

# Annual Campus Safety & Security Report

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**HAYS ACADEMY**  
OF HAIR DESIGN

## **Message from the Owners**

Hays Academy of Hair Design is dedicated to providing a safe and secure environment where students and staff can learn, grow and have a positive educational experience. This cannot happen without participation of everyone. The information contained in this Annual Security Report will help you do your part by understanding what kind of crime happens on campus and the safety and security programs Hays Academy offers.

## **What is the Clery Act?**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or Clery Act, signed in 1990, is a federal statute codified at 20 U.S.C. § 1092(f), with implementing regulations in the U.S. Code of Federal Regulations at 34 C.F.R. 668.46.

It is a federal law that requires colleges and universities who receive federal funding to disclose information on campus safety and requires basic requirements for handling incidents of sexual violence and emergency situations.

## **II. GEOGRAPHY:**

1. Any building or property owned or controlled by Hays Academy of Hair Design within the same reasonably contiguous geographic area and used by Hays Academy in direct support of, or in manner related to, Hays Academy's education purposes; and
2. Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by Hays Academy but controlled by another person, is frequently used by students, and supports institutional purposes.

## **Non-Campus building or property**

1. Any building or property owned or controlled by a student organization that is officially recognized by Hays Academy of Hair Design; or
2. Any building or property owned or controlled by Hays Academy that is used in direct support of, or in relation to, Hays Academy's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area.

## **Public Property**

1. All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from campus.

## **III. CRIME STATISTICS:**

Crime statistics that are provided in this annual report are based upon incidents reported by the local Police Departments or Administrators/Management at each campus. Each entity provides updated information on their educational efforts and programs to comply with the Act. This annual report is prepared by Hays Academy of Hair Design. Hays Academy annually reports statistics for the three most recent calendar years concerning the occurrence on campus and on public property. Campus crime, arrests, and referral statistics include those reported to the Police or one of the administrators/manager.

#### **IV. CAMPUS SECURITY AUTHORITIES:**

##### **Hays Campus – 785-628-6624**

Summer Melvin – [summer@haysacademy.com](mailto:summer@haysacademy.com)

Danielle Markley – [danielle@haysacademy.com](mailto:danielle@haysacademy.com)

Len Melvin – [len@haysacademy.com](mailto:len@haysacademy.com)

Eric Markley – [eric@haysacademy.com](mailto:eric@haysacademy.com)

Nicole Kroeger – [nicole@haysacademy.com](mailto:nicole@haysacademy.com)

Dana Simoneau – [dana@haysacademy.com](mailto:dana@haysacademy.com)

##### **Salina Campus – 785-833-2280**

Summer Melvin – [summer@haysacademy.com](mailto:summer@haysacademy.com)

Danielle Markley – [danielle@haysacademy.com](mailto:danielle@haysacademy.com)

Len Melvin – [len@haysacademy.com](mailto:len@haysacademy.com)

Eric Markley – [eric@haysacademy.com](mailto:eric@haysacademy.com)

Tyler Paulson – [tyler@haysacademy.com](mailto:tyler@haysacademy.com)

Ashley Paulson – [ashley@haysacademy.com](mailto:ashley@haysacademy.com)

#### **Procedure for Reviewing Crime Reports**

1. Crime reports are received in-person, phone, e-mail, and documented.
2. Reports are reviewed by the administration/management to accurately record Clery category.
3. Reports are compared for accuracy of reporting.
4. Yearly the process of reporting crimes is reviewed to improve reporting efforts.

#### **V. STATISTICS FROM LOCAL LAW ENFORCEMENT AGENCIES:**

In addition to collecting crime reports from local law enforcement, Hays Academy makes a good faith effort in obtaining Clery crime statistics from local agencies within the geography of each campus as well.

#### **VII. EMERGENCY RESPONSE AND EVACUATION PROCEDURES:**

##### **Notification of an Emergency**

Hays Academy of Hair Design uses a variety of tools to keep students, staff and guests informed in the event of an emergency that could affect their health and safety. These tools contain the Hays Academy's Emergency Notification System: text messaging, school wide intercoms, e-mail, social media, voice mail, and notification apps. Some or all of these tools may be used in a given emergency situation. Emergency notifications are sent when there is a confirmed emergency or dangerous situation occurring on campus that involves an immediate threat to the health or safety of the campus community and in situations requiring immediate action. The owner or manager on site is responsible for assessing all known information about an emergency situation on campus and determining the need for emergency notification and immediate actions, such as building evacuation. The owner or manager will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of the owner or manager, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

## **Disseminating Emergency Information to the Larger Community**

Hays Academy disseminates emergency information to individuals and/or organizations outside of the campus community in the following ways:

- Facebook Community Page
- Hays Academy school website
- Use of radio and/or television alerts for the neighboring community

The administrator of Hays Academy is responsible for determining what relevant information to be disclosed.

## **Testing of Emergency Procedures**

Hays Academy's emergency response and evacuation procedures will be tested at least one time in a calendar year. Annual testing may be either announced or unannounced and will be publicized on the Hays Academy website. Documentation of the testing, to include a description of the exercise, the date, time and whether it was announced or unannounced, will be maintained and retained in the Administrative Office.

