

Campus Safety and Security for Moler Barber College

Annual Security Report

Moler Barber College, in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* and VAWA reauthorization 2013 provides the following safety and security policies and procedures, and campus crime statistics and information for the calendar years 2013, 2014, and 2015.

During 2013, 2014, and 2015, Moler Barber College was located at 3815 Telegraph Avenue in one main building. The school was under the jurisdiction of the Oakland Police Department. The Oakland Police Department provided statistics but none of the violations were on public property or the property owned by the school.

Each year, prior to October 1st, students receive individually addressed, printed copies of the Annual Security Report. Faculty and staff receive printed copies as well. Hard copies of this report can be requested from the School Director. New students and potential students are provided the information via email or hard copy which is given to potential students during the enrollment/admissions process. Potential faculty and staff are provided the information during the interview process.

“Timely Warnings”

In the event that a situation arises, either on campus or off-campus, which in the judgment of the School Director Managing Director constitutes an ongoing or continuing threat, a “timely warning” will be issued. The school is small enough that communication from the front of the school to the back of the school can occur rather rapidly and there are several phones within close proximity throughout the building in the offices. If there appears to be an immediate threat, the building will be evacuated. If there is a threat as a result of a criminal action that could potentially jeopardize the safety and wellbeing of the students, faculty, and staff, they are informed of the occurrence through one of the designated Campus Security Authorities (School Director or Managing Director).

Reporting Criminal Offenses

If you are witness to or become aware of any criminal offenses occurring on campus, please contact a Campus Security Authority immediately. If you are a student and one of these individuals is not available, please alert another instructor or staff member. If you are faculty or staff, and cannot reach one of the Campus Security Authorities or School Administrators and you determine that this is an emergency the Oakland Police Department should be contacted and a report made to the appropriate authorities. Any suspicious person or activity in or around the campus should be reported immediately to one of the following Campus Security Authorities listed below. If there is an emergency of any sort 911 should be called immediately. Individuals are encouraged to report all crimes to campus Security Authorities and the Oakland Police Department in an accurate and timely manner.

Voluntary Confidential Reporting

If you are the victim of a crime and do not want to pursue action within the criminal justice system, you may still want to consider making a confidential report. With your permission, a designee of Moler Barber College can file a report on the details of the incident without revealing your identity. The purpose of a confidential

report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the school can keep accurate records of the number of incidents involving students, faculty, and staff, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

Campus Security Authorities

Frank Quattro -- School Director

Christina Quattro – Managing Director

Tammy Curtis – Assistant Director

Oakland Police Department Non-Emergency: 510-777-3333

Security and Access to the Buildings

Moler Barber College is open from 4:00pm to 8:30pm Monday, 8:30 am to 10 pm Tuesday through Friday, 8:30am to 10pm and 8:30 am to 5:15 pm on Saturday.

Students wear smocks that identify them as students but the school is small enough that individuals who are not students or graduates are readily identifiable as needing to be questioned as to the nature of their business at the college. The school has three entrances; the main entrance where the students, faculty, and the public enter and exit, the side entrances are used for students leaving the school only. The main entrance opens into a lobby; in order to get into the actual school, persons need to check in with the front reception counter before being let into the school. The entire school and the entrances/exits are monitored by a security camera system.

The College shares a common parking lot with another business in the complex; therefore, staff, students, and visitors park in the lot owned by the landlord. The students are to park off campus and leave the front area to customers of the school and the other business.

The College has a security camera system which has cameras throughout the school and cameras on the three entrances and one monitoring the outside smoking area located on the side of the school. These cameras record the data and can be retrieved at any time.

*There are no campus housing facilities affiliated with the school.

Campus Law Enforcement

Moler Barber College has identified Campus Security Authorities but these individuals are not trained in security and are not able to make arrests. Their role is to identify potential threats to the students, faculty, and staff, and to take the appropriate safety measures to minimize or eliminate any existing or potential threat. They are the primary point of contact for any individual wanting to report criminal activity on or around the campus. If there is a situation that is determined to warrant law enforcement intervention, the Oakland Police Department will be contacted. The Oakland Police Department patrols the area on a frequent basis and alerts Moler Barber College to any suspicious activity. Moler Barber College has an “open-door” policy with law enforcement agencies; however, Moler Barber College does not have a written memorandum of understanding (MOU) with the local law enforcement.

Counselors on Staff

Moler Barber College has no counselors on staff. If individuals request services, the Director of the School, or the Managing Director has contact information for community resources that are available.

The **Jeanne Cleary Disclosure Act** requires each school to report specific types of crimes that pose a threat or danger to public safety at the school. It is the responsibility of the primary CSA to ensure that all employees of the school understand and are aware of these offenses to ensure proper notification to a CSA.

