact directive from The School.
- Learn more about what behaviors constitute dating or domestic violence.
- Understand that it is not your fault, and you did not ask for the behavior.
- Talk with trusted individuals about how you can be supported.
- Trust your instincts; if something does not feel right in a relationship, speak up or end the relationship.

G. Sexual Assault Prevention (from RAINN)

- Be aware of drugs being used to incapacitate you—known as rape drugs or date rape drugs.
- Try not to leave your drinks unattended.
- Only drink from unopened containers or from drinks you have watched being made and poured.
- Avoid group drinks like punch bowls.
- Cover your drink. It is easy to slip in a small pill, even while you are holding your drink. Hold a cup with your hand over the top or choose drinks that are contained in a bottle and keep your hand or thumb over the opening.
- If you feel extremely tired or drunk for no apparent reason, you may have been drugged. Find your friends and ask them to leave with you as soon as possible.
- If you suspect that you have been drugged, go to a hospital and ask to be tested.
- Keep track of the number of drinks you have had.
- Try to come and go from locations with a group of people whom you know and trust.
- Avoid giving out your personal information (phone number; address; or where in the area you live, work, or frequent). If someone asks for your number, take theirs instead of giving out yours.

H. Notice of Nondiscrimination

The School does not discriminate on the basis of protected class status, including sex, and prohibits sex discrimination in any education program or activity that it operates as required by Title IX and its regulations, including in admission and employment.

Inquiries about Title IX may be referred to The School’s Title IX Coordinator, the US Department of Civil Rights, or both. The School’s Title IX Coordinator is:
Alyson Hemann

3419 Plaza Ave Memphis, TN 38111
Operations Office
alysonhemann@pmtsmemphis.com
901-377-1701

The School's Protected Class Non-Discrimination Policy and Grievance Procedures can be located here:

https://paul-mitchell-schools-website-lightsail.s3.amazonaws.com/uploads/sites/211/Memphis-Protected-Class-Non-Discrimination-Policy-and-Procedures_522.pdf

To report information about conduct that may constitute sexual harassment or make a complaint of sex discrimination under Title IX, please contact the Title IX Coordinator through one of the above methods (telephone, email, or in person at their office).

XIV. Sex Offender Registry

In accordance with the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. § 14071(j)) and the Adam Walsh Child Protection and Safety Act of 2006, we are notifying you that you can obtain information concerning registered sex offenders by visiting https://www.nsopw.gov/ or https://sor.tbi.tn.gov/home for a list of registered offenders near the school premises.

XV. VAWA Offense Definitions

The Violence Against Women Act definitions are listed below.

Domestic violence is defined as felony or misdemeanor crimes of violence committed by:

a) A current or former spouse or intimate partner of the victim;
b) A person with whom the victim shares a child in common;
c) A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
d) A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies; or
e) 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.

Dating violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, and where the existence of such a relationship shall be determined based on a consideration

of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Sexual assault is defined as an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. Sexual assault occurs when a physical sexual activity is engaged in without the consent of the other person, or when the other person is unable to consent to the activity. The activity or conduct may include physical force, violence, threat, or intimidation; ignoring the objections of the other person; causing the other person's intoxication or incapacitation through the use of drugs or alcohol; and taking advantage of the other person's incapacitation (including voluntary intoxication).

(1) Rape is defined as 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.

(2) Fondling is defined as 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 their age or because of their temporary or permanent mental or physical incapacity. (Because there is not penetration in fondling, this offense will not convert to rape for classification.)

(3) Statutory rape is defined as sexual intercourse with a person who is under the statutory age for consent.

(4) Incest is defined as sexual intercourse between two persons who are related to each other within the degree wherein marriage is prohibited by law.

Stalking is defined as 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. For the purposes of this definition, course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveys, threatens, or communicates to or about a person, or interferes with a person's property.

Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily lead to, professional treatment or counseling. For the purposes of complying with the requirements of this regulation, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Consent is informed, voluntary, and revocable. Consent is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed-upon sexual activity. It must be given without coercion, force, threats, or intimidation. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Once consent is withdrawn, the sexual activity must stop immediately.

VAWA Offenses as Defined by the State of Tennessee

Consent

Mutual, voluntary, informed decisions between clear-minded, of-age participants before any and every sexual act.

Sexual Assault/Rape

39-13-503. Rape

(a) Rape is unlawful sexual penetration of a victim by the defendant or of the defendant by a victim accompanied by any of the following circumstances:

(1) Force or coercion is used to accomplish the act;

(2) The sexual penetration is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the penetration that the victim did not consent;

(3) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or

(4) The sexual penetration is accomplished by fraud.

(b) Rape is a Class B felony.

39-13-505. Sexual battery

(a) Sexual battery is unlawful sexual contact with a victim by the defendant or the defendant by a victim accompanied by any of the following circumstances:

(1) Force or coercion is used to accomplish the act;

(2) The sexual contact is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the contact that the victim did not consent;

(3) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or

(4) The sexual contact is accomplished by fraud.

(b) As used in this section, "coercion" means the threat of kidnapping, extortion, force or violence to be performed immediately or in the future.

(c) Sexual battery is a Class E felony.

If you feel you are in immediate danger, call 911 for assistance.

Statutory Rape

39-13-506. Statutory rape

(a) Mitigated statutory rape is the unlawful sexual penetration of a victim by the defendant, or of the defendant by the victim when the victim is at least fifteen (15) but less than eighteen (18) years of age and the defendant is at least four (4) but not more than five (5) years older than the victim.

(b) Statutory rape is the unlawful sexual penetration of a victim by the defendant or of the defendant by the victim when:

(1) The victim is at least thirteen (13) but less than fifteen (15) years of age and the defendant is at least four (4) years but less than ten (10) years older than the victim; or

(2) The victim is at least fifteen (15) but less than eighteen (18) years of age and the defendant is more than five (5) but less than ten (10) years older than the victim.

(c) Aggravated statutory rape is the unlawful sexual penetration of a victim by the defendant, or of the defendant by the victim when the victim is at least thirteen (13) but less than eighteen (18) years of age and the defendant is at least ten (10) years older than the victim.

(d) (1) Mitigated statutory rape is a Class E felony.

(2) Statutory rape is a Class E felony.

(3) Aggravated statutory rape is a Class D felony.

If you feel you are in immediate danger, call 911 for assistance.

Fondling

In Tennessee, fondling is considered a type of sexual assault, which is defined as unwanted sexual contact that is short of rape or attempted rape. Fondling is defined as the intentional touching of another person's intimate parts, such as the breasts, buttocks, groin, inner thighs, or genital area, for the purpose of sexual gratification. Fondling can be considered forcible if it is done against the victim's will or if the victim is unable to give consent due to their age or mental capacity.