## **VIII. TIMELY WARNINGS**

In the event that a situation arises, either on or off campus, that, in the judgment of the administrator/manager, constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued. The warning will be issued through the most effective and efficient means available and may include instant messaging to students and Hays Academy employees. Notices may also be posted in the common areas throughout the school. Anyone with information warranting a timely warning should report the circumstances to the administrator/manager by phone at 785-628-6624 (Hays Campus) or 785-833-2280 (Salina Campus) or in person at the school.

## **Pastoral and Professional Counselors**

Hays Academy does not employ or have affiliation with Pastoral or Professional Counselors.

## **IX. ANNUAL SECURITY REPORT:**

### **Reporting Policies and Protocols**

Hays Academy strongly encourages all members of the school community to report information about any incident of crime or sexual misconduct as soon as possible, whether the incident occurred on or off campus. Reports can be made either to the administration/managers and/or to law enforcement.

### **Confidential Reporting**

Confidential reporting gives the victim the opportunity to speak confidentially with a professional who works in a health-care or counseling role.

- Options Domestic and Sexual Violence Services, 785-625-4202 – Hays Campus.
- Options mission is to empower individuals who experience domestic, sexual, interpersonal or stalking violence through individual support.
- Domestic Violence Association of Central Kansas 785-827-5862 – Salina Campus
- Hays Academy of Hair Design alongside Options and DVACK have partnered to provide support for involved parties.

### **Non-Confidential Reporting**

Non-confidential reporting means that an investigation will occur with an outcome. Details of the report will only be shared with individuals with a need-to-know basis. Privacy will be protected to the extent possible. To file a non-confidential complaint, please use one of the following options:

All victims are encouraged, but not required, to file a Police Report  
911 or 785-628-5304 – Hays, KS and 785-826-7210 – Salina KS

Len Melvin  
Title IX Coordinator – Hays Campus  
Email: [len@haysacademy.com](mailto:len@haysacademy.com)  
Phone: 785-628-6624

Tyler Paulson  
IX Coordinator – Salina Campus  
Email: [tyler@haysacademy.com](mailto:tyler@haysacademy.com)  
85-833-2280

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

Crime statistics that are provided in this annual report are based upon incidents reported by the local law enforcement and/or administration/management team. This annual report is prepared by Hays Academy of Hair Design. Hays Academy annually reports statistics for the three most recent calendar years concerning the occurrence on campus and on public property. Campus crime, arrests, and referral statistics include those reported to the Police or one of the administrators/managers. This information is reviewed annually at staff meetings as well as made available to each incoming student as well as current students at any time.

### **Access to Campus Facilities and Security Considerations in the Maintenance of Campus Facilities**

Hays Academy is committed to maintaining an environment in which students, staff, and guests can work together free from all forms of harassment, exploitation and intimidation. Hays Academy will act as needed to discourage, prevent, correct, and, if necessary, discipline behavior that violates this standard of conduct. During business hours, Hays Academy is open to students, parents, staff, guests and invitees. During non-business hours access to all facilities is by key, if issued, or by admittance via an administrator, manager, or staff member.

### **Policy to Inform Students and Employees about the Prevention of Crime**

Hays Academy of Hair Design educates the incoming and current student and employee community about crime, sexual violence, violence prevention, and all relevant Hays Academy policies and procedures during all orientations held for new and current students at the onset of a class and at least annually.

In addition, Hays Academy conducts new and current employee training on these topics at least annually. The Title IX Coordinator is responsible for training all Hays Academy current students and employees about Hays Academy's policies regarding crime and sexual violence and for conducting the new student and employee training.

### **Campus Law Enforcement**

Hays Academy does not employ campus law enforcement or security personnel.

### **Student Organizations with Non-Campus Locations**

Hays Academy does not have any officially recognized student organizations with non-campus locations.

## **Alcohol & Drug Prevention Program & Policy**

Under the "Drug Free Workplace Act of 1988" and the "Drug Free Schools and Communities Act Amendments of 1991" the Academy is required to notify all employees and students of its specific alcohol and drug policy program. The elements of the policy and program include consequences that may follow the use of alcohol and other drugs, and sanctions that may be applied both by the Academy and by external authorities. The law requires that individuals be notified of possible sources of assistance for problems that may arise as a result of use. The following material is provided to supplement the comprehensive policies that are being prepared in accordance with the Task Force report. This policy is intended to educate members of the Academy community about the health risks associated with the use and abuse of alcohol and other drugs and about the resources available for counseling and therapy. In addition, in order to assure a work and learning environment that promotes the Academy's mission and proper function, the Academy prohibits unlawful possession, use, or distribution of alcohol or illicit drugs by faculty, staff, or students on Academy property or as a part of any Academy activity. Federal and state sanctions also apply to such conduct. Prevention strategies include efforts to change inappropriate community norms regarding alcohol and other drug use, to alter environmental factors that support inappropriate use, and to provide information and skills regarding sensible use.