DEFINITIONS OF REPORTABLE OFFENSES

Criminal Homicide

- **Murder** and Non-negligent Manslaughter: the willful (non-negligent) killing of on human being by another
- **Negligent manslaughter:** Killing of another person through gross negligence.
- Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape
- Sex Offenses-Forcible:** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
- **Rape:** The 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
- **Forcible Rape:** the carnal knowledge of a person forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth)
- **Forcible Sodomy:** oral or anal sexual intercourse with another person, forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
- **Sexual Assault with an object:** the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth)
- **Forcible Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Sex Offenses- Non-forcible

- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

Domestic Violence A felony or misdemeanor crime of violence committed

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;

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

- The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.
- Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting. Stalking Engaging in a course of conduct directed at a specific person that would cause a reasonable person to
 - Fear for the person's safety or the safety of others; or
 - Suffer substantial emotional distress

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, 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.
- Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting

Robbery The taking or attempting to take anything of value from the care, custody, or control of a person or person's by force or threat of force or violence and/or by putting the victim in fear, bodily harm or death.

Aggravated Assault An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury; typically this type of crime is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary The unauthorized entry of a structure or facility by a person or persons with the intent to commit a felony or theft.

Motor Vehicle Theft The theft, or attempted theft, of a motor vehicle with no right of lawful access to the vehicle.

Arson Any willful or malicious burning or attempt to burn, with or without intent to defraud or cause bodily harm, a dwelling house, public building, motor vehicle or aircraft, personal property of another etc. In order for arson to be reported in the Annual Crime Statistics it must have been investigated.

Hate Crimes A criminal offense committed against a person, property, or society that is motivated, in whole or in part, by the offender's bias against a race, gender, gender identity, religion, disability, sexual orientation, ethnicity, or national origin. Hate crimes are not separate, distinct crimes, but are traditional offenses motivated, in whole or in part, by the offender's bias. A reportable Hate Crime could apply to any of the crimes listed above, as well as, Simple Assault, Intimidation, and damage or destruction of property. Other Criminal Offenses (Arrests) and Referrals for Disciplinary Action.

- **Illegal Weapons Possession:** the violation of laws or ordinances prohibiting the

manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.

- **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 or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (e.g., morphine, heroin, codeine); marijuana; synthetic narcotics-manufactured narcotics which can be cause true addiction (e.g., Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

- **Liquor Law Violations:** the violation of state and local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Included in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintain unlawful drinking places; bootlegging; operating still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on train or public conveyance; and attempts to commit any of the above items.

- **NOTE:** Illegal Weapons Possession, Drug Law Violations, and Liquor Law Violations referred for disciplinary action are the result of alleged criminal offenses reported to school officials, investigated by the school and referred for disciplinary action, but the individuals were not necessarily arrested or detained by police.

Other Definitions:

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

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

Bystander intervention includes:

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

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

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

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

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

Proceeding: All activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

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

Remember: whenever you observe on or near your campus any crime or suspicious activity, or what you believe is credible evidence of the past commission of a crime, you are strongly encouraged to report this to the Primary CSA at your campus, or, in his or her absence, any other CSA or member of management. Your vigilance and cooperation will help Moler to keep your campus safe for you, and all students, employees and visitors at the campus.

Security Awareness/Crime Prevention Programs

During orientation new students are provided with information on crime awareness and safety tips. Campus security measures are discussed in order to make the students aware of the steps and precautions that need to be taken in order for them to protect themselves. New faculty and staff are provided this information in their new hire packets.

Throughout the year, the School conducts classes to cover security awareness and crime prevention. Various topics are discussed from sexual assault to drug/alcohol prevention.

Any information that is considered to be of importance for students, faculty, and staff to know in regards to potential threats to personal safety is disseminated via hand-outs in classes, in employee notices and on flyers posted on the school bulletin boards.

It is strongly encouraged that all students and employees take responsibility for paying attention to their surroundings at all times and be cautious in their interactions with others. Individuals should never go to their cars at night without an escort.

Criminal Activity Off-Campus

Moler Barber College does not have any off-campus student organizations. If an individual is a victim of or a witness to a crime off campus the proper local law enforcement authorities should be notified.

Alcoholic Beverages/Controlled Substances

Moler Barber College states in the school catalog that alcohol and drugs will not be permitted and/or used in the school, or in the vehicles parked in the parking lot. The employee handbook states this, as well. Persons under the influence of alcohol or drugs are subject to immediate disciplinary action. The possession, sale, manufacture, transportation, or distribution of any controlled substance is illegal under both state and federal laws. Any individual found to be in possession of illegal substances or engaging in underage consumption of alcohol will be subject to disciplinary action at the school as well as reported to the local law enforcement authorities for potential criminal prosecution.

SEXUAL ASSAULT AWARENESS PROGRAM & TITLE IX

INTRODUCTION

Moler Barber College prohibits sexual assault of any kind, including rape, acquaintance rape, domestic violence, dating violence, sexual assault, sexual harassment, and stalking (whether physical or by electronic means).