39-13-505. Sexual battery

(a) Sexual battery is unlawful sexual contact with a victim by the defendant or the defendant by a victim accompanied by any of the following circumstances:

(1) Force or coercion is used to accomplish the act;

(2) The sexual contact is accomplished without the consent of the victim and the defendant knows or has reason to know at the time of the contact that the victim did not consent;

(3) The defendant knows or has reason to know that the victim is mentally defective, mentally incapacitated or physically helpless; or

(4) The sexual contact is accomplished by fraud.

(b) As used in this section, "coercion" means the threat of kidnapping, extortion, force or violence to be performed immediately or in the future.

(c) Sexual battery is a Class E felony.

If you feel you are in immediate danger, call 911 for assistance.

Incest

39-15-302. Incest

(a) A person commits incest who engages in sexual penetration as defined in § 39-13-501, with a person, knowing the person to be, without regard to legitimacy:

(1) The person's natural parent, child, grandparent, grandchild, uncle, aunt, nephew, niece, stepparent, stepchild, adoptive parent, adoptive child; or

(2) The person's brother or sister of the whole or half-blood or by adoption.

(b) Incest is a Class C felony.

If you feel you are in immediate danger, call 911 for assistance.

Dating Violence

Tennessee Code Annotated § 39-13-111, refers to any form of violence occurring between individuals who are dating, have dated, or have engaged in a sexual relationship. It's crucial to note that "dating" and "dated" exclude interactions limited to business or non-romantic social contexts. This statute encompasses various forms of violence, which may include but are not limited to:

- **Inflicting or attempting to inflict physical harm on the victim deliberately, excluding accidental means.**
- **Instilling fear of physical harm in the victim.**
- **Physically restraining the victim.**
- **Causing intentional harm to the victim's personal property, which may extend to harming any animals under the victim's ownership, possession, lease, or care.**
- **Creating a situation where the victim fears harm to any animals under their ownership, possession, lease, or care.**

If you feel you are in immediate danger, call 911 for assistance.

Stalking

Stalking is defined by Tennessee law as willful conduct involving repeated harassment of someone that causes them to feel terrorized, frightened, intimidated, threatened, harassed, or molested. Title 39 - CRIMINAL OFFENSES (§§ 39-1-101 — 39-17-1812) Section 39-17-315 - Stalking, aggravated stalking, and especially aggravated stalking

If you feel you are in immediate danger, call 911 for assistance.

XVI. The School's VAWA Offenses Definitions

General Definitions

Complainant is a student or employee who is alleged to have been subjected to conduct that could constitute protected class discrimination, harassment, or retaliation under this policy; or a person other than a student or employee who is alleged to have been subjected to conduct that could constitute protected class discrimination or harassment or under the Protected Class Nondiscrimination Policy and Procedure and who was participating or attempting to participate in The School's education program or activity at the time of the alleged protected class discrimination, harassment, or retaliation.

Respondent is a person who is alleged to have engaged in conduct that may constitute discrimination or harassment based on a protected characteristic, or retaliation for engaging in a protected activity under this Protected Class Nondiscrimination Policy and Procedure.

Consent

As used in the Nondiscrimination Policy, the following definitions and understandings apply:

Consent[3] is defined as:

- Knowing, and
- Voluntary, and
- Clear permission
- By words or actions
- To engage in sexual activity.[4]

How is consent evaluated? Proof of consent or non-consent is not a burden placed on either party involved in a complaint. Instead, the burden remains on The School to determine whether its policy has been violated.

The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context

[3]The state definition of consent, as used in criminal prosecutions for sex offenses in this state, may differ from the definition used on campus to address policy violations.

[4]The state definition of consent is attached to the Protected Class Nondiscrimination Policy and Procedures at Appendix B and incorporated by reference is the definition which is applicable to criminal prosecutions for sex offenses in this state but may differ from the definition used by The School to address policy violations. It is also available in this document.

in which the alleged misconduct occurred and any similar and previous patterns that may be evidenced.

Are there limits to consent? Going beyond the boundaries of consent is prohibited. Thus, unless a sexual partner has consented to a specific act, including physical roughness, during otherwise consensual sex, those acts may constitute dating violence or sexual assault.[5]

Who has the responsibility to obtain consent? Individuals may perceive and experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity. If consent is not clearly provided prior to engaging in the activity, consent may be given by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.

Silence or the absence of resistance alone should not be interpreted as consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

When is consent valid? For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Consent is evaluated from the perspective of what a reasonable person would conclude are mutually understandable words or actions. Reasonable reciprocation can establish consent. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain their consent to be kissed back.

Consent to some sexual contact (such as kissing or fondling) cannot be assumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent. If an individual expresses conditions on their willingness to consent (e.g., use of a condom) or limitations on the scope of their consent, those conditions and limitations must be respected. If a sexual partner shares the clear expectation for the use of a condom or to avoid internal ejaculation, and those expectations are not honored, the failure to use a condom, removing a condom, or internal ejaculation can be considered acts of sexual assault.

[5]Consent in relationships must also be considered in context. When parties consent to BDSM (bondage, discipline, sadism, masochism) or other forms of kink, non-consent may be shown by the use of a safe word. Resistance, force, violence, or even saying “no” may be part of the kink and thus consensual.

Can consent be withdrawn or taken back? Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, sexual activity should cease within a reasonably immediate time.

Prohibited Behavior from the Protected Class Nondiscrimination Policy and Procedures

Sexual Assault[6]

1. Rape
    a. Penetration by the respondent, no matter how slight,
    b. Of the vagina or anus of the complainant,
    c. With any body part or object, or
    d. Oral penetration by the respondent a sex organ of the complainant,
    e. Oral penetration of complainant by the sex organ of respondent;
    f. Without the consent of the complainant

2. Fondling
    a. The touching of the private body parts (breasts, buttocks, groin) of the complainant by the respondent, or causing the complainant to touch the respondent's private body parts,
    b. For the purpose of sexual gratification,
    c. Without the consent of the complainant, including instances where the complainant is incapable of giving consent:
        - Because of their age, or
        - Because of their temporary or permanent mental or physical incapacity.

3. Incest
    a. Sexual intercourse,
    b. Between persons who are related to each other,
    c. Within the degrees wherein marriage is prohibited by the law of the state of Tennessee.

4. Statutory Rape

[6] Sexual assault does not constitute a chargeable offense under the policy. It is a heading encompassing the six chargeable offenses listed below it.

a. Sexual intercourse,

b. Within the degrees wherein marriage is prohibited by the law of the state of Tennessee.

5. Dating Violence

a. Violence,[7]

b. On the basis of sex,

c. Committed by the respondent,

d. Who is or has been in a special relationship of a romantic or intimate nature with the complainant, and

e. Where the existence of such a relationship shall be determined based on a consideration of the following factors:

- length of the relationship
- type of relationship
- frequency of the interaction between the parties involved in the relationship.

6. Domestic Violence[8]

a. Felony or misdemeanor crimes committed by the respondent who:

b. is a current or former spouse or intimate partner of the complainant under the family or domestic violence laws of the state of Tennessee.