### **Health Risks**

The use or abuse of alcohol and other drugs increase the risk for a number of health related and other medical, behavioral, and social problems. These include acute health problems related to intoxication or overdose (blackouts, convulsions, coma, death); physical and psychological dependence; malnutrition; long-term health problems, including cirrhosis of the liver, organic brain damage, high blood pressure, heart disease, ulcers, and cancer of the liver, mouth, throat, and stomach; contracting diseases, such as AIDS, through the sharing of hypodermic needles; pregnancy problems including miscarriages, still births and learning disabilities; fetal alcohol syndrome (physical and mental birth defects); psychological or psychiatric problems; diminished behavior (hangovers, hallucinations, disorientation, slurred speech); unusual or inappropriate risk-taking which may result in physical or emotional injury, or death; violent behavior towards others, such as assaults and rape; accidents caused by operating machinery while impaired; impaired driving resulting in alcohol and drug-related arrest, traffic accidents, injuries, and fatalities; negative effects on academic or work performance; conflict with co-workers, classmates, family, friends, and others; conduct problems resulting in disciplinary actions, including loss of employment; and legal problems including imprisonment.

### **Counseling and Treatment Programs**

The Academy encourages individuals with alcohol or other drug-related problems to seek assistance. The following is a list of resources:

#### **Hays Campus:**

Smoky Hill Foundation  
209 East 7th Street  
Hays, KS 67601  
785-625-5521

Project Dream Inc  
2818 Vine St  
Hays, KS 67601  
785-628-6655

#### **Salina Campus**

Central Kansas Mental Health Center  
809 Elmhurst  
Salina, KS 67401  
785-823-6322

Alcohol & Drug Treatment Program  
405 East Iron Ave  
Salina, KS 67401  
785-823-0001

### **Academy Sanctions**

Unlawful possession, use, manufacture, or distribution of alcohol or illicit drugs by faculty, staff, or students on Academy property or as a part of any Academy activity may lead to sanctions within the Academy, the severity of which shall increase as the seriousness of the violation increases. Sanctions include: A verbal or written reprimand; Completion of an appropriate rehabilitation program; A disciplinary warning, with notice that repetition of the offense or continuation of the offense may result in a more serious sanction; Suspension from the Academy (student) or from employment (employee) or from a specific Academy activity or facility for a fixed period of time or until completion of specified conditions, such as completion of an appropriate rehabilitation program; Expulsion from the Academy (student) or termination of employment (faculty and staff); and/or Other appropriate sanctions

### **External Sanctions**

Unlawful possession, use, manufacture, or distribution of alcohol or illicit drugs may also lead to a referral to the appropriate local, state, and/or federal authorities for prosecution for a misdemeanor or felony, depending on the nature of the offense. The sanctions for such offenses may include fines and/or imprisonment. For example, under federal laws trafficking in drugs such as heroin or cocaine may result in sanctions up to and including life imprisonment for a first offense involving 100 grams or more. Fines for such an offense can reach \$4 million. Offenses involving lesser amounts, 10-99 grams may result in sanctions up to and including 20 years imprisonment and fines of up to \$20 million. A first offense for trafficking in marijuana may lead to sanctions up to life imprisonment for an offense involving 1,000 kg or more or up to 5 years imprisonment for an offense involving less than 50 kg. Such an offense carries with it fines that can reach \$4 million for an individual offender. Federal and State sanctions for illegal possession of controlled substances range from up to one-year imprisonment and up to \$100,000 in fines to three years imprisonment and \$250,000 in fines for repeat offenders. Under Michigan laws, use of marijuana is a misdemeanor punishable by up to 90 days in jail and a \$100 fine. Delivery of marijuana is a felony punishable by up to four years imprisonment and up to \$2,000 in fines. Violations may also lead to forfeiture of personal and real property and denial of federal benefits, such as grants, contracts, and student loans. The State of Kansas may impose a wide range of sanctions for alcohol-related offenses. For example, a first drunk driving offense will receive 48 hours of mandatory imprisonment or 100 hours of community service and must complete a court ordered alcohol and drug safety action education program and/or treatment program (at your expense). In addition, you will be fined \$500 to \$1,000 plus court costs, probation and evaluation fees. Your driving privileges will be suspended for 30 days, then restricted for an additional 330 days. Your vehicle can be impounded for up to one year. Any minor under the age of 21 who is found to possess, consume, obtain, purchase or attempt to purchase alcoholic liquor or a cereal malt beverage can be charged with what is commonly known as “Minor in Possession (M.I.P.)”, a Class C misdemeanor. Sometimes this is also referred to as a “Minor in Consumption (M.I.C.) where a minor is found to have been drinking but does not have alcohol in his or her possession. They are both the same thing. M.I.P is punishable by a fine of up to \$500, 40 hours of community service and the completion of an educational program dealing with the effects of alcohol.

### **Distribution of Policy**

A copy of this policy statement shall be distributed annually to all faculty, staff, and students.