Title IX of the Education Amendments of 1972 protects individuals from discrimination based on sex or gender in any educational program or activity operated by recipients of federal assistance. Sexual harassment, which includes acts of sexual violence, is a form of sex or gender discrimination prohibited by Title IX. Any grievance concerning Title IX may be referred to the school's Primary CSA/Title IX Coordinator, the School Director. Moler Barber College is committed to providing an environment free from discrimination on the basis of sex or gender and provides this Annual Security Report and other resources to assist students, faculty and staff in addressing issues involving sex discrimination, including sexual violence. For additional information visit the National Sexual Violence Resource Center at:

<http://www.nsvrc.org/>

SEXUAL VIOLENCE AWARENESS PRESENTATIONS

Each Moler campus works with their local authorities to bring in guest speakers annually, at a minimum, to provide information on how to prevent and respond to sexual assault as part of our Sexual Assault Awareness Program. Local authorities will provide a wide variety of information to our students, faculty, and staff during their presentations at the campus. Information that will be provided includes: definitions of sexual offenses and "consent" in the applicable jurisdiction of the school, safe and positive options for a bystander to intervene to try to prevent harm in risky situations, recognizable signs of abusive behavior and how to avoid potential attacks, etc. In addition, the following information is shared with all students as part of the New Student Orientation and with all staff/faculty during training to ensure that everyone is fully aware of how to protect themselves from sexual assault or harassment of a sexual nature.

WHAT TO DO ?

If you should become the victim of Sexual Assault, Domestic Violence, Dating Violence, or Stalking, do your best to remember identifying characteristics of the perpetrator; the more detail you can remember the better. Remember that you have not committed a crime, the perpetrator has. Sexual violence can happen to anyone. While it is your decision whether or not to notify and seek assistance from law enforcement and/or a Campus Security Authority (CSA), we strongly encourage you to do so, as this may result in the prevention of further offenses and harm to others. If you or a friend has experienced sexual violence of any form, we recommend you contact the local authorities and/or a CSA, and do the following, immediately:

- Go to a safe place.
- Call someone you trust to be with you.
- Seek medical care.
- Report the assault as soon as possible after the assault, but it can be reported at any time.

WHAT NOT TO DO?

- Do not shower, bathe, douche, urinate, or brush your teeth after the attack.
- Do not discard or wash clothing or linens until evidence can be collected by investigators.
- Do not blame yourself.
- Try to preserve evidence even if at the time you are not sure you are going to press charges.

REPORTING A SEXUAL ASSAULT

- A CSA will meet with you privately.
- A CSA will act thoughtfully without judging or blaming you.
- You will be treated with courtesy, sensitivity, dignity and understanding
- The Police will accommodate your request to speak to a law enforcement officer of the same gender
- A CSA will help in arranging hospital and/or counseling services or other assistance.
- We will change your contracted class or employment schedule after an alleged sex offense if you request it and the changes are reasonable and available.

PREVENTION TIPS

- Clearly communicate your sexual interests and boundaries with potential partners. Avoid potential sexual situations with people who disregard your opinions and l
- Ask questions to determine unquestionably that your partner has consented to sexual intercourse.
- Do not drink to excess. One drink can affect judgment, so only drink within your limits and in moderation.
- Say “NO” like you mean it when the situation causes concern. State clearly, emphatically, and forcefully if consent is not given.
- Do not be afraid to cause a scene if you feel threatened.
- Never hitchhike.
- If you are an evening student, walk in pairs to your car, and, if necessary, ask a member of the staff of your school to accompany you to your car
- Use the “Buddy System”; avoid walking alone, especially after dark, and always carry your cellphone with you
- Tell friends and roommates where you are going, how you are getting there, how long you will be, and when you get back.
- Lock the door at home or away, and in your vehicle.
- Trust your instincts, better to be safe than sorry.
- A national study found 73% of suspects and 55% of the victims were under the influence of alcohol or drugs at the time of the sexual assault.

JUDICIAL NO -CONTACT, RESTRAINING & PROTECTIVE COURT ORDERS

Students and/or Employees of Moler Barber College are encouraged to inform the institution of any active Judicial No-Contact, Restraining and/or Protective Court Orders and all details pertaining to the orders that is necessary to ensure the safety of the student or employee. Moler Management will take all appropriate measures and inform all pertinent staff to help enforce the orders and will notify the local police if there is a situation where the orders have been violated.

STANDARDS OF INVESTIGATION AND EVIDENCE COLLECTION

Moler Barber College CSA's will investigate all incidents of Sexual Assault, Domestic Violence, Dating Violence, Stalking, or Sexual Harassment; whether they are reported to the CSA or local authorities, or if the victim or victim's family is not requesting further action be taken against the perpetrator. It is the school's obligation to investigate all alleged acts of sexual harassment or sexual violence to determine what occurred and to take appropriate steps to resolve the situation. A criminal investigation by law enforcement officials does not relieve the school of its duty to investigate all alleged acts of sexual violence or harassment.

School management will obtain all available and necessary evidence, including but not limited to: surveillance videos, photos, witness and/or victim statements, alleged perpetrator statements, police and/or medical reports, etc. Every complainant has the right to have his or her complaint thoroughly evaluated and decided by school officials using a preponderance of the evidence standard (i.e., it is more likely than not that sexual harassment or sexual violence has occurred).

In some cases of alleged sexual harassment, grievance procedures may include voluntary informal methods to resolve the complaint (i.e., mediation); however, the complainant has the right to end an informal process at any time and begin a formal stage of the complaint process. In cases involving allegations of sexual assault, mediation is not an option and an investigation and discipline proceeding must occur. All management is fully trained on how to investigate allegations of sexual harassment and/or sexual assault and how to appropriately conduct Student Discipline Proceedings. A key aspect of these proceedings is to ensure the safety of victims, promote accountability, and to ensure the prompt and equitable resolution of complaints of a sexual nature.