- or a person similarly situated to a spouse of the complainant;
- is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner;
- shares a child in common with the complainant; or

c. commits acts against a youth or adult complainant who is protected from those acts under the family or domestic violence laws of the state of Tennessee.

7. Stalking

[7]For purposes of the policy, violence includes defined as intentionally or recklessly causing the complainant physical, emotional, or psychological harm. Consensual use of violence, such as in kink relationships, would also not meet this definition, in most circumstances.

[8]To categorize an incident as domestic violence, the relationship between the respondent and the complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

a. Engaging in a course of conduct[9] on the basis of sex, that is,

b. Directed at the complainant that would cause a reasonable person[10] to:

- Fear for the person's safety, or
- The safety of others; or
- Suffer substantial emotional distress.[11]

8. Other Prohibited Conduct Based on Protected Classes

a. Sexual Exploitation[12]

- A respondent taking non-consensual or abusive sexual advantage of the complainant, that does not constitute sex-based harassment as defined above;
- For their own benefit or for the benefit of anyone other than the complainant.

Examples of Sexual Exploitation include, but are not limited to:

- Sexual voyeurism (like observing or allowing others to observe a person for a sexual purpose undressing, using the bathroom, or engaging in sexual acts, without the consent of the person being observed);
- Invasion of sexual privacy (e.g. doxxing);
- Recording (including photo, video, or audio) in any way of another person in a sexual act, or other sexually related activity, when there is a reasonable expectation of privacy during the activity without the consent of all involved in the activity; or exceeding the consent given (like distributing, sharing, or posting the recording without the person's consent), including making non-consensual pornography;
- Prostituting another person;
- Knowingly transmitting a sexually transmitted disease (STD) or infection (STI), to another person by engaging in sexual activity without informing the other individual of the STD or STI;

[9]For purposes of this definition, "A 'course of conduct' requires that there be more than one incident and the conduct must be directed at a specific person. Stalking can occur in person or using technology, and the duration, frequency, and intensity of the conduct should be considered. Stalking tactics can include, but are not limited to watching, following, using tracking devices, monitoring online activity, unwanted contact, property invasion or damage, hacking accounts, threats, violence, sabotage, and attacks. (Federal Register, Vol 89, No. 83, 04/29/2024, p. 33523). Merely annoying conduct, even if repeated, is a nuisance but is not typically chargeable as stalking.

[10]Reasonable person is an objective standard, meaning a person in the complainant's shoes (having similar characteristics/demographics to the complainant).

[11]In the context of stalking, a complainant is not required to obtain medical or other professional treatment, and counseling is not required to show substantial emotional distress.

[12]This offense is not classified under Title IX as "sex-based harassment," but it is included here in this policy as a tool to address a wider range of behaviors.

- Causing or attempting to cause the incapacitation of another person (through the use of drugs, alcohol, or other means) for the purpose of compromising that person's ability to give consent for sexual activity or to make the person vulnerable to non-consensual sexual activity;
- Misappropriating another person's identity on apps, websites or other places designed for dating or sexual connections (e.g. spoofing);
- Forcing a person to take action against their will by threatening to show, pot, or share information, video or audio, or an image that depicts a person's nudity or sexual activity;
- Knowingly soliciting someone under the state age of consent for sexual activity;
- Engaging in sex trafficking;
- Knowingly creating, possessing, or disseminating child sexual abuse images or recordings; or
- Creating or disseminating synthetic media, including images, videos, or audio representations of individuals doing or saying sexually-related things that never happened, or placing identifiable real people in fictitious pornographic or nude situations without their consent (i.e., deepfakes).

b. Retaliation

- Adverse action, including intimidation, threats, coercion, or discrimination,
- Against any person,
- By the School, a student, employee, or a person authorized by the School to provide aid, benefit, or service under the School's education program or activity,
- For the purpose of interfering with any right or privilege secured by law or policy, or
- Because the person has engaged in protected activity, including reporting information, making a complaint, testifying, assisting, or participating or refusing to participate in any manner in an investigation or resolution process under the Nondiscrimination Policy and Procedures, including an informal resolution process, or in any other appropriate steps taken by the School to promptly and effectively end any protected class discrimination, harassment, or retaliation (including those actions designated as sex discrimination or sex-based

harassment) in its education program or activity, prevent its recurrence, and remedy its effects.

The exercise of rights protected under the First Amendment does not constitute retaliation. It is also not retaliation for The School to pursue policy violations against those who make materially false statements in bad faith in the course of a resolution under the Nondiscrimination Policy. However, the determination of responsibility, by itself, is not sufficient to conclude that any party has made a materially false statement in bad faith.

XVII. Procedures for Victims of Dating Violence, Domestic Violence, Sexual Assault (Rape), and Stalking (What to Do If You Are a Victim of These Crimes)

What to do if you have been the victim of sexual assault, dating violence, domestic violence, or stalking:

There is not a “right” or “wrong” way to respond if you are the victim of dating violence, domestic violence, sexual assault, or stalking. It is important to remember that it is not your fault that you experienced this behavior. The following are options for you to consider, but you are not required to do any of these actions—what you do is up to you.

If you are assisting someone who has experienced dating violence, domestic violence, sexual assault, or stalking, please support their decision-making and do not substitute your judgment for theirs by telling them what to do. Work to assist them in making decisions. If a student or staff member is a victim of domestic violence, dating violence, sexual assault (rape), and/ or stalking, and The School is made aware of the incident, The School will inform the victim that they has the option to notify the appropriate law enforcement authorities, including the local police and for medical assistance. If the victim wants the School Director/Campus Security Coordinator/Title IX Coordinator to notify the authorities, The School staff member will call (911) for medical assistance, if needed, and/or to alert the police. The School Director/Campus Security Coordinator/Title IX Coordinator and/or a representative from the police department will guide the victim through the available options and support the victim in their decision, including where applicable, restraining orders, orders for protection, no-contact orders, or similar lawful orders issued by a criminal or civil court.

Generally

After an incident of domestic violence, dating violence, sexual assault, and stalking:

- Go to a safe place as soon as you can.
- You may contact law enforcement or medical assistance by calling 911. If you would like to contact them using the non-emergency number, it is:
- Consider seeking medical attention as soon as possible to ensure your physical and/or mental health.
- Consider speaking with a confidential advocate. They can help explain your rights and options and provide emotional support. The national crisis hotline for Sexual Assault is 800.656.4673. You may chat with them online at online.rainn.org. The national hotline for dating and domestic violence is thehotline.org. They may be reached by phone at: 1.800.799.7233 or by sending the text "Start" to 88788. For stalking, you may reach out to either of the above options or Victim Connect, which is reachable via 1.855.484.2846. You may also reach out to local service providers listed below.
- You may contact the Title IX Coordinator or School Director to file an administrative report with The School.

Preserve Evidence

For sexual assault in Tennessee, evidence may be collected even if the victim chooses not to make a report to law enforcement. Under the VAWA reauthorization act of 2005, all states must ensure that victims of sexual assault can access a forensic medical exam, free of charge or with full reimbursement, even if the victim chooses not to report the crime to police or otherwise participate in law enforcement action.