## **Title IX Notice of Nondiscrimination**

Hays Academy of Hair Design (Hays Academy) does not discriminate on the basis of sex in its education programs or activities and is committed to ensuring an educational environment free of sexual harassment, including sexual violence, and to full compliance with Title IX of the Education Amendments Act of 1972 and other federal and state laws governing such conduct.

The following individual[s] has [have] been designated as the Title IX Coordinator[s] by Hays Academy to handle inquiries regarding Hays Academy's Title IX policies, including receiving and responding to information about any incident of sex discrimination:

### **Hays Campus:**

Len Melvin  
1214 W. 27<sup>th</sup> St.  
Hays, KS 67601  
Phone: 785-628-6624  
Email: len@haysacademy.com

### **Salina Campus:**

Tyler Paulson  
115 S. 5<sup>th</sup> St.  
Salina, KS 67401  
Phone: 785-833-2280  
Email: tyler@haysacademy.com

Information regarding sexual discrimination, including sexual harassment or sexual violence, may also be reported by anyone to: U.S. Office for Civil Rights by email at [ocr@ed.gov](mailto:ocr@ed.gov) or at the addresses provided at the following website:

<http://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

“Sexual harassment” is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that may constitute sexual harassment when:

- Submission to such conduct is made either explicitly or implicitly as a term or condition of an evaluation of a student's academic performance, or a term or condition of participation in student activities or in other events or activities sanctioned by] the School];
- Submission to or rejection of such conduct by an individual is used as the basis for academic decisions or other decisions about participation in student activities or other events or activities sanctioned by Hays Academy; or
- Such conduct otherwise has the purpose or effect of threatening an individual's academic performance; or creating an intimidating, hostile, or offensive educational environment.

Forms of sexual harassment include, but are not limited to, sexist remarks or behavior, constant offensive joking, sexual looks or advances, repeated requests for dates, unwelcome touching, and promise of reward for sexual favors. Students, faculty, or staff who experience sexual harassment should be encouraged to make it clear to the alleged offender that such behavior is offensive. However, failure to comply with this provision does not defeat the Institute's obligation to investigate the incident and take appropriate steps if sexual harassment has occurred.

Sexual violence includes, among other conduct, domestic violence, dating violence, sexual assault, and stalking. These acts will not be tolerated at Hays Academy as such acts are inappropriate and create an environment contrary to the goals and mission of Hays Academy.



Any such acts will be thoroughly investigated and will subject an individual to appropriate disciplinary sanctions and/or possible action by appropriate law enforcement agencies.

It is the responsibility of all persons within Hays Academy] community to work to ensure an educational environment free from sex discrimination. Violations of this policy may be grounds for disciplinary action under Hays Academy's policies and procedures [cross reference the procedures applicable to students and employees utilized by the School to investigate and discipline sexual discrimination (including sexual harassment and sexual violence) incidents].

All students and staff of Hays Academy are expected to report incidents of sexual discrimination (including sexual harassment or sexual violence) to the Title IX Coordinator.

### **Education Programs to Promote Awareness of Domestic Violence, Dating Violence, Sexual Assault, and Stalking.**

Hays Academy educates the incoming and current student and employee community about sexual violence, violence prevention, and all relevant [School] policies and procedures during all orientations held for new and current students at the onset of a class and at least annually.

In addition, Hays Academy conducts new and current employee training on these topics at least annually. The Title IX Coordinator is responsible for training all Hays Academy current students and employees about Hays Academy's policies regarding sexual violence and for conducting the new student and employee training.

The new and current employee and student training sessions include:

- A statement that Hays Academy prohibits crimes of dating violence, domestic violence, sexual assault, and stalking;
- The definitions of those crimes under federal and state law;
- The definition of consent, in reference to sexual activity, if available under state law;
- A description of safe and positive options for bystander intervention;
- Information on risk reduction;
- Information contained in Hays Academy's policies and procedures related to preventing, reporting, and responding to sexual offenses, including disciplinary procedures and victim rights; and
- A description of Hays Academy's ongoing prevention and awareness campaigns for students and employees.

## Sanctions and Protective Measures

Following a final determination of Hays Academy's institutional disciplinary proceeding regarding domestic violence, dating violence, sexual assault, or stalking, Hays Academy may impose the following sanctions on the perpetrator and protective measures for the complainant:

### 1. Sanctions

Sanction that may be imposed by Hays Academy include, but are not limited to:

- Written warning;
- Mandatory counseling;
- Mandatory education and training;
- No contact order;
- Changes in academic, working, or living arrangements;
- Revocation of certain campus privileges;
- Suspension; or
- Expulsion.

Hays Academy has flexibility in the type and range of sanctions to impose on the perpetrator depending on the severity of the incident, but has a process in place to ensure that sanctions imposed are consistent with sanctions imposed in past incidents of similar conduct and are not imposed unequally based on gender or gender identity.