STUDENT DISCIPLINE PROCEEDINGS & ADMINISTRATIVE SANCTIONS

Sexual assault is a criminal act which carries criminal and civil penalties under state and federal law. Reported incidents of rape, acquaintance rape, domestic violence, dating rape and violence, sexual assault, stalking or sexual harassment will lead to the initiation of an investigation and student disciplinary proceedings. Complainants and the accused perpetrators have the right to present their case. This includes the right to an adequate and reliable investigation of the complaint, the right to have equal opportunity to present witnesses and other evidence, and the right to the same appeal process for both parties. The accuser and the accused are entitled to have others present during a disciplinary proceeding or any related meeting or proceeding with an advisor of their choice, including legal counsel obtained at their election and their expense. Both the accuser and accused will be notified in writing simultaneously of: 1) the timeframe within which the school will conduct a full investigation of the complaint; 2) the outcome of the Student Discipline Proceedings; 3) Appeal Procedures (if applicable); 4) any change to the result before it becomes final; 5) and when the results become final, with respect to the alleged sexual offense and any sanction that is imposed on the accused when the sanction directly relates to the harassed student. If the alleged victim is deceased as a result of such crime or offense, the next of kin of the victim shall be treated as the alleged victim. Possible administrative sanctions include expulsion, suspension, forfeiture, warning, restricted access to school property, class/session changes, and/or other sanctions permissible under existing school rules. Moler School of Cosmetology firmly believes in the victim's right to keep these matters confidential, and all records pertaining to these incidents will not include personally identifiable information about the victim.

Sexual Offender Registration

In accordance with the Campus Sex Crimes Prevention Act of 2000, The Jeanne Clery Act and FERPA, Moler Barber College is providing a link to the California State Sex Offender Registry. In order to inform the campus community that a list of all registered sex offenders is available from:

<http://www.meganslaw.ca.gov/>

www.nationalsexoffenderregistry.com

Drug-Free Awareness Program

Moler Barber College has established a Drug-Free Awareness Program (DFAP) which encompasses four phases. They are as follows:

Phase I WARNING TO ALL EMPLOYEES AND STUDENTS OF THE DANGERS OF DRUG ABUSE IN THE WORKPLACE. Drug abuse impairs memory, alertness, and achievement. It erodes the capacity to perform, think and act responsibly. It may cause termination from employment or expulsion from Moler Barber College.

Phase II NOTICE: THIS INSTITUTION HAS A POLICY OF MAINTAINING A DRUG-FREE WORKPLACE. All employees and students are hereby notified that the unlawful manufacture, distribution, dispensing, possessing or use of illicit drugs or alcohol is prohibited on the premises of Moler Barber College; all interior rooms and spaces, surrounding outside areas, and all functions sponsored by Moler Barber College at other locations.

Phase III NON-COMPLIANCE WITH THE TERMS OF THIS DFAP will result in the following action being taken by Moler Barber College:

A. Disciplinary sanctions will be imposed on any student or employee (consistent with local, state and federal laws) found in the possession of, using, or distributing illicit drugs or alcohol. These sanctions include implementing an appropriate rehabilitation program, expulsion from school, termination of employment, and referral of such incidents to law enforcement officials.

B. Anyone using, or in possession of illicit drugs or alcohol on school property will have the option of enrolling in and completing an appropriate rehabilitation program, or be terminated from the school (or employment). This applies to first offenders only. Second-time offenders will be terminated immediately.

C. Anyone distributing illicit drugs on school property will be expelled immediately and referred to the police.

Phase IV ALCOHOL ADDICTION PROBLEMS, Moler Barber College strongly suggests that they seek counseling, treatment, or rehabilitation for the problem.

STUDENT AFFIDAVIT: I understand that Moler Barber College has established a Drug-Free Awareness Program to inform students and employees about:

1. The dangers of drug abuse in the workplace;
2. The school's policy of maintaining a drug-free workplace;

3. Available drug counseling, rehabilitation and employee assistance programs.
4. The penalties that may be imposed on employees and students for illicit drug or alcohol abuse on its premises or as part of its activities.

Drug and Alcohol Prevention Policy

The following deals with the very serious problem of drug and alcohol abuse. Moler Barber College is required by the U. S. Department of Education to implement a drug prevention program for its students and employees. Compliance with the drug-free schools and communities act of 1989 is a condition of the school's eligibility to participate in Title IV programs (financial aid programs for students).

All students receiving Pell grant funds must sign a certification attesting that they will not engage in the unlawful manufacture, distribution, and dispersion, possession, or use of a controlled substance. Any Pell grant recipient not complying with the certification will lose all rights to Pell grant funds immediately. There are no exceptions.

Moler Barber College strongly recommends that any student or employee, who has a drug or alcohol addiction or problem, seek counseling, treatment, or rehabilitation for the problem. The following is a list of resources for locating such treatment.

Moler Barber College will conduct a biennial review of its drug prevention program to determine its effectiveness and to implement changes to the program if they are needed. As we learn of new resources, we will update this list. The program will also be reviewed to ensure that its disciplinary sanctions are consistently enforced.