Paying for the Exam

In Tennessee you may request an examination and evidence collection at no cost and without having to file a police report.

Reimbursement for the medical costs of forensic and sexual assault programs is available through CVRCC (1060 Madison Avenue) Business Hours (M-F 8a-4:30p) - Call 901-222-4350.

How to Seek Medical Attention

After an incident of domestic violence, dating violence, sexual assault (rape), and (in some circumstances) stalking, you should consider seeking medical attention as soon as possible to

treat injuries, be screened for sexually transmitted diseases or pregnancy, or seek the medical collection of evidence.

Sexual Assault Nurse Examiners ("SANE") or other trained personnel are forensic nurses who may be available to conduct a forensic examination. There is no cost to have a Sexual Assault Forensic Examination completed. Completing this examination does not require filing a police report or taking criminal action.

Considerations for Seeking a Sexual Assault Forensic Exam

It is important that victims of sexual assault do not bathe, douche, smoke, change clothing, or clean/change the bed/linens or area where they were assaulted if the offense occurred within the last 120 hours, so the evidence, as may be necessary to the proof of criminal activity (or as may be helpful in obtaining a protective order), may be preserved. Even if the victim of sexual assault does not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns related to pregnancy, medical needs, and/or sexually transmitted diseases.

For incidents of domestic violence, dating violence, and stalking, if clothing or other materials were damaged or contain proof of the incident, they should be stored in a paper bag, not a plastic bag, if they are removed before making a report. Evidence of violence, such as bruising or other visible injuries or evidence of other damage to property should be documented if possible. This includes preservation by taking pictures. In some circumstances, there may be other evidence of the domestic violence, dating violence, or stalking, such as written notes, text messages, voicemail, video from personal doorbells (e.g., Ring Cameras) or other video, or other electronic communications. These should be saved and not altered in any way.

Sexual Assault–Specific Information

In cases of sexual assault (rape), medical forensic evidence may be collected within 120 hours of the assault by a specially trained SANE (Sexual Assault Nurse Examiner). You can get a Sexual Assault Forensic Examination by a SANE at:

CVRCC (1060 Madison Avenue)
Business Hours (M-F 8a-4:30p) - Call 901-222-4350.

Things to Consider for a Forensic Examination:

If you are interested in or unsure about pursuing charges, you can consent to the collection of evidence at an emergency room. This is commonly referred to as a "rape kit." This is a tool to collect evidence to document the physical injuries and evidence, like hairs or possibly DNA that may have been transferred during the assault.

It is your choice to have evidence collected. You may agree to some parts of the exam but refuse others or all parts of the kit. Choosing to engage in the evidence collection process does not force you to pursue criminal charges. This does preserve evidence should you decide at a later date to file a police report.

Evidence is best preserved by not washing away evidence and by collecting all things present near the assault, like clothing or bedding.

- If possible, do not use the bathroom/toilet, especially if you suspect incapacitation by a drug.
- Avoid cleaning up like showering, changing cloths, brushing hair, smoking, drinking, brushing teeth, or cleaning up the area where the assault occurred.
- If you change clothes, put all of your clothing you were wearing at the time of the assault in a paper bag. It is not recommended to use plastic bags, as they can damage evidence by moisture retention. The hospital will provide you with scrubs or clothing, or you can have someone bring you clothing.

Reporting: How and to Whom

In addition to law enforcement reporting options outlined below, any person may report any type of sex discrimination (Title IX or not Title IX), sexual assault, dating violence, domestic violence, and/or stalking to the Title IX Coordinator at:
Alyson Hemann, alysonhemann@pmtsmemphis.com, 901-377-1701

The School strongly encourages all members of its community to report violations to law enforcement, it is the victim's choice to make that report or not to make such a report, and victims have the right to decline involvement with the police or law enforcement. As detailed in the Protected Class Nondiscrimination Policies and Procedures, the victim may have the right to

seek university discipline against the offender without reporting to the police. The ability of The School to take action may depend on the status of the complainant and respondent with The School.

If you are in immediate danger, or if you believe that there is or could be an ongoing threat to you or the community, please call 911.

Law Enforcement and Campus Options

If a student or staff member is a victim of domestic violence, dating violence, sexual assault (rape), and/ or stalking, and The School is made aware of the incident, The School will inform the victim that they have the option to notify the appropriate law enforcement authorities, including the local police, and/or request medical assistance.

If the victim wants the School Director/Campus Security Coordinator/Title IX Coordinator to assist in the notification of the proper law enforcement authorities, the School Director/Campus Security Coordinator/Title IX Coordinator or designee will assist the victim in making this report. They will call (911) for medical assistance, if needed, and/or alert the police.

The victim has the right to decline to notify such authorities. In the event that the situation requires an emergency notification or timely warning, or law enforcement involvement to protect The School community from an ongoing situation, The School may still notify law enforcement as part of its obligation to provide a safe and nondiscriminatory environment but will maintain confidentiality to the extent possible while still providing the necessary information to keep the community safe.

To report to the police, you may call 911, go to the police station at 426 Tillman St
Memphis, TN 38112, or call their non-emergency number at:
901-636-3000

Making a police report involves calling or visiting the local agency to initiate the report. Each individual's experience may vary and can include a forensic examination (as outlined in this document), interviews, information seeking, victim advocacy resources, or other steps. For more information, please contact the local police at the non-emergency number above.

The School does not maintain commissioned law enforcement and does not have the ability to investigate criminal matters.

XVIII. Orders of Protection; No Contact Orders; Restraining Orders; and Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the School for Sexual Assault, Dating Violence, Domestic Violence, or Stalking

The School Director/Campus Security Coordinator/Title IX Coordinator and/or a representative from local law enforcement the police department will guide the victim through the available options and support the victim in their decision—including (where applicable) restraining orders, orders for protection, no-contact orders, or similar lawful orders issued by a criminal or civil court.

In the event that an employee or student has an active order of protection, "no-contact" order, restraining order, or similar lawful order issued by a criminal, civil or tribal court, The School is committed to ensuring that any such order is fully upheld on all property owned or controlled by The School. The School is also committed to protecting victims from further harm and will work with the parties to assist them in continuing to access their education, to the extent possible under the order. If you have a protective order and would like The School to be aware, you may meet with the Title IX Coordinator to develop a safety plan and to share a copy of that document so The School has a copy on file.

The School cannot apply for an order of protection, no-contact order, or restraining order from a criminal, civil, or tribal court but may assist a person in obtaining the order.

The School may issue, when appropriate and where there is control over both parties, a no-contact directive. To request a School-issued no-contact directive, individuals may contact the Title IX Coordinator. If The School receives a report that The School's no-contact directive has been violated, they will review the report, and (as appropriate) initiate appropriate proceedings under the appropriate policy (Future Professional Advisory Policy and/or employee disciplinary policies) and impose sanctions if responsibility is found for the violation of the directive. This is different from an order of protection. The School does not issue orders of protection.