### 2. Protective Measures

Protective measures that the school may utilize to protect the complainant include, but are not limited to:

- An order of protection, a no contact order, restraining order or similar lawful order from the institution;
- Changes to transportation, working, academic, and/or living situations;
- Providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred;
- Providing an escort to ensure that the complainant can move safely between classes and activities;
- Ensuring the complainant and perpetrator do not share classes or extracurricular activities;
- Providing comprehensive, holistic victim services including medical, counseling, and academic support services, such as tutoring; or
- Arranging for the complainant to have extra time to complete or re-take a class or withdraw from a class without an academic or financial penalty.

When determining what protective measures to establish, Hays Academy will consider a number of factors including the specific needs and requests expressed by the complainant; the age of the

students involved; the severity or pervasiveness of the conduct; any continuing effects on the complainant; whether the complainant and alleged perpetrator share the same residence hall, dining hall, class, transportation, or job location; and whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

### **Sexual Violence – Victim Procedures**

If you are victim of sexual violence, including sexual violence, dating violence, domestic violence, or stalking, your first priority should be to get to a place of safety. You should then obtain any necessary medical treatment. Information about the alleged offense should be provided to the Institute's Title IX Coordinator as soon as possible. Time is a critical factor for evidence collection and preservation.

Hays Academy strongly advocates that a victim of sexual violence report the incident to police in a timely manner and, if requested to do so by the victim, [the School's Title IX Coordinator] will assist the victim in contacting the police. Filing a police report will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. The victim has the right at all times to decline to notify police of the incident.

Filing a police report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim;
- Provide the opportunity for collection of evidence helpful in prosecution or establishing a no contact order, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam); and
- Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention. When a victim contacts the Police Department, the local Police Sex Crimes Unit will typically be notified as well. The victim may choose for the investigation to be pursued through the criminal justice system. The Title IX Coordinator will guide the victim through the available options and support the victim in his or her decision. Various counseling options are available through the Rape and Sexual Abuse Center and the Victim Intervention Program of the local Police Department.

### **Procedures for Disciplinary Action in Cases of Sexual Violence**

Hays Academy's Title IX Coordinator has primary responsibility for receiving, evaluating, and investigating allegations of sexual violence, including alleged domestic violence, dating violence, sexual assault, and stalking. The Title IX Coordinator is responsible for informing the [School Director and the Campus Security Authority] within 24 hours after receiving a sexual violence report, for purposes of maintaining accurate Clery Act crime statistics.

The Title IX Coordinator has primary responsibility for ensuring that any disciplinary proceeding involving an allegation of sexual violence is conducted promptly, fairly, and impartially and in accordance with these and other related institutional procedures.

Once the Title IX Coordinator receives a report of sexual violence, the following steps will be followed:

1. The Title IX Coordinator will immediately assess whether the information in the report

warrants a timely warning and, if so, will contact [the School Director] immediately to execute that procedure in accordance with the institution's timely warning procedures [cross reference to those procedures]. The Title IX Coordinator will immediately inform the victim of his/her right to "interim measures" during the pendency of an investigation of the alleged sexual violence, including obtaining an order of protection, a no contact order, restraining order or similar lawful order from the police or the institution. Hays Academy's obligation is to protect the identity of the victim in any Clery Act report or in other publicly available recordkeeping. Hays Academy is also required to keep any interim measures provided to the victim confidential, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodation or protective measure.

2. The Title IX Coordinator will, within 24 hours of receipt of the report, provide to the individual making the report of an alleged sex offense:
  - a) A copy of these procedures;
  - b) Information on counseling, health, mental health, victim advocacy, legal assistance services, immigration assistance, student financial aid, and any other services available to the victim at Hays Academy or in the community;
  - c) Information on the victim's right to report the incident to local police and the fact that Hays Academy's institutional investigation and disciplinary procedure and any criminal proceeding may occur simultaneously; and
  - d) Options to facilitate changes to transportation, working, academic, and/or living situations, or additional protective measures, if requested, while the investigation is pending, even if the victim chooses not to report the crime to police.
3. The Title IX Coordinator will investigate the incident by interviewing: the individual filing the report, the accused, Hays Academy employees, witnesses, and others as necessary to gather facts about the alleged incident. The Title IX Coordinator may be assisted by other employees after determining that such employees do not have a conflict of interest and have received training in Title IX and VAWA.
4. The Title IX Coordinator will ensure that all individuals involved in the disciplinary procedure apply a "preponderance of the evidence" standard when evaluating sexual violence reports. Hays Academy does not provide for a formal hearing process but both parties may be assisted by a support person of choice, including an attorney.
5. In all cases, the Title IX Coordinator will maintain regular communications with both the accuser and accused and provide both parties with equal opportunity to provide information, witness statements, evidence, and other information that may be necessary for Hays Academy to fully evaluate the alleged offense.
6. The Title IX Coordinator will, barring extenuating circumstance, complete the investigation and make a determination regarding any necessary discipline of accused and remedies to accuser within 60 days of the date that the report is first received by the Title IX Coordinator.
7. The Title IX Coordinator will inform both parties of its final determination. Hays Academy does not provide for an appeal of final determinations.