Students are required to sign off on this program/policy during orientation; it is also found in the student handbook.

Federal, State, & Local Legal Sanctions

The following is a description of the applicable legal sanctions under Local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol.

A. Federal Law

1. Controlled Substances

Any person knowingly or intentionally manufacturing, distributing, dispensing, or possessing with an intent to distribute or dispense, a "controlled substance" (as defined in 21 U.S.C. Sections 802,812) is subject to sentencing under Federal

law to a term of imprisonment of as much as twenty (20) years to life and a fine of four million dollars (\$4,000,000).

Although the sentences imposed under Federal law vary according to the specific controlled substance involved, all Federal sentencing requirements are stringent.

2. Alcohol

The illegal manufacture or sale of alcoholic beverages, without obtaining the necessary and proper permits from Federal alcohol authorities may subject a convicted individual to fines of up to one thousand dollars (\$1,000).

B. State Law

Criminal sanctions under California law vary significantly depending upon the controlled substance and the act involved. All specific laws and relevant sections are written in the California Revised Code (ORC).

1. Controlled Substances ORC 2925.11 Prohibits any person from knowingly obtaining, possessing or using a controlled substance.

Penalty: A maximum of ten (10) years imprisonment and up to a \$5,000.00 fine.

2. Alcohol ORC 4301.63 Provides that no person under the age of twenty one

(21) shall purchase beer or intoxicating liquor. Penalty: A fine of not less than \$25.00 nor more than \$100.

ORC 4301.69A Prohibits selling beer or intoxicating liquor to a person under the age of twenty one (21) years, or buying it for or furnishing it to such a person.

Penalty: Misdemeanor of the first degree. Maximum penalty is imprisonment for up to 6 months and a \$1000.00 fine.

ORC 4301.69E Provides that no underage person shall knowingly possess or consume any beer or intoxicating liquor, in any public or private place, unless he is accompanied by a parent, spouse, or legal guardian, who is not an underage person, unless it is for medical or religious reasons.

Penalty: Maximum penalty is imprisonment for not more than six months and a \$1,000.00 fine.

C. Local Ordinances

Oakland enforces all the state criminal statutes cited above and all others cited in the California State law.

LEGAL REQUIREMENTS FOR ALCOHOL CONSUMPTION

A. Under state laws and local ordinances pertaining to alcohol, it generally is a crime to:

1. Underage Drinking

purchase, order, pay for, or share the cost of alcohol if you are under 21.

possess alcohol if you are under 21.

consume alcohol if you are under 21.

sell alcohol to, buy alcohol for, or furnish alcohol to anyone under 21-even in your own home, apartment, or residence hall room.

allow anyone under 21 to remain in your home, apartment, or residence hall room, or in other property that you own or occupy, while possessing or consuming alcohol.

2. False Identification

show or give false information about your name, age, or other identification to purchase or obtain alcohol if you are under 21.

provide false information about the name, age or other identification of another person under 21 to purchase or obtain alcohol for that person.

3. Open Containers

have an open container of alcohol in your possession in any unlicensed public place.

have an open container of alcohol in your possession while driving or riding in or on a motor vehicle.

have an open container of alcohol in your possession while in or on a motor vehicle that is parked in or on a highway, street, or other place open to the public for parking. An "open container" is any holder or receptacle that allows open access to alcohol, including any bottle, can, or similar container on which the original seal has been broken. A bottle, can, or similar container that has been recapped or re-corked is still considered to be "open" for purposes of these statutes.

4. Transportation

consume alcohol while in a motor vehicle.

drive while under the influence of alcohol. If you are under 21, you are considered to be driving under the influence if your blood alcohol level is .01 or higher.

5. Disorderly Conduct

engage in conduct that offends, inconveniences, annoys, or alarms others or that poses a risk of physical harm to yourself, to others, or to property while you are voluntarily intoxicated.

Health Risks

The following is a description of the health risks associated with the use of illicit drugs and the abuse of alcohol.

A. The American Medical Association defines drug abuse as the "self-administration of drugs, either for non-medical reasons or in quantities and frequencies beyond those specified for proper medication," and it points out that millions of people today are abusing a wide variety of drugs, from aspirin to heroin and now to alcohol.

B. The medical profession and others in scientific fields agree that more research needs to be done on the long-range effects of alcohol and other drugs. However, they warn that there is already considerable evidence that alcohol and drug abuse do have serious deleterious effects, and no one should be deluded into believing that the abuse of marijuana or any other intoxicating or hallucinogenic drug is a safe thing to do. This includes alcohol, which is a drug.

Sexual Assault

Moler Barber College will not tolerate sexual assault of any kind. The term sexual assault is a general term that includes a variety of actions against any person without the person's consent, against the person's will, or under force, threat of force, or coercion. Consent cannot be given while intoxicated or medicated since these states inhibit an aware state of mind.

The California Revised Code, Chapter 2907, defines sexual assault as: rape; sexual battery; unlawful sexual conduct with a minor; corruption of a minor; gross sexual imposition; sexual imposition; importuning; voyeurism and public indecency; or, any unwanted touching or act that is non-consensual and committed by the offender for the purpose of sexual gratification.