Tennessee Laws on Orders of Protection, Restraining Orders, and No-Contact Orders

The law for the state of Tennessee is available at:
https://shelbycountytn.gov/3771/Orders-of-Protection.

This code sets forth the procedure for requesting this order.

If you have an order of protection, restraining order, or no contact order issued by a civil, criminal or tribal court, and you believe that has been violated, you should contact your advocate, attorney, or the police to determine your best steps to enforce the order. If you are in immediate danger as the result of the restrained party violating the order, please immediately call 911.

Reporting

The School and police strongly advocate that a victim of stalking, domestic violence, dating violence, sexual assault (rape), and/or stalking report the incident in a timely manner.

While there is not a timeline to file a report, The School encourages complainants and others with information about possible discriminatory misconduct (including domestic violence, dating violence, sexual assault (rape), and/or stalking to report as soon as possible). A delay in reporting may impact The School's and/or law enforcement's ability to gather relevant and reliable information or for The School to have jurisdiction over the respondent.

Some additional considerations regarding timing of a report include, but are not limited to:

- Time is a critical factor for evidence collection and preservation.
- Filing a police report will ensure that a victim receives the necessary medical treatment and tests, if needed, at no expense to the victim.
- Reporting to police provides the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later.
- It is important to preserve evidence for the proof of a criminal offense, and if possible, to not disturb the area surrounding the incident.

A student or staff member can file a complaint with the School Director/Campus Security Coordinator/Title IX Coordinator. The complaint should outline all details of the event and include a list of any witnesses or documentation to help support the allegations of domestic violence, dating violence, sexual assault (rape), and/ or stalking. The complaint should be filed as soon as possible after the occurrence has taken place.

Confidentiality

The School recognizes the sensitive nature of incidents related to sexual assault, dating violence, domestic violence, and stalking and is committed to protecting the privacy of any individual who reports an incident.

The School will not release personally identifiable information of the victim of a VAWA crime in publicly available Clery record keeping such as timely warnings, emergency notifications, the daily crime log, or the Annual Security Report and Statement of Campus Safety and Security Policies and Procedures.

The School will maintain as confidential any accommodations, supportive measures, and/or protective measures provided to victims of sexual assault, dating violence, domestic violence, or stalking to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations, supportive measures, or protective measures. The Title IX Coordinator, School Director, or designee will determine what information should be disclosed and to whom. The decision on disclosure will be made on a case-by-case basis and will likely consider (but is not limited to) the information is available; what information is necessary to effectuate the accommodation, supportive and/or protective measures; and what information is necessary to protect the health and safety of the individual and School community.

Generally, the School will inform the victim before sharing the information necessary to provide the accommodation or supportive or protective measures, but there may be times when the nature of the situation makes this difficult or impossible.

Please note that in certain circumstances, The School may be subject to mandatory child abuse reporting laws. To the extent required by state law, these are allowed under the VAWA confidentiality provision. The School will make reasonable attempts to provide notice to the victims affected by the disclosure and take necessary steps to protect the privacy and safety of all persons impacted by the release of information.

If a victim reports information to a campus security authority, that individual may be a mandated reporter for incidents of sexual assault, dating violence, domestic violence, or stalking who is required to provide specific information to the Title IX Coordinator related to the report. This is not a violation of the confidentiality provision.

Supportive Measures

How to Access Supportive Measures Available for Victims

Supportive measures are available to the individual students and employees who experienced the behavior of sexual assault, dating violence, domestic violence and stalking. It is not necessary for the individual to report the crime to law enforcement or file a formal complaint to access these resources. Reporting the behavior is sufficient.

School officials will work cooperatively with the victim to assist them in accessing and implementing reasonable supportive measures at the victim's request or upon determination by the Title IX Coordinator, in certain circumstances.

Supportive measures include, but are not limited to, access to counseling services in the community, extensions of deadlines or other course-related adjustments, leaves of absence, modifications of class schedules to another program, increased security or monitoring of campus spaces, safety planning, referrals to other off campus resources, trainings, mutual no-contact directives, and other similar measures.

An example of a possible change to the academic or work schedule could be transferring to a different available program, such as moving from night to day classes (where available), or from a full-time to a part-time schedule. The School may also help find options related to transportation or resources to address housing issues to accommodate the victim or any other protective measures (such as how to file for a protective order) that may be deemed necessary. The School will make available to the student a leave of absence or opportunity to drop and reenroll at a later date without incurring any additional charges or penalties. The School's Financial Services Leader is available to meet with the victim to discuss his or her options regarding loan repayment or financial aid options. These, as well as other options, will be provided to the alleged victim in writing, regardless of whether the victim chooses to report the crime to the police or file a complaint with The School; please notify the School Director/Campus Security Coordinator/Title IX Coordinator in person of such a request for supportive measures.

To request changes as supportive measures, please contact the Title IX Coordinator at: Alyson Hemann, alysonhemann@pmtsmemphis.com, 901-377-1701

To request assistance, you may do so by making a statement about what you experienced and request the supportive measures that you believe would be helpful to remain safe and successful in The School environment. Upon receipt, the Title IX Coordinator will determine if the request would constitute reasonable supportive measures.

XIX. Written Notification to the School Community of Available Resources

By providing this report annually, The School is providing the following information about the available counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims both within The School and in the community.

You may access these resources by directly connecting with them below. If you would like assistance in accessing these resources or have questions about additional or alternative options, please reach out to the School Director and/or Title IX Coordinator.

Campus and Community Resources

Please note that resources in the community are not legally required to report back to the School crimes that you discuss with them.

Resources by Type
Health Care
CVRCC (1060 Madison Avenue) Business Hours (M-F 8a-4:30p) - Call 901-222-4350.
Other Close Healthcare Facility (non-religious affiliation) St Francis Hospital - Memphis 5959 Park Ave 901-765-1000
Counseling Resources
Anti-Violence Project (AVP) AVP operates a free bilingual (English/Spanish), 24-hour, 365-day-a-year crisis intervention hotline that is staffed by trained volunteers and our professional counselor/advocates to offer support to LGBTQ and HIV-affected victims and survivors of any type of violence. Hotline (English/Spanish): 212.714.1141 **http://www.avp.org/**
http://www.ovw.usdoj.gov/statedomestic.htm **Tennessee Coalition to End Domestic and Sexual Violence**

Mental Health
988 Lifeline If you or someone you know is struggling or in crisis, help is available. Call or text 988 or chat 988lifeline.org to reach the 988 Suicide and Crisis Lifeline. Available 24/7.
National Alliance on Mental Illness NAMI.org Phone: 1.800.950.6264 By Chat or Text: text “helpline” to 62640 Provides information and support to individuals navigating mental health challenges.
Memphis Mental Health Institute 951 Court Ave, Memphis, TN 38103 (901) 577-1800
Crime Victim Assistance Program **Physical Address** 1060 Madison Avenue Memphis, TN 38104 **Phone Numbers** Office: (901) 222-3950 Fax: (901) 222-3951
Visa and Immigration Assistance
Department of Justice Clearinghouse for Immigration Assistance Assistance in the application process for a Visa Department of Justice Clearinghouse or an Attorney https://www.justice.gov/eoir/recognition-accreditation-roster-reports
Immigration Equality Immigration Equality provides legal services to lesbian, gay, bisexual, transgender, and HIV-positive individuals concerning immigrant rights and issues https://immigrationequality.org/