8. The sanctions that may be imposed by Hays Academy following a determination that dating violence, domestic violence, sexual assault, or stalking occurred include, but are not limited to, counseling, education, changes in academic or living arrangements, no contact orders, suspension or expulsion of a student, or termination of employment.
9. Both the accuser and accused shall be simultaneously informed in writing of:
  - a) The outcome of any disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;
  - b) The institution's procedures for the accused and victim to appeal the results of the institutional disciplinary proceeding (if any such appeal rights become available);
  - c) Any change to the results that occurs prior to the time that such results become final; and
  - d) When such results become final.
10. The Title IX Coordinator will determine if the incident is indicative of a systemic issue and, if so, work with Hays Academy employees, including [the Campus Security Authority and School Director], to recommend changes to Hays Academy's policies, procedures, or training to prevent re-occurrence.

Hays Academy requires the Title IX Coordinator and all employees involved in the investigation and disciplinary process to receive training at least annually on issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

### **Protection of Confidentiality of Victim of Sexual Violence**

There are no pastoral or professional counselors on campus. Confidential crisis, mental health, and victim resource hotline numbers are posted on campus as well as listed in the Student Catalog, should students need to contact these agencies. Victims of sexual violence reported to the Title IX Coordinator will be provided with information regarding local rape crisis centers and other counseling services.

Reports about sexual violence or other crimes may be provided informally and in confidence to Hays Academy's Title IX Coordinator, who will make every attempt to maintain privacy of the information in accordance with your request and Family Educational Rights and Privacy Act of 1974 (FERPA) regulations unless Hays Academy is under an obligation to disclose your identity to protect the safety of others. You will be informed if Hays Academy cannot maintain the requested confidentiality of the information.

Hays Academy strongly encourages persons who are victims of sexual violence who do not want to report the incident to policy or file a complaint using Hays Academy's institutional procedures to report the incident to the Title IX Coordinator voluntarily and on a confidential basis solely to permit the inclusion of that information in Hays Academy's annual crime statistics. With such information, Hays Academy can keep an accurate record of the number of similar incidents, 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. Hays Academy will make best efforts to maintain the privacy of that information and to comply with FERPA.

Hays Academy is required to, and will, keep the identity of victims of sexual violence private in any public report of Clery Act crimes. Reporting to the institution will also enable the victim to receive protective measures. At the victim's request, Hays Academy will maintain as confidential any protective measures provided to the victim, to the extent that making such information confidential does not impair the ability of the institution to provide those protective measures. The victim will be informed by the institution if providing a protective measure may reveal the identity of the victim.

Hays Academy encourages reporting of sexual violence to the police. Filing a police report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim;
- Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam); and
- Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention. Police reports are public records under state law, and therefore Hays Academy cannot guarantee the absolute confidentiality of reports of crime obtained from police records but will make every effort to maintain the confidentiality of such information to the greatest extent permitted by law.

### **Victim Support Services**

Once the Title IX Coordinator receives a report of sexual violence, the Title IX Coordinator will provide the individual making the report with written information regarding existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims, both on campus and in the community.

### **Interim Measures**

Within 24 hours of a Title IX Coordinator receiving a report of sexual violence, the Title IX Coordinator will provide written notification to the victim about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

### **Rights and Options of Victims of Sexual Violence**

Within 24 hours of a Title IX Coordinator receiving a report of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the institution will provide the student or employee with a written explanation of the student's or employee's rights and options. That notice will contain the following information: This document outlines your rights under Title IX. You may have additional rights under other federal and state laws. Title IX of the Education Amendments of 1972 prohibits sex discrimination—which includes sexual violence—in educational programs and activities. All

public and private schools, school districts, colleges, and universities receiving federal funds must comply with Title IX. If you have experienced sexual violence, here are some things you should know about your Title IX rights:

### Your School Must Respond Promptly and Effectively to Sexual Violence

- You have the right to report the incident to your school, have your school investigate what happened, and have your complaint resolved promptly and equitably.
- You have the right to choose to report an incident of sexual violence to campus or local law enforcement, but, a criminal investigation does not relieve your school of its duty under Title IX to respond promptly and effectively.
- Your school must adopt and publish procedures for resolving complaints of sex discrimination, including sexual violence. Your school may use student disciplinary procedures, but any procedures for sexual violence complaints must afford you a prompt and equitable resolution.
- Your school should ensure that you are aware of your Title IX rights and any available resources, such as victim advocacy, housing assistance, academic support, counseling, disability services, health and mental health services, and legal assistance.
- Your school must designate a Title IX coordinator and make sure all students and employees know how to contact him or her. The Title IX coordinator should also be available to meet with you.
- All students are protected by Title IX, regardless of whether they have a disability, are international or undocumented, and regardless of their sexual orientation and gender identity. **Your School Must Provide Interim Measures as Necessary**
- Your school must protect you as necessary, even before it completes any investigation. Your school should start doing this promptly once the incident is reported.
- Once you tell your school about an incident of sexual violence, you have the right to receive some immediate help, such as changing classes, dorms, or transportation. When taking these measures, your school should minimize the burden on you.
- You have the right to report any retaliation by school employees, the alleged perpetrator, and other students, and your school should take strong responsive action if this occurs.