Future revisions, amendments, or additions to these or other applicable codes are incorporated in this policy by this reference. Sexual assaults of any kind are criminal offenses and are subject to criminal charges in the state of California.

These violations of state law are also violations of Moler Barber College code of student conduct. Certain types of these offenses, including rape, sexual battery, and gross sexual imposition, may trigger a mandatory California Board of Regents academic dismissal hearing pursuant to California Revised Code 3345.23.

Furthermore, Moler Barber College code of student conduct defines sexual assault as "any attempt or actual unwanted sexual contact, physical or nonphysical, in the absence of clear and voluntary consent. Clear and voluntary consent is consent that is given freely and actively in mutually agreed upon sexual activity. Consent is not clear or voluntary if it results from the use of physical force, threats, intimidation, or coercion. It is a violation of policy to have sex or sexual contact with someone who is known to be, or should be known to be incapable of making a rational, reasonable decision."

Reporting Requirements

The "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act" (formerly the Campus Security Act) requires that all university officials with significant responsibility for campus and student activities report any incident of alleged sexual assault. Professional mental health and pastoral counselors are exempt from this requirement. Survivors must be apprised immediately of this requirement.

- a. If the survivor does not wish to be identified, a third party report that does not include the survivor's name, may be made.
- b. While it is the final prerogative of the survivor to make decisions regarding her/his course of action, Moler Barber College strongly encourages survivors to make a full report to the Campus Security Authorities in order to ensure that all resources can be made available, as well as to maintain the widest range of options in which to pursue adjudication of the incident.
- c. Timely reports will be made to the campus community in order to aid in the prevention of similar crimes.

Reporting Protocol

- a. If a sexual assault occurs on campus, the incident should be reported immediately to a Campus Security Authority.
- b. If a sexual assault occurs off campus, the incident should be reported immediately in the jurisdiction where the incident occurred. Upon request, campus officials will assist the student, faculty, or staff member in completing a police report with local authorities.
- c. The individual should immediately obtain medical treatment at an area hospital for injuries, sexually

transmitted diseases, and pregnancy. A medical exam to preserve evidence of rape for use in court can be performed, but the exam must be completed within 72 hours of a sexual assault. To preserve as much evidence as possible, the victim should be advised not to eat, drink, smoke, bathe, shower, douche, or urinate.

Should a violation of local, state, or federal laws occur within the school, the appropriate legal action will be initiated through the criminal justice system. If assistance is needed, the Oakland Police Department, Alameda County Sheriff's Office, California State Highway Patrol, or Bureau of Criminal Identification and Investigation (BCII) may be contacted. Incidents of domestic violence will be handled in accordance with ORC 2919.25.

Registered Sex Offenders: <http://www.meganslaw.ca.gov>

The Alameda County Sheriff's Office maintains a list of currently registered sex offenders residing in Alameda County call (510) 272-6878

The following is a list of National, State and Local victim resource organizations: National Organizations:

- ☐☐ [National Center for Victims of Crime](#) 2111 Wilson Blvd. Suite 300 Arlington, VA 22201 (703)276-2880
- ☐☐ [Official Office for Victims of Crime: http://www.ojp.usdoj.gov](#) ☐☐ [National Organization for Victim Assistance](#) 800-879-6682 (800-TRY-NOVA) 9am-5pm Eastern Time, Monday-Friday
- ☐☐ [National Victims' Constitutional Amendment Network \(NVCAN\)](#) <http://www.nvcap.org>
- ☐☐ [National Crime Victims Research and Treatment Center](#) Medical University of South Carolina 171 Ashley Ave. Charleston, SC 29425 (843) 792-2945
- ☐☐ [National Domestic Violence Hotline](#) (800) 799-7233 (SAFE) (800) 787-3224 (TTY for the deaf)
- ☐☐ [Family Violence and Sexual Assault Institute](#) 1121 East SE Loop 323 Suite 130 Tyler, TX 75701 (903) 534-5100
- ☐☐ [National Coalition Against Domestic Violence](#) PO BOX 18749 Denver, CO 80218 (303) 839-1852
- ☐☐ [National Council on Child Abuse and Family Violence](#) 1155 Connecticut Ave, NW Suite 400 Washington, DC 20036 (800) 222-2000
- ☐☐ [National Health Resource Center on Domestic Violence](#) Family Violence Prevention Fund 383 Rhode Island St Suite 304 San Francisco, CA 94103-5133 (415) 252-8900
- ☐☐ [National Committee to Prevent Child Abuse \(NCPCA\)](#) 332 S Michigan Ave. Suite 1600 Chicago, IL 60604 (312) 663-3520
- ☐☐ [National Coalition Against Sexual Assault](#) 125 N Enola Dr. Enola, PA 17025 (717) 728-9764
- ☐☐ [Drugs and Crime Data Center and Clearinghouse](#) 1600 Research Blvd. Rockville, MD 20850 (800) 666-3332
- ☐☐ [RID-USA \(Remove Intoxicated Drivers\)](#) PO BOX 520 Schenectady, NY 12301 (518)

Firearms and Weapons

Firearms and weapons of any sort are prohibited on campus property.