Legal Emergency National Hotline: 212.714.2904 (open weekdays)
Financial Aid Information
Student Financial Services at Melissa Rogers, 901-377-1701, melissarogers@pmtsmemphis.com

Written Notification to Victims of Sexual Assault, Dating Violence, Domestic Violence, and Stalking

Regardless of where the individual experienced the sexual assault, dating violence, domestic violence, or stalking, when these incidents are reported to the School, the School through the Title IX Coordinator or designee will provide a written notification to the student or employee who experienced the incident explaining a victim's rights and options, including:

- Procedures to follow (preservation of evidence, how and where to report, options for protective orders, no contact orders, and/or orders of protection)
- Information about confidentiality
- Counseling and mental health resources
- Victim advocacy
- Contact information for local law enforcement
- Information on how to request supportive and/or protective measures
- The availability of options and assistance with the following (including how to request these changes and who to contact at the School):
    - Academic adjustments like extension of deadlines or changing programs
    - Living situation adjustments, like information on shelters or resources to move after experiencing these incidents
    - Transportation option assistance
    - Working situation changes, like modifications to work or class schedules
    - Protective measures, like orders of protection/no contact orders, leaves of absence, safety planning, or other similar measures
- Information regarding:
    - Legal assistance
    - Visa and immigration assistance
    - Student financial aid
- Process for The School's disciplinary procedures

The School will provide this information to the student or employee who is a victim of sexual assault, dating violence, domestic violence or stalking in writing, regardless of if the behavior occurred on or off-campus. The School's ability to respond may be limited for certain off-campus situations, based on the date of occurrence and Title IX Regulations in effect at the time of the occurrence.

Victims have the right to:

- Pursue action through both The School's policy and procedures prohibiting sexual assault, dating violence, domestic violence, and stalking and the criminal process.
- Pursue action through only The School's policy and procedures.
- Pursue action only through the criminal process.
- Report to the police and decline to pursue further action by law enforcement.
- Seek supportive and/or protective measures regardless of their decision to pursue a School or criminal process.
- Seek confidential support off campus.
- Report to the Title IX Coordinator and decline to pursue further action or participate in any action. (The School's ability to respond may be limited in this situation.)
- Report anonymously. (The School's ability to respond may be limited in this situation.)
- Do none of the above. (Victims are still encouraged to seek support.)

All options, accommodations, or protective or supportive measures are facilitated by the Title IX Coordinator or a designee. The Title IX Coordinator's contact information is available on The School's homepage, in The School's catalog, in this document in various locations, and also by contacting the School Director or Title IX Coordinator All requests for options and assistance should be directed to the Title IX Coordinator. If the Title IX Coordinator is unavailable and the need is immediate, please contact the director or manager on duty.

These measures (accommodations and supportive or protective measures) are available upon request by the victim and if they are reasonably available. The School is required to comply with reasonable requests for changes. The Title IX Coordinator or designee will determine what measures are reasonable by evaluating the requests on a case-by-case basis based on the facts and circumstances of each situation and the resources available.

All options, accommodations and supportive measures are available to students and employees regardless of whether the victim chooses to report the crime to law enforcement.

School Response to Reports of Domestic Violence, Dating Violence, Sexual Assault (Rape), and/or Stalking

The School has designated the Title IX Coordinator to oversee The School's compliance with relevant federal, state, and local civil rights laws, including those laws that address domestic violence, dating violence, sexual assault (rape), and stalking. The Title IX Coordinator is responsible for implementing The School's Protected Class Nondiscrimination Policy and Procedures. This policy and procedures set forth how the School will respond to reports of domestic violence, dating violence, sexual assault (rape), and/or stalking.

In August of 2020, the School implemented new procedures for resolution of reports by students and employees for the resolution of sexual assault, dating violence, domestic violence, and stalking under the 2020 Title IX regulations. These procedures apply equally to students, employees, and others participating in or seeking to participate in The School's education program or activity. Other policies were also reviewed and revised for compliance to address impacts from this change.

The School's response to each report will depend on the circumstances and facts of each reported incident.

- If an individual is found to be responsible for the reported behavior after following the procedures in the Protected Class Nondiscrimination Policies and Procedures, The School will consider the following in sanctioning and/or corrective actions:
    - Frequency and severity of the offense
    - History of past behavior that was found to be discriminatory, harassing, and/or retaliatory
    - Any other factors relevant to the specific findings

If an individual is found responsible under the Protected Class Nondiscrimination Policy and Procedures, including domestic violence, dating violence, sexual assault (rape), stalking, hostile environment harassment, and/or quid pro quo harassment, the responsible individual may be subject to disciplinary action up to and including termination of employment for employees or termination of enrollment for students. The Protected Class Nondiscrimination Policy and Procedures has a complete list of student and employee sanctions.

If a report of domestic violence, dating violence, sexual assault, and/or stalking is reported to the Title IX Coordinator, The School will follow the following procedures (please note that this is not necessarily a linear list and multiple steps may occur concurrently or in a different order):

When an Incident of Domestic Violence, Dating Violence, Sexual Assault, and/or Stalking Is Reported:

1. The School will work with the complainant to address immediate health and safety needs of the complainant (if relevant).
2. The School will provide the complainant with a written explanation[13] of their rights resources, supports, and options, including contact information for the local police, how to apply for a protective order, and a copy of the Protected Class Nondiscrimination Policy and Procedures. This will be provided any time sexual assault, domestic violence, dating violence, and stalking are reported, regardless of where the behavior was experienced.
3. The School will assist the complainant in contacting the local police if the complainant requests or if there is an immediate health and safety risk that cannot be addressed solely by School personnel. If the police are called without the complainant wanting to speak with the police, they are not obligated to speak with the police.
4. The School will provide the complainant with mental health resource referrals in the community.
5. The School will assess and implement supportive measures, if appropriate.
6. If deemed appropriate, the School will "trespass" or disallow the accused party from The School. Note, there are certain circumstances under which this is not possible if the alleged individual is also an enrolled student and/or employee.
7. The School will inform the complainant of timeframes for inquiry, investigation, and/or resolution.
8. The School will inform the complainant of the outcome of any process (investigation/adjudication), including a process that is taken administratively.
9. The School takes seriously its obligation to enforce the non-retaliation provisions and will take immediate and separate action against parties who retaliate against a person for exercising their rights under the Protected Class Nondiscrimination Policy and Procedures and/or for assisting in an investigation.