### Your School Should Make Known Where You Can Find Confidential Support Services

- Your school should clearly identify where you can go to talk to someone confidentially and who can provide services like advocacy, counseling, or academic support. Some people, such as counselors or victim advocates, can talk to you in confidence without triggering a school's investigation. Because different employees have different reporting obligations when they find out about sexual violence involving students, your school should clearly explain the reporting obligations of all school employees.
- Even if you do not specifically ask for confidentiality, your school should only disclose information to individuals who are responsible for handling the school's response to sexual violence. Your school should consult with you about how to best protect your safety and privacy.



## Your School Must Conduct an Adequate, Reliable, and Impartial Investigation

- You have the right to be notified of the time frames for all major stages of the investigation.
- You have the right to present witnesses and evidence.
- If the alleged perpetrator is allowed to have a lawyer, you have the right to have one too.
- Your school must resolve your complaint based on what they think is more likely than not to have happened (this is called a preponderance-of-the-evidence standard of proof). Your school cannot use a higher standard of proof.
- You have the right to be notified in writing of the outcome of your complaint and any appeal, including any sanctions that directly relate to you.
- If your school provides for an appeal process, it must be equally available for both parties.
- You have the right to have any proceedings documented, which may include written findings of fact, transcripts, or audio recordings.
- You have the right not to “work it out” with the alleged perpetrator in mediation. Mediation is not appropriate in cases involving sexual violence. Your School Must Provide Remedies as Necessary
- If an investigation reveals that sexual violence created a hostile environment, your school must take prompt and effective steps reasonably calculated to end the sexual violence, eliminate the hostile environment, prevent its recurrence, and, as appropriate, remedy its effects.
- Appropriate remedies will generally include disciplinary action against the perpetrator, but may also include remedies to help you get your education back on track (like academic support, retaking a class without penalty, and counseling). These remedies are in addition to any interim measures you received.
- Your school may also have to provide remedies for the broader student population (such as training) or change its services or policies to prevent such incidents from repeating.

If you want to learn more about your rights, or if you believe that your school is violating federal law, you may contact the U.S. Department of Education, Office for Civil Rights, at (800) 421-3481 or (800) 421-3481 or [ocr@ed.gov](mailto:ocr@ed.gov). If you wish to fill out a complaint form online, you may do so at <http://www.ed.gov/ocr/complaintintro.html>

### **Registered Sex Offenders**

In accordance with the federal Campus Sex Crimes Prevention Act (CSCPA) a notice must be given of registered sex offenders to institutions of higher education if the offender is employed, carries on a vacation, or is a student at the institution. This information is available upon request in the administrative office. A Registered Offender search may also be conducted at <http://www.accesskansas.org/kbi/ro.shtml>.

For additional information on the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, visit <http://ojp.gov/smart/legislation.htm>.

## Crime Statistics

In compliance with the Campus Security Act, we are sharing the following crime-related statistics.

The figures include reports of crimes occurring on campus, non-campus buildings or properties, and public property. These geographic areas are defined as follows:

Crime Statistics Hays Campus			
Offense On Campus	2014	2015	2016
<b>Primary Crimes</b>	0	0	0
Criminal Homicide	0	0	0
Murder/Non- Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
<b>Sex Offenses</b>	0	0	0
Sex Offenses, Forcible (Rape, Sodomy, Sexual Assault w/ object and Fondling)	0	0	0
Sex Offenses, Non- Forcible (Incest and Statutory)	0	0	0
Rape (Includes sodomy and sexual assault with an object)	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0
Robbery	0	0	0
Aggravated Assault Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
<b>Arrest and Disciplinary Referrals</b>	0	0	0
Liquor Law Arrests	0	0	0
Drug Law Arrests	0	0	0
Weapon Law Arrests	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	0
Drug Law Violations Referred for Disciplinary Action	0	0	0
Weapons Law Violations Referred for Disciplinary Action	0	0	0

### Reported Hate Crimes Arrests and Disciplinary Action Referrals

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The following information pertains to the number of each type of primary crime (above) that was determined to be a hate crime, as well as larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property that were determined to be hate crimes.

In 2014, 2015 & 2016 there were no hate crimes reported.

### Unfounded Crimes

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In 2014, 2015 & 2016 there were no unfounded crimes reported.

Crime Statistics Hays Campus			
Offense Non-Campus	2014	2015	2016
<b>Primary Crimes</b>	0	0	0
Criminal Homicide	0	0	0
Murder/Non- Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
<b>Sex Offenses</b>	0	0	0
Sex Offenses, Forcible (Rape, Sodomy, Sexual Assault w/ object and Fondling)	0	0	0
Sex Offenses, Non- Forcible (Incest and Statutory)	0	0	0
Rape (Includes sodomy and sexual assault with an object)	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0
Robbery	0	0	0
Aggravated Assault Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
<b>Arrest and Disciplinary Referrals</b>	0	0	0
Liquor Law Arrests	0	0	0
Drug Law Arrests	0	0	0
Weapon Law Arrests	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	0
Drug Law Violations Referred for Disciplinary Action	0	0	0
Weapons Law Violations Referred for Disciplinary Action	0	0	0

#### **Reported Hate Crimes Arrests and Disciplinary Action Referrals**

The following information pertains to the number of each type of primary crime (above) that was determined to be a hate crime, as well as larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property that were determined to be hate crimes.