Hate Crimes

The School, in addition to reporting crime statistics is required to report any of the crimes as ones of hate crimes. The nature of the crime covers murder/non-negligent manslaughter, sex offenses-forcible or non-forcible (such as incest or statutory rape), robbery, aggravated assault, burglary, motor vehicle theft, arson, and any other crime involving bodily injury which is reported to local law enforcement or a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias. Beginning with the 2009 statistics, additional crimes were added: crimes of simple assault, larceny-theft, intimidation, and destruction/damage/vandalism of property. Also added, was the detailed categories of bias for crimes reported based upon: race, religion, sexual orientation, gender, disability, and ethnicity/national origin.

MOLER BARBER COLLEGE SECURITY POLICIES and ANNUAL CRIME STATISTICS

AUTHORITY AND PURPOSE (34 CFR 668.46) This Act requires that all post secondary institutions provide to all students (and to prospective students, upon request), staff, faculty and other employees, an annual security report that contains, at a minimum, the following information for the last three (3) years. (In the case of crime statistics, the Act requires that the information provided reveals whether the crime occurred on campus or on public property and if it was considered a hate crime).

Criminal offenses	2013		2014		2015	
	On campus	Public Property	On campus	Public Property	On campus	Public Property
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0
Sex offenses - Forcible	0	0				
Rape			0	0	0	0
Fondling			0	0	0	0
Sex offenses - Non-forcible	0	0				
Incest	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
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

Hate Crimes	2013		2014		2015	
	On campus	Public Property	On campus	Public Property	On campus	Public Property
Murder/ Non-negligent manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0
Robbery	0	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
Simple assault	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Destruction/damage/vandalism of property	0	0	0	0	0	0

Violence Against Women Act (reauth 2013) Offenses	2013		2014		2015	
	On campus	Public Property	On campus	Public Property	On campus	Public Property
Domestic violence			0	0	0	0
Dating violence			0	0	0	0
Stalking			0	0	0	0

Arrests	2013		2014		2015	
	On campus	Public Property	On campus	Public Property	On campus	Public Property
Weapons: carrying, possessing	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0

Disciplinary Actions	2013		2014		2015	
	On campus	Public Property	On campus	Public Property	On campus	Public Property
Weapons: carrying, possessing	0	0	0	0	0	0
Drug abuse violations	0	0	0	0	0	0
Liquor law violations	0	0	0	0	0	0

Unfounded Crimes	2013		2014		2015	
	On campus	Public Property	On campus	Public Property	On campus	Public Property
Total unfounded crimes	0	0	0	0	0	0

1. The campus community is proud of its crime-free reputation. All citizens of the community may be confident that all reasonable attempts will be made to protect the identity of persons reporting incidents of criminal behavior insofar as the apprehension and, where appropriate, the prosecution of the alleged perpetrators will allow. But, it must be understood that anonymity might not be possible in some cases.
2. It is the policy of Moler Barber College to encourage students, staff, faculty, and other employees to promptly report any criminal actions or other emergencies they may observe on campus. Faculty member or administrator will assist in getting word of the situation to a campus authority or the police. Reports may be in person or in writing. The institution's response to reports of the occurrences of crimes on campus will be as follows:

We will make timely warnings to members of the campus community regarding the occurrence of crimes listed above;

We will prepare the annual disclosure of crime statistics that will include all occurrences of the listed crimes on campus, as well as in the property immediately adjacent to the campus provided it is made available to the College by the Police Department;

We will annually update the list of the titles of each person to whom students and employees should report the criminal offenses listed above.

SECURITY OF AND ACCESS TO CAMPUS FACILITIES

Moler Barber College is protected against breaking and entering by a security alarm system that if breached will notify the alarm company who will summon the police. Internally, a closed-circuit camera system is used to monitor areas that might tempt illegal activities.

CAMPUS LAW ENFORCEMENT

The on-campus law enforcement authority resides with any officer of the school, including faculty. It is the practice of all campus law enforcement to immediately contact the local police department concerning any illegal activity occurring on campus.

Campus law enforcement personnel do not have the authority to arrest individuals.

Campus law enforcement personnel will not only report, but will also encourage others to promptly and accurately report all crimes to the appropriate personnel or the police.

Campus management personnel will encourage pastoral and/or professional counseling in cases where it could be helpful.

CAMPUS SECURITY EDUCATIONAL ACTIVITIES

This report contains details concerning the programs designed to inform students and employees about campus security procedures and practices. In addition to informing, this literature's purpose is to encourage students and employees to be responsible for their own security as well as the security of others.

CRIME PREVENTION

All incoming students are given a student handbook in which crime prevention measures are discussed. Visiting lecturers frequently address the student body on crime prevention and other security matters.

OFF-CAMPUS MONITORING

The institution will cooperate with the Police Department in the monitoring and recording of criminal activity in which students might engage at off-campus locations.