Descriptions of Hearing Process and Procedures for Reports of Domestic Violence, Dating Violence, Sexual Assault (Rape), and/or Stalking to Campus Security

[13] In certain circumstances, particularly related to dating violence, domestic violence, and/or stalking, it may not be safe to provide written explanation of resources in an electronic format to the individual. In this circumstance, the Title IX Coordinator and/or designee will provide a hard copy of the written explanation, but the complainant may decline to take a physical copy or have a copy provided electronically. In this circumstance, if the complainant would like to access the information contained in the written explanation, they may do so at any time by reviewing the hard copy in the Title IX Coordinator's office.

The School has implemented the Protected Class Nondiscrimination Policy and Procedures for the investigation and adjudication of reports of domestic violence, dating violence, sexual assault (rape), and/or stalking. There are jurisdictional requirements, but generally, the policy and procedures apply to employees and students. At times, they may also apply to guests. (This is a case-by-case analysis.)

The School's Protected Class Nondiscrimination Policy and Procedures provides for a prompt, fair, and impartial process for investigation and resolution of alleged violations of The School's policy that prohibits domestic violence, dating violence, sexual assault (rape), and/or stalking.

Where possible, the following is also the practice of the office:

1. Provide the parties of timely notice for the meetings where either or both will be present.
2. All parties and officials will have timely and equal access to information used during formal investigations/ processes.
3. The procedures will not be conducted by an individual with a conflict of interest or bias for any party.
4. The procedures will be implemented by individuals who have annual training on Title IX, VAWA, and the Clery Act.
5. The parties all have the same opportunities to have an advisor present for The School proceeding. For more information, please see the Protected Class Nondiscrimination Policy and Procedures.
    a. The School will not limit the choice of advisor for any party for meetings and/or School proceedings.
    b. If a party does not have an advisor they have chosen and provided, one will be provided for them.
    c. The parties may be advised at any stage of the process and may be accompanied to any meetings/hearings with that advisor.
    d. Please note that the role of an advisor is to provide advice to the party and for cross-examination purposes. The advisor may not speak for the party.
6. The parties will be notified simultaneously, in writing, of any initial, interim, and/or final decision related to any formal investigation.
7. Where applicable, the parties will be notified simultaneously, in writing, of the procedures for filing an appeal of the outcome. When an appeal is filed, the parties will all be notified simultaneously, in writing, of the final outcome upon resolution of the appeal.

Accessing the Protected Class Nondiscrimination Policy and Procedures (Disciplinary Process) for Domestic Violence, Dating Violence, Sexual Assault (Rape), and/or Stalking

To access the Protected Class Nondiscrimination Policy and Procedures for reports of domestic violence, dating violence, sexual assault (rape), and/or stalking, please see the policy and/or the description of actions taken below. These procedures apply to all students and employees.

A. Filing a Complaint

i. The individual who experienced the behavior may initiate a complaint by reporting to the Title IX Coordinator. The Title IX Coordinator and/or designee will work with the individual who experienced the behavior to determine what action they would like to take, including action under the Protected Class Nondiscrimination Policy and Procedures. If the individual would like to make a formal complaint, they must submit a document signed by a complainant alleging a respondent engaged in harassment or discrimination based on a protected characteristic or retaliation for engaging in a protected activity and requesting that The School investigate the allegation(s). The complaint may be made in writing via mail or email, in person, or by phone. The Title IX Coordinator's contact information is:

ii. The School may become aware of actions that would require institutional action without the consent of the individual who experienced the behavior. To the extent possible, based on the facts and circumstances known to The School, the Title IX Coordinator and/or designee will work with the individual who experienced the behavior, so that they understands their rights/options and requirements for participation when a mandatory case is taken.

iii. In most cases, the decision on what action to take is up to the individual who experienced the behavior.

iv. The policy and procedure documents may be accessed at:

B. How the School Determines What Policy Applies

Each report received by the Title IX Coordinator is evaluated for jurisdiction and to determine if there is an immediate health and safety risk for the School. If the Title IX Coordinator and/or designee determines that there is no jurisdiction under the Protected Class Nondiscrimination Policy and Procedures, the Title IX Coordinator will make the appropriate referral to other processes, if applicable. Regardless of which policy is utilized in addressing cases of sexual assault, dating violence, domestic violence, and stalking, the appropriate steps will be followed.

C. Steps in the Process

Generally, the following procedural steps under the Protected Class Nondiscrimination Policy and Procedures for matters covered by Title IX include:

a. Upon receipt of a report of conduct that may be prohibited by the policy and also falls within the jurisdiction of The School and Title X Coordinator, the Title IX Coordinator will offer the individual who experienced the behaviors supportive measures (including available protective measures) and invite them to meet with the Title IX Coordinator or designee to discuss the options available to them and the process for filing a formal complaint.

b. If the individual who experienced the behavior (complainant) wishes to proceed with a formal complaint, the Title IX Coordinator will notify the respondent(s) of the allegations included in the formal complaint and will conduct an investigation in line with the Protected Class Nondiscrimination Policy and Procedures following the Formal Grievance Process set forth in the policy.

c. Prior to the completion of the investigation, the parties will be provided with an opportunity to review the evidence collected and submit written responses to the evidence collected.

d. The investigator will issue an investigative report to the Title IX Coordinator, who will provide it simultaneously to both parties in preparation for the hearing.

e. The parties will be given notice for a hearing.

f. The hearing officer will preside over a live hearing, where each party will present witnesses and engage in cross-examination as set forth in the policy. Each party will be advised by a party of their choosing or if none is chosen, one will be appointed by the school.

g. Upon the conclusion of the hearing, the hearing officer will issue a written report using the preponderance of the evidence standard, making determinations as to responsibility. If a finding of responsibility is made, the written document will include the sanction(s) to be imposed on the responsible party. This will be provided simultaneously to the parties.

h. Each party has the right to appeal the outcome to the Title IX Coordinator, as outlined in the Protected Class Nondiscrimination Policy and Procedures.

i. At the conclusion of the appeals process/timeline in instances where the respondent(s) is found responsible, sanctions will be imposed.

D. Anticipated Timelines

The School makes every effort to complete the investigative process promptly, while also following the required regulatory timeframes for notice and review. The process does also allow for timeframe extensions if either party requests or if there is a reasonable cause for the delay (like availability of parties or witnesses).
Other reasonable reasons for delay may include complex investigations with many witnesses or other reasonable availability-based delays. The School will do its best to complete a formal complaint process within 180 days of receiving the formal complaint.

E. Decision-Making Process

The decision-maker is an individual who has annual training on Title IX and VAWA requirements. The decision-maker will render their opinion based on a preponderance of the evidence standard after a live hearing, when Title IX applies. Please see the Protected Class Nondiscrimination Policy and Procedures for a complete description of the process.

F. Standard of Evidence

The standard of evidence that is used in making determinations for complaints of sexual assault, dating violence, domestic violence, and stalking is the preponderance of the evidence standard. This means that it is more likely than not that the behavior did or did not occur.