In 2014, 2015 & 2016 there were no hate crimes reported.

#### **Unfounded Crimes**

In 2014, 2015 & 2016 there were no unfounded crimes reported.

Crime Statistics Hays Campus			
Offense Public Property	2014	2015	2016
<b>Primary Crimes</b>	0	0	0
Criminal Homicide	0	0	0
Murder/Non- Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
<b>Sex Offenses</b>	0	0	0
Sex Offenses, Forcible (Rape, Sodomy, Sexual Assault w/ object and Fondling)	0	0	0
Sex Offenses, Non- Forcible (Incest and Statutory)	0	0	0
Rape (Includes sodomy and sexual assault with an object)	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0
Robbery	0	0	0
Aggravated Assault Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
<b>Arrest and Disciplinary Referrals</b>	0	0	0
Liquor Law Arrests	0	0	0
Drug Law Arrests	0	0	0
Weapon Law Arrests	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	0
Drug Law Violations Referred for Disciplinary Action	0	0	0
Weapons Law Violations Referred for Disciplinary Action	0	0	0

#### **Reported Hate Crimes Arrests and Disciplinary Action Referrals**

The following information pertains to the number of each type of primary crime (above) that was determined to be a hate crime, as well as larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property that were determined to be hate crimes.

In 2014, 2015 & 2016 there were no hate crimes reported.

#### **Unfounded Crimes**

In 2014, 2015 & 2016 there were no unfounded crimes reported.

Crime Statistics Salina Campus			
Offense On Campus	2014	2015	2016
<b>Primary Crimes</b>	0	0	0
Criminal Homicide	0	0	0
Murder/Non- Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
<b>Sex Offenses</b>	0	0	0
Sex Offenses, Forcible (Rape, Sodomy, Sexual Assault w/ object and Fondling)	0	0	0
Sex Offenses, Non- Forcible (Incest and Statutory)	0	0	0
Rape (Includes sodomy and sexual assault with an object)	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0
Robbery	0	0	0
Aggravated Assault Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
<b>Arrest and Disciplinary Referrals</b>	0	0	0
Liquor Law Arrests	0	0	0
Drug Law Arrests	0	0	1
Weapon Law Arrests	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	0
Drug Law Violations Referred for Disciplinary Action	0	0	0
Weapons Law Violations Referred for Disciplinary Action	0	0	0

#### **Reported Hate Crimes Arrests and Disciplinary Action Referrals**

The following information pertains to the number of each type of primary crime (above) that was determined to be a hate crime, as well as larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property that were determined to be hate crimes.

In 2014, 2015 & 2016 there were no hate crimes reported.

#### **Unfounded Crimes**

In 2014, 2015 & 2016 there were no unfounded crimes reported.

Crime Statistics Salina Campus			
Offense Non-Campus	2014	2015	2016
<b>Primary Crimes</b>	0	0	0
Criminal Homicide	0	0	0
Murder/Non- Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
<b>Sex Offenses</b>	0	0	0
Sex Offenses, Forcible (Rape, Sodomy, Sexual Assault w/ object and Fondling)	0	0	0
Sex Offenses, Non- Forcible (Incest and Statutory)	0	0	0
Rape (Includes sodomy and sexual assault with an object)	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0
Robbery	0	0	0
Aggravated Assault Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
<b>Arrest and Disciplinary Referrals</b>	0	0	0
Liquor Law Arrests	0	0	0
Drug Law Arrests	0	0	0
Weapon Law Arrests	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	0
Drug Law Violations Referred for Disciplinary Action	0	0	0
Weapons Law Violations Referred for Disciplinary Action	0	0	0

#### **Reported Hate Crimes Arrests and Disciplinary Action Referrals**

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In 2014, 2015 & 2016 there were no hate crimes reported.

#### **Unfounded Crimes**

In 2014, 2015 & 2016 there were no unfounded crimes reported.

Crime Statistics Salina Campus			
Offense Public Property	2014	2015	2016
<b>Primary Crimes</b>	0	0	0
Criminal Homicide	0	0	0
Murder/Non- Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
<b>Sex Offenses</b>	0	0	0
Sex Offenses, Forcible (Rape, Sodomy, Sexual Assault w/ object and Fondling)	0	0	0
Sex Offenses, Non- Forcible (Incest and Statutory)	0	0	0
Rape (Includes sodomy and sexual assault with an object)	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0
Robbery	0	0	0
Aggravated Assault Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
<b>Arrest and Disciplinary Referrals</b>	0	0	0
Liquor Law Arrests	0	0	0
Drug Law Arrests	0	0	0
Weapon Law Arrests	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	0
Drug Law Violations Referred for Disciplinary Action	0	0	0
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