ALCOHOL and DRUG ENFORCEMENT

Moler Barber College has a strict policy against the possession, use or sale of alcohol or illegal drugs on campus. Persons suspected of engaging in these prohibited activities will be:

- Warned of the dangers of drug or alcohol abuse in the workplace enforcement of State underage drinking laws;

- Advised again that DBC is a drug and alcohol-free institution and workplace;

- Encouraged to enroll in a rehabilitation program;

- Disciplined within the authority of the school rules;

- Dismissed from the institution if non-compliance with this policy continues. Please note that the order or inclusion of the steps listed above does not bind the institution to include them. Offenses that endanger one's self, school property, personnel or other students may lead to immediate dismissal.

DRUG-FREE AWARENESS PROGRAM

Each student, upon enrollment in the school must sign a form that outlines the College's Drug-Free Awareness Program. Our program is designed to inform, advise and provide a list of outside sources for help and rehabilitation.

SEX OR GENDER ASSAULT PREVENTION PROGRAM

Moler Barber College has a strict policy against the sexual harassment of any other person, staff member, student or any other employee. It is the policy of Moler Barber College to encourage students, staff, faculty, and other employees to promptly report any occurrence of such activity they may observe on campus. Any faculty member or administrator will assist in getting word of the situation to a campus authority or the police. Reports may be in person or in writing. It should be understood that anonymity might not be possible in some cases. The institution will respond to

reports of the occurrences of non-forcible or forcible sex crimes on campus as follows:

We will make timely warnings to members of the campus community regarding the occurrence;

Such occurrence(s) will become part of the annual disclosure of crime statistics that will include all of the listed crimes on campus, as well as in the near vicinity;

We will annually update the list of the titles of each person to whom students and employees should report sexual harassment offenses.

An immediate investigation into the alleged harassment will be undertaken. See additional details of the school's sexual harassment policy elsewhere in this Catalog.

SEXUAL ASSAULT PREVENTION PROGRAM Moler Barber College will make literature and other resource materials available to students and employees that will help to promote the awareness of rape, acquaintance rape, and other forcible and non-forcible sex offenses.

If a sex offense occurs, contact the Director immediately. If he is not available, any other supervisor or instructor is next in the chain of administrative authority.

Individuals reporting such an occurrence must be careful in preserving whatever evidence might be available to aid in the proof that a criminal offense has occurred.

Individuals have the option to notify appropriate law enforcement authorities, including the local police. College personnel will assist in the notification of these authorities, if requested.

The College will notify all affected persons of the existence of off-campus counseling, mental health, or other services for victims of sex offenses;

The school will change a victim's academic situation after an alleged sex offense, provided they are reasonably available;

Campus disciplinary action in cases of an alleged sex offense, are outlined in the Sexual Harassment Policy in our Catalog. All parties must understand that the accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding;

Both the accuser and the accused will be informed of the outcome of any institutional disciplinary proceeding brought that alleges a sex offense. Compliance with this part does not constitute a violation of the Family Educational Rights and Privacy Act (20 U.S.C. 1232g).

For the purpose of this part, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused, and;

Sanctions the institution may impose upon an individual or individuals following a final determination of an institutional disciplinary proceeding regarding rape, acquaintance rape or other forcible or non-forcible sex offenses.

HATE CRIMES

The College must report, by category of prejudice, any crime it reports pursuant to the paragraphs

above, and any other crime that involves bodily injury that is reported to the local police or a campus administrator, that manifests evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity/national origin, or disability.

TIMELY WARNING

The College must in a manner that is timely and that will aid in the prevention of similar crimes, report to the campus community any crime listed above, or considered by the College's to represent a threat to students and employees.

Emergency Response and Evacuation Procedures

In the event that a situation arises, either on campus or off-campus, which in the judgment of the School Director or Campus President constitutes an ongoing or continuing threat, a "timely warning" statement will be issued. The school is small enough that communication from the front of the school to the back of the school can occur rather rapidly and there are several phones within close proximity throughout the building in the offices. If there appears to be an immediate threat, the building will be evacuated. If there is a threat as a result of a criminal action that could potentially jeopardize the safety and well-being of the students, faculty, and staff, they are informed of the occurrence through one of the designated Campus Security Authorities (School Director, or Managing Director).

The school is small enough that everyone can be immediately notified when an emergency or dangerous situation arises. The school will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. The school will assess the situation to determine if there is a significant emergency, and pending on the situation notify the proper authorities. Pending on the situation, evacuation of the school will be necessary. Posted throughout the school are maps of the evacuation routes; there are three exits in the school. Following is a copy of the evacuation maps posted in each room and throughout the school. In addition to the evacuation maps, one of the designated members of the Response and Evacuation Team will instruct the students, staff, and clients of what the emergency is and what plan of action needs to be taken by them.

Pending on the nature of the emergency, the proper authorities will be notified, whether it be the PG&E for gas leaks, the Board of Health for contagious viruses, or the Oakland Police Department / Alameda County or Oakland Fire Department, etc.. pending on the emergency.

Emergency Response and Evacuation Authorities

Frank Quattro -- School Director

Christina Quattro – Managing Director

Emergency Response and Evacuation Testing

Each year the school tests its emergency response and evacuation procedures to make sure it functions properly. The procedures are then updated and changed if necessary. A log of each year's test is published and found with the Annual Security Report binder found in the front office of the school. Any person can request a copy of these published testing documents at any time.