G. Possible Sanctions or Protective Measures the School May Impose Following a Final Determination in a School Procedure

Each circumstance is different. However, below is a list of sanctions and supportive/protective measures that may be considered after a determination of responsibility. For more information on accommodations, supportive, or protective measures, please refer to the Protected Class Nondiscrimination Policy, other sections of this document, and/or speak with the School Director or Title IX Coordinator.

i. **Students:** Students found responsible under the Protected Class Non-Discrimination Policy and Procedures will be held accountable under that policy and the Future Professional Advisory Policy.

Sanctions for students in VAWA cases for sexual assault, dating violence, domestic violence, and stalking are: Expulsion/termination; suspension; coaching, warning, or documentation on the Future Professional Advisory Form; remedial training; restrictions on participation in certain activities and locations; probation; trespass from all or part of campus; or other actions that are deemed appropriate based on the totality of the circumstances. No-contact orders, protective orders, restraining orders, or similar lawful orders may be issued by a criminal, civil, or tribal court, or the School may issue a no-contact directive. Protective measures outlined above like transportation planning assistance, security escorts, changes to class schedules, or changes in living situations will also be addressed.

ii. **Employees:** Employees found responsible under the Protected Class Non-Discrimination Policy and Procedures will be held accountable under that policy and the relevant HR process. Sanctions for employees found responsible in VAWA cases for sexual assault, dating violence, domestic violence, and stalking are verbal or written warning; performance improvement plan or management process; enhanced supervision, observation, or review; required counseling; required training or education; probation; denial of pay increase/pay grade; loss of oversight or supervisor role; demotion; transfer; shift or schedule adjustment; reassignment; delay of promotional opportunities; assignment of new supervisor; restriction on travel and/or professional development resources restriction of bonus pay; suspension (administrative leave with pay or without pay) termination. In addition to or in place of the above sanctions/responsive actions, The School may assign any other action it deems appropriate. No-contact orders, protective orders, restraining orders, or similar lawful orders may be issued by a criminal, civil, or tribal court, or the School may issue a no-contact directive. Protective measures outlined above like transportation planning assistance, security escorts, changes to work schedules/situations, or changes in living situations may also be addressed.

H. Statement on Proceedings for Sexual Assault, Dating Violence, Domestic Violence, and Stalking

All proceedings for students and employees related to sexual assault, dating violence, domestic violence, or stalking over which the School has jurisdiction will be a prompt, fair, and impartial process from the initial investigation to the final result, as required by and defined by the Clery Act. This process will be conducted by individuals who receive annual training related to dating violence, domestic violence, sexual assault, and stalking. These individuals are also trained annually on how to conduct an

investigation and hearing process that protects both the safety of the victim and promotes accountability. The training is described above in the training and education plan portion of the document. These individuals will also be screened for and do not have a conflict of interest or bias for or against the accuser or the accused, as required by Clery. This process is overseen by a Title IX Coordinator.

All parties (complainant/victim and respondent/accused) have the same opportunities to be present during the proceedings, including the opportunity to have an advisor of their choice to accompany them throughout the process.

The School provides simultaneous notifications, in writing, to the complainant/accuser and respondent/ accused of:

- The result from any School disciplinary process (including the Protected Class Nondiscrimination Policy and Procedures) that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking.
- The School's procedures for all parties (complainant/victim/accuser and respondent/accused) to appeal the result of The School's disciplinary proceeding.
- Any change to results of the proceedings.
- When such results will become final.

I. Definition of Process Terms Related to Sexual Assault, Dating Violence, Domestic Violence, and/or Stalking:

i. Prompt, fair and impartial proceeding: A prompt, fair, and impartial proceeding includes a proceeding that is:
   - Completed within a reasonably prompt time frame as designated by The School's policy, including a process that allows for the extension of time frames for good cause with written notice to the parties of the delay and the reason for that delay
   - conducted in a manner that:
     – Is consistent with The School's policies and transparent to the parties;
     – Includes timely notice of meetings at which the parties or maybe present;
     – Provides timely and equal access to the parties and appropriate officials to any information that will be used during any formal or informal disciplinary meetings and/or hear; and
     – Is conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

ii. Advisor means any individual who provides the complainant/accuser or respondent/accused support, guidance, or advice.

iii. Proceeding means all activities related to a non-criminal resolution of The School's disciplinary complaint, including, but not limited to, fact-finding

investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and victims or accused concerning accommodations or protective measures to be provided.

iv. Result means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. Notwithstanding section 444 of the general education Provisions Act(20 USC 1232(g)), commonly referred to as the family educational rights and Privacy Act(FERPA), the result must also include the rationale for the result and the sanctions.

v. Personally Identifying Information as defined in Section 40002(a) of the Violence Against Women Act of 1994As is individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including a first and last name; a home or other physical address; contact information (including a postal, email, or Internet Protocol address or telephone or facsimile); a social security number, a driver's license number passport number or student identification; and any other information, including date of birth, race or ethnic background, or religious affiliation that would serve to identify any individual.

J. Note on Directory Information

The School does not designate any personally identifiable information as Directory Information. For more information, please see The School's privacy policy and information on FERPA in The School catalog.

K. Disclosure of Results of Disciplinary Proceedings Policy

The School will, upon written request, disclose to an alleged victim of a crime of violence or non-forcible sexual assault the outcome of the conduct process in writing. Written request is not required from an alleged victim of domestic violence, dating violence, sexual assault or stalking. If the alleged victim is deceased, The School will, upon written request, disclose the outcome of the conduct process in writing to the next of kin.

XX. Anti Hazing

The Stop Campus Hazing Act, PL 118-173, requires the adoption of an Anti-Hazing Policy and procedures, educational program, collection of statistics to be reported first for CY 2025, and

the publication of biannual anti-hazing reports. The School has adopted the necessary policy and started tracking statistics for inclusion starting January 1, 2025.

The School has adopted an anti-hazing policy. It is available here:
https://catalog.memphis.paulmitchell.edu/anti-hazing-policy-6

This policy and procedure are also in The School's catalog and employee handbook.

The School will publish its first biannual anti-hazing report on or before the December 23, 2025, deadline. It will be available in the consumer information section of the School's website.

The School trains its students and employees on Hazing prevention and bystander intervention. During both the student contracting process and during student orientation, they are provided with a copy of the Anti-Hazing Policy. During Core Orientation, the policy is reviewed with the students. Employees are provided a copy of the Anti-Hazing Policy during orientation and trained using the Vector Solutions Platform.

ACKNOWLEDGEMENT OF STUDENTS/STAFF:

I acknowledge that I have read and understand the policies and procedures explicated in this document titled: “Annual Security Report and Statement of Campus Safety and Security Policies and Procedures.” I also acknowledge that I accept the conditions and responsibilities outlined within this document.

Signature of Student/Employee: _____ Date: _____

Campus Safety and Security Policy Daily Log

Nature of the Crime	
Date	**Time**
General Location	
Disposition of the Complainant	

Nature of the Crime	
Date	**Time**
General Location	
Disposition of the Complainant	